

00-549-CD
JACK E. ALLEN -vs- CAROL BAKER et al

OFFICE OF PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW

PROTHONOTARY
AND
CLERK OF COURT

CLEARFIELD COUNTY



P.O. Box 549
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-2641 Ext. 1330

DAVID S. AMMERMAN

SOLICITOR

JACQUELINE KENDRICK

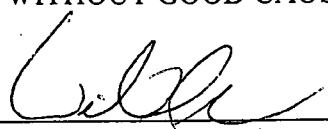
DEPUTY PROTHONOTARY

MAY 31, 2000

JACK E. ALLEN,
VS
CAROL BAKER, ETAL

DEAR MR. ALLEN:

PLEASE BE ADVISED THAT THE ACTION YOU FILED TO THE ABOVE
TERM AND NUMBER HAS BEEN STRICKEN EFFECTIVE MAY 31, 2000. YOU
MAY NOT PROCEED WITH THIS ACTION WITHOUT GOOD CAUSE FROM THE
COURT.


William A. Shaw, Prothonotary

FILED

MAY 31 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

⑤ JACK E. ALLEN,

:

Petitioner

:

VS.

: NO. 00-549-CD

② CAROL BAKER, et al,

:

Respondents

:

O R D E R

NOW, this 10th day of May, 2000, the Court being in receipt of the "Class Action" Petition filed by the Petitioner, Jack E. Allen, pro se, along with the Petition for Leave to Proceed In Forma Pauperis; there being no doubt from a review of the documentation that the action is frivolous in nature, it is the ORDER of this Court that the request to proceed in forma pauperis is hereby denied. Upon any failure of the Prothonotary to receive the appropriate filing fees within the time period required under the Rules of Civil Procedure, the Prothonotary is directed to return the original documentation to the Petitioner.

BY THE COURT,



Judge

FILED

MAY 10 2000

William A. Shaw
Prothonotary

OFFICE OF PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW

**PROTHONOTARY
AND
CLERK OF COURT**

CLEARFIELD COUNTY



**P.O. Box 549
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-2641 Ext. 1330**

DAVID S. AMMERMAN

SOLICITOR

JACQUELINE KENDRICK

DEPUTY PROTHONOTARY

May 1, 2000

JACK E. ALLEN
P.O. BOX 1000
HOUTZDALE, PA 16698-1000

DEAR MR. ALLEN:

PLEASE BE ADVISED THAT YOUR PETITION TO PROCEED IN FORMA PAUPERIS IN THE ABOVE CASE HAS BEEN DENIED BY THE COURT. A CERTIFIED COPY OF THE COURT'S ORDER IS ENCLOSED. ACCORDING TO THE RULES OF CIVIL PROCEDURE NO. 236, THE PROTHONOTARY'S OFFICE MAY STRIKE YOUR FILING IF PAYMENT IS NOT RECEIVED IN FULL. IF STRIKEN YOU MAY NO LONGER PROCEED WITH THE ACTION WITHOUT LEAVE FROM THE COURT FOR GOOD CAUSE.

THIS ACTION WILL BE STRIKEN WITHIN TEN (10) WORKING DAYS FROM THE DATE OF THIS LETTER IF PAYMENT IN THE AMOUNT OF \$80.00 HAS NOT BEEN RECEIVED.

SINCERELY,

**WILLIAM A. SHAW
PROTHONOTARY/CLERK OF COURTS**

ENCLOSURE

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JACK E. ALLEN
Petitioner
VS.

CAROL BAKER - HEARING EXAMINER
LT. BARON CO III (NACPT. CO IV)
LT. CONNAH CO III
DEPUTY W. E. SPECK
SGT. HORTON CO II
JOHN M. McCULLOUGH, WARDEN
JOHN K. REILLY, JR. (P. J.)
Defendants.

CIVIL ACTION COMPLAINT.

CASE No 179 MD 2000

COURT OF COMMON PLEAS

CASE # 00-549-CO

FILED

PETITION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

MAY 10 2000
0/3:30 PM
William A. Shaw
Prothonotary
MC C/C

JACK E. ALLEN STATES UNDER THE PENALTIES PROVIDED BY 18 P.A.C.S.A. § 4904 (UNSWORN FALSIFICATION TO AUTHORITIES) THAT:

1) I AM THE PETITIONER IN THE ABOVE MATTER AND BECAUSE OF MY FINANCIAL CONDITION AM UNABLE TO PAY THE FOLLOWING FEES AND COSTS.

2) MY RESPONSES TO THE QUESTIONS BELOW RELATING TO MY ABILITY TO PAY FEES AND COSTS OF CIVIL ACTION COMPLAINT ARE TRUE AND CORRECT.

(a) ARE YOU PRESENTLY EMPLOYED? Yes or (NO)

(1) IF THE ANSWER IS YES, STATE THE AMOUNT OF YOUR SALARY OR WAGES PER MONTH AND GIVE THE NAME AND ADDRESS OF YOUR EMPLOYER

NONE.

(2) IF THE ANSWER IS NO, STATE THE DATE OF YOUR
LAST EMPLOYMENT AND THE AMOUNT OF THE SALARY AND
WAGES PER MONTH WHICH YOU RECEIVED:

DECEMBER 10TH, 1999 PRISON WAGES .23\$ AN HR.
\$18.40 A MONTH.

(3) LIST YOUR SPOUSE'S EMPLOYMENT HISTORY FOR THE PAST
TWO YEARS.

