

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
DARREN LAFINESE CEPHAS	:	
	:	
Appellant	:	No. 2046 EDA 2025

Appeal from the Judgment of Sentence Entered June 24, 2025
In the Court of Common Pleas of Delaware County Criminal Division at
No(s): CP-23-CR-0001578-2023

BEFORE: LAZARUS, P.J., MURRAY, J., and FORD ELLIOTT, P.J.E.*

MEMORANDUM BY MURRAY, J.:

FILED SEPTEMBER 11, 2026

Darren Lafinese Cephas (Appellant) appeals from the judgment of sentence imposed following his jury conviction of possession of a controlled substance with the intent to deliver (PWID).¹ Appellant challenges the trial court's denial of his pretrial motion to suppress statements and physical evidence. After careful review, we affirm.

On January 19, 2023, City of Chester Police Officer John Benozich (Officer Benozich) applied for a warrant to search Appellant's residence at 333 Kerlin Street in Chester, Pennsylvania (the residence); and Appellant's vehicle, an Acura MDX (the Acura). We summarize Officer Benozich's

* Retired Senior Judge assigned to the Superior Court.

¹ 35 P.S. § 780-113(a)(30).

supporting affidavit of probable cause (affidavit) as follows: In December 2022 and January 2023, Officer Benozich engaged a confidential informant (CI-1) to conduct two controlled purchases of cocaine from Appellant. Affidavit, 1/19/23, at 5-6. In January 2023, Officer Benozich engaged a separate confidential informant (CI-2) to conduct a third controlled purchase of cocaine from Appellant. ***Id.*** at 6-7. Before each transaction, law enforcement observed Appellant exit the residence and proceed directly to the predetermined locations, arranged by Appellant, to meet the respective confidential informants (collectively, CIs). ***Id.*** at 5-7.² Upon Appellant's arrival, law enforcement observed hand-to-hand exchanges between Appellant and the CIs (which police subsequently confirmed were drug transactions), and then observed Appellant leave the area of the transactions.

Id.³

A magisterial district judge approved the warrant and, on January 20, 2023, law enforcement searched the residence and the Acura. When police

² In the affidavit, Officer Benozich averred that Appellant utilized a "Subaru rental[,] with Florida tags," to meet CI-1 for the first drug transaction, and used the Acura for the second and third drug transactions. Affidavit, 1/19/23, at 5-7. The affidavit did not disclose the location(s) of the drug sales.

³ Following the first and third drug transactions, Officer Benozich averred that law enforcement observed Appellant return to the residence. Affidavit, 1/19/23, at 5, 7. The affidavit does not indicate whether Appellant *immediately* returned to the residence after completing the sales. After the second drug transaction, Appellant "was observed driving out of the area." ***Id.*** at 6.

arrived to execute the search warrant, Appellant was the only person present, and he “told police that nothing was in the house or” the Acura. Criminal Complaint (Affidavit of Probable Cause), 1/20/23, at 1. During the search of the residence, law enforcement recovered approximately \$17,000 in cash, a firearm with an obliterated serial number, and ammunition; from the Acura, law enforcement recovered drug paraphernalia and approximately 3.2 grams of cocaine. ***Id.*** Police subsequently charged Appellant with one count each of PWID, possession of a controlled substance, possession of drug paraphernalia, persons not to possess firearms, and possession of a firearm with an altered manufacturer’s number.⁴

On March 7, 2024, Appellant filed a boilerplate motion to suppress evidence, raising numerous grounds for relief. ***See generally*** Motion to Suppress, 3/7/24.^{5, 6} On January 21, 2025, following procedure irrelevant to

⁴ 35 P.S. § 780-113(a)(16), (32); 18 Pa.C.S.A. §§ 6105(a)(1), 6110.2(a)

⁵ Appellant was initially represented by Jonathan R. Altschuler, Esquire (Attorney Altschuler). On June 4, 2024, Attorney Altschuler withdrew as counsel, and Daniel A. Pallen, Esquire (Attorney Pallen), entered his appearance. Following Appellant’s jury trial, Attorney Pallen withdrew as counsel, and Elizabeth Ann Christopher, Esquire (Attorney Christopher), entered her appearance. Attorney Christopher represents Appellant in the instant appeal.

