

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 661 MAL 2024
	:	
Respondent	:	
	:	
v.	:	Petition for Allowance of Appeal
	:	from the Order of the Superior Court
	:	
	:	
JESSE JOHN KRZAN,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 17th day of June, 2025, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by petitioner, are:

- (1) Did the trial court err in holding that the Commonwealth may always introduce evidence that a defendant chose not to speak with the police prior to arrest so long as the defendant testifies at trial even where the evidence would not contradict anything to which the defendant specifically testified and where the evidence is far more prejudicial than probative?

- (2) Did the Superior Court err and misinterpret *Commonwealth v. Stevenson*, 318 A.3d 1264 (Pa. 2024), in concluding that Petitioner opened the door to the improper impeachment with his pre-arrest silence even though the Commonwealth moved *in limine* to question Petitioner about his pre-arrest silence before he testified and then did exactly that even though Petitioner never said anything misleading about his silence whatsoever?