DECEASED

4) HOW MUCH CASH DO YOU AND YOUR SPOUSE HAVE?
\$0

5) LIST THE ASSETS, AND THEIR VALUES, WHICH YOU OWN
OR YOUR SPOUSE OWNS. DO NOT LIST CLOTHING AND ORDINARY
HOUSEHOLD FURNISHINGS.

HOME VALUE N/A

MOTOR VEHICLE VALUE N/A

REAL ESTATE VALUE N/A

OTHER ASSETS - VALUE N/A

6) STATE EVERY PERSON, BUSINESS, OR ORGANIZATION OWING
YOU OR YOUR SPOUSE MONEY; AND THE AMOUNT OWED.

NONE - N/A

7) STATE THE PERSONS WHO RELY ON YOU OR YOUR SPOUSE
FOR SUPPORT.

NAME	RELATIONSHIP	AGE
<u> </u>	<u>N/A</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

8) ESTIMATE The AVERAGE MONTHLY expenses of You and Your Family. Show Separately The Amounts paid by Your Spouse. Adjust any payments That are Made WEEKLY; biweekly; quarterly or annually To show The MONTHLY rate.

	You	Your Spouse
RENT or MORTGAGE	\$ <u>0</u>	\$ <u>0</u>
UTILITIES	\$ <u>0</u>	\$ <u>0</u>
HOME MAINTENANCE	\$ <u>0</u>	\$ <u>0</u>
FOOD	\$ <u>0</u>	\$ <u>0</u>
CLOTHING	\$ <u>0</u>	\$ <u>0</u>
LAUNDRY and dry CLEANING	\$ <u>0</u>	\$ <u>0</u>
MEDICAL and DENTAL Expenses	\$ <u>0</u>	\$ <u>0</u>
TRANSPORTATION	\$ <u>0</u>	\$ <u>0</u>
INSURANCE:		
LIFE	\$ <u>0</u>	\$ <u>0</u>
HEALTH	\$ <u>0</u>	\$ <u>0</u>
MOTOR VEHICLE	\$ <u>0</u>	\$ <u>0</u>
OTHER		

ALIMONY, MAINTENANCE, and support PAID TO OTHERS

	\$ <u>0</u>	\$ <u>0</u>
--	-------------	-------------

Other (specify) _____ \$ 0 \$ 0

9) Do You expect any major changes To Your MONTHLY income or expenses or in Your ASSETS or Liabilities during The Next 12 MONTHS?

NO

10) HAVE You Paid, or will You be paying an ATTORNEY any MONEY for SERVICES in CONNECTION with This CASE, including Completion of This PETITION?

NO

11) HAVE You Paid or will You be paying anyone other Than an ATTORNEY (Such as paralegal or a TYPIST) any money for SERVICES in CONNECTION with This CASE, including Completion of This PETITION?

NO

12) Provide any other information That will help explain Why You cannot pay The COSTS of This CASE.

I'm NOT at The present receiving Prison wages; I have NO support from family, or friends. I seek my every need from This INSTITUTION.

I declare under Penalty of Perjury That The foregoing is True and Correct

Executed on: 4 APRIL, 2000

VERIFICATION

COMMONWEALTH COURT
OF PENNSYLVANIA

CASE NO. _____

I verify the STATEMENTS made in this PETITION are True and correct To the best of my knowledge and belief, or Information. I understand that FALSE STATEMENTS herein are made Subject To the Penalties of 18 PA. C.S.A. § 4904, relating To UNSWORN falsifications To AUTHORITIES.

DATE: 4 APRIL 2000

Jack E. Allen
PETITIONER.
JACK E. ALLEN DA-0984
P O Box 1000
Houtzdale, PA 16698-1000

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JACK E. ALLEN
PETITIONER

VS.

CAROL BAKER HEARING EXAMINER
LT. BARONE CO III (NOW CAPT. CO IV)
LT. CONNATH CO III
DEPUTY W. E. SPECK
SGT. HORTON CO II
JOHN M. McCULLOUGH, WARDEN
JOHN K. REILLY, JR. (P. J.)

ORDER

and now, this _____ day of _____, 2000
IT IS HEREBY ORDERED THAT THE FORGOING PETITION
TO PROCEED IN FORMA PAUPERIS IS
GRANTED _____ DENIED _____

COMMONWEALTH COURT JUDGE.

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

RECEIVED & FILED
COMMONWEALTH COURT
OF PENNSYLVANIA

2000 APR 10 A 9:45

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JACK E. ALLEN

Plaintiff

vs.

CAROL BAKER-HEARING EXAMINER

LT. BARONE CO III (NOW CAPT CO III)

LT. CONNATH CO III

Deputy W.E. Speck

JOHN McCullough Superintendent

SGT. HORTON CO III

JOHN K. Reilly, Jr. (P.J.)

CASE NO. # 179 MD 2000

JURY TRIAL DEMANDED

CLASS ACTION

Jack E. ALLEN DA-0984

P O Box 1000

Houtzdale, Pa 16698-1000

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JACK E. ALLEN

PLAINTIFF

VS.

CAROL BAKER - HEARING EXAMINER

LT. BARONE CO III (NOW CAPT CO II)

LT. CONNATH CO III

Deputy W.E. Speck

SGT. HORTON CO II

JOHN McCullough, Superintendent

JOHN K. Reilly, Jr. (P.J.)

Sued in their individual
and official capacity

Defendants

CASE NO. _____

JURY TRIAL DEMANDED.

CLASS ACTION ALLEGATIONS

Jurisdiction:

This Honorable Court has original jurisdiction under TITLE 42 PA.C.S.A., section 761; and power under TITLE 42 PA.C.S.A., section 562.