⁶ On April 17, 2024, Appellant, *pro se*, filed a second suppression motion, challenging the affidavit as unsupported by probable cause. ***See generally*** *Pro se* Motion to Suppress, 4/17/24, at 1-16. On July 29, 2024, at an on-the-record status conference, Attorney Pallen “adopted” both the March 7, 2024, (Footnote Continued Next Page)

this appeal, the trial court conducted a hearing on Appellant's suppression motion.

Prior to the hearing, the trial court sought clarification from Appellant concerning what issues he intended to advance in support of his motion. **See** N.T., 1/21/25, at 11 (Attorney Pallen acknowledging that Appellant's March 7, 2024, motion was "a boiler[]plate suppression motion."). Pertinently, Appellant identified his grounds for suppression of evidence as follows: "the searches and seizures w[ere the] fruit of [Appellant's il]legal arrest," based upon a "defective" search warrant, which "lacked probable cause." N.T., 1/21/25, at 4; **see also** Motion to Suppress, 3/7/23, at ¶ 4(a), (b); N.T., 1/21/25, at 4 (Appellant specifically referencing suppression motion paragraphs 4(a) ("The searches and seizures were the fruit of [Appellant's] illegal arrest") and 4(b) ("The searches and seizures were conducted with a [s]earch [w]arrant which was defective and which lacked probable cause")). Appellant also challenged the collection of his DNA via a buccal swab. **Id.**⁷

suppression motion, filed by Attorney Altschuler, and Appellant's *pro se* suppression motion. N.T., 7/29/24, at 3-4.

⁷ At the suppression hearing, Appellant represented that no warrant was issued for the collection of Appellant's DNA. N.T., 1/21/24, at 7. Immediately thereafter, the Commonwealth provided to Appellant a copy of the search warrant for Appellant's DNA (DNA search warrant). **Id.** at 14. Appellant requested that the trial court exclude the DNA search warrant from the suppression hearing, which the court denied. **Id.** at 16, 18.

The Commonwealth subsequently called Officer Benozich as its sole witness. Officer Benozich primarily testified regarding the circumstances preceding his application for the search warrant, and law enforcement's execution of the warrant. **See generally** N.T., 1/21/24, at 20-67; **see also** Exhibit C-1 (Search Warrant). At the conclusion of the hearing, the trial court directed the parties to submit memoranda in support of their respective positions. **Id.** at 70. On March 17, 2025, Appellant filed a memorandum exclusively addressing the legal sufficiency of the affidavit. **See generally** Suppression Memorandum, 3/17/25, at 4-18. The Commonwealth filed a responsive memorandum.

On April 2, 2025, the trial court denied Appellant's suppression motion.⁸ The matter proceeded to a jury trial on April 8-10, 2025. At the conclusion of trial, the jury convicted Appellant of the above-described offense.⁹ On June

⁸ The trial court's order denying Appellant's suppression motion did not provide factual findings or conclusions of law, in violation of Pa.R.Crim.P. 581(I) (requiring trial court's to "enter on the record a statement of findings of fact and conclusions of law as to whether the evidence was obtained in violation of the defendant's rights."). **See** Order, 4/2/25. Instead, the trial court filed "Findings of Fact and Conclusions of Law" (FFCL) on October 8, 2025, after Appellant filed his notice of appeal.

