

01-561-CB
JOHN ANTHONY PINO -vs- DEPARTMENT OF CORRECTIONS et al

OFFICE OF PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW

PROTHONOTARY
AND
CLERK OF COURT

JACQUELINE KENDRICK

DEPUTY PROTHONOTARY

CLEARFIELD COUNTY



DAVID S. AMMERMAN

SOLICITOR

P.O. Box 549
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-2641 Ext. 1330
FAX(814)-765-7659

April 3, 2002

JOHN ANTHONY PINO
VS
PENNSYLVANIA DEPARTMENT OF
CORRECTIONS, ET AL
CASE # 01-561-CD.

DEAR MR. PINTO:

PLEASE BE ADVISED THAT THE ACTION YOU FILED TO THE ABOVE TERM AND NUMBER HAS BEEN STRICKEN EFFECTIVE APRIL 3, 2002. YOU MAY NOT PROCEED WITH THIS ACTION WITHOUT GOOD CAUSE FROM THE COURT.

William A. Shaw, Prothonotary

FILED

APR 03 2002

William A. Shaw
Prothonotary

OFFICE OF PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW

PROTHONOTARY
AND
CLERK OF COURT

JACQUELINE KENDRICK

DEPUTY PROTHONOTARY

CLEARFIELD COUNTY



DAVID S. AMMERMAN

SOLICITOR

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

May 11, 2001

John A. Pino
DJ 9124
P. O. Box 1000
Houtzdale, PA 16698-1000

RE: 2001-561-CD

DEAR Mr. Pino:

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 AFTER 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 COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CRIMINAL ACTION

JOHN ANTHONY PINO

: 01-561-C9

-vs-

: No. 01-144-MD

PENNSYLVANIA DEPARTMENT OF

CORRECTIONS, ET AL.

ORDER

NOW, this 26th day of April, 2001, upon consideration of Motion to Proceed In Forma Pauperis filed by Plaintiff in the above-captioned matter, it is the ORDER of this Court that said Motion be and is hereby denied.

By the Court,

/s/JOHN K. REILLY, JR.

President Judge

I hereby certify this to be a true and attested copy of the original statement filed in this case.

APR 26 2001

Attest.

William J. Reilly
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CRIMINAL ACTION

JOHN ANTHONY PINO

-vs-

01-561-CO
No. 01-144 MD

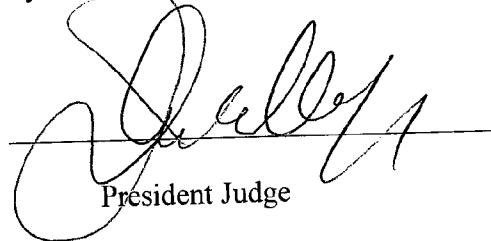
PENNSYLVANIA DEPARTMENT OF

CORRECTIONS, ET AL.

ORDER

NOW, this 26th day of April, 2001, upon consideration of Motion to Proceed In Forma Pauperis filed by Plaintiff in the above-captioned matter, it is the ORDER of this Court that said Motion be and is hereby denied.

By the Court,


President Judge

FILED

APR 27 2001

William A. Shaw
Prothonotary

VERIFICATION:

DI-561-CD

I, John Anthony Pino, do hereby verify that the facts and information set forth in this Petition of Review in Nature of Civil Action are true and correct to the best of my personal knowledge information and belief. I understand that any false statement is made subject to the penalties of 18 Pa.C.S. § 4904 relating to falsification to authorities.

/s/ John A. Pino
John A. Pino
#DJ-9124
SCI-HOUTZDALE
P.O.BOX: 1000
HOUTZDALE, PA. 16698-1000

~~March 5, 2001~~

MOTION TO PROCEED IN FORMA PAUPERIS:

I, John A. Pino, hereby states the information concerning my inability to pay the cost of this proceeding, pursuant to Rule 561 of the PA. R. APP. Proc., is true and correct, and made subjected to the penalties set forth in 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

I, state under the penalties provided in PA.C.S.A. §4904 that:

1. I am the petitioner in the matter within and, because of my financial situation, I am unable to pay the fees and cost of this proceeding or any other proceeding hereafter.
2. The questions to my unemployment to pay for the fees and cost in applying judicial actions are true and correct.
3. I have not been employed due to my incarceration, and so not have any income, pensions, annuity, social security benefits, support payments.
4. I do not own any real estate, stocks, bonds, notes, automobiles, or any other valuable property.

I understand that a false statement in this verified statements will subject me to the penalties provided by law in the second degree.

~~MARCH 5, 2001~~

FILED

APR 19 2001
1cc

W/5130/um
William A. Shaw
Prothonotary

Respectfully Submitted:

John A. Pino
John A. Pino
SCI-HOUTZDALE/P.O.BOX: 1000
Houtzdale, Pa. 16698-1000
January 28, 2001

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOHN ANTHONY PINO, : DOCKET No. 144 MD 2001
PETITIONER/PLAINTIFF :
VS.

PENNSYLVANIA DEPARTMENT OF :
CORRECTIONS, et al.,

**PETITIONS FOR REVIEW IN THE NATURE OF CIVIL ACTION
OR SPECIAL RELIEF/ PROTECTION ORDER**

TO THE HONORABLE JUDGE OF SAID COURT:

The Petitioner, John Anthony Pino, "pro-se", respectfully request this Honorable Court to issue a Protective Order(s) or other(s) - Order(s) against the above Respondents for relief specified below. This Court has original jurisdiction in this matter are granted by 42 Pa.C.S. § 761. In support of this request, the petitioner states the following:

1. The Petitioner, John Anthony Pino, is an inmate currently incarcerated at the State Correctional Institution at Houtzdale, located at 2007 State Route, P.O.BOX: 1000, Houtzdale, Pennsylvania. 16698-1000, in Clearfield County.
2. The Respondent, Pennsylvania Department of Corrections, is a state agency with state-wide jurisdiction, and has its principle office located at 2520 Lisburn Road, Camp Hill, Pennsylvania. 17001-0598.
3. The Respondent, Superintendant John McCullough, who is incharge of the Correctional Officers here at Houtzdale "herein known as "SCI-HOU"/ location is at 2007 State Route/P.O.BOX: 1000, Houtzdale, Pa. 16698-1000.

DO NOT DOCKET ON
FILE IN UNLESS
I.F.P IS GRANTED

4. The Respondent, Martin Horn, Secretary/Commissioner for the Pennsylvania Department of Corrections, its principle office is located at 2520 Lisburn Road, Camp Hill, Pa. 17001-0598.

5. The Respondent, "Captain" James R. Tripp, Commanding Officer, - Troop 'C', Punxsutawney, of the Pennsylvania State Police, located at - Troop C - Area 4, 445 North Findley Street, Punxsutawney, Pennsylvania, - 15767.

6. This Court has original jurisdiction to entertain this Civil Action pursuant to 42 Pa.C.S. §761.

7. The Petitioner/Plaintiff avers that he is suffering irreparable harm from the procedures and behaviors by the respondents. And Petitioner RESERVE the Rights to ADD other Defendants.

STATEMENT OF CLAIMS:

On or about August 15, 2000, petitioner filed several official grievances for violations of Constitutional Rights Amendments # 1, 5, 8, and 14. Petitioner was subjected to persecution by Correctional Officers here at - "SCI-HOU"; I was subjected to Name callings (Have Exhibits), I was deprived of personal property without due-process by way of stolen by officers from the restrictive housing unit (RHU) in violation of - Gillihan v. Shillinger, 872 F2d 935. Petitioner was subjected to malicious retaliations by filing those grievances all through the administration process in violation of McCarty v. Woodson, 465 F.2d 822. Petitioner was denied access to "Jail-House lawyers" in violation of Weiler v. Purkett, 104 F.3d 149 (1997). Petitioner Legal material was stolen "or" confiscated without any receipts - nothing, in violation of Conklin v. Wainwright, 424 F.2d. 516. McKinney v. Oepord, 507 F.2d, 501(1974). DEFENDANT, John McCullough, knew the petitioner had all his documents and petitioner informed said personnel 10-minutes after the stolen articles was missing

and nothing was done to investigate any property what so ever, (Petitioner - have Exhibits). ALL what happened was more retaliation for petitioner exercising his constitutional rights by filing grievances - continually.

SEE: "ACLU v. Wicomico County, 999 F.2d 780, 785 (4th Cir.1993)."

Petitioner, as a prisoner, have the Equal Protection of Law and protection liberty interest do exist. Petitioner was entitled to recover damages against prison officials where there IS records suggesting that these officials acted in BAD FAITH in establishing the non-grievance action or, their failure to following their own rules, it self is, violations of due process. SEE: "Constitutional Law * 272, Giampetrucci v. Malcolm, - 406 F.Supp.836 ".

RESPONDENT, "Captain" James R. Tripp, Failure to investigate "with" petitioner exhibits in hands the Ethnic intimidation, discrimination on Account of Uniform under 18 Pa. C.S.§ 7323. AND Harassment by Communication under 18 Pa.C.S.§ 5504. Obstructing Justice, 18 Pa.C.S.§5101, and his Avoiding Apprehension of the above defendants where there was proof in writing.

AS OF TODATE, Petitioner is in constant Harrassment by Correctional Official Petitioner is searched continually within the prison, he had been subject to several misconduct reports because of his continue flow of Grievances, sometimes petitioner feels threatened for his life - like the Guards 'might' Punch, or, seriously 'hurt' the petitioner, although, petitioner NEEDS access to the main law library, he is now being subjected to his request slips being lost in the institutional mail system, all of a sudden.

EX POST FACTO CLAUSE:

Petitioner should not become of this punishment of increase by the hands of the personnel here at SCI-HOU. And these actions by the above officials are violative of this precept. SEE: U.S.C.A. Const. Art. 1.§ 10, cl.1.

SEE: Costitutional Law * 186, 203.

RELIEF SOUGHT

1. Transfer petitioner to any other prison "near his home".
2. To not have petitioner placed in AC status or PC status or DC status just transfer out of this prison.
3. Replacement of his legal papers.
4. Punitive damages.
5. To receive proper medical care which petitioner has been refused by medical department.
6. to stop John McCullough from allowing his officers to harass and threaten me, and making up lies and false statements for misconducts for me trying to file grievances on Sgt. Stone who refused me time after time for 3 o'clock pill line and also church. C/O Refer told other C/O up in dining hall #3 I am sick of pino filing grievances I am going to get him a beat down like a dog. He allowed C/O Refer to grab an other inmates ass as he was cleaning the showers and the inmate had to tell C/O refer to get off his ass 8 times I filled out the grievance for the inmate and next day he was placed in the hole for 90 days Rivera was written up for C/O Refer said he threaten him.
7. In July of 1999 on the 8th day to the 12th day petitioner had received threaten notes on FB block for C/O Mick had inmates write the notes and gave them the markers and the paper to make them and read them before they placed them on my cell door, Mr. Martin Horn received complaints on July 12, 1999 on C/O Mick.
8. Sent Lt. Watson State Police Officer located at the Clearfield station Woodland Pa. 16830 a complaint to file criminal charges on correctional officer Mike with a notary public sworn affidavit dated July 13, 1999 for aggravated assault (Attempts to Cause serious Body injure 19 counts 2702 (a) (2) 19 counts F-1 2705 Recklessly Endangering another person M-2 19 Counts 2706 Terroristic Threats M-1 19 Counts.

9. The respondent "Captain" James R. Tripps commanding officer of Troop C sent the above complaint and sworn affidavit to office of Professional Responsibility Department of Correction 2520 Lisburn Road P.O. BOX 598 Camp Hill, PA. 17001-0598 and Intelligence Officer at SCI Houtzdale P.O. BOX 1000 Houtzdale, Pa. 16698-1000. The same ones I sent the complaint to on grievance request slips who did nothing. I was placed in the hole and punished for trying the have charges filed same thing on 1/26/01 received 30 days for sending Captain Tripp a complaint on Sgt. Stone and C/O Refer. received 90 days for C/O Mick retaliation.

10. Special relief fro this court satiafying petitioners claim.

Wherefore, Petitioner prays that this Honorable Court Grant the above Reliefs.

Respectfully Submitted,

march 5, 2001

John a Pino

John Anthony Pino #DJ-9124
P.O. BOX 1000
Houtzdale, PA. 16698-1000

PROOF OF SERVICE :

I, John A. Pino, the petitioner/plaintiff herein, certified that I on this date served a true and correct copy upon the persons in the manner listed below, which service satisfies the requirements of Pa.R.A.P. 121(b) and 1514(c).

FIRST CLASS MAIL FROM HOUTZDALE, PENNSYLVANIA. :

Daniel R. Schuckers, Prothonotary(Original and two Copies)
Office of the Prothonotary/Commonwealth Court of Pennsylvania
P.O.BOX: 11730/ Harrisburg, Pennsylvania. 17108

Martin Horn. Commissioner for the Penna. Department of Corrections
2520 Lisburn Road ----(One Copy)
Camp Hill, Penna. 17001-0598

John McCullough. Superintendent. SCI-HOUTZDALE. 2007 State Route / Houtzdale, Penna.
16698-1000 - One Copy -

James R. Tripp. Commanding Officer of Troop 'C' - Area 4. Pennsylvania State Police
445 North Findley Street, Punxsutawney, Pennsylvania. 15767
- One Copy -

The Honorable Michael Fisher. Attorney General -- One Copy -
Strawberry Square. 16th Floor/ Harrisburg, Pa. 17108

By:

John A. Pino

#DT-9124

#D5-5124
SCT-HOUT

SCI-HOUTZDALE/P.O.BOX: 1000
HOUTZDALE, PA. 16698-1000

MARCH 5, 2001

01-561-CQ

VERIFICATION:

I, John Anthony Pino, do hereby verify that the facts and information set forth in this Petition of Review in Nature of Civil Action are true and correct to the best of my personal knowledge information and belief. I understand that any false statement is made subject to the penalties of 18 Pa.C.S. § 4904 relating to falsification to authorities.

/s/ John A. Pino
John A. Pino
#DJ-9124
SCI-HOUTZDALE
P.O.BOX: 1000
HOUTZDALE, PA. 16698-1000

APR 1 2001

Attest: William A. Shaw
Prothonotary

~~John A. Pino~~
MARCH 5, 2001

MOTION TO PROCEED IN FORMA PAUPERIS:

I, John A. Pino, hereby states the information concerning my inability to pay the cost of this proceeding, pursuant to Rule 561 of the PA. R. APP. Proc., is true and correct, and made subjected to the penalties set forth in 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

I, state under the penalties provided in PA.C.S.A. § 4904 that:

1. I am the petitioner in the matter within and, because of my financial situation, I am unable to pay the fees and cost of this proceeding or any other proceeding hereafter.
2. The questions to my unemployment to pay for the fees and cost in applying judicial actions are true and correct.
3. I have not been employed due to my incarceration, and so not have any income, pensions, annuity, social security benefits, support payments.
4. I do not own any real estate, stocks, bonds, notes, automobiles, or any other valuable property.

I understand that a false statement in this verified statements will subject me to the penalties provided by law in the second degree.

Respectfully Submitted:

John A. Pino
John A. Pino
SCI-HOUTZDALE/P.O.BOX: 1000
Houtzdale, Pa. 16698-1000
January 28, 2001

MARCH 5, 2001

FILED

APR 19 2001
m/s/32/um
William A. Shaw
Prothonotary

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOHN ANTHONY PINO,
PETITIONER/PLAINTIFF : DOCKET No. 144 MD 2001

VS. :

PENNSYLVANIA DEPARTMENT OF
CORRECTIONS, et al., :

**PETITION, FOR REVIEW IN THE NATURE OF CIVIL ACTION
OR SPECIAL RELIEF/ PROTECTION ORDER**

TO THE HONORABLE JUDGE OF SAID COURT:

The Petitioner, John Anthony Pino, "pro-se", respectfully request this Honorable Court to issue a Protective Order(s) or other(s) - Order(s) against the above Respondents for relief specified below. This Court has original jurisdiction in this matter are granted by 42 Pa.C.S. § 761. In support of this request, the petitioner states the following:

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2. The Respondent, Pennsylvania Department of Corrections, is a state agency with state-wide jurisdiction, and has its principle office located at 2520 Lisburn Road, Camp Hill, Pennsylvania. 17001-0598.
3. The Respondent, Superintendent John McCullough, who is incharge of the Correctional Officers here at Houtzdale "herein known as "SCI-HOU"/ location is at 2007 State Route/P.O.BOX: 1000, Houtzdale, Pa. 16698-1000.

4. The Respondent, Martin Horn, Secretary/Commissioner for the Pennsylvania Department of Corrections, its principle office is located at 2520 Lisburn Road, Camp Hill, Pa. 17001-0598.

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6. This Court has original jurisdiction to entertain this Civil Action pursuant to 42 Pa.C.S. §761.

7. The Petitioner/Plaintiff avers that he is suffering irreparable harm from the procedures and behaviors by the respondents. And Petitioner RESERVE the Rights to ADD other Defendants.

STATEMENT OF CLAIMS:

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and nothing was done to investigate any property what so ever, (Petitioner have Exhibits). ALL what happened was more retaliation for petitioner exercising his constitutional rights by filing grievances - continually.

SEE: "ACLU v. Wicomico County, 999 F.2d 780, 785 (4th Cir.1993)."

Petitioner, as a prisoner, have the Equal Protection of Law and protection liberty interest do exist. Petitioner was entitled to recover damages against prison officials where there IS records suggesting that these officials acted in BAD FAITH in establishing the non-grievance action or, their failure to following their own rules, it self is, violations of due process. SEE: "Constitutional Law * 272, Giampetrucci v. Malcolm, - 406 F.Supp.836".

RESPONDENT, "Captain" James R. Tripp, Failure to investigate "with" petitioner exhibits in hands the Ethnic intimidation, discrimination on Account of Uniform under 18 Pa. C.S. § 7323. AND Harassment by Communication under 18 Pa.C.S. § 5504. Obstructing Justice, 18 Pa.C.S. § 5101, and his Avoiding Apprehension of the above defendants where there was proof in writing.

AS OF TODATE, Petitioner is in constant Harrassment by Correctional Official Petitioner is searched continually within the prison, he had been subject to several misconduct reports because of his continue flow of Grievances, sometimes petitioner feels threatened for his life - like the Guards 'might' Punch, or, seriously 'hurt' the petitioner, although, petitioner NEEDS access to the main law library, he is now being subjected to his request slips being lost in the institutional mail system, all of a sudden.