PRELIMINARY STATEMENT:

THIS is a CLASS ACTION suit and Complaint filed by plaintiff JACK E. ALLEN in personam, A STATE PRISONER suing each defendant in their official and individual capacities for damages and injunctive relief, Alleging excessive force causing bodily injuries stemming from official OPPRESSION and Retaliation in violation of Plaintiff's Eighth Amendment To The U.S. CONSTITUTION and Confinement in Segregation in violation of due process clause of The Fourteenth Amendment. Plaintiff alleges Torts of ASSAULT and battery.

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

DEFENDANTS INVOLVEMENT:

JOHN K. Reilly, Jr. President Judge; Court of Common Pleas, CLEARFIELD County is being sued in his individual Capacity for VIOLATIONS STATE and Federal STATUTES; Along With official OPPRESSION and Retaliation. For Violations of both STATE and Federal CONSTITUTIONAL Rights of the Plaintiff; Violations of PA. RULES of COURT having plaintiff forced To his Court without jurisdiction, or a copy of a Court order recommending plaintiff's appearance on December 10th, 1999. That the U.S. DISTRICT Court and U.S. COURT OF APPEALS For THE THIRD Circuit has original and Supplemental jurisdiction ON Plaintiff's Federal Habeas Corpus, That was entered in or around OCTOBER, November 1998; exhausting STATE remedies which would now become futile To seek any relief IN THE STATE Courts. ON his (plaintiff's) Criminal matter for which also John K. Reilly, Jr.; The ASSISTANT D.A., is bellying the higher Courts with eliciting falsified records and information That this Judge aforementioned above has been biased and prejudiced Toward the plaintiff all through the Criminal proceedings denying plaintiff the solemn right To an ATTORNEY in a one day murder Trial.

LT. Michael A. BARONE (now Capt. CO III) on the date in question. Dec 10th, 1999; for which no Court order was ever given To plaintiff, and for which plaintiff refused To go To Court standing up for his CONSTITUTIONAL Rights; STATE and Federal laws and procedures, as well. AGAIN The Federal Courts has jurisdiction over plaintiff's pending case.

With this; along with W.E. Speck, and LT. CONNOR CO III and SGT. HORTON. LT. Michael A. BARONE CO III forced his way,

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

IN The Plaintiff's cell on B-unit, A-Pod, Cell #8
Shoved plaintiff against the wall, then had six to
seven Correctional officers tackle plaintiff to handcuff
The plaintiff by force, To force plaintiff To go To
Court against his will. LT. Barone already handcuffed
The right wrist; but since plaintiff was restrained by
The other Correctional officers of the legs and body
and left arm; LT. Barone Threatened The Plaintiff, quote,
"I'm going To break Your fucking wrist, if You don't give
me The other wrist." This was Official Oppression and
Retaliation which caused bruises and Abrasions To The
Right and left wrists; elbows; and back.

That Prior To This; plaintiff spoke To officials, "I will
NOT be going To John K. Reilly, Jr.'s (P.J.) Courtroom
for he is without jurisdiction, under Federal Statutes
28 UNITED STATE Codes, Sections 1291; 1331; 1343; and
1367.

JOHN McCullough is involved in this as Superior
respondent; and being sued in his individual capacity
and official capacity; because he, himself had been
Notified from plaintiff's refusal To go To John K. Reilly, Jr.'s
Courtroom. That plaintiff quoted, and cited procedural Laws
and Statutes; but was ignored by The Correctional officers
on both STATE and Federal procedures. One in which P.A.
RULES of COURT, RULES of APPELLATE Procedure; RULE 1701(a),
(b)(1)(2); (3)(i)(ii); (4)(5)(b); (C); (D). That JOHN McCullough
Knew Through an order of District Magistrate Judge
KEITH A. PESTO, U.S. District Court; notifying him of The
response or answer To The Federal Habeas Corpus

That while being mishandled and Tugged like a dog
pulling my handcuffs by Michael A. Barone CO III. AT
The R+D; plaintiff was again Threatened To be dropped
To The floor;

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

Than shoved forcibly the Plaintiff against the reception desk against plaintiff's abdomen, and thrust plaintiff's arms, which was in back of him upward; as if LT. Barone wanted to break both plaintiff's arms.

That Plaintiff again was threatened for the third time "That when he (Plaintiff) gets back from Court (forced against his will), we have a surprise for him" stated by LT. Barone and LT. Connah, on the arrival back at Sec. Houtzdale, LT. Connah placed Plaintiff forcibly against the wall in the RHU, "The Hole", then was told to strip, while being videoed taped showing the injuries caused by LT. Barone and LT. Connah.

While in the RHU, "The Hole", B Unit, cell #19, Plaintiff received a DC-141 Misconduct for Attempting to strike LT. Barone, Misconduct A-44734 which on December 13th, 1999, was dismissed without prejudice by Carol Baker, Hearing Examiner, meaning that LT. Barone could rewrite the misconduct stating lies, false stories, and innuendos; for which was rewritten DC-141 Misconduct # A-12403. This is against the laws; exhibiting false reports and information to induce punishment; where it was not justifiable. On A-12403, he (LT. Barone) states, "Plaintiff attempted to strike, and disobeyed an order, which is a TOTAL Lie. This Hearing took place on December 15th, 1999. Where Carol Baker, who is partial gave Plaintiff 90 days for Attempting to strike; dismissed disobeying an order; plus gave Plaintiff an additional 30 days commissary restriction. The rewrite of the misconduct is in violation of 18 P.A.C.S.A. Section 4902(e) and against the Hearing Examiner, herself under 18 P.A.C.S.A., Section 4911, Tampering with Public Records.

