IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	**:**	**CRIMINAL DIVISION**
	:	**NO. CR-954-2025**
v.	**:**	
	:	**Omnibus Motion**
QUODRICE HENDRIX,	**:**	
Defendant	**:**	

AMENDED OPINION AND ORDER

AND NOW, this ____ day of November, 2026, the Opinion and Order issued on October 9, 2026, and docketed to the above-captioned case dated the same, is hereby **AMENDED** to reflect the correct spelling of the Defendant's surname in the case caption. The error was clerical. In all other regards, the Opinion and Order dated October 9, 2026, remains unchanged.

OPINION

This matter was before the Court on November 24, 2025, for a hearing and argument on Defendant's Omnibus Motion. At the hearing on the Motion, Defendant appeared personally represented by Taylor Paulhamus, Esquire. Assistant District Attorney Lindsay Sweeley appeared on behalf of the Commonwealth. Defendant included in his Omnibus Motion a request to proceed Nunc Pro Tunc. The Commonwealth objected to the untimeliness, but conceded that the interests of justice warranted Defendant proceeding on his motion. Accordingly, the Court granted Defendant's request. On April 16, 2026, Attorney Paulhamus filed a Motion for Leave to Withdraw from Representation. Following a hearing on April 20, 2026, Attorney Paulhamus' Motion was granted. On April 24, 2026, Brian Ulmer, Esquire, was appointed to represent Defendant in his criminal matters.

Defendant is charged in this matter with one count of Police Animals—Illegal to Taunt, felony of the third degree, pursuant to 18 Pa.C.S. Section 5548(a), one count of

Resisting Arrest or Other Law Enforcement, misdemeanor of the second degree, under 18 Pa.C.S. Section 5104, one count of Communications with 911, misdemeanor of the second degree, under 35 Pa.C.S. Section 5310(a), and one count of Disorderly Conduct—Create Hazard/Offensive Conduct, misdemeanor of the third degree, under 18 Pa.C.S. Section 5503(a)(4) for events that occurred on or around July 2, 2025.

A preliminary hearing occurred on July 22, 2205, before Magisterial District Judge Christian Frey and all charges were bound for over. Through counsel, Defendant waived his arraignment and was placed on the trial list.

Background

At the hearing on the Motion, the Commonwealth submitted the preliminary hearing audio as Commonwealth Exhibit No. 1. Without objection from the Defendant, the exhibit was admitted to the record. The factual sequence relevant to Defendant's Motion was ascertained from the preliminary hearing testimony.

At the preliminary hearing, the Commonwealth presented Sgt. Brian McGee with the Williamsport Police Department. (00:00:16-00:00:19). Sgt. McGee was working in his capacity as a law enforcement officer on July 3, 2025. (00:00:19-00:00:23). On that date, Sgt. McGee came into contact with an individual by the name of Quodrice Hendrix, Defendant, on two separate occasions. (00:00:24-00:00:31). One police contact on July 3, 2025, occurred in the area of Second Street and Lumber Street in Williamsport after Defendant was alleged to have fled from a motor vehicle stop conducted by Sgt. Jody Miller. (00:00:33-00:00:50). Sgt. McGee was not involved in the traffic stop. (00:05:06-00:05:23). He was involved in the pursuit of Defendant after he fled. (Id). After avoiding police, officers made contact with Defendant in the backyard of a residence. (00:05:53-00:06:07). The vehicle was ultimately towed by a company. (00:05:25-00:05:34). At the interaction, Officer Geary explained to

Defendant how to get his vehicle back and how to proceed from that point on to respond to the citations and resolve the motor vehicle incident. (00:00:51-00:01:08).

A short time later, the police were dispatched to three different locations: (1) the area of Dincher's on East Fourth Street in Williamsport; (2) the area of the 700 block of Second Street; and (3) area of 2000 block of West Fourth Street. (00:01:10-00:01:33). Police determined Defendant called 911 on three occasions within 15 minutes with a non-emergent request about how to retrieve his vehicle. (00:01:34-00:01:46). Dispatch provided 3 locations, McGee responded to the single location dispatch advised the cell phone ping occurred, in the 700 block of Second Street. (00:06:19-00:06:30). Dispatch provided the name "Storm Wells" for the individual calling, and Sgt. McGee was familiar with the name related to Defendant from the day prior. (00:06:55-00:07:23). Sgt. McGee listened to the 911 recordings and confirmed the voice was male and belonging to who McGee believed to be Defendant. (00:01:47-00:01:55). During one of the calls, the location of the caller was pinged in the area of the 700 block of Second Street. (00:01:56-00:02:07). Upon arriving in that area, observed Defendant standing on the south side of the street carrying a football. (00:02:08 2:18). Sgt. McGee advised Defendant that his continuing course of conduct of calling 911 for non-emergent purposes was disorderly conduct, and he was being taken into custody as a result. (00:02:23-00:02:41). McGee arrested Defendant for his disorderly conduct of creating a hazardous or physically offensive condition by calling 911 and tying up multiple 911 lines preventing callers for emergent purposes from being able to use the lines. (00:08:03-00:08:14).