EX POST FACTO CLAUSE:

Petitioner should not become of this punishment of increase by the hands of the personnel here at SCI-HOU. And these actions by the above officials are violative of this precept. SEE: U.S.C.A. Const. Art. 1. § 10, cl.1.

SEE: Costitutional Law * 186, 203.

RELIEF SOUGHT

1. Transfer petitioner to any other prison "near his home".
2. To not have petitioner placed in XC status or XN status or EC status just transfer out of this prison.
3. Replacement of his legal papers.
4. Punitive damages.
5. To receive proper medical care which petitioner has been refused by medical department.
6. to stop John McCullough from allowing his officers to harass and threaten me, and making up lies and false statements for misconducts for me trying to file grievances on Sgt. Stone who refused me time after time for 3 o'clock roll line and also church. C/O Refer told other C/O up in dining hall #3 I am sick of you filing grievances I am going to get him a beat down like a dog. He allowed C/O Refer to grab an other inmates ass as he was cleaning the showers and the inmate had to tell C/O refer to get off his ass 8 times I filled out the grievance for the inmate and next day he was placed in the hole for 90 days Rivera was written up for C/O Refer said he threaten him.
7. In July of 1999 on the 8th day to the 12th day petitioner had received threaten notes on F3 block for C/O Nick had inmates write the notes and gave them the markers and the paper to make them and read them before they placed them on my cell door, Mr. Martin Horn received complaints on July 12, 1999 on C/O Nick.
8. Sent Lt. Watson State Police Officer located at the Clearfield station Woodland Pa. 16830 a complaint to file criminal charges on correctional officer Mike with a notary public sworn affidavit dated July 13, 1999 for aggravated assault (Attempts to Cause serious body injure 19 counts 2702 (a) (2) 19 counts F-1 2705 Recklessly Endangering another person A-2 19 Counts 2706 Terroristic Threats A-1 19 Counts.

13. Special relief for this court satisfying petitioner's claim.

Therefore, Petitioner prays that this Honorable Court Grant the above Reliefs.

Respectfully Submitted,

MARCH 5, 2001

John A Pino
John Anthony Pino #DJ-9124
P.O. BOX 1000
Houtzdale, PA. 16690-1000

PROOF OF SERVICE :

I, John A. Pino, the petitioner/plaintiff herein, certified that I on this date served a true and correct copy upon the persons in the manner listed below, which service satisfies the requirements of Pa.R.A.P. 121(b) and 1514(c).

FIRST CLASS MAIL FROM HOUTZDALE, PENNSYLVANIA. :

Daniel R. Schuckers, Prothonotary(Original and two Copies)
Office of the Prothonotary/Commonwealth Court of Pennsylvania
P.O.BOX: 11730/ Harrisburg, Pennsylvania. 17108

Martin Horn. Commissioner for the Penna. Department of Corrections
2520 Lisburn Road ----(One Copy)
Camp Hill, Penna. 17001-0598

John McCullough. Superintendant. SCI-HOUTZDALE. 2007 State Route / Houtzdale, Penna.
16698-1000 - One Copy -

James R. Tripp. Commanding Officer of Troop 'C' - Area 4. Pennsylvania State Police
445 North Findley Street, Punxsutawney, Pennsylvania. 15767
- One Copy -

The Honorable Michael Fisher. Attorney General -- One Copy -
Strawberry Square. 16th Floor/ Harrisburg, Pa. 17108

By:

John A. Pino
#DJ-9124
SCI-HOUTZDALE/P.O.BOX: 1000
HOUTZDALE, PA. 16698-1000

MARCH 5, 2001

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOHN ANTHONY PINO,

Petitioner

v.

01-561-CD

DEPARTMENT OF CORRECTIONS
et al.,

Respondents : No. 144 M.D. 2001

PER CURIAM

ORDER

NOW, March 19, 2001, upon consideration of petitioner's petition for review, and it appearing that petitioner seeks, *inter alia*, money damages, and that this court lacks jurisdiction over this matter, Balsky v. Rank, 507 Pa. 384, 490 A.2d 415 (1985); Fawber v. Cohen, 516 Pa. 352, 32 A.2d 429 (1987), this matter is transferred to the Court of Common Pleas of Clearfield County. 42 Pa. C.S. §5103.

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

APR 19 2001

by
William A. Shaw
Prothonotary

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 144 MD 2001

Page 1 of 4

April 11, 2001



01-5601-CJ

John Anthony Pino,
Petitioner

v.

Pennsylvania Department of Corrections, Superintendent
John McCullough, Martin Horn, Secretary/Commissioner
for the Pennsylvania Department of Corrections, Captain
James R. Tripp, Commanding Officer, Troop "C"

Punxsutawney,
Respondents

Initiating Document: Petition for Review

Case Status: Closed

Case Processing Status: March 19, 2001 Completed

Journal Number:

Case Category: Miscellaneous Case Type: Inmate Petition for Review

Consolidated Docket Nos.:

Related Docket Nos.:

COUNSEL INFORMATION

Petitioner Pino, John Anthony

Pro Se: ProSe

Appoint Counsel Status:

IFP Status:

Attorney: Pino, John Anthony

Law Firm:

Certified from the Record

Bar No.:

Address: DJ-9124

APR 11 2001

P.O. Box 1000

and Order Exit

Houtzdale, PA 16698-1000

Phone No.:

Fax No.:

Receive Mail: Yes

Respondent Pennsylvania Department of Corrections

Pro Se:

Appoint Counsel Status:

FILED

IFP Status:

Attorney: Hart, Sarah Baseden

Law Firm:

APR 19 2001

Bar No.:

Address: PA Dept. of Corrections
55 Utley Drive
Camp Hill, PA 17011m/8:30/m
William A. Shaw
Prothonotary

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 144 MD 2001

Page 2 of 4

April 11, 2001



Phone No.: Fax No.:

Receive Mail: Yes

Respondent Tripp, James R.

Pro Se: Appoint Counsel Status:

IFP Status:

Attorney: Bartkowiak, Patricia Jane

Bar No.: 73538 Law Firm: PA State Police

Address: Pennsylvania State Police
1800 Elmerton Avenue
Harrisburg, PA 17110
Phone No.: (717)783-5568

Fax No.: (717)772-2883

Receive Mail: Yes

FEE INFORMATION

Fee Date	Fee Name	Fee Amt	Total Fee	Paid Amt	Receipt No.

TRIAL COURT/AGENCY INFORMATION

Court Below: Department of Corrections

County:

Division:

Date of Order Appealed From:

Judicial District:

Date Documents Received: March 13, 2001

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:

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 144 MD 2001

Page 3 of 4

April 11, 2001



BRIEFING SCHEDULE

DOCKET ENTRIES

Filed Date	Docket Entry/Document Name	Party Type	Filed By
March 13, 2001	Petition for Review Filed	Petitioner	Pino, John Anthony
March 13, 2001	Application to Proceed In Forma Pauperis	Petitioner	Pino, John Anthony
March 19, 2001	Transfer		Per Curiam
			This matter is transferred to the Court of Common Pleas of Clearfield County.
April 11, 2001	Transfer to Court of Common Pleas Clearfield County		Commonwealth Court Filing Office

SESSION INFORMATION

Journal Number:

Consideration Type:

Date Listed/Submitted:

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 144 MD 2001

Page 4 of 4

April 11, 2001



REARGUMENT/RECONSIDERATION/REMITTAL

Reargument/Reconsideration Filed Date:

Reargument Disposition:

Date:

Record Remitted:



Commonwealth Court of Pennsylvania

Charles R. Hostutler
Deputy Prothonotary/Chief Clerk

April 11, 2001

P.O. Box 11730
Harrisburg, PA 17108
717-255-1650

01-Slo1-Q2

TO:

RE: Pino v. Dept. of Corrections
No.144 MD 2001

Trial Court/Agency Dkt. Number:
Trial Court/Agency Name: Department of Corrections

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

4-18-01

Date

William A. Shaw
Printed Name

FILED

APR 19 2001
m/8:30 AM
William A. Shaw
Prothonotary



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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOHN ANTHONY PINO, Petitioner, v. DEPARTMENT OF CORRECTIONS, et al., Respondents

Petitioner

v.

DEPARTMENT OF CORRECTIONS
et al.,

Respondents : No. 144 M.D. 2001

PER CURIAM

ORDER

NOW, March 19, 2001, upon consideration of petitioner's petition for review, and it appearing that petitioner seeks, *inter alia*, money damages, and that this court lacks jurisdiction over this matter, Balsky v. Rank, 507 Pa. 384, 490 A.2d 415 (1985); Fawber v. Cohen, 516 Pa. 352, 32 A.2d 429 (1987), this matter is transferred to the Court of Common Pleas of Clearfield County. 42 Pa. C.S. §5103.

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.

 Certified from the Record

MAR 20 2001

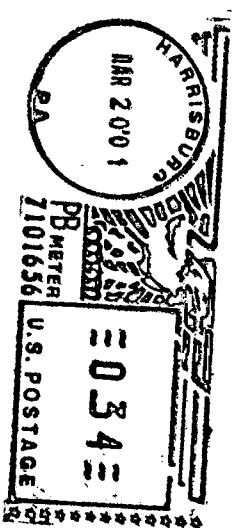
and Order Exit

COMMONWEALTH COURT OF PENNSYLVANIA

OFFICE OF THE PROTHONOTARY

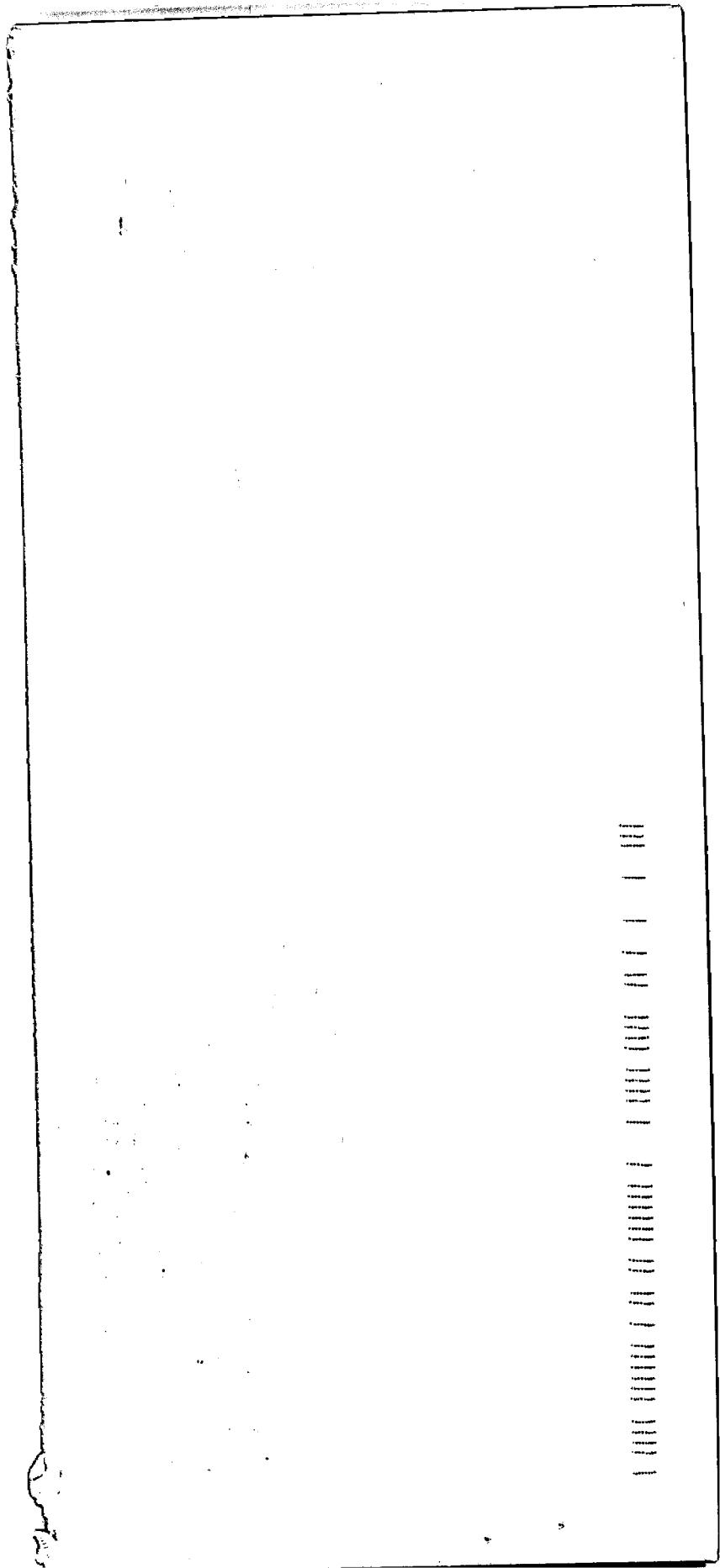
P. O. Box 11730

HARRISBURG, PENNSYLVANIA 17108



William Shaw
Prothonotary
Common Pleas Court
Clearfield County
Court House
230 East MARKET Street
Clearfield PA 16830

16830-2442 24



IN THE COURT OF COMMON PLEAS OF ~~CLEARFIELD~~ COUNTY, PENNSYLVANIA

JOHN ANTHONY PINO
plaintiff
v.
PENNSYLVANIA DEPARTMENT
OF CORRECTION ET AL

NO. 01 561 CD

COVER SHEET OF MOVING PARTY

Date of Filing _____ Moving Party JOHN ANTHONY PINO

Counsel for Moving Party JOHN ANTHONY PINO I.D. No. Pro-se

Counsel for Other Parties _____ I.D. No. _____

I.D. No. _____

Document Filed (Specify) MOTION FOR RECONSIDERATION TO
PROCEED IN FORMA PAUPERIS RULE 240.

Matter is (Check One) X (Appealable) _____ (Interlocutory)

Oral Argument X (Yes) _____ (No)

Check **ONE** of the Choices Listed Below:

 Respondent is Directed to Show Cause, in the Form of a Written Response, Why the
Attached Motion or Petition Should Not be Granted. Rule Returnable the _____ day of
_____, 20____ at 9:00 a.m. in Arbitration Room A1.

 Respondent is Directed to Show Cause, in the Form of a Written Response, Why the
Attached Family Court Discovery Motion Should Not be Granted. Rule Returnable and
Argument the _____ day of _____, 20____ at 1:00 p.m. at 321 Swede Street,
Norristown, Pa.

X Respondent is Directed to File a Written Response Within Twenty (20) Days in
Conformity with the Pennsylvania Rules of Civil Procedure.

NOTE: All Motions "respecting discovery" in CIVIL cases are subject to Local Rule 4019* -
Discovery Master. All Motions "respecting discovery" in FAMILY cases are subject to Local
Rule 4019.1* - Family Discovery Master. By filing this cover sheet, counsel certify that they
have conferred in a good faith effort to resolve the subject discovery dispute.

Cover Sheet is NOT to be Used for Matters Requiring Hearing.

the word
first

already
j-dash
this one
read on
+ 100 + 100
the com
if you
this
+ this
not - not
first
+ the
last
+ the
first

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

JOHN ANTHONY PINO
Plaintiff

CASE NO 01-561-CD

v.

PENNSYLVANIA DEPARTMENT
OF CORRECTIONS, ET AL
Respondents

MOTION FOR RECONSIDERATION TO
PROCEED IN FORMA PAUPERIS UNDER
RULE 240 CIVIL PROCEDURE

TO THE HONORABLE, PRESIDENT JUDGE JOHN K.
REILLY J.R. OF THE ABOVE SAID COURT:

- 1) I am the Plaintiff, John Anthony Pino Pro se in
the above matter and because of my financial condition
am unable to pay the fees and costs of prosecuting
or defending the action proceeding.
- 2) I am unable to obtain funds from anyone including
my family and associates, to pay the costs
of litigation.

- 3) I represent that the information below relating
to my ability to pay fees and costs is true and
correct,

a) Name John Anthony Pino DJ9124.

Address. I am presently incarcerated and I am
unable to pay the fees or costs of litigation. my
social security number 183-34-2903

b) Employment NONE.

Employer I am a stone mason and I had worked for myself, From the time I was 16 years old. I have been incarcerated over the last 5 years.

Salary or wages per month: NONE.

Type of work STONE MASON.

If you are presently unemployed, state date of last employment: March 6, 1996.

(c) Other Income within the past twelve months: NONE.

BUSINESS OR PROFESSION: NONE.

Other self-employment: NONE.

Interest: NONE

Dividends: NONE

Pension and Annuities: NONE

Social Security benefits: NONE

Unemployment compensation and supplemental benefits: NONE.

Support payments: NONE

Disability payments: NONE.

Workmans compensation: NONE

Public Assistance: NONE

Other: NONE

d) Other contributions to household support (wife)

(Husband) Name: Not married

Contributions from children: NONE

Contributions from parents: NONE

Other contributions: NONE.

e) Property owned: NONE

Cash: NONE

Checking Account: NONE

SAVINGS ACCOUNTS: NONE
CERTIFICATES OF DEPOSIT: NONE
REAL ESTATE (INCLUDING HOME): NONE
MOTOR VEHICLE: NONE
STOCKS; BONDS: NONE
OFFERS: NONE

8) DEBTS AND OBLIGATIONS: COURT FINES AND COSTS.
MORTGAGE: NONE
RENT: NONE
LOANS: NONE
OTHERS: NONE.

9) PERSON DEPENDENT UPON YOU FOR SUPPORT
(WIFE) (HUSBAND) NAME: NONE

CHILDREN IF ANY: NONE.
OTHERS PERSONS: NONE
NAME:
RELATIONSHIP: NONE

4) I UNDERSTAND THAT I HAVE A CONTINUING OBLIGATION
TO INFORM THE COURT OF IMPROVEMENT IN MY FINANCIAL
CIRCUMSTANCES WHICH WOULD PERMIT ME TO PAY THE
COSTS INCURRED HEREIN.

5) I VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT
ARE TRUE AND CORRECT, I UNDERSTAND THAT FALSE STATE-
MENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF
18 PA. C.S. § 4904, RELATING TO UNSWORN FALSIFICATION
TO AUTHORITIES.

DATE MAY 8TH 2001

Very Truly Yours

under Durs
(S) John A Pino Plaintiff
John A Pino
DJ9124
P.O. Box 1000
HOMEDALE PA 16698-1000

VERIFICATION

I John Anthony Pino, Plaintiff, hereby states that I hereby verify that the statements made in the foregoing cover sheet of moving party, motion for reconsideration to proceed in forma pauperis under Rule 240 Civil Procedure are true and correct to the best of my knowledge, information and belief. I understand that this statement is being made subject to the penalties of 18 P.A. C. S. A. § 4904 relating to unsworn falsification to authorities.