DC-135A

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

That these defendants Violated Their own D.O.C Policies for which in retrospect should be reviewed of the entire inmate handbook To see if any CONSTITUTIONAL VIOLATIONS set out in These made-up policies, by The U.S. SUPREME COURT,

RELIEF SOUGHT / INJUNCTIVE REQUESTED:
EACH DEFENDANT;

- 1) for Michael A. Barone Co III, an L.T. at that Time now (Capt. Co III). Plaintiff Sues in his individual Capacity for bodily injuries sustain while forcing plaintiff To Go To Court against his will; pain + suffering; Emotional injury; unlawful restraint; official OPPRESSION + Retaliation and threats condoning further abuse while plaintiffs stay at SCI-Hartdale in the amount of \$10,000.00 dollars.
- 2) for L.T. CONNAH Co-III for bodily injuries; unlawful restraint; Emotional injuries; violations of plaintiff's CONSTITUTIONAL Rights; aiding in consummation of a crime and wrongful acts. Plaintiff Sues in his individual Capacity in the amount of \$10,000.00 dollars.
- 3) for SGT. HORTON; JOHN McCULLOUGH; Deputy W.E. Speck. for aiding in wrongful acts; violation of Plaintiff's CONSTITUTIONAL Rights; aiding LT. Barone in bodily injuries and NOT stopping such Act. for ALSO official OPPRESSION and Retaliation Suing each in their individual Capacities of \$5,000.00 dollars @.
- 4) For JOHN K. Reilly, Jr. (P.J.) CLEARFIELD COUNTY Common Pleas Court Judge for official OPPRESSION and Retaliation violations of Plaintiff's CONSTITUTIONAL Rights; eliciting these personal injuries; emotional injuries, and the like. Condoning cruel and unusual punishments, sued in his individual Capacity in the amount of \$15,000.00 dollars

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

- 5) For Carol Baker, HEARING Examiner for official oppression and Retaliation; unlawful restraint; emotional injuries; Cruel and unusual punishment outside D.O.C. Policies and Sentence of Plaintiff; perjury; aiding in consummation of an unlawful act falsifying records and information; and Violations of D.O.C. policies suing her in the amount of \$15,000.00 dollars in her individual Capacity.
- 6) For Torture, condoning aggravation and mental anguish and cruelty; Cruel and unusual punishments pain & suffering of bruises and abrasions, causation of depression, anxiety stemming from this wrongful acts outside plaintiff's sentence; unlawful restraint NOT part of the sentence in retaliation of plaintiff standing up for his Constitutional Rights. For Nominal and punitive damages in their individual capacities, each, suing in the amount of \$10,000.00 dollars.

THE Sum of The Suit, plus Three months back Inmate wages in the amount of \$55.20, plus entire Law Suit Amount \$ 135,055.20 dollars (ONE HUNDRED THIRTY-FIVE THOUSAND, fifty-five and Twenty Cents)

INJUNCTIVE RELIEF:

Plaintiff request this Honorable Court To Grant this Injunctive Relief in a Court order Transferring Plaintiff To SCI-Pittsburgh To prevent any more official oppression and Retaliation, nor Cruel and unusual punishment condoning bodily injuries while Commencing this Civil Action Law Suit and Complaint in fear these Correctional officers would retaliate and Abuse Plaintiff. Request for Hearing on Evidence or any Proceeding necessary To reach the meaning of Justice

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

REASONS FOR GRANTING CLASS ACTION PROCEEDINGS
UPON FACTUAL MERITS OF PLAINTIFFS CRIMINAL CASE
PROVING OFFICIAL OPPRESSION AND RETALIATION CONDONING
CRUEL AND UNUSUAL PUNISHMENTS, OUTSIDE PLAINTIFFS
SENTENCE; AND SUCH INJURIES BESTOWED UPON PLAINTIFF
WHILE INCARCERATED AT SCI-HOUSTON. THESE ARE
REASONS WHY IT SHOULD BE GRANTED; BUT ONLY THE
RELEVANCY STEMS FROM PLAINTIFFS CRIMINAL MATTER.
AND GOES TO SHOW THIS HONORABLE COURT; NOT TO
TRY THE CRIMINAL CASE; SINCE THIS IS A CLASS ACTION
SUIT.

1) ON JULY 19TH, 1995, PLAINTIFFS 12 GAUGE PUMP SLIDE ACTION
PUMP SHOTGUN, SAVAGE MODEL 167 SERIES E MISFIRED HITTING
PLAINTIFFS WIFE OF FIFTEEN YEARS IN THE RIGHT SHOULDER
(TRAJECTORY OF THE BLAST RIGHTWARD, FORWARD, AND UPWARD).

2) THAT THROUGH HOSPITAL AND AUTOPSY REPORTS CONDONES
SUSPICIONS AS TO PLAINTIFFS WIFE STILL BEING ALIVE; PLUS
SHOWS DEFINATE AND TOTAL NEGLIGENCE.

3) THAT ON AUGUST 19TH, 1997, PLAINTIFF WENT ATA FROM
SCI-ROCKVIEW TO CLEARFULD COMMON PLEAS COURT FOR AN
EVIDENTIARY HEARING (NO COUNSEL WAS APPOINTED), WHERE
PLAINTIFF SAW HIS WIFE OF FIFTEEN YEARS SITTING IN
THE COURTROOM. THREE WITNESSES CAN VERIFY THIS SIGHTING
NOTE: WITNESS ONLY CAN DESCRIBE PLAINTIFFS WIFE, NEVER
KNOWN HER.