⁹ On April 7, 2025, during a pretrial conference, the Commonwealth indicated it was "proceeding [to trial] on the" persons not to possess firearms and PWID offenses. N.T., 4/7/25, at 4-5. Although unclear from the record, it appears Appellant's trial was bifurcated, with the jury first deciding Appellant's guilt as to PWID. The verdict slip presented to the jury included only PWID, with a special interrogatory instructing the jury to determine whether Appellant possessed a firearm. Verdict Slip, 4/10/25. The jury found Appellant guilty
(Footnote Continued Next Page)

24, 2025, the trial court sentenced Appellant to an aggregate 2½ to 7 years in prison. Appellant timely filed a post-sentence motion, which the trial court denied. Appellant timely filed a notice of appeal. Appellant and the trial court have complied with Pa.R.A.P. 1925.

Appellant raises the following issues for our review:

1. Did the trial court err and abuse its discretion by denying Appellant's motion to suppress, based upon a violation of ***Miranda***[***v. Arizona***, 384 U.S. 436 (1966),] and constitutional violations stemming from the ***Miranda*** violation?
2. Did the trial court err and abuse its discretion by denying Appellant's motion to suppress, based upon a defective search warrant and constitutional violations stemming from the enforcement of the defective search warrant?

Appellant's Brief at 6 (capitalization modified).

This Court's review of suppression determinations is well settled.

Our standard of review in addressing a challenge to the denial of a suppression motion is limited to determining whether the suppression court's factual findings are supported by the record and whether the legal conclusions drawn from those facts are correct. Because the Commonwealth prevailed before the suppression court, we may consider only the evidence of the Commonwealth and so much of the evidence for the defense as remains uncontradicted when read in the context of the record as a whole. Where the suppression court's factual findings are supported by the record, the appellate court is bound by those findings and may reverse only if the court's legal conclusions are erroneous.

of PWID, but indicated that it did not find, beyond a reasonable doubt, that Appellant had possessed a firearm. ***Id.*** After the jury rendered its verdict, the Commonwealth withdrew Appellant's persons not to possess firearms charge. N.T., 4/10/24, at 105. The docket reflects that the Commonwealth additionally withdrew each of Appellant's other charges.

Commonwealth v. Metz, 332 A.3d 92, 98 (Pa. Super. 2025) (brackets and citation omitted).

In his first issue, Appellant argues that the trial court erred by denying his request to suppress evidence obtained in violation of his ***Miranda*** rights. ***Id.*** at 12. According to Appellant, “[t]he [suppression hearing] testimony, and the record, does not state with any particularity which statements were said and by whom. The trial court simply accepted the notion that Appellant was read valid and thorough [***Miranda***] warnings.” ***Id.***

Before addressing the merits of Appellant’s first issue, we consider whether Appellant has preserved it for our review.

The Commonwealth argues that Appellant’s ***Miranda*** issue “was not properly preserved because, despite being vaguely pled in [his] written motion to suppress, Appellant did not proceed with the challenge at the [suppression] hearing” Commonwealth Brief at 9.¹⁰ The Commonwealth points out that a “claim raised in a written motion[,] but not [raised] at a hearing on said

¹⁰ The trial court did not address Appellant’s ***Miranda*** claim in its FFCL. ***See generally*** FFCL, 10/8/25. In its Rule 1925 opinion, the trial court observed that Appellant’s Rule 1925(b) concise statement identified “a number of issues ... that were raised in his motion for suppression[,] but that he did not pursue at the suppression hearing or in his [memorandum] in support of his motion for suppression.” Trial Court Opinion, 10/15/25, at 2 n.4 (capitalization modified). Although the trial court briefly addressed Appellant’s ***Miranda*** claim, and concluded it lacks merit, it did so by relying on testimony elicited at Appellant’s jury trial. ***Id.*** at 12; ***see also Commonwealth v. Carmenates***, 266 A.3d 1117, 1123 (Pa. Super. 2021) (explaining that in reviewing a suppression determination, “[w]e may only consider evidence presented at the suppression hearing.” (citation omitted)).

motion[,] is abandoned and waived.” **Id.** (citing **Commonwealth v. Brown**, 477 A.2d 1364, 1370 (Pa. Super. 1984) (concluding the appellant waived a **Miranda** claim he raised in his suppression motion, where he failed to advance the argument at the suppression hearing)).