Dated May 8, 2001

Very truly yours

under Purss

John a Pino

John Anthony Pino

DJ9124

P.O. Box 1000

HOMEDALE PA. 16698-1000

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

JOHN ANTHONY PINO
Plaintiff

v.

PENNSYLVANIA DEPARTMENT
OF CORRECTIONS ET AL

Respondents

CIVIL COMPLAINT
CIVIL ACTION
CASE NO. 01 561-CD

CERTIFICATE OF SERVICE

I do hereby Certify That I am This day serving The
foregoing cover sheet of moving party, Motion For
Reconsideration To Proceed In Forma Pauperis under
Rule 240 Civil Procedure. upon The Following persons
As Listed; via First class mail such service
Satisfying The Requirement of Rule 122

Two copies to The Office of The Prothonotary
MR William Shaw
CLEARFIELD COUNTY COURTHOUSE
230 MARKET STREET
CLEARFIELD PA. 16830

Dated May 8th 2001

Very Truly Yours
Under Duly
John Anthony Plaintiff
P.O Box 1000

HOMEDALE PA 16698-1000

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

JOHN ANTHONY PINO
Plaintiff

CIVIL ACTION

NO 01 561 - C D

v.

PENNSYLVANIA DEPARTMENT
OF CORRECTION ET AL,
Respondents

MOTION FOR RECONSIDERATION
TO FILE PLAINTIFF'S PETITION
FOR REVIEW IN FORMA PAUPERIS.

TO THE HONORABLE PRESIDENT JUDGE JOHN K.
REILLY JR. OF THE ABOVE SAID COURT;

NOW comes Plaintiff John Anthony Pino, Pro-se
Respectfully Request This Honorable Court To Grant
his motion for Reconsideration To File Plaintiff's
Petition for Review In forma Pauperis. For Plaintiff's
Petition for Review is A Request for civil
Action or special Relief / Protection order,
which is A CIVIL CASE NOT A Criminal case.

Plaintiff Asks for The Following Information
Plaintiff Needs A Protection ORDER FILED AGAINST
SUPERINTENDENT John M. McCullough For Allowing
Correctional officers and him self To Harassment
and Threaten my Life Along with The State Police
of Pennsylvania and MR Martin horn and The
MR O'Hara of office of Professional Responsibility
Information As Follows:

1) Plaintiff Avers he is going to Attach His Exhibits To This motion he was going to use in his Brief.

EXHIBITS: True and correct copies.

1) The complaint sent to Mr Martin Horn on July 12, 1999. which the Two years to file in court will be up in July 12, 2001 of this year. must be filed by July 12, 2001. This will show how co mick F B Black officer put my life Endanger. And the Department of Correction did Nothing or the State Police of Pennsylvania.

2) A complaint with a sworn AFFidavit sent to LT Watson of PENNSYLVANIA STATE POLICE to file criminal charges on co mick. sent OCT 15, 1999, was over looked Nothing was done.

3) Plaintiff Avers he had correctional officers Read co mick's complaint as they were doing Harassment of cell searches. co myers co weckland co smith co brown co cashier co sha destroyed my legal work and stolen my brief that had to be filed in superior court. brief that had to be filed in superior court.

4) complaint sent to Capt Tripp Commanding officer of STATE POLICE and he sent it back to the same person I first sent the complaint to caused more Harassment and Threats by staff members of SCD HOUTZDALE. see January 15, 2001 complaint

<p>Form DC-135A</p> <p>INMATE'S REQUEST TO STAFF MEMBER</p>		<p>Commonwealth of Pennsylvania Department of Corrections</p> <p>INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.</p>
<p>1. To: (Name and Title of Officer)</p>		<p>2. Date:</p>
<p>3. By: (Print Inmate Name and Number)</p> <hr/> <hr/>		<p>4. Counselor's Name</p>
		<p>5. Unit Manager's Name</p>
<p>6. Work Assignment</p>		<p>7. Housing Assignment</p>
<p>8. Subject: State your request completely but briefly. Give details.</p> <hr/>		
<p>9. Response: (This Section for Staff Response Only)</p> <hr/>		
<p>To DC-14 CAR only <input type="checkbox"/></p>		<p>To DC-14 CAR and DC-15 IRS <input type="checkbox"/></p>

Staff Member Name _____ / _____ Sign _____ Date _____
Print _____

5) Plaintiff Avrs That he had sent Two complaints to The ATTorney General of Pennsylvania MR. Mike Fisher who sent one Governor's OFFice of General Counsel P.O. Box 11775 Harrisburg Pa 17108 MR David J. DeVries chief Deputy ATTorney General OFFice of CIVIL LAW. Dec 20, 2001 complaint January 17, 2001 Address To The Pennsylvania ATTorney General office Mike Fisher. Reply by MR. David J. DeVries and he sent it to Pennsylvania Department of Corrections his Reply MR Randall N. Sears Deputy chief Counsel which I sent him a copy of The Grievance I Filed and he has Refused To Answer my LETTER.

6) Plaintiff Avrs January 26, 2001 AFTER Two weeks of Harassment of correctional officers Plaintiff Received more Threats and Then was Placed in The Hole Plaintiff Avrs Every Time he send The State Police a complaint The State Police sends it to The Department of correction it is used Against me for Retaliation.

Retaliation.

7) Plaintiff Avrs That he had Received 5 unlawful misconducts That was All False STATEMENTS which he had filed Grievances To have The False Information Removed from his Prison Record SEE Grievance.

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

Revised July 2000

(ta 3)

Record SEE Coverage

7) Plaintiff; #4 hours That he had received \$5
unlawful misconducts That was all Plaintiff
statement which he had filed Griciencies to
Statements which he had removed from his prison
have the false information removed from his prison

DATA ATTACHMENT

If it is used alongside me for $K_{\text{Ta}}\text{I}\text{d}\text{T}\text{ion}$.

6) Planting Alvars Guards January 26, 2001 After Two weeks of Harassment of corvids finally
wicks of Kestrels were threats and then was
planted Kestrel nests this year. Also planted
planted in the hole plant with virus every time
he said the state feels a complaint, the state
policies sends it to the Department of Conservation

TC ANSWERS MY LETTER.

And File a Protection what is Requested on
his Protection for Review No 01 561 CD.
This is a CIVIL MATTER NOT A CRIMINAL
MATTER AS THE ORDER DATED APR 26, 2001
STATES. CRIMINAL ACTION.

Plaintiff Request Criminal charges To be Filed
on Staff members of SCI HUNTDALe.
Cormick and John m mcallough and
MR Martin Horn and Clifford O'Hara.
and Agent Dobson. Plaintiff Needs The Harassment
To Stop and The Threats.
Plaintiff Shall ever pray

Date May 8th, 2001

Very Truly Yours
John A Pino
Plaintiff
John A Pino
DJ 9124
P.O. Box 1000
HUNTDALe PA 16698-1000

under 18 Pa C.S.A 4904- M-2

(6)

Grisel Ybarra, Esq.
Immigration & Naturalization Law

GRISEL YBARRA, P.A.
Attorney at Law

Exhibit A

Coral Park Plaza
Office Building

2320 Red Road
Suite 201
Miami, Florida 33155

Telephone
(305) 261-4400
Fax
(305) 261-4496

July 12, 1999

Mr. Martin Horn
Secretary
Pennsylvania Department of Corrections
2520 Lisburn Road
Camp Hill, Pennsylvania 17001

RE: Harassment of Inmate John A. Pino
Inmate Number: DJ 9124
SCI-Houtzdale

Dear Mr. Horn:

Last Friday I faxed to you, to Mr. Clifford O'Hara, and to Mr. John McCollough a letter regarding the situation being faced at SCI-Houtzdale by my client, Mr. C. Thomas A. Gambino. In this letter I informed you that an inmate had heard a Correctional Officer named Nick making derogatory, remarks about my client and me.

At 11:00am on Friday, July 8, 1999, I spoke to Agent Dobson from the Office of Professional Responsibility. I informed Mr. Dobson that I was on my way to visiting my client and that I was worried about my safety and that of my client, since the remarks made by Correctional Officer Nick, could cause problems for both of us.

I believe that Officer Nick's remarks could inflame other COs to believe that I had Officer Adams fired unjustly. They can also inflame the anger of the other inmates against my client, since Officer Nick referred to my client as a snitch.

Page -2-
July 12, 1999

Mr. Dobson asked the name of the inmate who had heard Officer Nick making the remarks. I told Mr. Dobson that the inmate was an old man named John Anthony Pino. Mr. Dobson assured me that I should not worry about my safety or that of my client.

On Saturday, July 10, 1999, Mr. Pino called me early in the morning. He said that he had been receiving threats and that notes threatening him had been posted to his door. He believed that Officer Nick had told inmates Garisson and Scutella, that Mr. Pino had told me about their meeting and that I had related what Officer Nick had said to your office. Mr. Pino was worried for his safety.

When I arrived at SCI-Houtzdale, Officer Morrison was in the Reception Room are. There were two other Officers there. One was a Lt. or Captain named Drexel. I reported that Mr. Pino had called me and that he was worried about his safety. I was assured that this matter would be related to the Shift Commander.

On Sunday, July 11, 1999, I met with Mr. Pino. He brought down the notes which had been pasted to his door. He told me that Officer Nick had been on duty and had seen the notes on his cell door. The EIGHT notes, which I saw, were handwritten, had scotch tape attached to them and read as follows:

1. *RAT CAVE*. Written on a Paper Towel with black marker.
2. *THE RAT CAVE, and the Tree Jumper School*. Written on Lined 8 X11 paper in blue pencil.
3. *You RAT FUCK!!! Eat Shit and Die*. Written on Lined 8X 11 paper with black magic marker.
4. *My name is Pino The want to be Gambino, AKA The Fucking Rat. Signed FB Poet*. Written on plain, white bond, 12 X 9, with a black ball point pen.
5. *Hi my name IS PINO The Rat. I don't live in a sewer like most rats. But right about now a sewer sounds pretty Good!!! DA DA DA Im Rat Soy! Im tellin cuz Im a wanna be felon.*
Signed: Lyrics by F Block.
Written on yellow legal size paper with black pen. (Misspelled words belong to the author).

Page -3-
July 12, 1999

6. *RAT FUCK PINO THE GAMBINO AKA Snitch.* Written on white, lined bond with a black pen.

7. *Hi Im pino the rat. But I Dont Like being called a Snitch I just like telling.* (On the back). *Hi Im Pino the Rat. AKA Pino the gambino. I like telling Im a cheese eaten Bitch and a guard telling snitch. Signed F-B Poet.* Written on yellow legal size paper with a black ball point pen.

8. *Snitch Bitch RAT Boy Pino I am A Million Dollar Man. You cant do this to me I'll sue you. Keep calling me a RAT and I wont do your law work. I just like telling on people. Im telling Im telling Im telling.* Signed by FB Poet. Written on yellow, legal size paper. The "i" have a circle with a "sad face" drawn inside.

I told Mr. Pino that I would send him a money order for \$60.00 so that he could make photo copies of these notes and send them to your office by Express Mail. I mailed the money order to him from the Houtzdale Post Office. He should have received it today.

During our conversation, Mr. Pino told me that on the morning of Friday, July 8, 1999, he had been called to the Unit Manager's Office. That upon arriving there he found Inmates Garisson and Scutella, Mr. Everhard and Ms. Letti, and that Mr. Gambino was also present.

Mr. Pino says that he witnessed Mr. Scutella provoke Mr. Gambino by telling him that he was Daniel Paul Krushinski, a snitch for 17 years and that in Delaware his testimony had helped to get a life sentence for a 17 years old boy. Mr. Scutella said that he had the records from the cases where Mr. Krushinski had testified in Delaware.

Mr. Pino also witnessed Mr. Garisson call Mr. Gambino a pussy, a snitch and state that Mr. Gambino had testified against Mr. Garisson's father a man named called Michael Stubbie. According to Mr. Pino, Ms. Letty and Mr. Everhard allowed Inmates Scutella and Garisson to provoke Mr. Gambino and yet Mr. Gambino did not raise a hand or his voice against anyone.

Mr. Pino said that he told Mr. Everhard that Officer Nick's remarks were putting Mr. Gambino in danger since no one had to know what he was in there for, and that other inmates should not be allowed to pass around

Page -4-
July 12, 1999

documents which pertained to Mr. Krushinski. Mr. Pino also said that before he left the meeting he told Ms. Letty and Mr. Everhard that Officer Nick should not go around making remarks about other inmates.

It is now 1:35pm. I received a call from Mr. Pino at 1:15pm. He says that since I last met with him yesterday, he has received nine more threatening notes. He says that he took three off his door and kept them, and that Officer Nick took SIX NOTES OFF HIS DOOR AND RIPPED THEM UP IN FRONT OF MR. PINO.

What is going on? How can the inmates know what Mr. Pino said to me, and what I told to Mr. Dobson? It is clear that Mr. Dobson told the SCI-Inmates. Mr. Pino is an old sick man. He cannot defend himself against the bullies in Block F. If he is hurt in any way, it will be partially my fault for trusting Mr. Dobson with the information related to me by this old man.

How dare Officer Nick rip up evidence? Who is he to take it upon himself to destroy the notes which were left on Mr. Pino's door? Mr. Pino said that he put in a call to Security and that no one has come to help him. Because of the information which he gave to me, and which I gave to Mr. Dobson, Mr. Pino is now obviously in danger.

Please call Houtzdale and ascertain that nothing happens to this old man. Don't throw him into the RHU. If anything place the ones harassing him in custody. Mr. Pino did the right thing. He was worried about me and my client and he warned me about it. He should not be punished for this.

I will hold your office responsible if the inmates at Block F cause any harm to this man. Mr. Pino has bipolar disorder. He looks and acts a little off balance, BUT the notes which I saw CLEARLY justify his fears. Please take care of this matter, and get Officer Nick to realize that he cannot insight inmates against each other, even it is to cover up his wrong doings.

It thank you for your attention and remain,

Very truly yours,

GRISEL YBARRA

GY:gv

cc. by fax.

GRISEL YBARRA, P.A.
Coral Park Plaza Office Building - 2320 Red Road - Suite 201 - Miami, Florida 33155 *Loose.*

*was 3 Tabbed upside
down sorry.*

Page -5-
July 12, 1999

fax and hard copies to:

**Mr. Clifford O'Hara
Mr. Jonh McCollough**

cc. hard copy to Mr. John Anthony Pino

EXHIBIT B.

John A. Rino

059124

SCI HOUTZDALE

P. O. Box 1000

HOUTZDALE PA 16698

OCT 15, 1999

JULY 13, 1999, complaint.

LT. WATSON

PENNSYLVANIA STATE POLICE

CLEARFIELD STATION

WOODLAND PA 16830

RE: TO FILE CRIMINAL CHARGES ON A CORRECTIONAL
OFFICE MICK Who is The Block OFFICE on F B
Block from 2 PM To 10 PM. Filing of complaint
under Rules 59(b), 64(b), 76, and 85, present Rule,
65.
Dear LT WATSON

Please Find Enclosed And AFFIDAVIT Filed out
and signed by me To Press Criminal charges on
OFFICE MICK ALSO Enclosed is a copy of A LETTER
I SENT TO MR MARTIN HORN SECRETARY OF:
PENNSYLVANIA DEPARTMENT OF CORRECTIONS

2520 LISBURN ROAD

CAMP HILL, PENNSYLVANIA 17001.

This LETTER will show cause why I, am Filing
The charges, For Life Threatening Threats cause
By OFFICE MICK Labelling Inmates To have other
Inmates To do his wrong doings. Since I have
been in SCI HOUTZDALE, OFFICE MICK has Indangered

5 other inmates lives and whatch other inmates put Threatening Notes on Cell Doors, Plus Bad mouthing the inmates to the others and telling the inmates what they are charged with and serving the time for. He puts inmates in danger like he just had done to me. He also helps inmates set inmates up. I have the inmates who will testify that Officer Mick put them like in danger, by labeling them and talking bad about them. The letter I sent Mr. Horn is true and correct facts. ALL the threatening notes that were put on my door are on the letter and I have all the notes the only ones I don't have are the ones Officer Mick took off my door AFTER he made last count on July 17 1999 AT 930 PM. He refused to give them to me made fun of me and then threaten me my mouth. I TOLD SCI HOUTZDALE Major Tatum MR EVERHEART and Major Klyer that Mick is breaking all the rules of this facility. Locking in 5 inmates in a meeting room on Wednesday night July 7 1999. Then after this meeting one of the inmates when to pill line and try to provoke the inmate who Officer Mick labeled in my letter AT A meeting on Friday July 9 1999 with Mr EVERHEART the unit manager of FB and FA with me a the other inmates I told him about what office did on wednesday and what he

3.

Said about The Inmate on wednesday at 3:30 PM and at 6 PM To me in front of Another Inmate. Then MR. EVERHEART Told OFFICE MICK what I said About him. Instead of him coming To me he went and Talked To The other Inmates who were at This meeting, 20 mins Later The Threats STARTED by mouth and Notes. what I Told MR. EVERHEART About OFFICE MICK putting Inmates Lives in danger my Letter and The Threatening Notes well prove All I said About him. I'm a 55 year old man. Never had a Problem in my Life with Inmates unTILL I meet OFFicer MICK. I Told him about This before when he was Bad mouthed my cellie on F B Telling other Inmates he was a baby Rapper and he Told me, Your cellie is lucky you are in his cell. For you stoped The other inmates from getting on him and making him pay Tax's. Like They do To The others Baby Rappers on This Block. He Lets other Inmates show him Paper work on Inmates and Allows Them To Show other Inmates To Put The on a spot To be Lable. I want To put a end To OFFICE mICK's madness. I Told him I not The one To Put my Life in danger like He did and Threatening me with his mouth he STARTED and I must put a end To it. I Told The OFFicer who save me your Name that I'm pressing charges on OFFICE MICK For he did

Indeed Labled me and Threaten me. For what I said about him. Breakins all The Rules and PUTTING me on a SPOT in A LIFE Threat-
ing danger. EACH Threat is a charge

Aggravated Assault (causes serious Bodily
Injure 2702 (a)(2) 19 counts. F1

Aggravated Assault (ATTEMPTS TO CAUSE
ATTEMPT SERIOUS BODILY INJURE 19 counts

2705 Recklessly Endanging Another Person
M-2 19 counts

2706 TERRORISTIC THREATS M-1 19 counts

3301 (c) Arson, Failure To Report.