4) THAT PLAINTIFF WAS DENIED THE SOLEMN RIGHT TO
COUNSEL SEVEN TIMES BY TRIAL JUDGE (NAME INDICATED
THROUGHOUT THIS CLASS ACTION PETITION) AS FOLLOWS: TWICE
BEFORE TRIAL; ONCE AT TRIAL; FIRST DIRECT APPEAL;
P.C.R.A.; EVIDENTIARY HEARING, AS MENTIONED ABOVE; AND
AGAIN ON AUGUST 20TH 1996. PLAINTIFF ONLY HAD A
ONE DAY MURDER TRIAL.

DC-135A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

- 5) That the SUPERIOR COURT of PA, ON Plaintiff's NUNC PRO TUNC APPEAL, denied plaintiff this Solemn right To Counsel, Along with The SUPREME COURT OF PA denying plaintiff this right To Counsel ON "KINGS Bench Matter"; based upon Jurisdiction; Writ of Mandamus / Extraordinary Relief; Leave To file original process; Petition for reconsideration I.F.P (I.F.P., Leave To file original process. Granted; all others denied).
- 6) Plaintiff could not get any Relief in the STATE Courts, and now would be futile, which now becomes a Federal question (28 U.S.C. Section 1331). That since no relief could be sought in the STATE Courts, plaintiff filed a Federal Writ of Habeas Corpus under Title 28 U.S.C. Section 1254.
- 7) That after three or four Years the Common Pleas Court Judge, Aforementioned Throughout this Class Action held on to plaintiff's first P.C.R.A., for which Counsel was denied him. Now the Judge, D.A., Assistant D.A. are fabricating Records and Information To the Superior Courts, STATE, as well as Federal Courts. Now plaintiff is in the U.S. COURT of APPEALS Third Circuit.
- 8) That the Correctional officers and Staff here at SCI-Holtzdale are part of my Criminal case; for which by relation; Association, or Through friendship knows CLEARFIELD County officials, which are helping in this Murder Cover-up; and helping the Judge, D.A.; and Assistant D.A.
- 9) Plaintiff Through his own investigation uncovered this Murder Cover-up Through mail, eliciting facts and proof through Gunsmiths; anesthesiologists; the F.B.I., as well as others; including reconstructive and cosmetic surgeons uncovered this murder that is false in its entirety.

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

- 10) That Plaintiff Took avenues To further his investigation on his wife, who Allegedly died, According To CLEARFIELD COUNTY officials To the F.B.I., file No# 190-PG-65237 on ONE TERESA (Graham) Allen, for which the F.B.I indicated "NO such person in their indices To be investigated". Plaintiff Then appealed their decision To the office of INFORMATION and PRIVACY, FLAG Bldg, SUITE 570 WASHINGTON D.C. 20530, for which they Confirmed F.B.I's decision "NO such person", APPEAL No. #98-3755.
- 11) In furtherance of Plaintiff's investigation, came across Proof, she is still ALIVE and now posing as a Correctional officer here at SCI-Houtzdale Through Cosmetic and reconstructive surgery To change her appearance. Proof comes by handwriting analysis which matches perfectly compared from an Inmate Pass, HTZ-10Z written on her 10PM To 6AM shift 10-18-99, for 10-19-99 To the law Library. This was Compared To a legal document, Known as a P.F.A. order written on March 27, 1995. F.B.I refuses To investigate.
- 12) Plaintiff holds a list of 104 mail addresses he mailed To condone more of an investigation. Some rewritten Three Times To get a response over a six To eight months period, still no response. These addresses are legit. Plaintiff's mail is being stolen, destroyed, or curtailed (interference with Correspondence with mail matter) by mailroom personnel. This is an obstruction of Justice, plus is a postal offense under Federal statutes. This is a form of official oppression and Retaliation.
- 13) Plaintiff while staying at SCI-Rockview filed a §1983 lawsuit against Joseph F. Mazurkiewicz in 1997. Now Joseph F. Mazurkiewicz is a member or staff here as part of the P.R.C. (Program Review Committee). HE, Mr. MAZURKIEWICZ was Superintendent at SCI-Rockview. another form of Retaliation and official oppression; showing biasness and prejudices Towards plaintiff.

DC-135A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

14) That Plaintiff has witnessed To This Class Action Suit Plus witnesses claiming Corruption on the Part of John K. Reilly Jr. (P.J.) Clearfield Common Pleas Court Violating Citizens rights; plus in his own determination overruling a Federal Judges order. one witness is Shelly Stark Federal Public Defender of Pittsburgh; and also a Correctional officer CO-I here at SCI-Houtzdale.

15) That Plaintiff has motioned for Appointment of Counsel all Through the STATE process nine times, as aforementioned earlier Throughout This Class Action Suit. Plaintiff Tried again on his Federal Habeas Corpus, but was denied Three (3) Times by The U.S. District Court A Total of Twelve (12) Times denial of This Solemn right To Counsel

16) That Through some unknown order plaintiff was Transferred from SCI-Rockview To SCI-Houtzdale on March 3, 1998. This Transfer was To put a cap on Plaintiff from ever getting out; for which plaintiff found out Through a Supplemental Answer To The Federal Habeas Corpus dated December 18th or 19th, 1999.

17) That Plaintiff has numerous detailed evidence on This Class Action; plus proof To back This up Through solid evidence showing Corruption; murder cover-up, and official Oppression and Retaliation stemming from plaintiffs Criminal Case. Plaintiff claims his innocence in its Totality. One in which a Certificate of Innocence is pending in The U.S. Court of Appeals, Third Circuit awaiting judgment.