The Rules of Criminal Procedure require that suppression “motion[s] state specifically and with particularity the evidence sought to be suppressed, the grounds for suppression, and the facts and events in support thereof.” Pa.R.Crim.P. 581(D). We have explained that “[i]n the extreme case, a complete failure to comply with the specificity requirements of Rule 581(D) will result in waiver, as those requirements have been held to be mandatory.” **Commonwealth v. Young**, 287 A.3d 907, 916 (Pa. Super. 2022) (citation omitted).

It is further well established that “[i]ssues not raised in the trial court are waived and cannot be raised for the first time on appeal.” Pa.R.A.P. 302(a). “When a defendant raises a suppression claim to the trial court and supports that claim with a particular argument or arguments, the defendant cannot then raise for the first time on appeal different arguments supporting suppression.” **Commonwealth v. Smith**, ___ A.3d ___, 2026 WL 2041538, *3 n.7 (Pa. Super. filed July 15, 2026) (quoting **Commonwealth v. Thur**, 906 A.2d 552, 566 (Pa. Super. 2006) (citation omitted)); **see also Commonwealth v. Bartee**, 868 A.2d 1218, 1221 n.6 (Pa. Super. 2005)

(concluding the appellant waived an issue that he raised in his written suppression motion, but which he withdrew at the suppression hearing).

Upon review, we conclude Appellant failed to preserve his **Miranda** issue for our review. In his suppression motion, Appellant vaguely averred that “he may have made various statements to members of the Chester City Police Department or the Pennsylvania State Police,” and, if so, he “did not make a knowing, intelligent and voluntary waiver of his **Miranda** rights prior to making the statements[.]” Suppression Motion, 3/7/24, ¶ 3(b). However, as outlined above, Appellant elected not to advance this argument at the suppression hearing, or in his post-hearing memorandum. Indeed, the record deficiencies of which Appellant complains are the direct result of his abandonment of the **Miranda** issue.

Because Appellant abandoned his **Miranda** argument as a ground for suppression at the hearing, it is waived. **See Smith**, 2026 WL 2041538, *3 n.7; **Bartee**, 868 A.2d at 1221 n.6; **Brown**, 477 A.2d at 1370. Accordingly, Appellant’s first issue merits no relief.

In his second issue, Appellant “contends that the search of [the] residence was invalid due to a lack of [a] nexus between the drug sales [and] the [residence], and, therefore, any contraband or statements made while police were in the [residence] must be suppressed.” Appellant’s Brief at 22 (punctuation modified); **see also id.** at 17 (citing **Commonwealth v. Nicholson**, 262 A.3d 1276, 1278-83 (Pa. Super. 2021) (concluding police

lacked probable to obtain a search warrant for the appellant's residence, which was based on (1) the affiant's observation of two controlled drug sales that took place in the appellant's vehicle; (2) the fact that the appellant returned home after the sales; and (3) the affiant's generalized assertion that drug dealers typically store drugs in their homes)). **But see id.** at 21 (Appellant conceding the "facts within the affidavit of probable cause [] establish a nexus between the" Acura and drug activity).

Appellant points out that, "within the four corners of the affidavit ...[,] there is no mention whatsoever of the exact or general location of the predetermined location" for the drug sales. **Id.** at 19. Appellant argues the location of the transactions is significant, because a "longer distance widens the gap of any nexus between the [residence] and the predetermined locations." **Id.**

Appellant further emphasizes that the affidavit does not aver "when Appellant returned back to the [residence,] or even if he returned immediately back to the home." **Id.** Appellant argues that law enforcement may not rely "on a mere assumption that because [a suspect] was observed leaving his home before a controlled buy, the drugs must have originated from inside his residence." **Id.** at 20 (citing **Commonwealth v. Kline**, 335 A.2d 361, 364 (Pa. Super. 1975) (*en banc*) (concluding police lacked probable cause to secure a search warrant for the appellant's residence, where confidential

informants speculated that the appellant kept drugs in his residence, and police did not corroborate their conclusion)).¹¹

The Commonwealth responds that the affidavit was supported by probable cause, in that it averred that police observed Appellant leave his residence, proceed directly to the location of the drug transactions, and return to the residence after two of the three drug sales. Commonwealth Brief at 14. The Commonwealth argues that the “distance or travel time from [the residence] to the transaction location is irrelevant[,] because Appellant did not make stops between when he left [the residence] and when he arrived at the transaction location.” *Id.* at 19.