Please get Back to me on this matter for I want Justice Done and my Name Cleaned up for I'm not what OFFICE Mick Labled me with The other Inmate's. I did not Tell on The Inmates I said what he did. Thank you for you Time and consideration in This matter

Respectfull Submitted
John a Pino

SWORN AFFIDAVIT

PENNSYLVANIA STATE POLICE
COMMONWEALTH OF PENNSYLVANIA CLEARFIELD COUNTY STATION
COUNTY OF CLEARFIELD SS OF: LT. WATSON

I John Anthony Pino, DJ9124 do hereby state
under Penality of Perjury That The foregoing
Information contained in The Two Letters To
LT. Watson and Dated July 13 1999 IS True and
correct To The Best of my Information and
Knowledge and belief.

By John a Pino

DATED OCT 13TH 1999

Sworn And subscribed before me
This 15th day of October 1999

[NOTARY PUBLIC]



PENNSYLVANIA STATE POLICE
TROOP C - AREA IV
445 N. FINDLEY STREET
PUNXSUTAWNEY, PA 15767

Exhibit B.

(814) 938-0510

November 16, 1999

John A. Pino
DJ9124
P.O. Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino,

Your second letter to the Pennsylvania State Police concerning a complaint against numerous staff members at the State Correctional Institution-Houtzdale has been referred to this office for response.

As I have told you in your past letter, the Department of Corrections has established an Office of Professional Responsibility to investigate complaints such as yours. To facilitate the work of this office, each Correctional Institution has assigned an Intelligence Officer responsibility for reviewing and investigating these matters. Therefore, I am forwarding a copy of your letter to the Intelligence Officer at your institution, with a copy provided to the Director, Office of Professional Responsibility, for any action deemed appropriate.

I trust the aforementioned information will be of some assistance to you in this matter.

Sincerely,

James R. Tripp
Captain James R. Tripp
Commanding Officer
Troop C, Punxsutawney

cc: Office of Professional Responsibility
Department of Corrections
2520 Lisburn Road
P.O. Box 598
Camp Hill, PA 17001-0598

Intelligence Officer
State Correction Institution-Houtzdale
P.O. Box 1000
Houtzdale, PA 16698-1000

1. For your information and appropriate action.



John A Pino
D J 9124
P.O. Box 1000
HOUTZDALE PA 16698-1000
Exhibit C.

January 15, 2010

PENNSYLVANIA STATE POLICE
TROOP C - AREA IV
445 N. FINDLEY STREET
PUNXSUTAWNEY, PA 15767

Dear Capt James R. Tripp

Can you Please Tell me why you
Took my To Affidavites To File
Criminal Charges on Co mick who
had Put my Life Endanger and you
did Nothing About, when I was Told
By The Secrity OFFice of SCI
HOUTZDALE Told me I had To File
My complaints To The state Police.

You sent my complaint Right Back
To The People I had filed The complaint
on who was The OFFice of Professional
Responsibility who did The same as
you Nothing.

You Capt James R. Tripp caused me

More Harassment To Take Place. you Allowed The STaff members To Threaten me more. I was Placed In The hole for 15 days Then 90 days and had my legal work Stolen my P.C.R.A. Brief. For Trying To File The Criminal charges on co mick That you did not File. I'm still being Threaten To day of This matter.

They were a criminal complaint and you Took No Action.

you should of Never sent my Paper Work To The Department of Correction.

Now I want To File criminal charges on Superintendent John M McCullough for he has Violated my Due Process Rights Stop my Grievances from being Filed All Allowing STaff members To Threaten me and Harass me more Thank's To you.

Sorry To Say for your unProfessional misconduct And Failure To Perform your duties as a STafe Police officer has Greated me more.

harm then good. Please be Advised
When I File my Civil Action I
MUST File it Against your ACTION'S
AS well. The Office of Professional
Responsibility did No Investigation
As you Said in your November 16,
1999 Reply. That so called Intelligence
officer and John m. McCallough
had made up & S.I.s To make False
Statements had me under And Investi-
gation in The hole for 4 days Then
Had a misconduct hearing on November
17, 1999 Then John m. McCallough
came To me in The hole Nov 27, 1999
I Asked him what happen To The charges
I Filed with The State Police on Co
mick and The other Staff members.
who is misusing Federal Funded money.
I know you hard about The bad man
in The Activities who stolen over \$280,000.00
Dollars, out That Department. you made me
Look like some kind of a fool you did.
I'm far from one Believe That. So who
did I have To go, To get These charges
Filed since you don't do your Job.

For The Record since my Appeal Brief
was Stolen by The Search Teams Thank's
To you I was Able To Receive 90 days
EXTENTION of Time 3 of Them To be Able
To get my Brief Filed In Superior Court.
Who Vacate my P.C.R.A. Appeal and
Demand Back down To The Lower Court
for A hearing. Plus I can prove False
Imprisonment I was Arrested and held
OVER 72 hours without Warrant's or
charges Filed Against The Common Pleas
Court Failed To give me a prompt Probab-
le cause and Lack Jurisdiction over
The subject matter. Comes down To A
Illegal Arrest. And you put me in more
danger

Now on This Two complaints I sent
you I want you To Take Appropriate
ACTION on These matter without any
delay's. I can prove I don't belong in
Jail. That is what you or The way you
will Thinking. Please get Back To me
on This matter. This Letter is going to
Be place in my complaint for your Actions.
Thank you for your time on This matter.

I have been Threaten Harassed Legal
work being Stolen False statement's
For misconduct. Refused To File my
Grievance's Violation of my Due Process
Right's, Violations of my U.S. CONST 1, 5, 8, 14
Amendment Rights.

Please in The Name of God.
Please Do what you were to do
in The ~~begin~~ First Place.

From Farms I am The County Sheriff
District Justice To File A criminal
Complaint I was Told I must go
Through The State Police. I have The
complaint I sent To common of Pennsylvania
Department of Correction on Co mick
I sent To Mr Martin Horn who did Nothing.
Co mick had 40 Inmates AFTER me
and had them Put Threaten Notes on my
Cell door. AFTER I told Mr Evert Hart
of Co mick's wrong doing's He told Co
mick what I had said he had Inmates
Threatening me. I'm Now 57 years old.
"Please Come See me".

Thank you
(5) John a Price



PENNSYLVANIA STATE POLICE
TROOP C - AREA IV
445 N. FINDLEY STREET
PUNXSUTAWNEY, PA 15767

Exhibit D.

(814) 938-0510

January 17, 2001

John A. Pino
DJ 9124
PO Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino,

Your second letter to the Pennsylvania State Police concerning a complaint against staff members at the State Correctional Institution-Houtzdale has reached my office for response.

As I have told you in your past letter, the Department of Corrections has established an Office of Professional Responsibility to investigate complaints such as yours. To facilitate the work of this office, each Correctional Institution has assigned an Intelligence Officer responsibility for reviewing and investigating these matters. Therefore, I am forwarding a copy of your letter to the Intelligence Officer at your institution, with a copy provided to the Director, Office of Professional Responsibility, for any action deemed appropriate.

I trust the aforementioned information will be of some assistance to you in this matter.

Sincerely,

A handwritten signature in cursive ink that reads "James R. Tripp".

Captain James R. Tripp
Commanding Officer
Troop C, Punxsutawney

cc: Office of Professional Responsibility
Department of Corrections
2520 Lisburn Road
P.O. Box 598
Camp Hill, PA 17001-0598

Intelligence Officer
State Correction Institution-Houtzdale
P.O. Box 1000
Houtzdale, PA 16698-1000

1. For your information and appropriate action.



John A Pino Exhibit D
D J G 124
P.O. Box 1000
HOUTZDALE PA 16698-1000

Dec 20, 2000

MR MIKE FISHER

ATTORNEY GENERAL

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE ATTORNEY GENERAL
15th FLOOR STRAWBERRY SQUARE
HARRISBURG, PA 17120

RE: PENNSYLVANIA RIGHT- TO- KNOW LAW.

~~Dear~~ Dear MR FISHER ESG.

This is A Request under The Provision of The
Pennsylvania Right-To-Know Law, 65 P.S. § 66.1
et seq., in which I Respectfully Request Copies
of The Following Policies.

1) I would like to see The Policy For The Department
of Corrections To Change my Sentence. From
A Definite Sentence which I was Sentence To And
My District Attorney's Brief STATES I was Sentence
To A Definite Sentence, BUT when I came To The
Department of Corrections They Gave me And
Indefinite Sentence. And By Law it is a Illegal
Sentence. FOR.

I had wrote To ms Vicky Henery OF Inmates Record III of SCI HAZZDALE AND The Superintendent John M. McCullough Request Slips and Filed A Grievance and I had Appalled To The Superintendent McCullough and To MR Robert S. Bitner Chief Hearing Examiner which was denied. They have Refused To Change my SENTENCE STATUS Sheet Received by The Department of Corrections. By doing so They are NOT obeying The Law. IF There is No Policy That Show's They have The Right To change my Sentence. They Are NOT obeying The Law. and gave me A Illegal Sentence on grounds: Since 1978 They have No Longer List Prisoners As having "Indefinite Sentence's STATE LegisTIVz Body SENT The Record Department and Order NOT To give Indefinite Sentence's. Please obey The Law and List my Sentence STATUS Sheet As Sentenced By my Judge AS Definite. for your office has given me a Illegal Sentence.

MR Fisher, with all do Respect I have This Issue in my P.C.R.A. Appeal which By The Superior Court of Pennsylvania Vacate and Remand my P.C.R.A Appeal To The Lower Court for a hearing. NOT JUST on This Issue For 18 more Issue's as well. But This Issue in my Brief The District Attorney States I have A Definite sentence. He does not

understand why I'm fighting this issue.
For Not Even A Judge Can Impose A Sentence
Without The Right To Prob. Parole.

To Receive This Information I Had To Get Mr
Shorts The Headman of The Library To Order The
Act of May 10 1909. Which Shows The Next
Policy The Right-To-Parole which I'm not
Request To have a policy showing That I don't
have a Right To Parole.

This is another violation for A Judge cannot
Impose A sentence without The Right For parole
See ACT 42 Pa, C.S.A. SECTION 9701) See 42 Pa,
C.S.A. SECTION 9721) See 204 Pa, Code SECTION
303.1 ^{PA} ~~PA~~ seq. 42 ~~PA~~ C.S.A. 9721(c) which Provides:

"ALL SENTENCES OF IMPRISONMENT IMPOSED UNDER
THIS CHAPTER SHALL BE FOR A DEFINITE TERM.
See 19 P.S. SECTION 1057, LOOK AT BLACK LAW
DICTIONARY SIXTH EDITION PAGE 423.)"

The concept of A Definite Sentence is Reinforced
by The Structure of Sentencing Guidelines. The Sentencing
Guidelines, with The mitigated, standard and
Aggravated range concept's, deal with The minimum
"DEFINITE" Term of Incarceration not The
maximum sentence. Furthermore, under Pennsy-
lvania Statute 42 Pa. C.S.A. SECTION 9756(c).

The Trial Judge is "PROHIBITED" from Imposing a Sentence without The Right To Parole "EXCEPT" IN Summary offense, Non-payment of Fines or where The Maximum Sentence is Less Than Thirty (30) days.

SECTION 9756 (C) STATES:

EXCEPT in case of murder of The First Degree, The Court may Impose A Sentence of Imprisonment without The Right To Parole "only when":

- 1) A summary offense is charged.
- 2) A Sentence is Imposed for Non-payment of Fines or COST or Both in which case The sentence shall specify The Number of days To be served,
- 3) The maximum Term of Terms of Imprisonment on one or more Indictments To Run Consecutively or concurrently Total less Than Thirty days.

In Garner v. Jones, 120 S.C.T. 1362 (2000)

Ex Post Facto clause of Constitution: J., at 595

Eight years is a Long Time The court emphasis sized and (m)uch can happen in The course of Eight years To Effect The determination That an inmate would be suitable for parole. See LYNCE v. MATHIS, 117 S.C.T. 891 (1997) The bulk of our Ex Post Facto Jurisprudence has Involved claims That a Law has Inflicted "A greater Punishment, Than The Law annexed To The Crime when committed."

Calder v. B. 11 3 DALL, 386, 390 J.L. Ed. 648 (1798)

IN WEAVER V. PA BD. OF PROBATION and Parole,
688 A2d 766 (Pa (cmwlth) 1997)

Because we are dealing with A Demurrer here and because I believe That Weaver's mandamus petition is Properly before This court, I would overrule The Board's preliminary objection and Grant Weaver leave To Amend his Petition for Review To Request Appropriate Relief.

Weaver's mandamus petition simply because Weaver Improperly ASK's This court To order his Release on parole, unless There is an error of Law or Resulting Prejudice To An Advers Party, The Right To Amend A Pleading Should be liberally Granted at any Stage of The Proceedings, Because I Find No Error of Law or Prejudice To The Adverse Party's here, I would Grant Weaver leave of court To Amend his Petition Pursuant To Rules 1028(c) and 1033 of Pennsylvania Rules of Civil Procedure. The Board's Action is based on its mistaken view That, In The Exercise of its Discretion, The Board may Violate Weaver's Constitutional Right Against Self-Incrimination.

which SCI HAZZDALE And The Parole Board Violates The Inmates Rights For Self-Incrimination and Their first Amendment Rights.

Under The Establishment Clause you can or may NOT coerce anyone to support or participate in Religion-based Narcotics Rehabilitation meetings or otherwise act in way that establishes state Religion or Religious faith, or tends to do so U.S.C.A. CONST. Amend 1.

You can NOT force under threat of being rated a higher security risk and suffering of the above unlawful effects which is helded against you for Parole Eligibility.

which now brings me to request the Policy that gives the Parole ~~BDA~~ Board there power to order inmates inside Prison walls and fences. To even to be able to give and inmate a Parole ^{hit} without being on Parole. And given them orders inside the Prison. Request for Policy were you force and inmate to attend a voluntary program then make it and you are told IF you don't complete the program you cannot go home. were does the Parole Board receive this power.

I had the above program removed two times.
(6.)

off my Prescriptive Program plan since I have seen Dr Hilbert To get out of the program on August 5, 1998. since I have had a 7 month hit and 6 month hit and now a year hit The Parole Agent Asst said they want you to go back to the Therapeutic community 12 Step Religious AA/NA program. But my Green sheet does not say this says: A completion of A substance abuse treatment.

For the record I have filed over 1000 grievances since ~~did~~ 1998 on violations of my Constitutional Right. About the program CO's threatening my life filed criminal charges with state police on staff members which John M McCullough claims he had the charges dropped. ~~which~~ I can not understand how he had them dropped. which I'm going to still file them which I have up to two years to file a civil complaint. which you are the Attorney for the Department of Correction and the Commonwealth of Pennsylvania. And I'm now hereby bring this complaints to you. Hoping you will do ~~set~~ something about them for under 4904 m-2 all are true and correct statements, for in my paper work I

can show and Prove That I'm Illegal Incarcerated For on may 13 1996 I was Arrested on a Warrantless Arrest held over 72 hours without charges or warrant's Filed Against me. which Led To A False arrest False Imprisonment. For The common Pleas court Failed To give me a prompt Probable cause. Lack Jurisdiction of over Subject matters. They willful, malicious violations of my Constitutional Rights. Plus Police Detective's For The Arrest off used Police Brutality which my Law suit is STILL Pending and I sued The County And The Law suit on The County is Court Lacks Jurisdiction over Plaintiff criminal case, Because The District Justice has No convening Authority over constructive Fraud or structurally defective criminal complaint's or AFFidavits of Probable cause where Double Jeopardy bars Prosecution of The multiplicatas offenses of Theft of movable property and Receiving The same. Plaintiff criminal case has Followed A Venue of Fraud. whereas Police who made Warrantless Arrest and Jailed me for over 72 hours before Arraignment is A certain and Demonstrated Failure To Establish subject matter, Rem or Personam Jurisdiction over The case,

The only Thing The Department of correction did for me was cause me more pain and suffering and Violated my 1, 5, 8, 14, U.S. CONST. Amendment Rights.

Under The Right-To-Know Law I want all copies of Requested Policies. If There is no Policy I'm going to File a Complaint and Have a Federal Investigation done on The Department of correction and The Parole Board. For I'm being held past my minimum date illegal And I'm going to File The charges Against The Staff Members That Mr John McCallough said he dropped and I have proof That Co mick had Inmates put and make Threaten Notes on my cell door and even gave them the paper and the marker to make them. After I Told EVERHEART UNIT Manager of F Block That Co mick has Inmates going after Inmates and had Inmate put a home made shank That Co mick made at home gave it to And Inmate to put in McGarth McGill cell as he was working. Then Locked up 5 inmates in The meeting Room by There self to talk about How to get and hit Inmate Gambino going to Pill Line as I was Talking to his Lawyer on the Phone. When Co mick

Allowed The Inmates To go After her
client for when he came Back from Pill
line he called for me and Told me To
Tell his Lawyer just what had happen.
I'm going To file more Than a 1983 on
SCI HUNTDALE. I have been Threaten
by STAFF member and MR McCULLOUGH
and Martin Horn did Nothing. But Denied
my Grievances. Yes I'm looking for just-
ice. I can Show you how MR McCULLOUGH
has been harass me and he has Threaten
me him self and Told me He will see To it
I don't get Paroled. He is Abusing his Power
and he is very unProfessional And he keeps
Threaten Inmates To ATTEND The 12 Step
Religious Program. And is The cause of The
Law Suit's which There are more To be
Filed you are fully aware of The wrong full
doing's And you are The ATTorney I even
wrote To MR Horn and Tom Ridge. Since
I been in SCI HUNTDALE And had Tom Ridge
Name in my 1983 on Montgomery County
Jail. And I will sue him for The medical
complaint I sent him for I'm even being refused
proper medical care. Ridge is Responsible
for You know on 1983 civil Action you
can go up To The Chain of Command.
And MR McCULLOUGH is unfit person

To be Runing a Jail Has a Superintendent
I can prove it with my Paper work. And
All His Prejudice Answers, on my Request
Slip's and Grievances.

It is All in your Hands MR Fisher.
If Nothing is done about it I will Take
it into Court like I did my County.
District Attorney's Office Public Defenders
Office and The Judge.