That plaintiff did no such striking of an officer, nor did plaintiff disobeyed an order. Plaintiff is Trying To serve This false conviction and sentence in Peace, while his fight To overturn This false imprisonment.

DC-135A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

CONCLUSION

With this, I needed this Honorable Court To understand the inferences drawn from my Criminal Case for the Assurance of this CLASS ACTION SUIT where these defendants in this CLASS ACTION SUIT are part of this Scheme To Keep plaintiff in Prison for the rest of his Life, Taking away his TOTAL INNOCENCE and his pursuit of happiness To Keep this Alleged Victim Known as his wife, who is still alive, A SECRET.

That the defendants has in the past, while plaintiff's stay here at SCI-Holtzdale has abused their authority under color of STATE LAW, Three other times displaying bodily injuries; Trying To force medication upon plaintiff for which plaintiff refused, with this, placed Plaintiff in the P.O.C., observation unit, Condoning UNLAWFUL restraint cruel and unusual punishments, and both STATE and Federal Constitutional rights.

With these punishments, stated above, plaintiff filed numerous 3 1983 law suits; only To find a miscarriage of Justice, because of no resolution, and no hearing because of failure To STATE CLAIM; failure To pay court costs and filing fees; failure To prosecute. That plaintiff challenged this under the "OVERBREADTH DOCTRINE" under The First Amendment To The U.S. CONSTITUTION, for violations of DUE Process clause, and rights thereto, and the right To be heard.

Now, these defendants are To no avail are condoning violations of many STATE and Federal laws; plus procedures and are part of a murder cover-up, a WHITE COLLAR crime a display of Corruption in this County and the D.O.C.

Plaintiff forever prays this Honorable Court To hear the plaintiff, for he seeks JUSTICE To THE FULLEST extent of The Law.

DC-135A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

UNSWORN DECLARATION

PLAINTIFF, JACK E. ALLEN ATTESTS TO THE FOLLOWING
TO BE TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE
AND BELIEF. THAT STATEMENTS MADE HEREIN ARE SUBJECT
TO THE PENALTIES OF PERJURY UNDER TITLE 18 PA.C.S.A
SECTION 4904 (RELATING TO UNSWORN FALSIFICATION TO
AUTHORITIES)

DATE 4/4 /2000



JACK E. ALLEN DA-0984
P O Box 1000
Houtzdale, PA 16698-1000

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

PROOF OF SERVICE

I AM NOW THIS 4th day of APRIL, 2000
Serving the forgoing CLASS ACTION SUIT upon the
person(s) and in the manner indicated below
which satisfies rules of CIVIL procedures.

VIA: HAND DELIVERED

CAROL BAKER - HEARING EXAMINER
LT. BARONE CO III (now Capt. CO III)
LT. CONNATH CO III
DEPUTY W.E. SPECK
SGT. HORTON

JOHN McCULLOUGH - SUPERINTENDENT
JOHN K. REILLY JR. (P.J.) CLEARFIELD Common Pleas COURT
all defendants are employed by the D.O.C. at
SCF HOUTZDALE, P.O. Box 1000, HOUTZDALE, PA 16698-1000
except the Judge

VIA: FIRST CLASS

FRANCIS R FILIPPI
OFFICE OF ATTORNEY GENERAL
15th FL., STRAWBERRY SQUARE
HARRISBURG, PA 17120

COMMONWEALTH COURT OF PA
P.O. Box 11730
HARRISBURG, PA 17108


JACK E. ALLEN DA-0984
P.O. Box 1000
HOUTZDALE, PA 16698-1000

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JACK E. ALLEN
Plaintiff
vs.

CAROL Baker-Hearing Examiner
LT. BARONE CO III (now Capt CO III)
LT CONNATH CO III
Deputy W.E. Speck
SGT. HORTON CO II
JOHN McCullough, Superintendent
JOHN K. Reilly, Jr. (P.I.)
Sued in their official
and individual capacity

CASE NO. # _____

DEMAND FOR HEARING

ORDER

Now this _____ day of _____, 2000 it is
HEREBY ordered that the following:

- 1) For Injunctive Relief; To Transfer plaintiff
To SCI- PITSBURGH from SCI-Houtdale To prevent
any more retaliation or official oppression; and
any Abuse there to, while plaintiff proceeds with
this CLASS ACTION. GRANTED - DENIED
- 2) To proceed IN FORMA PAUPERIS. GRANTED - DENIED
- 3) To HOLD an Evidentiary Hearing. GRANTED - DENIED

DATE:

COMMONWEALTH COURT JUDGE.

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

RECEIVED & FILED
COMMONWEALTH COURT
OF PENNSYLVANIA

2000 APR 10 A 9:45

☐ TO DC-14 CAR ONLY☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JACK E. ALLEN,

Petitioner

v.

CAROL BAKER, HEARING EXAMINER
et al.,

Respondents

No. 179 M.D. 2000

PER CURIAM

O R D E R

NOW, April 17, 2000, upon consideration of petitioner's pro se complaint, and it appearing that petitioner seeks money damages from respondents for an alleged violation of petitioner's constitutional rights, and it further appearing that this court lacks jurisdiction over tort actions for money damages whether based on common law trespass or 42 U.S.C. §1983 because such actions are in the nature of trespass in that they seek money damages as redress for an unlawful injury and are properly commenced in the court of common pleas, see Fawber v. Cohen, 516 Pa. 353, 532 A.2d 429 (1987); Balshy v. Rank, 507 Pa. 384, 490 A.2d 415 (1985), this matter is transferred to the Court of Common Pleas of Clearfield County.