The Commonwealth further maintains that “Appellant’s reliance on *Nicholson* and *Kline* is misplaced[, as] the trend in the caselaw makes it clear that the drug dealer’s origin is the dispositive factor” in the instant probable cause analysis. *Id.* at 18; *see also id.* at 16 (citing

¹¹ We note that *Kline*’s analysis relied, in part, on the United States Supreme Court’s two-part test for determining whether an affidavit, based on information from a confidential informant, established probable cause. *See Kline*, 335 A.2d at 364 (citing *Spinelli v. United States*, 393 U.S. 410 (1969), and *Aguilar v. Texas*, 378 U.S. 108 (1964)). The *Spinelli/Aguilar* two-part test required affiants to set forth (1) the basis of the confidential informant’s knowledge; and (2) facts sufficient to establish the confidential informant’s reliability. *See Spinelli*, 393 U.S. at 418; *Aguilar*, 378 U.S. at 116-17. The Supreme Court later abandoned the *Spinelli/Aguilar* two-part test in favor of a “totality of the circumstances” test. *See Illinois v. Gates*, 462 U.S. 213, 230-31 (1983) (“Th[e] totality-of-the-circumstances approach is far more consistent with our prior treatment of probable cause than is any rigid demand that specific ‘tests’ be satisfied by every informant’s tip.” (footnote omitted)).

Commonwealth v. Clark, 28 A.3d 1284 (Pa. 2011), and ***Commonwealth v. Kemp***, 195 A.3d 269 (Pa. Super. 2018)).

It is well established that

[w]hen reviewing a magist[erial district judge's] decision to issue a search warrant based upon an affidavit of probable cause, our scope of review is narrow, and our standard of review is restrained. We review only the information within the four corners of the affidavit submitted in support of probable cause. The duty of a reviewing court is simply to ensure that the magist[erial district judge] had a substantial basis for concluding that probable cause existed. Thus, we may *not* conduct a *de novo* review of the issuing authority's probable cause determination.

Commonwealth v. Batista, 219 A.3d 1199, 1203 (Pa. Super. 2019)

(citations, quotation marks, and ellipsis omitted; emphasis in original).

Our analysis of Appellant's challenge to the legal sufficiency of the affidavit is guided by the following legal principles:

Before an issuing authority may issue a constitutionally valid search warrant, he or she must be furnished with information sufficient to persuade a reasonable person that probable cause exists to conduct a search. The standard for evaluating a search warrant is a "totality of the circumstances" test as set forth in ***Illinois v. Gates***, 462 U.S. 213 (1983) A magist[erial district judge] is to make a practical, common[-]sense decision whether, given all the circumstances set forth in the affidavit before him, including the veracity and basis of knowledge of persons supplying hearsay information,¹² there is a fair probability that contraband or evidence of a crime will be found in a particular place. The information offered to establish probable cause must be viewed in a common[-]sense, nontechnical manner. Probable cause is

¹² Instantly, we note that Appellant does not challenge the CIs' reliability or veracity. According to the affidavit, the CIs stated that they knew Appellant to sell cocaine in the City of Chester "while operating [the Acura]," but the CIs did not advise whether Appellant engaged in drug sales in or near the residence. Affidavit, 1/19/23, at 4.

based on a finding of the probability, not a *prima facie* showing of criminal activity, and deference is to be accorded a magist[erial district judge's] finding of probable cause.