As of Right Now I'm Falsely Imprison
with cause and All The Pain and suffering
Caused by The D.O.C. And The County
Court.

I'm bring This To your ATTENTION IF
Nothing is done Then you Sir are Respon-
sible as well. my Best wishes To you
Always I Remain

Very Truly Yours
John A. Price



Exhibit E

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

January 10, 2001

MIKE FISHER
ATTORNEY GENERAL

15th Floor Strawberry Square
Harrisburg, PA 17120
(717) 783-1111

John A. Pino, #DJ-9124
P.O. Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino:

Your letter to the Attorney General has been referred to this office for reply.

Our office receives a large number of letters from people who have legal matters or other problems they are trying to resolve. We review each letter carefully, but not all problems fall within our authority. The powers of the Office of Attorney General are defined by state statutes, and the matter you raise in your letter does not come under our jurisdiction. You may want to forward your inquiry to the agency listed below for any advice or assistance they may be able to provide.

We are making this suggestion based on the information provided in your letter. Please understand that it will be up to the agency officials receiving your correspondence to determine whether they can be of any assistance.

Governor's Office of General Counsel
P.O. Box 11775
Harrisburg, PA 17108

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. J. DeVries".

David J. DeVries
Chief Deputy Attorney General
Office of Civil Law

DJD:mlm
CLS010056

John Anthony Pino EXHIBIT F
D99124
P.O. Box 1000
HOMEDALE, PA 16698-1000

January 17, 2001

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE ATTORNEY GENERAL
MR MIKE FISHER
15TH FLOOR STRAWBERRY SQUARE
HARRISBURG, PA 17120

RE: TO A COMPLAINT I SENT YOU AND YOUR
ANSWER TO THE COMPLAINT.

DEAR MR FISHER ATTORNEY GENERAL OF PENNSYLVANIA.

I HAVE SENT YOU A COMPLAINT AND YOUR
OFFICE STATES:

YOUR LETTER TO THE ATTORNEY GENERAL HAS
BEEN REFERRED TO THIS OFFICE REPLY.

MY COMPLAINT DOES COME UNDER YOUR
JURISDICTION. YOU ARE THE ATTORNEY
FOR THE DEPARTMENT OF CORRECTION.

YOU ARE ALLOWING THEM TO ABUSE THEIR
POWER. AND ALLOWING THEM TO FORCE INMATES
TO ATTEND ILLEGAL PROGRAM AND STOPPING
THEM FROM BEING PARADE. LOOK AT ACT OF

May 10, 1909. And ACT 1978 April 28
P.L. 202, No. 53 and PAC.S.A. E 9721
(a) and sentencing code 1974 Dec. 30,
P.L. 1052 No, 34531 which will show:
In The year of 1978 The Record Officer
for The Department of correction of
Commonwealth of Pennsylvania was order-
ed by STATE Legislative Body TO NO LONGER
LIST PRISONERS AS HAVING) INDEFINITE
SENTENCE SEE: (2(A) E 931) OF ACT 1978
April 28 P.L. 202, No 53, This was done
IN LIGHT OF EFFECT OF THE ENACTMENT
OF 1974 SENTENCING CODE 1974 DEC 30
P.L. 1052 NO. 34531 SEE: 42 PAC S.A.
E 9721(a) (All sentences of Imprison-
ment Imposed under This Chapter Shall be
for "DEFINITE TERM" PLEASE HAVE
DEPARTMENT OF CORRECTION
THE LAW. HAVE THEM REMOVE THE
INDEFINITE SENTENCE FROM THERE
SENTENCE STATUS SHEETS AND CORRECT
STATUS SHEET LISTING AS A DEFINITE
SENTENCE. Under The ACT of 1978
NOT EVEN A Judge can Imposed And
SENTENCE without The Right To Parole.

And Please don't sit in your big chair
Thinking I don't have a Right To Parole.
I even have case Law STATING I have
The Right To Parole. Even on my District
ATTorney's Appeals. Brief Against my
Brief. That I was sentence To A DeFinite
You are Allowing The Department of correction
and The Pennsylvania Department of
Probation and Parole To Abuse Their
Power. For your's way is of Thinking IS:
Build more Jails, Don't give Fair
Trial's. A Keep People in Jail and To
Collect Illegal Federal Funds To Run
Your Illegal AA/NA 12 Step's Religious
Based Program. Which is Another part
of my complaint To you. That you state
is a LETTER. Is the way Commonwealth
has A Lot of Law SUIT Filed Against
yours don't Know The difference's between
A LETTER and A complaint which you are
or have Pushed The Buck

TO AVOID The
Problems which you are Allowing To Acc^{ord}
To give Them under you A Special Privileges.

AS I STATED in my Complaint.
Their ATTorney. How would you like To

To be forced and Threaten To ATTend A Program That you can prove That you STOPped Drinking and Never did Streets in your Life and was Never Arrest For.

As I STATED in my complaint John M McCullough has had STAFF members To Threaten me and he him self has done The same. He had NOT Did Anything or Did MR Martin Horn do ANYTHING when I sent MR Horn on CO ^{mick} who gave Inmates Pens Paper and market To make 19 Threaten Notes on my cell door. A

complaint my life was Endanger. For 4 days. you want To Pass The Buck.

You think it is "Right", Because I Told MR Jerry Everhart unit manager of FB Block of co mick's wrong doings. Having Inmates going AFTER Inmates, And Telling Inmates what They are In Jail For. IS This The duties of A Correctional officer. Inmates saw co help make them and Read them Before They were Placed on The cell door.

What kind of People are you Backing

up when you send your motion to dismiss
A Civil Action for, In short They our
unprofessional use unprofessional conduct
and are unFIT AS THE SAME for Drug
Counselor's which I can show By The
Pennsylvania Department of Health
STATES They must have Experience in
AS A Drug counselor And with 3 Years
Drug Counseling In a STATE Facility.
The Counselors AT SCI HOUTZDALE were
hired and Trained By MR DALE Close
which SCI HOUTZDALE is NOT Listed
or in License or is The Program Licensed
To Be used AS A AA/NA Drug counselor
Training Center. You need To be certified
and must be Qualify To have a Job
AS And AA/NA program Counsel.
SCI HOUTZDALE IS Running a money
making SCAM and using misuse of
Federal funds. which is A Crime. AS I
STATED To State Police in 1999 who
did Nothing. Staff members had \$ taken
over 180,000 out of Inmates Acco-
unts. And walked way. Like I had
MR McCullough IF you want me To.

ON North Walk why Are you Allowing your
Search Teams To HARRASS me and keep on Destroy-
ing my Legal work. Why on your Request
you STATE Pino I don't Believe you, why
did you say That for His words were
you Are A FUCKING Lier. For a Superint-
endent of a STATE Facility using Abuse
Words Like This He is unFIT and very unpro-
fessional Conduct. For The Record This is not
The way a Superintendent is To Talk. Plus
He even Said PUT IT on Paper what I just
Said and I Did ms Emal Again Refused
To File A Grievance on John m mccullough.
For his using Abuse of conduct and unfit
words he used. For Her Not Filing my Gri-
evances she is Violating my Due Process
RIGHTS and is obSTRUCTION of JUSTICE To be
done. And All The LETTERS SENT TO MR Horn
he is NO BETTER. For The Record This is
The Second Complaint I SENT you The First
you Took for a LETTER. Which was NO LETTER.
I have Copies for my Record. I was Told by
A major my Paper work PUT me in The hole.
They don't like it. The Truth hurts Them.
IF NO ACTION's Are Taken in These matter's

I'm 57 years old And I know what to do. Request a Federal Investigation To prove you cannot misuses Federal Funded Funds. And keep on keeping People in Jail To collect The funds To Build more Jails, which Are used AS Human Warehouses. How is The D.O.C. on The New York Stock Exchange? IT is All a money making Scam. By giving Prisoner Illegal Sentence's AFTER They are Sentence To A Definite Sentence By The Judge They come into Camphill And The D.O.C. Record office Changes There Sentence To And Indefinite Sentence. To make Them do 85% of There Time. And with A Definite Sentence That was Imposed by The Judge STATES you get Paroled on your minimum date. Which causes The D.O.C. and The Parole Board To put Together A Scam To Abuse There Power To Change Inmates Sentence To keep Them in Jail To make money off The Federal Government. This is wrong and you Mike Fisher is A part of it. My Best wishes To you I remain

Very Truly yours.
(7) John a Pino.



EXHIBIT G

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

January 31, 2001

MIKE FISHER
ATTORNEY GENERAL

15th Floor, Strawberry Square
Harrisburg, Pa 17120
(717) 783-1111

John A. Pino, #DJ-9124
P.O. Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino:

This will acknowledge receipt of your recent letter to the Attorney General of Pennsylvania.

At one time, the corrections system was under the jurisdiction of the Attorney General. That law was changed years ago to put it under the Governor's Office where it remains.

We are referring your most recent letter to the Governor's Office.

Sincerely yours,

A handwritten signature in black ink, appearing to read "DJD".

David J. DeVries
Chief Deputy Attorney General
Office of Civil Law

DJD:mlm
CLS010056.01
cc: Governor's Office

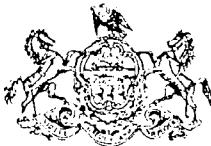


Exhibit H

PENNSYLVANIA DEPARTMENT OF CORRECTIONS
OFFICE OF CHIEF COUNSEL
55 UTLEY DRIVE
CAMP HILL, PENNSYLVANIA 17011
(717) 731-0444

February 28, 2001

John A. Pino, DJ-9124
SCI-Houtzdale
P.O. Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino:

Your January 17, 2001 letter to the Office of Attorney General has been referred to our office. The issue raised in your letter must be addressed through the institution's grievance process. That process is described in DC-ADM 804.

Very truly yours,

Randall N. Sears

Randall N. Sears
Deputy Chief Counsel

RNS/jls

cc: Bureau of Inmate Services (filing office)
File (Misc. Inm. Corresp.)

John A Pino
D59124
P O Box 1000
HOMEDALE PA 16698-1000

Exhibit I

2/5/01

MR MIKE FISHER
COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL
15TH FLOOR, STRAWBERRY SQUARE
HARRISBURG, PA 17120.

RE: To your Reply Dated January 31, 2001.

Dear MR FISHER ATTORNEY General of Pennsylvania
Thank you for your Reply, since The Harassment Did NOT STOP I Found my self in RH on False STATEMENTS.
I hereby state we are going to court soon I will complete A Petition for Review in A Nature of A Writ of A mandamus. Like I said before The Threats and The Harassment needs to stop. I'm allow to use the Grievances System And it is all from Ritualization. I sent MR Governor Ridges a complaint in 1998 and did nothing. What is he going to do Now? Plus soon I'm going to be going to court on my Criminal case. Sincerely yours

John A Pino

~~6-14-11~~ Exhibit J.

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

Exhibit J.
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: OFFICIAL NAME AND NUMBER)	8-14-85
4. COUNSELOR'S NAME	
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT
	F B - 17
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.	
<p>I would like to talk to you about the CCTC issues I have to talk to you about. IT made me get a lot of stress stress plus a Bipolar disorder Akers vs Callahan 997 Supp 649 in D. Pa 1993. I had this before when I came out of VITMUM. Now being on the CCTC I got it back. They are giving me a unsuccessful discharge. The Psychiatrist got me off the CCTC MR close and MR Steeler and the other counselor giving me my disorder. Thank you John A Pino Bipolar disorder is not to be played with this is a serious matter.</p>	
8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)	

John Can't
If you are CCTC Bipolar
make it in the home. You are
you can't go home. don't give you an
order to commit
otherwise to commit
John A Pino
Counselor
Mr. Close

TO DC-14 CAR ONLY

TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

Exhibit K

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections
INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <i>m s Emel</i>	2. Date: <i>1/17/01</i>	
3. By: (Print Inmate Name and Number) <i>John A Pino DJ9124</i> <i>John A Pino</i> Inmate Signature	4. Counselor's Name <i>m s Jovicic</i>	5. Unit Manager's Name <i>MR. WHIT-521</i>
6. Work Assignment <i>maint Repair Am</i>	7. Housing Assignment <i>F A 34</i>	
8. Subject: State your request completely but briefly. Give details. <i>ms Emel Again you have refused to file this grievance on John M McCullough. "Read my lips" IT IS NOT AND APPAL I SENT THE APPEAL OF ms Emel McCullough TO chief hearing Examiner waiting an answer. True and correct statements of True Facts. ms Emel John M McCullough has been making me look like The Bad Guy for his CO's wrong doing's that he allow has allowed them and other staff member to tell lies and made up false statements for misconduct's and to receive unlawful parole hits. John M McCullough thinks I have no credibility, well he is wrong once again I can show a win in The Superior Court of Pennsylvania with my appeal on my criminal case received a win even after John M McCullough allowed his search teams to steal my appeal brief 4 times.</i>		
9. Response: (This Section for Staff Response Only)		
<input type="checkbox"/> To DC-14 CAR only		<input type="checkbox"/> To DC-14 CAR and DC-15 IRS

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections
INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <u>ms EMEI</u>	2. Date: <u>1/17/01</u>	
3. By: (Print Inmate Name and Number) <u>John A Pino DJ4124</u> <u>John A Pino</u> Inmate Signature	4. Counselor's Name <u>ms Ivicic</u>	
6. Work Assignment <u>mainT Repair Am.</u>	5. Unit Manager's Name <u>mr whitzel</u>	
7. Housing Assignment <u>EA 34</u>		
8. Subject: State your request completely but briefly. Give details. Plus I can show I sued The Judge who gave me a unlawful Trial By Jury and Sentence. The Judge Ran off The Case. Because he could not take The heat. John M McCullough has called me a Lier and you Name it. Follow unit manager's abuse. The Power's Adding Program's on my PPP Plan For Parole hits Aligned Staff Members To Threaten me. Told me he is Tired Tired of my complaints. That he did Nothing About it. Allowed The (3) years of harassment to go on and had you ms Emei to refused to have you file my Grievance. In my Lawsuit on the Justice Against The Judge and The D NOFFice and Public Defender OFFices I can prove False Imprisonment. On Ground's I was Arrested and Jailed over		
9. Response: (This Section for Staff Response Only)		
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections
INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <u>ms E m 21</u>	2. Date: <u>1/17/01</u>	
3. By: (Print Inmate Name and Number) <u>John A Pino D 94124</u> <u>John a Pino</u>	4. Counselor's Name <u>ms J vici</u>	
Inmate Signature		5. Unit Manager's Name <u>M R Whitesell</u>
6. Work Assignment <u>Maint Repair A m.</u>	7. Housing Assignment <u>L A 34</u>	
8. Subject: State your request completely but briefly. Give details. 72 hours which is A VIOLATION of my U.S const with Amendment Rights. ON A WARRANTLESS ARREST you must BE TAKEN TO A ISSUING AUTH. at THAT COUNTY magistrate without Driay. Being held over 72 hours without warrants or charges filed against The common pleas court lack Jurisdiction over The subject matter by failure to give me n prompt Probable cause Should of Never been taken To Trial or To Receive a conviction of A Crime I did not commit which I did to false Imprisonment. And Mr McCullough has Threaten me him self by Saying: John If you don't complete The TC Program AA/NA you are NOT going 9. Response: (This Section for Staff Response Only) home on Parole.		
<hr/>		
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

Staff Member Name _____ / _____ Date _____
 Print _____ Sign _____

Revised July 2000

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

ms emel

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ9124

John A Pino

Inmate Signature

4. Counselor's Name

ms Iovic

5. Unit Manager's Name

m r whitesc

6. Work Assignment

main t Repair RM

7. Housing Assignment

E A 34

8. Subject: State your request completely but briefly. Give details.

I would have to see what John M McCullough would do if he was in jail going on 5 years under A False Arrest And False Imprisonment And has been Refused Proper medical care as well and has been in pain for 5 years from Being Bull-dawed by his Firms 110# as he gets kicked between his legs by A Police Officer from behind like a Foot Ball Player would kick a Foot Ball for A Field Goal. Have Bumps Received in his Testicles A few in the CIST caused by the Kick. And Is being Refused The Follow ups you will receive from The Doctor the County Took you to see. ME McCullough you are the Superintendent of SCI Scottsdale IT IS ALL COMING BACK TO YOU ON A LEGAL TIP. YOU ALLOW

9. Response: (This Section for Staff Response Only) *5 ST STONE TO LIE ON BOOTS.*

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

/

Sign

Date

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

MS Emel

2. Date:

1/13/01.

3. By: (Print Inmate Name and Number)

John A Pino D34124

John A Pino

Inmate Signature

4. Counselor's Name

MS Fricic

5. Unit Manager's Name

MR Whitesel

6. Work Assignment

Maint Repair BM

7. Housing Assignment

EA 34

8. Subject: State your request completely but briefly. Give details.

I received 15 days cell restriction or made abilities By SGT Stone STATING I AIT red my Boats which are small and Two other officers were in. To trip over a bump in the floor covered with carpet That caught the tips of the 1/2 soles on my Boats That were unsafe and did not mind To the fact Edges of the old Soles. To put 1/2 soles on Boats you must cut 1/2 the old Sole away and replace it with a 1/2 Sole Not put a 1/2 Sole on top of the old Sole you must remove 1/2 of the Sole off the boat. So John M McAllough allowed laundry To give me a unsafe pair of Boats which caused me To trip and hurt my right leg, foot, arm, hand and his medical department

9. Response: (This Section for Staff Response Only) Refuses To Take X rays.To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

/

Date

Print

Sign

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

MS Emel

3. By: (Print Inmate Name and Number)

John A Pino DJ9124

John A Pino

Inmate Signature

6. Work Assignment

Maint Repair Am.