The Chief Clerk shall certify a photocopy of the docket entries of the above matter and the record to the prothonotary of the Court of Common Pleas of Clearfield County.

FILED

MAY 10 2000

William A. Shaw
Prothonotary

Certified from the Record

APR 18 2000

and Order Exit

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JACK E. ALLEN,

Petitioner

v.

CAROL BAKER, HEARING EXAMINER
et al.,

Respondents

No. 179 M.D. 2000

PER CURIAM

ORDER

NOW, May 3, 2000, upon consideration of petitioner's pro se communication received May 1, 2000, which we treat as a request for reconsideration of this court's order of April 17, 2000, the request is denied.

Certified from the Record

MAY 04 2000

and Order Exit

FILED

MAY 10 2000

William A. Shaw
Prothonotary

RECEIVED
MAY 10 2000

OFFICE

Commonwealth Court of Pennsylvania

Charles R. Hostutler
Deputy Prothonotary/Chief Clerk

May 8, 2000

P.O. Box 11730
Harrisburg, PA 17108
www.aopc.org

TO:

RE: Allen v. Baker, et al

No.: 179 MD 2000

Trial Court Number:

Trial Court/Agency Name:

Annexed hereto pursuant to Pennsylvania Rules of Appellate Procedure 2571 and 2572 is the entire record for the above matter.

Contents of Original Record:

Original Record Item

Filed Date

Description

Date of Remand of Record:

Enclosed is an additional copy of the certificate. Please acknowledge receipt by signing, dating, and returning the enclosed copy to the Prothonotary Office or the Chief Clerk's office.

Commonwealth Court Filing Office

Signature

William A. Shaw

Printed Name

MAY 10, 2000

Date

1:50 A.M.

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 179 MD 2000

Page 1 of 4
May 8, 2000



Jack E. Allen,

Petitioner

v.

Carol Baker, Hearing Examiner
Lt. Carone Co.III(Now Capt. Co. IV)
Lt. Connah Co. III
Deputy W. E. Speck
John McCullough, Superintendent
Sgt. Horton Co. II
John K. Reilly, Jr.(P. J.)

Respondents

FILED

MAY 10 2000

William A. Shaw
Prothonotary

Initiating Document: Complaint

Case Status: Closed

Case Processing Status: April 18, 2000 Completed

Journal Number:

Case Category: Civil CaseType: Inmate Petition for Review

Consolidated Docket Nos.:

Related Docket Nos.:

SCHEDULED EVENT

Next Event Type: Case File Archived

Next Event Due Date:

COUNSEL INFORMATION

Petitioner Allen, Jack E.

Pro Se: ProSe

IFP Status:

Attorney: Allen, Jack E.

Bar No.:

Address: DA-0984 SCI Houtzdale
P O Box 1000
Houtzdale, PA 16698-1000
Phone No.:
Receive Mail: Yes

Appoint Counsel Status:

Law Firm:

Fax No.:

Certified from the Record

MAY 8 2000

and Order Exit

Respondent Baker, Carol

Pro Se:

IFP Status:

01/10/00

Appoint Counsel Status:

10:50 A.M.

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 179 MD 2000

Page 2 of 4
May 8, 2000



Attorney:	Vandenbraak, Sarah Baseden			
Bar No.:	30382	Law Firm:	PA Department of Corrections	
Address:	PA Dept of Corrections			
	2520 Lisburn Rd PO Box 598			
	Camp Hill, PA 17001-0598			
	Phone No.:	(717)975-4864	Fax No.:	(717)772-3176
	Receive Mail: Yes			

FEE INFORMATION

Receipt No.:

TRIAL COURT/AGENCY INFORMATION

Court Below:	
County:	Division:
Date of Order Appealed From:	Judicial District:
Date Documents Received: April 10, 2000	Date Notice of Appeal Filed:
Order Type:	
Judge:	Lower Court Docket No.:

ORIGINAL RECORD CONTENTS

Original Record Item	Filed Date	Content/Description
----------------------	------------	---------------------

Date of Remand of Record:

BRIEFING SCHEDULE

.....

10:50 A.M.

Miscellaneous Docket Sheet
Docket Number: 179 MD 2000

Commonwealth Court of Pennsylvania

Page 3 of 4
May 8, 2000



DOCKET ENTRIES

Filed Date	Docket Entry/Document Name	Party Type	Filed By
April 10, 2000	Complaint Filed Complaint	Petitioner	Allen, Jack E.
April 10, 2000	Application to Proceed In Forma Pauperis	Petitioner	Allen, Jack E.
April 17, 2000	Order Filed <u>Order transferring case to Court of Common Pleas of Clearfield County</u>		Per Curiam
April 29, 2000	Application for Reconsideration/Reargument Pro Se communication of 5/1/2000.	Petitioner	Allen, Jack E.
May 3, 2000	Order Denying Application for Reconsideration/Reargument		Per Curiam
May 8, 2000	Transfer to Court of Common Pleas Transferred to the Court of Common Pleas of Clearfield County, per order dated April 17, 2000.		Commonwealth Court Filing Office

SESSION INFORMATION

Journal Number:
Consideration Type:
Date Listed/Submitted:

10:50 A.M.