Commonwealth v. Manuel, 194 A.3d 1076, 1082 (Pa. Super. 2018) (*en banc*) (citation, quotation marks, and footnote omitted; citation modified; footnote added).

We have explained that “probable cause to believe that a man has committed a crime on the street does *not* give rise to probable cause to search his home.” ***Nicholson***, 262 A.3d at 1280 (emphasis in original; citation omitted). Rather “[t]he affidavit of probable cause must establish a substantial nexus between the suspect’s home and the criminal activity or contraband sought to permit the search of the home.” ***Id.*** (citation omitted). “In other words, there must be something in the affidavit that links the place to be searched directly to the criminal activity.” ***Id.*** at 1282.

Instantly, the trial court rejected Appellant’s claim that the affidavit failed to establish a substantial nexus between the residence and drug activity:

The information set forth within the four corners of the ... affidavit was sufficient to support a finding of probable cause that contraband or evidence of a crime would be found in [the residence] and [the Acura]. ... The search warrant affidavit set forth ... information ... regarding [the] reliability and credibility of the [CIs]; the [three] hand-to-hand transactions with [the CIs] that were surveilled by police officers in real time; and the fact that [Appellant] was seen leaving [the residence] before each of the [three] transactions, and using [the Acura] for [two] of the [three] transactions.

The circumstances of the controlled buys witnessed by the police officers were such that a direct nexus was established between [Appellant's] drug sales, [the residence], and [the Acura]. [Appellant] left [the residence] immediately before going to make the controlled buys, and returned to [the residence] immediately after completing [two] of the [three] controlled buys, without stopping anywhere in between. The [CIs] both told Officer Benozich that [Appellant] was selling cocaine in Delaware County while operating [the Acura]. For the first controlled buy, [Appellant] drove a burgundy Subaru, and for the other controlled buys in January of 2023, [Appellant] was operating the [Acura]. Officer Benozich applied for the search warrant within 48 hours of the third controlled buy.

The application for the search warrant relative to the timing of the controlled buys within Delaware County, as well as the use of [the Acura] to complete the controlled buys, established probable cause that contraband or evidence of a crime would be found in [the residence] and [the Acura]. The trial court must defer to the issuing authority's finding of probable cause, and "[i]f a substantial basis exists to support the magist[erial district judge's] probable cause finding," the trial court must uphold that finding. ***Commonwealth v. Mendoza***, 287 A.3d 457, 463 (Pa. Super. 2022)[("The reviewing court must accord deference to the issuing authority's probable cause determination, and must view the information offered to establish probable cause in a common-sense, non-technical manner." (citation omitted))]. Th[e trial c]ourt's denial of [Appellant's] motion to suppress was properly decided.

Trial Court Opinion, 10/15/25, at 10-11 (footnotes omitted; punctuation, capitalization, and citation modified).

We largely agree with the trial court's recitation of the facts set forth in Officer Benozich's affidavit,¹³ and we agree with the trial court's determination

¹³ As noted above, the affidavit is silent as to whether Appellant "immediately" returned to the residence, after the first and third drug sale, "without stopping anywhere in between." Trial Court Opinion, 10/15/25, at 11; ***see also generally*** Affidavit, 1/19/23.

that the issuing authority “had a substantial basis for concluding that probable cause existed.” **Batista**, 219 A.3d at 1203.

Our decision in **Kemp, supra**, is on all fours with the instant case, and is thus dispositive. In **Kemp**, the appellant argued the affidavit of probable cause supporting the search warrant issued for his home did not establish probable cause. **Id.** at 274. The affidavit averred that the appellant “participated in two controlled buys for which he proceeded directly from his home to the point of sale.” **Id.** at 275. The affidavit did not disclose whether the sales occurred in or near the appellant’s home, and it did not indicate whether the confidential informant observed drugs or drug paraphernalia inside the appellant’s home. **Id.** Further, “[a]t no place in the affidavit of probable cause is there any indication that [the appellant] was followed from the scene of the exchanges back into his house.” **Id.** at 274-75 (citation omitted).