2. Date:

1/17/01

4. Counselor's Name

MS Iovic

5. Unit Manager's Name

MA White

7. Housing Assignment

EA 34

8. Subject: State your request completely but briefly. Give details.

He claims he is Tired of hearing my complaints
 He is The cause of The complaints. For he is Prejudice
 Bias All This old officer's and The an. I
 have problems with For A complaint I Filed
 To martin Hern on Co mike and a complaint
 To The STATE Police which John m mcGullough
 Said he had That complaint Dropped which when
 His Search Team's came into my Cell Read That
 Complaint on Co mike got mad and Destroyed
 my legal work and Stolen my Brief I had
 To File in Superior court on Nov 21, 99 and his
 officers Stolen The copies I just copied on
 Nov 10, 99 at The Law Library \$12. Dollars
 it had costed me To make Them 7 copies
 For he Allowed his Officer's To use Retaliation against

9. Response: (This Section for Staff Response Only) me over Comicks complaint.

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

/

Print

/

Sign

/

Date

INMATE'S REQUEST TO STAFF MEMBER

MS EMEL

1. To: (Name and Title of Officer)

3. By: (Print Inmate Name and Number)

John A Pino D39124

John A Pino

Inmate Signature

6. Work Assignment

mainT Repair Am

8. Subject: State your request completely but briefly. Give details.

This is my only Defence Against Mr McCallough when I put my Thoughts on Paper of his wrong doing's As A unprofessional misuse of conduct Mr McCallough is not going to get me upset or give me a heart attack as he had tried to do, when he abuses his power. Plus I have the last in my heart and I can say I never walk alone. The only thing he can do to me his keep an letting his co's harass me and Threaten me and have them keep on Telling lie's for misconducts. For the new officer's when I ask for Request going to be granted as they said offering if you get not

ITS officer that I have written up telling the new officer's to keep and eye on that

9. Response: (This Section for Staff Response Only) Pino he will write you up

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

2. Date:

1/17/01

4. Counselor's Name

MS Juvie

5. Unit Manager's Name

MS Whitehead

7. Housing Assignment

EA 34

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

Sign

Date

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

MS Emel

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ9124

John A Pino

Inmate Signature

4. Counselor's Name

MS Ivicic

5. Unit Manager's Name

MR Whitesel

6. Work Assignment

Maint Repair Am.

7. Housing Assignment

EA 34

8. Subject: State your request completely but briefly. Give details.

To Try and Cause The New Officer's To Join in on The Harassment, I Told Mike Fisher a in a complaint what was going on and Said when I'm Ready To File a Civil Action on SCT HANTZDALE If He does not do Anything About it He will Need a Lawyer as well, I was Shawan years ago when you file a suit one you go for millions Two Find out who Their Lawyer will be send him a complaint If The Lawyer does Not Take Steps As in This Case would be Mike Fisher who is The Attorney Gen. of Penn and The Lawyer for The D.O.C. The Best Place To hurt a person is in The Pocket Book Take Their Money Away from Them. To Court For who who knows Nos Nothing and

9. Response: (This Section for Staff Response Only) who They Think No is a dame fool For the Record I Sint a Nothin complaint To STATE Police

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

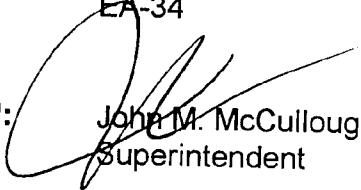
Sign

Date

Exhibit L

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
State Correctional Institution at Houtzdale
Office of the Superintendent
January 2, 2001

SUBJECT: Appeal of Misconduct #A285374

TO: John Pino, DJ9124
EA-34

FROM: John M. McCullough
Superintendent

For the record, I had refused to hear this appeal because Pino had sent a 4-page document. In this latest appeal he increases it to 5 pages, and in it he attempts to raise other issues which have been previously dealt with and which do not have anything to do with the misconduct.

Because the misconduct appeal of this document is only 2 pages, I will address that. The other issues have been gone over with him numerous times, and I am not going to rehash them in the 801 procedure.

Pino argues his witnesses were disallowed. His witnesses were neither relevant nor crucial for a finding of guilt or innocence. The facts are this – he was issued a pair of reconditioned boots, and he did not like the soles. Later on 12/6, the boots were confiscated after Pino reported the soles fell off. The laundry foreman could not remove the rest of the sole, which correctly made him suspicious, because they could not have been removed by casual use or by tripping over a rug as Pino states. The evidence was clear that he had altered them himself in order to get a new pair of boots. He was offered an informal resolution, which would have had a very simple resolution, and went to a hearing where he was found guilty.

His story is simply not believed. The misconduct and the action of PRC are sustained.

JMM:dkc

c:	Deputy Speck	Mr. Croyle, Laundry Foreman
	Deputy Tennis	Mr. Whitesel
	Dr. Mazurkiewicz	Ms. Baker
	Case Record	File

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) <i>Supr.</i> <i>MR. John M. McCullough</i>	2. Date: <i>12/29/00</i>	RECEIVED SUPERINTENDENT OFF.
3. By: (Print Inmate Name and Number) <i>John Anthony Pino DJ9124</i> <i>John a Pino</i>	4. Counselor's Name <i>MS Ivicic</i>	JAN 02 2001
Inmate Signature	5. Unit Manager's Name <i>MR. WHITESIDE</i>	SCI-HOUTZDALE PO BOX 1000 HOUTZDALE PA
6. Work Assignment <i>mainT Repair Am.</i>	7. Housing Assignment <i>EA 34</i>	
8. Subject: State your request completely but briefly. Give details. <i>MR John M McCullough Thanks to you. You MR McCullough have allowed Staff Member member to make False statements for two misconduct's one on MS Hoover and MS Woodrings Received 90 in the hole for statements of 3 C.S.I. who were made up people without numbers that were to be made statements said in the yard which were never said in the yard. Those statements were made by others in the TV Room. I had a illegal hearing without witnesses or a in house Gram Camra hearing with C.S.I.s Now SGT Stone telling main laundry that I had AFTER my BOOTS when I fall over a hump in the floor covered with carpet that caused me to hit my right leg and arm foot and hand.</i>		

9. Response: (This Section for Staff Response Only)

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

Sign

Date

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) *Super*
John m mcmillough

2. Date:

12/29/00

3. By: (Print Inmate Name and Number)
John A Pino DJ9124
John A Pino

4. Counselor's Name

ms Iovicic

5. Inmate Signature

5. Unit Manager's Name

MR WHITESIDE

6. Work Assignment

7. Housing Assignment

Maint Repair Am

EA 34.

8. Subject: State your request completely but briefly. Give details. *Part 2*
and your medical Department Refused To give me
and x-Ray and my Right Leg is Still hurting
me. So Because unsafe '12 soles were Put on
my Boots I Received 15 days cell Restriction
To make me look like a wrong person when
SGT Stan was wrong for making false
Statement, saying I Alter Boot when The
Tip's of The Soles Broke in front of The Ed
Building officers Des't were Three officer's
said leave it to Pino To be The one To
Tripe over The hump. Then The Next day it
was removed. The carpet was gone and so was
The hump. All unlawful actions To make me
look bad. when you STAFF members Are The
cause of my complaining For They JUST Violate

9. Response: (This Section for Staff Response Only)

To DC-14 CAR only

To DC-14 CAR and DC-15 IRS

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

<p>Form DC-135A</p> <p>INMATE'S REQUEST TO STAFF MEMBER</p>		<p>Commonwealth of Pennsylvania Department of Corrections</p>
<p>INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.</p>		
1. To: (Name and Title of Officer)	Super John M McCullough	
3. By: (Print Inmate Name and Number)	John A Pino DJ9124 John A Pino	
Inmate Signature		
6. Work Assignment	Maint Repair Am	
8. Subject: State your request completely but briefly. Give details.	Part 3 My U.S. CONSTITUTION 1, 5, 8, 14, Amendment. You allowed them to, conduct Harassment of cell search's STEAL my legal work and my Brief I filed tried to file Grievances on The 11/2; one hundred and 12 dollars in copies you told me you stupid The Criminal charges that I sent and Affidavit to state police on GOMICK and other STAFF members. Then you PUT me on Grievance RESTRICTION and you have your STAFF members JUSTICE JUST trying to keep on giving me misconduct or trying to set me up on misconducts. Every Grievance I ever write is True and correct and have merit. All you had to do was STOP The Harassment of your STAFF	
9. Response: (This Section for Staff Response Only)		
<p>To DC-14 CAR only <input type="checkbox"/></p>		<p>To DC-14 CAR and DC-15 IRS <input type="checkbox"/></p>

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) <i>Super John m mccallough</i>	2. Date: <i>12/29/00</i>
3. By: (Print Inmate Name and Number) <i>John A Pino DT9124</i>	4. Counselor's Name <i>MS Ivicic</i>
<i>John A Pino</i> Inmate Signature	5. Unit Manager's Name <i>MR Whitesel</i>
6. Work Assignment <i>maint Repair Am</i>	7. Housing Assignment <i>EA 34.</i>
8. Subject: State your request completely but briefly. Give details. <i>Part 4</i> <i>IT all Started over The Therapeutic community AA/NA Program. Which my Record Shows. I have Never been Arrested in my Life for Alcohol or drugs I Stop Drinking at The Age of 22 years old. I'm Not a Powerless Person and Never did Street Drugs in my Life. IT has been 1 year and a month and 3 week since I have Stopped Smoking. Jan 5 0001 I will be in SCI HAZZDALE 3 years Because The Department of Corrections gave me a Illegal Sentence which They can not Impose a Sentence without The Right to Parole. Not Even The Judge can Impose a Sentence without The Right to Parole. The Record office at The Department of Corrections</i>	

9. Response: (This Section for Staff Response Only)

To DC-14 CAR only To DC-14 CAR and DC-15 IRS Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) Super
John M McCullough

3. By: (Print Inmate Name and Number)
John A Pino DJ9124
John A Pino

Inmate Signature

6. Work Assignment
Maint Repair Bm

2. Date: 12/29/00

4. Counselor's Name
ms Icic

5. Unit Manager's Name
MR WHITES

7. Housing Assignment
EA 34

8. Subject: State your request completely but briefly. Give details. PART 5

GAVE ME A ILLEGAL SENTENCE WHEN THEY PUT INDEFINITE SENTENCE ON TOP OF MY SENTENCE STATUS SHEET YOU YOUR SELF MR McCULLOUGH REFUSED TO HAVE THE RECORD OFFICE CORRECT MY STATUS SHEET TO A DEFINITE TERM OF SENTENCE WHICH MY JUDGE HAS SENTENCED ME TO HAVE A DEFINITE SENTENCE. THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTION HAS GIVEN ME A ILLEGAL SENTENCE SINCE 1978 YOUR RECORD OFFICE WERE TOLD NOT TO GIVE INMATES AND INDEFINITE SENTENCE'S AND JUDGES WERE TOLD THE SAME BY THE STATE I'M BEING HELD ILLEGAL IN JAIL AND I'M NOT TO COMP- LAI IN ABOUT IT. SOON I BEING GOING TO COURT FOR A HEARING

9. Response: (This Section for Staff Response Only) OR NEW TRIAL WHICH WELL JUST BE DISMISSED AND SOON WELL BE FREE MAN. I WELL STILL FIGHT FOR MORE FOR THE RECORD I DID NOT DO ANY THING AGAINST THE RULES OF SCI HOUTZDALE TO RECEIVE A MISCONDUCT I WAS GIVEN UNLAWFUL MISCONDUCT'S FOR PAROLE HITS ONLY. MY BEST WISHES TO YOU ALWAYS I REMAIN

cc: I have a capt:
John A Pino.

Happy New Years

To DC-14 CAR only

To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

1

Sign

Date

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>MS Emi.</i>	FACILITY: <i>HOUTZDALE</i>	DATE: <i>1/15/01</i>
FROM: (INMATE NAME & NUMBER) <i>John A Pino DJ9124</i>	SIGNATURE of INMATE: <i>John A Pino</i>	
WORK ASSIGNMENT: <i>Maint Repair Amt</i>	HOUSING ASSIGNMENT: <i>EA - 34</i>	

INSTRUCTIONS:

- 1 Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B the specific actions you have taken to resolve this matter informally. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum ~~Part 2 of~~ two pages.

John m mccullough you have been Presjudice Against. You had been having your Staff members To Try and force me and Threaten me over a 12 Step Right Religious Program which got me sick for I don't Drink or did I ever do Strict Drugs in my Life. you made fun of my Disorder. That I Receive from The war. you Allowed your Staff members To Lie and make up False Statements. you been Trying To hold Parole over my head, you and The Department of Corrections had Given me A Illegal Sentence. By Putting. Indefinite, SENTENCE on my Sentence STATUS sheet, which I can Show you in Black and White In my DA Brief That I Received a Definite

B. List actions taken and staff you have contacted, before submitting this grievance. Attach the copy of the DC-135A with the staff member's response of your informal resolution attempt.

Sentence and I want you To change my sentence STATUS Sheet. To A Definite sentence for I Should of been home on my minimum date. Ever since 1978 The Record office and The Judge's can not Impose a sentence without The Right To Parole. you want To force Something me mccullough in force The law. I gave you case law.

Your grievance has been received and will be processed in accordance with DC-ADM 804. To Show

Signature of Facility Grievance Coordinator

Date

VERIFICATION

I John Anthony Pino Plaintiff, hereby states
That I hereby Verify That The statements made
in The foregoing motion For Reconsideration
To file Plaintiff's Petition for Review In Forma
Pauporis and All The Exhibits ATTached are True
and correct To The Best of my knowledge, Information
and belief. I understand That This Statement
is being made subject To The Penalties of 18 P.A.
C.S.A. & 4904 Relating To unsworn Falsification
To Authorities

Dated May 8th 2001

Very Truly yours
John A. Pino
under ~~Seal~~
under Dues

John A Pino Plaintiff
John A Pino

DJ9124

P.O. Box 1000
HOMEDALE PA 16698-1000

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

JOHN ANTHON PINO
Plaintiff

v.

PENNSYLVANIA DEPARTMENT
OF CORRECTIONS ET AL
Respondents

CIVIL COMPLAINT
CIVIL ACTION

CASE NO. 01 561 - CD

CERTIFICATE OF SERVICE

I do hereby certify that I am this day serving the foregoing motion for Reconsideration to file Plaintiff's petition for review in forma pauperis upon the following persons as listed: via first class mail such service satisfying the requirement to Rule 122;

2 copies to the office of the Prothonotary
Mr. William Shaw
CLEARFIELD COUNTY COURTHOUSE
Mr. William Shaw
230 E MARKET STREET
CLEARFIELD, PA, 16830.

Dated May 8th 2001

Very Truly yours
under Durs
John a Pino Plaintiff
D.J.9124
P.O. Box 1000
HOUTZDALE PA 16698-1000

IN THE COURT OF COMMON PLEAS OF ~~CLARKE~~ COUNTY, PENNSYLVANIA

JOHN ANTHONY PINO
Plaintiff

v.
PAULYNSKIA DEPARTMENT
OF CORRECTION ET AL

NO. 01 561 CD

COVER SHEET OF MOVING PARTY

Date of Filing _____ Moving Party JOHN ANTHONY PINO

Counsel for Moving Party JOHN ANTHONY PINO I.D. No. Pro se

Counsel for Other Parties _____ I.D. No. _____
I.D. No. _____

Document Filed (Specify) MOTION FOR RECONSIDERATION TO
PROCEED IN FORMA PAUPERIS RATE 2.00.

Matter is (Check One) X (Appealable) _____ (Interlocutory)

Oral Argument X (Yes) _____ (No)

Check ONE of the Choices Listed Below:

X Respondent is Directed to Show Cause, in the Form of a Written Response, Why the Attached Motion or Petition Should Not be Granted. Rule Returnable the _____ day of _____, 20____ at 9:00 a.m. in Arbitration Room A1.

X Respondent is Directed to Show Cause, in the Form of a Written Response, Why the Attached Family Court Discovery Motion Should Not be Granted. Rule Returnable and Argument the _____ day of _____, 20____ at 1:00 p.m. at 321 Swede Street, Norristown, Pa.

X Respondent is Directed to File a Written Response Within Twenty (20) Days in Conformity with the Pennsylvania Rules of Civil Procedure.

NOTE: All Motions "respecting discovery" in CIVIL cases are subject to Local Rule 4019* - Discovery Master. All Motions "respecting discovery" in FAMILY cases are subject to Local Rule 4019.1* - Family Discovery Master. By filing this cover sheet, counsel certify that they have conferred in a good faith effort to resolve the subject discovery dispute.

Cover Sheet is NOT to be Used for Matters Requiring Hearing.

V

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

JOHN ANTHONY PINO
plaintiff

CASE NO 01-561-C0

v.
PENNSYLVANIA DEPARTMENT
OF CORRECTIONS, ET AL
Respondents

MOTION FOR RECONSIDERATION TO
PROCEED IN FORMA PAUPERIS UNDER
RULE 240 CIVIL PROCEDURE

TO THE HONORABLE, PRESIDENT JUDGE JOHN K.
REILLY J.R. OF THE ABOVE SAID COURT:

- 1) I am the Plaintiff, John Anthony Pino Pro-se in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action proceeding.
- 2) I am unable to obtain funds from anyone including my family and associates, to pay the costs of litigation.
- 3) I represent that the information below relating to my ability to pay fees and costs is true and correct.

a) Name John Anthony Pino DJ9124.
Address. I am presently incarcerated and I am unable to pay the fees or costs of litigation. my social security number 183-34-2903

b) Employment none.

Employer I am a stone mason and I had worked for myself, from the time I was 16 years old. I have been incarcerated over the last 5 years.

Salary or Wages per month: NONE.

Type of work: STONE MASON.

If you are presently unemployed, state date of last employment: March 6, 1996.

(c) Other Income within the past twelve months: NONE.
Business or Profession: NONE.

Other self-employment: NONE.

Interest: NONE

Dividends: NONE

Pension and Annuities: NONE

Social Security benefits: NONE

Unemployment compensation and supplemental benefits: NONE.

Support Payments: NONE

Disability Payments: NONE.

Workman's Compensation: NONE

Public Assistance: NONE

Other: NONE

d) Other contributions to household support (wife)
(Husband) Name: Not married

Contributions from children: NONE

Contributions from parents: NONE

Other contributions: NONE.

e) Property owned: NONE

Cash: NONE

Checking Account: NONE

SAVINGS ACCOUNTS: NONE

CERTIFICATES OF DEPOSIT: NONE

REAL ESTATE (INCLUDING HOME): NONE

MOTOR VEHICLES: NONE

STOCKS; BONDS: NONE

OFFERS: NONE

8) DEBTS AND OBLIGATIONS: COURT FINES AND COSTS.

MORTGAGE: NONE

RENT: NONE

LOANS: NONE

OTHERS: NONE.

9) PERSON DEPENDENT UPON YOU FOR SUPPORT

(WIFE) (HUSBAND) NAME: NONE

CHILDREN IF ANY: NONE.

OTHERS PERSONS: NONE

NAME:

RELATIONSHIP: NONE

4) I UNDERSTAND THAT I HAVE A CONTINUING OBLIGATION
TO INFORM THE COURT OF IMPROVEMENT IN MY FINANCIAL
CIRCUMSTANCES WHICH WOULD PERMIT ME TO PAY THE
COSTS INCURRED HEREIN.