I. Defendant's Motion to Suppress for Unlawful Arrest

Defendant submits that the police unlawfully arrested him on misdemeanor charges without a warrant when no misdemeanor was being committed in the officer's presence. At

the hearing, Defendant argued that the testimony from the preliminary hearing is not sufficient to carry the Commonwealth's burden. Specifically, for a warrantless arrest to effect for the commission of a misdemeanor offense, the misdemeanor must be committed in the presence of law enforcement officers. Defendant argues that the facts—Sgt. McGee dispatched for a call, not listening to the call prior to approach, and arresting Defendant on arrival—are not sufficient facts for a warrantless arrest. Defendant relies on *Commonwealth v. Clark*, 735 A.2d 1248 (Pa. 1999). Defendant avers that there is no testimony establishing a misdemeanor offense was committed in the presence of Sgt. McGee and the charges resulting from the arrest—resisting arrest and taunting police animals—do not support the Commonwealth's burden. Thus, Defendant asserts that the arrest based on the phone calls to 911 be suppressed.

The Commonwealth argued that the testimony from the preliminary hearing supports a finding of probable cause to warrant the arrest of Defendant upon Sgt. McGee's arrival at the scene in response to numerous calls made by Defendant within a fifteen-minute timeframe for non-emergent purposes. The Commonwealth further objected to Defendant's assertion that Sgt. McGee did not listen to the call and understand the prior dealings with Defendant. Sgt. McGee testified to an incident involving Defendant prior that gave Sgt. McGee familiarity with Defendant. Collective info doctrine provides the probable cause=another officer heard call and relayed info to McGee; McGee was dispatched to arrest Defendant for the offense of false calls to 911. Thus, the Commonwealth submits that the events culminating the totality of the circumstances, *i.e.*, the phone calls and the fleeing were committed in the presence of one or more officers and Sgt. McGee had probable cause sufficient to conduct a warrantless arrest.

"The Fourth Amendment of the United States Constitution and Article I, Section 8, of the Pennsylvania Constitution provide that individuals shall be free from unreasonable searches and seizures" by the government. *Commonwealth v. Clark*, 735 A.2d 1248, 1251 (Pa. 1999). In order to arrest a suspect, a law enforcement officer must have a warrant to conduct the arrest in public, or the officer must have probable cause to believe that (1) a felony has been committed; (2) the person to be arrested is the felon. *Id* citing *Commonwealth v. Travaglia*, 502 Pa. 474, 484 (1983). For misdemeanor offenses, a warrant is also required unless the misdemeanor is committed in the presence of an officer. *Id*. Probable cause requires only "probability, and not prima facie showing, of criminal activity." *Illinois v. Gates*, 462 U.S. 213, 235, 103 S.Ct. 2317, 76 L.Ed.2d 527 (1983).

Here, Sgt. McGee testified (1) about his familiarity with Defendant's voice and an alias he used on the phone calls from a previous law enforcement interaction with Defendant; (2) Sgt. McGee knew that Defendant's car was towed after a motor vehicle stop and Defendant fleeing; (3) Defendant is alleged to have called 911 three times; (4) Defendant was calling for non-emergency purposes requesting information about his towed vehicle; (5) the dispatch center was able to ping the location of the caller; and (6) Sgt. McGee made contact with Defendant within fifteen minutes of the third phone call to 911. Sgt. McGee testified to perceiving the third phone call, and based on the course of Defendant's conduct, it was ongoing conduct that created a hazardous circumstance of unnecessarily occupying the emergency phone lines for civilians who needed to contact 911 for actual emergencies. Defendant's warrantless arrest was lawful under the totality of the circumstances test and based on sufficient probable cause that Defendant was committing the misdemeanor of disorderly conduct in the presence of a law enforcement officer because Defendant's course of conduct of calling 911 for non-emergent purposes was ongoing and likely to continue.

Accordingly, the Court enters the following Order:

ORDER

AND NOW, this 9th day of October, 2026, the Defendant's Motion to Suppress his Arrest is **DENIED**.

By the Court,

_____
Hon. Ryan M. Tira, Judge

RMT/asw
CC: DA; CA;
Brian Ulmer, Esq.
Gary Weber, Esq.—Lycoming Reporter