On appeal, the appellant argued that “the affidavit did not establish a fair probability that contraband would be discovered in his home.” **Id.** at 275. In concluding the search warrant affidavit was supported by probable cause, the **Kemp** Court distinguished its facts from those presented in **Kline**, noting that in **Kline**, “several witnesses testified to purchasing drugs from the defendant, but no evidence linked the defendant’s drug dealing activity to his apartment.” **Id.** The **Kemp** Court explained that, “unlike **Kline** ..., the affidavit does establish a nexus between [the a]ppellant’s home and the crime

under investigation[,]” as “police twice observed [the a]ppellant leaving his home[,] and proceeding directly to the site of a controlled buy.” *Id.*

The *Kemp* Court concluded that the following analysis in *Clark, supra*, was controlling:

[T]he trial court and Superior Court discounted the common[-]sense import of the fact that after the controlled buy was arranged, the **police observed [the a]ppellee leave his residence in his vehicle, as precisely described by the [confidential informant], drive to a location, conduct the transaction, and immediately return to his residence. This fact certainly connected the illegal transaction to [the a]ppellee’s residence, in a common sense, non-technical way, and permitted the issuing authority to conclude that drugs would likely be found in the residence.** Although the circumstances of the observed transaction also potentially pointed to [the a]ppellee’s vehicle as a storage location for the drugs, the law does not require that the information in a warrant affidavit establish with absolute certainty that the object of the search will be found at the stated location, nor does it demand that the affidavit information preclude all possibility that the sought[-]after article is not secreted in another location.

Kemp, 195 A.3d at 276 (quoting *Clark*, 28 A.3d at 1291) (emphasis added).

Instantly, as set forth in the affidavit, on three separate occasions police observed Appellant leave his home and (in an identical fashion) proceed “directly to the predetermined meeting location, without stopping or meeting with any other persons, and engaged in a hand-to-hand transaction” Affidavit, 1/19/23, at 5-7 (punctuation modified). The affidavit’s failure to identify the locations of the drug sales (presumably to shield the CIs’ identities) does not impact our probable cause analysis, as Appellant travelled

directly from the residence to the locations of the drug sales and, thus, could not have obtained the drugs from another location.

Appellant's claim that the affidavit was unsupported by probable cause, based on its failure to state whether Appellant proceeded directly from the location of the drug sales back to the residence, is likewise without merit. In **Kemp**—which Appellant does not cite, let alone attempt to distinguish—we concluded that a search warrant affidavit established a substantial nexus between the appellant's residence and drug-dealing activity, where police twice observed the appellant proceed directly from his residence to the scene of drug sales, despite the affidavit's failure to describe what the appellant did after the transactions. **Kemp**, 195 A.3d at 274-75.

The only differences between **Kemp** and the instant case are facts that lend additional support to the issuing authority's finding of probable cause. Here, police observed **three** controlled buys, and observed Appellant travel from the location(s) of those controlled buys to the residence (albeit without noting whether Appellant travelled immediately to the residence). We agree with the trial court that the facts averred in the affidavit established a fair probability that drugs or the proceeds of drug sales would be found in the residence. **See Manuel**, 194 A.3d at 1082.

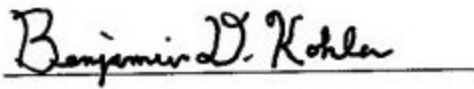
Based upon the foregoing, and mindful of the deference owed to a magisterial district judge's finding of probable cause, we discern no legal error in the trial court's conclusion that the magisterial district judge had a

substantial basis for determining that the affidavit established probable cause.

See *Batista*, 219 A.3d at 1203; ***Manuel***, 194 A.3d at 1082. Accordingly, Appellant's second issue entitles him to no relief.

Judgment of sentence affirmed.

Judgment Entered.

A handwritten signature in cursive script, reading "Benjamin D. Kohler", is written over a horizontal line.

Benjamin D. Kohler, Esq.
Prothonotary

Date: 9/11/2026