5) I VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT
ARE TRUE AND CORRECT. I UNDERSTAND THAT FALSE STATE-
MENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF
18 PA. C.S. § 4904, RELATING TO UNSWORN FALSIFICATION
TO AUTHORITIES.

DATE

Very Truly Yours

Under Durgs

(S) John A. Price Plaintiff

O DJ 9124

O a Boy 1000

O HOMEDALE PA 16698-1000

Staff Member Name _____ / _____ Sign _____ Date _____
Print _____

Revised July 2000

VERIFICATION

I John Anthony Pino, Plaintiff, hereby states that I hereby verify that the statements made in the foregoing cover sheet of moving party's motion for Reconsideration to proceed in forma pauperis under Rule 240 Civil Procedure are true and correct to the best of my knowledge, information and belief. I understand that this statement is being made subject to the penalties of 18 P.A.C.S.A. 4904 relating to unsworn falsification to authorities.

Dated May 8th, 2001

Very truly yours

under duress

John A Pino

John Anthony Pino

D39124

P.O. Box 1000

HANZDALE PA. 16698-1000

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

JOHN ANTHON PINO

Plaintiff

v.

PENNSYLVANIA DEPARTMENT
OF CORRECTIONS ET AL

Respondents

CIVIL COMPLAINT

CIVIL ACTION

CASE NO. 01 561-C.D

CERTIFICATE OF SERVICE

I do hereby certify That I am this day serving The
forgoing Motion For Reconsideration To File
Plaintiffs Petition For Review In Forma Pauperis.
upon The Following Persons as listed: via First
Class mail such service satisfying The requirement
To Rule 122;

2 copies to THE OFFICE OF
MR. WILLIAM SHAW, PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
MR. William Shaw
230 E MARKET STREET
CLEARFIELD, PA, 16830.

Dated May 8th 2001

Very Truly yours
under Durs
John a Pino Plaintiff
D.J.9124
On Behalf of
HOMEDALE PA 16698-1000

* IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA

CIVIL DIVISION

JOHN ANTHONY PINO
Plaintiff

CIVIL ACTION

NO 01 561 - C.D

v.

PENNSYLVANIA DEPARTMENT
OF CORRECTION ET AL.
Respondents

MOTION FOR RECONSIDERATION
TO FILE PLAINTIFF'S PETITION
FOR REVIEW IN FORMA PAUPERIS.

TO THE HONORABLE PRESIDENT JUDGE JOHN K.
REILLY JR. OF THE ABOVE SAID COURT:

Now comes Plaintiff John Anthony Pino, Please
Respectfully Request This Honorable Court To Grant
his motion for Reconsideration To File Plaintiff's
Petition for Review in forma Pauperis. For Plaintiff's
Petition for Review is A Request For Civil
Action or Special Relief / Protection order.
which is A CIVIL CASE NOT A CRIMINAL CASE.

Plaintiff Asks for The Following Information
Plaintiff Needs A Protection ORDER FILED AGAINST
SUPERINTENDENT John M. McCullough For Allowing
Correctional Officers and him self To Harassment
and Threaten my Life Along with The State Police
of Pennsylvania and MR Martin Horn and The
MR O'Hara of office of Professional Responsibility
Information As Follows:

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

JOHN ANTHONY PINO

plaintiff

v.

DEPARTMENT

1) Plaintiff Avers he is going to attach his Exhibits to this motion he was going to use in his Brief.

EXHIBITS: True and correct copies.

1) The complaint sent to MR Martin Horn on July 12, 1999. which the Two years to file in court will be up in July 12, 2001 of this year. must be filed by July 12, 2001. This will show how co mick FB Black Officer put my life Endanger. And the Department of Correction did Nothing or the State Police of Pennsylvania.

2) A complaint with a sworn Affidavit sent to LT Watson of Pennsylvania State Police to file criminal charges on co mick. sent OCT 15, 1999. was overlooked Nothing was done.

3) Plaintiff Avers he had correctional officers read co mick's complaint as they were doing Harassment of cell searches. co Myers co weckland co Smith co Brown co Cashier co Sha destroyed my legal work and stolen my Brief that had to be filed in Superior court.

4) Complaint sent to Capt Tripp commanding officer of State Police and he sent it back to the same person I first sent the complaint to caused more Harassment and Threats by staff members of SCI HAZZDALE. see January 15, 2001 complaint

Form DC-135A

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

2. Date:

3. By: (Print Inmate Name and Number)

4. Counselor's Name

Inmate Signature

5. Unit Manager's Name

6. Work Assignment

7. Housing Assignment

8. Subject: State your request completely but briefly. Give details.

[Large area for writing, approximately 15 lines]

9. Response: (This Section for Staff Response Only)

[Large area for writing, approximately 15 lines]

To DC-14 CAR only

To DC-14 CAR and DC-15 IRS

Staff Member Name _____

Print _____

/ _____ Date _____

Sign _____

8) Plaintiff Avirs on Feb 5th, 2001 he sent The ATTORNEY A REPLY on his January 31 2001 LETTER. See Exhibit I. Attached To Exhibit F.

9) Plaintiff Avirs That he has been Threaten by John m mccullough ~~for~~ from 8/14/98 See Request Slip marked Exhibit J.

10) Plaintiff Avirs he sent MS Email of SCI HANTZDALE Grievance Coordinator And 8 page Request which will be marked Exhibit K complaining To her about The Harassment. To have her help with The Harassment By correctional officers.

11) Plaintiff Avirs on Jan 2, 2001 sent Superintendent John m m.c.cullough and 5 page Request Telling Thanks To you MR m.c.cullough For Allowing your CO's To Harass me and STreat my Legal work. and Threaten me. His Reply He Took This letter as And Appeal on a misconduct. which I Appeal iT To camp Hill.

12) Plaintiff Avirs The only way he can stop The Harassment and The Threates is To have his PETITION for Review Filed Against The Above Respondants.

(b) (3)

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

Revised July 2000

8) Plaintiff Avrs on Feb 8th, 2001 he sent the Attorney A Reply on his January 31 2001 Letter. See Exhibit I. Attached To Exhibit F.

9) Plaintiff Avrs That he has been Threaten by John m mccullough ~~too~~ from 8/14/98 See Request Slip marked Exhibit J.

10) Plaintiff Avrs he sent MS Email of SCI HENRY DALE Grievance Coordinator And 8 page Request which will be marked Exhibit K complaining To her about The Harassment. To have her help with The Harassment By Correctional Officers.

11) Plaintiff Avrs on Jan 2, 2001 sent Superintendent John m m.c.cullough and 5 page Request Telling Thanks To you MR mccullough For Allowing your CO's To Harass me and Steal my Legal Work. and Threaten me. His Reply He Took This Letter as And Appeal on a misconduct which I Appeal it To camp Hill.

12) Plaintiff Avrs The only way he can stop The Harassment and The Threats is To have his PETITION for Review Filed Against The Above Respondents.

(8)

CONCLUSIONS

THEREFORE For The foregoing Reasons set
Forth The Plaintiff Request with The up most
Respect Request This Honorable To help Grant
him Relief And File Plaintiff's Petition for
Review and Grant him The help he is seeking
He is A 57 year old man who had Received
3 unlawful Parole hits. who can prove in A
Court of Law. That he has been Illegally
Incarcerated Since May 13, 1996. For he was
Arrested and Tailed and held over 72 hours
in montgomery county Jail. without warrants
or charges Filed Against me. They Failed To
Provide A prompt Probable cause Determination
and I have a Civil Action Filed In montgomery
county Civil Division Against The Justice
System Criminal Division. And Nov 3, 2000,
Superior Court of Pennsylvania Vacate and Remand
my P.C.R.A. Appeal Back To montgomery county.
Criminal Division.

WHEREAS The Plaintiff Prays This Honorable Court
Grant him To proceed in forma paupers and
Grant His motion for Reconsideration To File
Plaintiff's Petition for Review.

And file a Protection what is Requested on
his PETITION for Review No 01 561 C.D.
This is a CIVIL MATTER NOT A CRIMINAL
MATTER AS THE ORDER dated APR 26, 2001
STATES. CRIMINAL ACTION.

Plaintiff Request Criminal charges To be Filed
on STAFF members of SCI HUNTDALe,
Co mick and John m mcallough and
MR Martin Harn and Clifford O'Hara.
and Agent Dobson. Plaintiff Needs The Harassment
To STOP and The Threats.
Plaintiff Shall ever pray

Date May 8th 2001

Very Truly Yours
John A Pino
Plaintiff
John A Pino
DJ 9124
P.O. Box 1000
HUNTDALe PA 16698-1000

under 18 Pa C.S. A. 4904- m-2

Grisel Ybarra, Esq.
Immigration & Naturalization Law

Exhibit A.
GRISEL YBARRA, P.A.
Attorney at Law

Coral Park Plaza
Office Building

2320 Red Road
Suite 201
Miami, Florida 33155

Telephone
(305) 261-4400
Fax
(305) 261-4496

July 12, 1999

**Mr. Martin Horn
Secretary
Pennsylvania Department of Corrections
2520 Lisburn Road
Camp Hill, Pennsylvania 17001**

**RE: Harassment of Inmate John A. Pino
Inmate Number: DJ 9124
SCI-Houtzdale**

Dear Mr. Horn:

Last Friday I faxed to you, to Mr. Clifford O'Hara, and to Mr. John McCollough a letter regarding the situation being faced at SCI-Houtzdale by my client, Mr. C. Thomas A. Gambino. In this letter I informed you that an inmate had heard a Correctional Officer named Nick making derogatory, remarks about my client and me.

At 11:00am on Friday, July 8, 1999, I spoke to Agent Dobson from the Office of Professional Responsibility. I informed Mr. Dobson that I was on my way to visiting my client and that I was worried about my safety and that of my client, since the remarks made by Correctional Officer Nick, could cause problems for both of us.

I believe that Officer Nick's remarks could inflame other COs to believe that I had Officer Adams fired unjustly. They can also inflame the anger of the other inmates against my client, since Officer Nick referred to my client as a snitch.

Page -2-
July 12, 1999

Mr. Dobson asked the name of the inmate who had heard Officer Nick making the remarks. I told Mr. Dobson that the inmate was an old man named John Anthony Pino. Mr. Dobson assured me that I should not worry about my safety or that of my client.

On Saturday, July 10, 1999, Mr. Pino called me early in the morning. He said that he had been receiving threats and that notes threatening him had been posted to his door. He believed that Officer Nick had told inmates Garisson and Scutella, that Mr. Pino had told me about their meeting and that I had related what Officer Nick had said to your office. Mr. Pino was worried for his safety.

When I arrived at SCI-Houtzdale, Officer Morrison was in the Reception Room are. There were two other Officers there. One was a Lt. or Captain named Drexel. I reported that Mr. Pino had called me and that he was worried about his safety. I was assured that this matter would be related to the Shift Commander.

On Sunday, July 11, 1999, I met with Mr. Pino. He brought down the notes which had been pasted to his door. He told me that Officer Nick had been on duty and had seen the notes on his cell door. The EIGHT notes, which I saw, were handwritten, had scotch tape attached to them and read as follows:

1. **RAT CAVE.** Written on a Paper Towel with black marker.
2. **THE RAT CAVE, and the Tree Jumper School.** Written on Lined 8 X11 paper in blue pencil.
3. **You RAT FUCK!!! Eat Shit and Die.** Written on Lined 8X 11 paper with black magic marker.
4. **My name is Pino The want to be Gambino, AKA The Fucking Rat. Signed FB Poet.** Written on plain, white bond, 12 X 9, with a black ball point pen.
5. **Hi my name IS PINO The Rat. I don't live in a sewer like most rats. But right about now a sewer sounds pretty Good!!! DA DA DA Im Rat Soy! Im tellin cuz Im a wanna be felon.**
Signed: Lyrics by F Block.
Written on yellow legal size paper with black pen. (Misspelled words belong to the author).

Page -3-
July 12, 1999

6. *RAT FUCK PINO THE GAMBINO AKA Snitch.* Written on white, lined bond with a black pen.

7. *Hi Im pino the rat. But I Dont Like being called a Snitch I just like telling.* (On the back). *Hi Im Pino the Rat. AKA Pino the gambino. I like telling Im a cheese eaten Bitch and a guard telling snitch. Signed F-B Poet.* Written on yellow legal size paper with a black ball point pen.

8. *Snitch Bitch RAT Boy Pino I am A Million Dollar Man. You cant do this to me I'll sue you. Keep calling me a RAT and I wont do your law work. I just like telling on people. Im telling Im telling Im telling.* Signed by FB Poet. Written on yellow, legal size paper. The "i" have a circle with a "sad face" drawn inside.

I told Mr. Pino that I would send him a money order for \$60.00 so that he could make photo copies of these notes and send them to your office by Express Mail. I mailed the money order to him from the Houtzdale Post Office. He should have received it today.

During our conversation, Mr. Pino told me that on the morning of Friday, July 8, 1999, he had been called to the Unit Manager's Office. That upon arriving there he found Inmates Garisson and Scutella, Mr. Everhard and Ms. Letti, and that Mr. Gambino was also present.

Mr. Pino says that he witnessed Mr. Scutella provoke Mr. Gambino by telling him that he was Daniel Paul Krushinski, a snitch for 17 years and that in Delaware his testimony had helped to get a life sentence for a 17 years old boy. Mr. Scutella said that he had the records from the cases where Mr. Krushinski had testified in Delaware.

Mr. Pino also witnessed Mr. Garisson call Mr. Gambino a pussy, a snitch and state that Mr. Gambino had testified against Mr. Garisson's father a man named called Michael Stubbie. According to Mr. Pino, Ms. Letty and Mr. Everhard allowed Inmates Scutella and Garisson to provoke Mr. Gambino and yet Mr. Gambino did not raise a hand or his voice against anyone.

Mr. Pino said that he told Mr. Everhard that Officer Nick's remarks were putting Mr. Gambino in danger since no one had to know what he was in there for, and that other inmates should not be allowed to pass around

Page -4-
July 12, 1999

documents which pertained to Mr. Krushinski. Mr. Pino also said that before he left the meeting he told Ms. Letty and Mr. Everhard that Officer Nick should not go around making remarks about other inmates.

It is now 1:35pm. I received a call from Mr. Pino at 1:15pm. He says that since I last met with him yesterday, he has received nine more threatening notes. He says that he took three off his door and kept them, and that Officer Nick took SIX NOTES OFF HIS DOOR AND RIPPED THEM UP IN FRONT OF MR. PINO.

What is going on? How can the inmates know what Mr. Pino said to me, and what I told to Mr. Dobson? It is clear that Mr. Dobson told the SCI-Houtzdale Administration and they told Mr. Nick, who then in turn told the inmates. Mr. Pino is an old sick man. He cannot defend himself against the bullies in Block F. If he is hurt in any way, it will be partially my fault for trusting Mr. Dobson with the information related to me by this old man.

How dare Officer Nick rip up evidence? Who is he to take it upon himself to destroy the notes which were left on Mr. Pino's door? Mr. Pino said that he put in a call to Security and that no one has come to help him. Because of the information which he gave to me, and which I gave to Mr. Dobson, Mr. Pino is now obviously in danger.

Please call Houtzdale and ascertain that nothing happens to this old man. Don't throw him into the RHU. If anything place the ones harassing him in custody. Mr. Pino did the right thing. He was worried about me and my client and he warned me about it. He should not be punished for this.

I will hold your office responsible if the inmates at Block F cause any harm to this man. Mr. Pino has bipolar disorder. He looks and acts a little off balance, BUT the notes which I saw CLEARLY justify his fears. Please take care of this matter, and get Officer Nick to realize that he cannot insight inmates against each other, even it is to cover up his wrong doings.

It thank you for your attention and remain,

Very truly yours,

GRISEL YBARRA

GY:gv

cc. by fax.

Page -5-
July 12, 1999

fax and hard copies to:

**Mr. Clifford O'Hara
Mr. Jonh McCollough**

cc. hard copy to Mr. John Anthony Pino

EXHIBIT B.

John A. Pino

OJ9124

SCI HOUTZDALE

P. O. Box 1000

HOUTZDALE PA 16698

OCT 15, 1999

JULY 13, 1999, COMPLAINT.

LT. WATSON

PENNSYLVANIA STATE POLICE

CLEARFIELD STATION

WOODLAND PA 16830

RE: TO FILE CRIMINAL CHARGES ON A CORRECTIONAL
OFFICE MICK WHO IS THE BLOCK OFFICE ON F B
BLOCK FROM 2 PM TO 10 PM. FILING OF COMPLAINT
UNDER RULES 59(b), 64(b), 76, AND 85, PRESENT RULE,
65.
Dear LT WATSON

Please Find Enclosed And AFFIDAVIT Filed Out
and Signed by me To Press Criminal Charges On
OFFICE MICK ALSO Enclosed is a COPY OF A LETTER
I SENT TO MR MARTIN HORN SECRETARY OF:
PENNSYLVANIA DEPARTMENT OF CORRECTIONS

2520 LISBURN ROAD

CAMP HILL, PENNSYLVANIA 17001.

This LETTER WILL SHOW CAUSE WHY I, AM FILING
THE CHARGES, FOR LIFE THREATENING THREATS CAUSED
BY OFFICE MICK LABELING INMATES TO HAVE OTHER
INMATES TO DO HIS WRONG DOINGS. SINCE I HAVE
BEEN IN SCI HOUTZDALE, OFFICE MICK HAS ENDANGERED

3.

Said about The Inmate on Wednesday at 3:30 PM and at 6 PM To me in front of Another Inmate. Then MR. EVERHEART Told OFFICE MICK what I said About him. Instead of him coming To me he went and Talked To The other Inmates who were at This meeting, 20 mins Later The Threats Started by mouth and Notes. what I Told MR. EVERHEART About OFFICE MICK putting Inmates Lives in danger my Letter and The Threatening Notes will prove All I said About him. I'm a 55 year old man. Never had a Problem in my Life with Inmates until I meet OFFICER MICK. I Told him about this before when he was Bad mouthed my cellie on F B Telling other Inmates he was a baby Rapper and he Told me, Your cellie is lucky you are in his cell. For you Stopped The other inmates from getting on him and making him pay Tax's. Like They do To The others Baby Rappers on This Block. He Lets other Inmates Show him Paper work on Inmates and Allows Them To Show other Inmates To Put The on a Spot To be Lable. I want To put a end To OFFICE MICK's madness. I Told him I not The one To Put my Life in danger like He did and Threatening me with his mouth he STARTED and I must put a end To it. I Told The OFFICER who save me your Name That I'm pressing charges on OFFICE MICK For he did

Indeed Labled me and Threaten me. For what I said about him. Breakins all The Rules and PUTTING me on a spot in A Life Threat-
ing danger. Each Threat is a charge.