Miscellaneous Docket Sheet

Docket Number: 179 MD 2000

Commonwealth Court of Pennsylvania

Page 4 of 4
May 8, 2000



DISPOSITION INFORMATION

Related Journal Number:		Judgment Date:	4/17/00
Disposition Category:	Disposed Before Decision	Disposition Author:	Per Curiam
Disposition:	Transfer	Disposition Date:	4/17/00

Dispositional Comments: Lacks Jurisdiction- to Clearfield Cnty. Common Pleas

Dispositional Filing:

Author:

Filed Date:

Judge:

Vote:

REARGUMENT/RECONSIDERATION/REMITTAL

Reargument/Reconsideration Filed Date:

Reargument Disposition: Reconsideration/Reargument Denied

Date: May 3, 2000

Record Remitted:

4/4/2000

Mr. Jack E. Allen
DA-0984
P O Box 1000
Houtzdale, PA 16698-1000

OFFICE OF THE PROTHONOTARY
COMMONWEALTH COURT OF PA.
P O Box 11730
HARRISBURG, PA 17108

RECEIVED & FILED
COMMONWEALTH COURT
OF PENNSYLVANIA
2000 APR 10 A 9 45

Dear Sir, or madam Prothonotary

I want to make notice That defendants has not been served with a copy of this CLASS ACTION SUIT/Complaint do to being without work and very poor to get copies; for which I feel is another form of official oppression and Retaliation, and violation of my Due Process rights to Redress any grievances under the 1st Amendment, U.S. CONSTITUTION. I will make copies and serve them, once I receive monies from Prison wages. I kept one copy back to do so, which I did by HAND.

Thank You
Mr. Jack E. Allen

Note: Inmate Accounting Dept., MS. CHRISTINE AFTON refuses to give me inmate monthly statements for the past six to 12 months.

OFFICE OF PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW

PROTHONOTARY
AND
CLERK OF COURT

CLEARFIELD COUNTY



DAVID S. AMMERMAN

SOLICITOR

JACQUELINE KENDRICK

DEPUTY PROTHONOTARY

P.O. Box 549
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-2641 Ext. 1330

MAY 15, 2000

JACK E. ALLEN, DA-0984
P. O. BOX 1000
HOUTZDALE, PA 16698-1000

DEAR MR. ALLEN:

PLEASE BE ADVISED THAT YOUR PETITION TO PROCEED IN FORMA PAUPERIS IN THE ABOVE CASE HAS BEEN DENIED BY THE COURT. A CERTIFIED COPY OF THE COURT'S ORDER IS ENCLOSED. ACCORDING TO THE RULES OF CIVIL PROCEDURE NO. 236, THE PROTHONOTARY'S OFFICE MAY STRIKE YOUR FILING IF PAYMENT IS NOT RECEIVED IN FULL. IF STRIKEN YOU MAY NO LONGER PROCEED WITH THE ACTION WITHOUT LEAVE FROM THE COURT FOR GOOD CAUSE.

THIS ACTION WILL BE STRIKEN WITHIN TEN (10) WORKING DAYS FROM THE DATE OF THIS LETTER IF PAYMENT IN THE AMOUNT OF \$80.00 HAS NOT BEEN RECEIVED.

SINCERELY,

A handwritten signature in black ink, appearing to read 'William A. Shaw'.

WILLIAM A. SHAW
PROTHONOTARY/CLERK OF COURTS

ENCLOSURE

WILLIAM A. SHAW
PROTHONOTARY
and CLERK of COURTS
P.O. Box 549
CLEARFIELD, PENNSYLVANIA 16830

PA 16830 MAY 11 1988

RETURN TO SENDER

JACK E. ALLEN DA - 0989
BOX 100
CLEARFIELD, PA 16830
RETURN TO SENDER

RECEIVED
MAY 11 1988
MAIL ROOM
CLEARFIELD, PA

CLEARFIELD
MAY 11 1988
PA 16830
U.S. POSTAGE
0.33
PERMETER 0944842

OFFICE OF PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW

PROTHONOTARY
AND
CLERK OF COURT

JACQUELINE KENDRICK

DEPUTY PROTHONOTARY

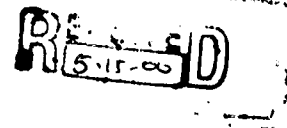
CLEARFIELD COUNTY



P.O. Box 549
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-2641 Ext. 1330

DAVID S. AMMERMAN

SOLICITOR



May 1, 2000

REMAILED
ON 5-15-00
WITH 10 MATTERS #
DA-0984

JACK E. ALLEN
P.O. BOX 1000
HOUTZDALE, PA 16698-1000

DEAR MR. ALLEN:

PLEASE BE ADVISED THAT YOUR PETITION TO PROCEED IN FORMA PAUPERIS IN THE ABOVE CASE HAS BEEN DENIED BY THE COURT. A CERTIFIED COPY OF THE COURT'S ORDER IS ENCLOSED. ACCORDING TO THE RULES OF CIVIL PROCEDURE NO. 236, THE PROTHONOTARY'S OFFICE MAY STRIKE YOUR FILING IF PAYMENT IS NOT RECEIVED IN FULL. IF STRIKEN YOU MAY NO LONGER PROCEED WITH THE ACTION WITHOUT LEAVE FROM THE COURT FOR GOOD CAUSE.

THIS ACTION WILL BE STRIKEN WITHIN TEN (10) WORKING DAYS FROM THE DATE OF THIS LETTER IF PAYMENT IN THE AMOUNT OF \$80.00 HAS NOT BEEN RECEIVED.

SINCERELY,

A handwritten signature in cursive script, appearing to read "W. A. Shaw".

WILLIAM A. SHAW
PROTHONOTARY/CLERK OF COURTS

ENCLOSURE