Aggravated Assault (causes serious Bodily
Injure 2702. (a)(2) 19 counts. F 1

Aggravated Assault (ATTEMPTS TO CAUSE
ATTEMPT SERIOUS BODILY INJURE 19 counts

2705 Recklessly Endanging Another Person
m-2 19 counts

2706 TERRORISTIC THREATS m-1 19 counts

3301 (c) Arson, Failure To Report.

Please get Back to me on This matter for I want JUTICE Done and my Name Cleaned up for I'm not what OFFICE Mick Labled me with The other Inmate's. I did not Tell on The Inmates I said what he did. Thank you for you Time and consideration in This matter

Respectfull Submitted
John a Pino

SWORN AFFIDAVIT

PENNSYLVANIA STATE POLICE
COMMONWEALTH OF PENNSYLVANIA CLEARFIELD COUNTY STATION
COUNTY OF CLEARFIELD SS OF LT WATSON

I John Anthony Pino, DJ9124 do hereby state
under Penalty of Perjury That The foregoing
Information contained in The Two Letters To
LT. Watson and Dated JULY 13 1999. IS True and
correct To The Best of My Information and
Knowledge and belief.

By John a Pino

Dated OCT 13TH 1999

Sworn And subscribed before me
This 15th day of October 1999

[NOTARY PUBLIC]



PENNSYLVANIA STATE POLICE
TROOP C - AREA IV
445 N. FINDLEY STREET
PUNXSUTAWNEY, PA 15767

Exhibit B.

(814) 938-0510

November 16, 1999

John A. Pino
DJ9124
P.O. Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino,

Your second letter to the Pennsylvania State Police concerning a complaint against numerous staff members at the State Correctional Institution-Houtzdale has been referred to this office for response.

As I have told you in your past letter, the Department of Corrections has established an Office of Professional Responsibility to investigate complaints such as yours. To facilitate the work of this office, each Correctional Institution has assigned an Intelligence Officer responsibility for reviewing and investigating these matters. Therefore, I am forwarding a copy of your letter to the Intelligence Officer at your institution, with a copy provided to the Director, Office of Professional Responsibility, for any action deemed appropriate.

I trust the aforementioned information will be of some assistance to you in this matter.

Sincerely,

Captain James R. Tripp
Captain James R. Tripp
Commanding Officer
Troop C, Punxsutawney

cc: Office of Professional Responsibility
Department of Corrections
2520 Lisburn Road
P.O. Box 598
Camp Hill, PA 17001-0598

Intelligence Officer
State Correction Institution-Houtzdale
P.O. Box 1000
Houtzdale, PA 16698-1000

1. For your information and appropriate action.



John A Pino
D J 9124
P.O. Box 1000
HOUTZDALE PA 16698-1000
Exhibit C.

January 15, 2010 2001

PENNSYLVANIA STATE POLICE
TROOP C - AREA IV
445 N. FINDLEY STREET
PUNXSUTAWNEY, PA 15767

Dear Capt James R. Tripp

Can you Please tell me why you
Took my To Affidavites To File
Criminal Charges on Co mick who
had Put my Life Endanger and you
did Nothing About, when I was Told
By The Socurity OFFice of SCI
HOUTZDALE Told me I had To File
My complaints To The State Police.

You sent my complaint Right Back
To The People I had Filed The complaint
on who was The OFFice of Professional
Responsibility who did The same as
you Nothing.

You Capt James R. Tripp caused me

More Harassment To Take Place. You Allowed The Staff members To Threaten me more. I was Placed In The hole for 15 days. Then 980 days and had my legal work Stolen my P.C.R.A. Brief. For Trying To File The Criminal charges on co mick That you did not file. I'm still being Threaten To day of This matter.

They were a criminal complaint and you Took No Action.

You should of Never sent my Paper Work To The Department of Correction.

Now I want To file criminal charges on Superintendent John M McCullough for he has Violated my Due Process Rights Stop my Grievances from being Filed All Allowing Staff members To Threaten me and Harass me more Thank's To you.

Sorry To Say for your unProf
essional misconduct And Failure To
Perform your duties as a State
Police Officer has Greate me more

harm then good. Please be Advised
When I File my CIVIL ACTION I
MUST File it Against your ACTION'S
AS well. The Office of Professional
Responsibility did NO Investigation
As you Said in your November 16,
1999 Reply. That so called Intelligence
officer and John m. McCullough
Had made up & SIZ'S To make False
STATEMENTS had me under AND Investi-
GATION in The hole for 4 days Then
Had a misconduct hearing on November
17, 1999 Then John m McCullough
came To me in The hole Nov 27, 1999
I Asked him what happen To The charges
I Filed with The STATE Police on 60
mick and The other Staff members.
who is misusing Federal Funded money.
I know you hard about The big man
in The Activities who Stolen over \$280,000.00
Dollars. OUT That Department. you made me
Look like same kind of a fool you did.
I'm far from any Believe That. So who
did I have To go, To get These charges
Filed since you don't do your Job.

For The Record Since my Appeal Brief
was Stolen by The Search Teams Thank's
To you. I was Able To Receive 90 days
Extention of Time 3 of Them To be able
To get my Brief Filed In Superior Court.
Who Vacate my P.C.R.A. Appeal and
Demand Back down To The Lower Court
for A hearing. Plus I can prove False
Imprisonment. I was Arrested and held
over 72 hours without warrant's or
charges Filed Against The Common Pleas
Court Failed To give me a prompt Probab-
le cause and Lack Jurisdiction over
The Subject matter. Comes down To A
Illegal Arrest. And you put me in more
danger.

Now on Them Two complaints I sent
you I want you To Take Appropriate
ACTION on These matter without any
delay's. I can prove I don't belong in
Jail. That is what you or The way you
will Thinking. Please get Back To me
on this matter. This Letter is going to
Be place in my complaint for your Actions.
Thank you for your time on this matter.

I have been Threaten Harassed Legal
work being Stolen False statements
For misconduct. Refused To file my
Grievance's Violation of my Due Process
Right's.

Violations of my U.S. CONST 1, 5, 8, 14
Amendment Rights.

Please in The Name of God.
Please Do what you were to do
in The ~~begin~~ First Place.

From Forms from The counf, the 84 CIBfield
District Justice To file A criminal
Complaint I was Told I must go
Through The STATE Police. I have The
complaint I sent To common of Pennsylvania
Department of Correction on Co mick
I sent To MR Martin Horn who did Nothing.
Co mick had 40 Inmates AFTER me
and had them Put Threaten Notes on my
cell door. AFTER I Told Mr. Executive
of Co mick's wrong doing's He Told Co
mick what I had said he had Inmates
Threatening me. I m Now 57 years old.
"Please Come See me".

Thank you
(5) John a Peirce



PENNSYLVANIA STATE POLICE
TROOP C - AREA IV
445 N. FINDLEY STREET
PUNXSUTAWNEY, PA 15767

Exhibit D.

(814) 938-0510

January 17, 2001

John A. Pino
DJ 9124
PO Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino,

Your second letter to the Pennsylvania State Police concerning a complaint against staff members at the State Correctional Institution-Houtzdale has reached my office for response.

As I have told you in your past letter, the Department of Corrections has established an Office of Professional Responsibility to investigate complaints such as yours. To facilitate the work of this office, each Correctional Institution has assigned an Intelligence Officer responsibility for reviewing and investigating these matters. Therefore, I am forwarding a copy of your letter to the Intelligence Officer at your institution, with a copy provided to the Director, Office of Professional Responsibility, for any action deemed appropriate.

I trust the aforementioned information will be of some assistance to you in this matter.

Sincerely,

A handwritten signature in black ink that reads "James R. Tripp".

Captain James R. Tripp
Commanding Officer
Troop C, Punxsutawney

cc: Office of Professional Responsibility
Department of Corrections
2520 Lisburn Road
P.O. Box 598
Camp Hill, PA 17001-0598

Intelligence Officer
State Correction Institution-Houtzdale
P.O. Box 1000
Houtzdale, PA 16698-1000

1. For your information and appropriate action.



John A Pino Exhibit D,
D J 9124
P.O. Box 1000
HOUTZDALE PA 16698-1000

Dec 20, 2000

MR MIKE FISHER

ATTORNEY GENERAL

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE ATTORNEY GENERAL
15th FLOOR STRAWBERRY SQUARE
HARRISBURG, PA 17120

RE: PENNSYLVANIA RIGHT-TO-KNOW LAW.

~~Dear~~ Dear MR FISHER ESG.

This is A Request under The Provision of The
Pennsylvania Right-To-Know Law, 65 P.S. § 66.1
~~et seq.~~, in which I Respectfully Request copies
of The Following Policies.

1) I would like to see The Policy For The Department
of Corrections To change my Sentence. From
A Definite Sentence which I was sentence to and
my District Attorney's Brief STATES I was sentence
to A Definite Sentence, BUT when I came to The
Department of Corrections They gave me And
Indefinite Sentence. And By Law it is a illegal
sentence. FOR.

I had wrote to Ms Vicki Henry of Inmates Record III of SCI HAZZDALE AND The Superintendent John M. McCullough Request Slips and Filed A Grievance and I had Appalled To The Superintendent McCullough and To MR Robert S. Bitner Chief Hearing Examiner which was denied. They have Refused To change my Sentence Status Sheet Received by The Department of Corrections. By doing so They are NOT obeying The Law. IF There is No Policy That Show's They have The Right To change my Sentence. They Are NOT obeying The Law. and gave me A Illegal Sentence on grounds: Since 1978 They have No Longer List Prisoners As having "Indefinite Sentence's STATE LEGISLATIVE BODY SENT The Record Department and Order NOT TO give Indefinite Sentence's. Please obey The Law and List my Sentence Status Sheet As sentenced By my Judge As Definite. For your office has given me a Illegal Sentence.

MR Fisher, with all do Respect I have This issue in my P.C.R.A. Appeal which By The Superior Court of Pennsylvania Vacate and Remand my P.C.R.A Appeal To The Lower Court for a hearing. NOT JUST on This Issue For 18 more Issue's as well. But This Issue in my Brief The District Attorney STATES I have A Definite sentence. He does not

Understand why I'm fighting this issue.
For not even a Judge can impose a sentence
without the right to Prob. Parole.

To receive this information I had to get Mr
Shorts the Headman of the Library to order the
Act of May 10 1909. which shows the next
Policy the Right-To-Parole which I'm not
required to have a policy showing that I don't
have a Right To Parole.

This is another violation for a Judge cannot
impose a sentence without the right for parole
See ACT 42 Pa, C.S.A. section 9701) see 42 Pa,
C.S.A. section 9721) see 204 Pa, Code section
303.1 ~~PA~~ ^{PA} ET SEQ. 42 ~~PA~~ C.S.A. 9721(c) which provides:

"ALL SENTENCES OF IMPRISONMENT IMPOSED UNDER
THIS CHAPTER SHALL BE FOR A DEFINITE TERM."

See 19 P.S. SECTION 1057, LOOK AT BLACK LAW
DICTIONARY SIXTH EDITION PAGE 423).

The concept of a definite sentence is reinforced
by the structure of sentencing guidelines. The sentencing
guidelines, with the mitigated, standard and
aggravated range concepts, deal with the minimum
"DEFINITE" term of incarceration not the
maximum sentence. Furthermore, under Pennsylvania
statute 42 Pa. C.S.A. section 9756(c),

The Trial Judge is "PROHIBITED" From Imposing a Sentence without The Right To Parole "EXCEPT" IN Summary offense, Non-payment of Fines or where The Maximum Sentence is Less Than Thirty (30) days.

SECTION 9756 (C) STATES:

EXCEPT in case of murder of The First Degree, The Court may Impose A Sentence of Imprisonment without The Right To Parole "only when".

- 1) A summary offense is charged.
- 2) A Sentence is Imposed for Non-payment of Fines or COST or Both in which case The sentence Shall Specify The Number of days To be Served,
- 3) The maximum Term of Terms of Imprisonment on one or more Indictments To Run Consecutively or concurrently Total less Than Thirty days.

In Garner v. Jones, 120 S.C.T. 1362 (2000)

Ex Post Facto clause of CONSTITUTION id., at 595 Eight years is a Long Time The court emphasis

Sized and (m)uch can happen in The course of Eight years To Effect The determination That an Inmate Would be suitable for parole. See LYNCE v. MATHIS, 117 S.C.T. 891 (1997) The bulk of our Ex Post Facto Jurisprudence has Involved claims

That a Law has Inflicted "A greater Punishment, Than The Law annexed To The Crime when committed." Calder v. BILL 3 DALL, 386, 390 J.L. Ed. 648 (1798)

In WEAVER V. PA BD. OF PROBATION and Parole,
688 A2d 766 (Pa cmwlth 1997)

Because we are dealing with A Demurrer here and because I believe That Weaver's mandamus petition is Properly before This court, I would overrule The Board's preliminary objection and Grant Weaver leave To Amend his Petition for Review To Request Appropriate Relief.

Weaver's mandamus petition simply because Weaver Improperly Ask's This court To order his Release on parole, unless There is an error of Law or Resulting Prejudice To An Advers Party, The Right To Amend A Pleading Should be liberally Granted at any Stage of The Proceedings. Because I Find No Error of Law or Prejudice To The Adverse Parties here, I would Grant Weaver leave of court To Amend his Petition Pursuant To Rules 1028(c) and 1033 of Pennsylvania Rules of Civil Procedure. The Board's Action is based on its mistaken view That, In The Exercise of its Discretion, The Board may Violate Weaver's Constitutional Right Against Self-Incrimination.

which SCI HAZZDALE And The Parole Board Violates The Inmates Rights For Self-Incrimination and Their first Amendment Rights.

under The ESTABLISHMENT CLAUSE you can or may NOT FORCE ANYONE TO SUPPORT OR PARTICIPATE in Religion-based Narcotics Rehabilitation meetings or otherwise ACT in way THAT ESTABLISHES STATE Religion or Religious faith, or TENDS TO do so U.S.C.A. CONST. Amend 1.

you can NOT Force under Threat of being rated A higher security risk and suffering of The above unlawful EFFECTS which is helded Against you For Parole ELIGIBILITY.

which Now brings me To REQUEST The Policy THAT SIVEs The Parole ~~BDA~~ Board Their Power To order inmates inside Prison walls and Fences. To Even To be able To give and Inmate a Parole ^{hit} without being on Parole. And given Them order's inside The Prison.

REQUEST For Policy were you force and Inmate To ATTEND a Voluntary Program Then make IT And you are Told IF you don't Complete The program you cannot go home. were does The Parole Board Receive This power.

I had The above program Removed Two Times.
(6.)

off my Prescriptive Program plan since I have seen Dr Hilbert To set out of the program on August 5, 1998. Since I have had a 7 month hit and 6 month hit and now a year hit The Parole Agent Agent said They want you to go back to the Therapeutic community 12 Step Religious AA/NA Program. But my Green Sheet does not say This SAYS: A completion of A substance Abuse Treatment.

For the Record I have Filed over 1000 Grievances since ~~mid~~ 1998 on violations of my Constitutional Right. About the Program Co's threatening my life Filed Criminal charges with State Police on staff member's which John m mccallough claims he had the charges dropped. ~~which~~ I can not understand how he had them dropped. which I'm going to still file them which I have up to two years to file a civil complaint. which you are the Attorney for the Department of Correction and the Commonwealth of Pennsylvania. And I'm now hereby bring this complaints to you. Hoping you will do ~~set~~ something about them for under 4904 m-2 all are true and correct statements for in my paper work I

can show and Prove That I'm Illegal Incarcerated For on may 13 1996 I was Arrested on a Warrantless Arrest held over 72 hours without charges or warrant's Filed Against me. Which Led To A False arrest False Imprisonment. For The common Pleas court Failed To give me a prompt Probable cause. Lack Jurisdiction of over Subject matter's. Thy willful, malicious violations of my Constitutional Rights. Plus Police Detective's For The Arrest off used Police Brutality which my Law suit is STILL Pending and I said The County And The Law suit on The County is Court Lacks Jurisdiction over Plaintiff criminal case, Because The District Justice has NO convening Authority over constructive Fraud or structurally defective criminal complaint's or AFFIDAVITS of Probable cause where Double Jeopardy bars PROSECUTION of The multiplicatas offenses of Theft of movable property and Receiving The same. Plaintiff criminal case has followed A VENUE of Fraud, whereas Police who made warrantless Arrest and Jailed me for over 72 hours before Arraignment is A certain and Demonstrated Failure To Establish subject matter, Rem or Personam Jurisdiction over The case,

The only Thing The Department of correction did for me was Cause me more pain and suffering and Violated my 1, 5, 8, 14, U.S. CONST. Amendment Rights.

Under The Right-to-Know Law I want all copies of Requested Policies. If There is no Policy I'm going to file a complaint and have a Federal Investigation done on The Department of Correction and The Parole Board. For I'm being held past my minimum date illegal and I'm going to file the charges against the staff members that Mr John McCallough said he dropped and I have proof that Co mick had inmates put and make Threaten Notes on my cell door and even gave them the paper and the marker to make them. After I told NEVERHEART UNIT manager of F Block that Co mick has inmates going after inmates and had inmate put a home made shank that Co mick made at home gave it to and inmate to put in ~~McGirth~~ McGill cell as he was working. Then locked up 5 inmates in the meeting room by there self to talk about how to get and hit inmate Gambino going to Pill Line as I was talking to his Lawyer on the phone. When Co mick

Allowed The Inmates To go After her Client for when he came Back from Pill Line he called for me and Told me To Tell his Lawyer just what had happen. I'm going To file more Then a 1983 on SCI HOMEDALE. I have been Threaten by STAFF member and MR McCULLOUGH and Martin Horn did Nothing. But Denied my Grievances. Yes I'm looking for Just-ice. I can Show you how MR McCULLOUGH has been harass me and he has Threaten me him self and Told me He will see To it I don't get Paroled. He is Abusing his Power and he is very unProfessional And he keeps Threaten Inmates To ATTEND THE 12 STEP Religious Program. And is The cause of The Law Suit's which There are more To be Filed you Are hereby Awear of The Wrongful doing's And you are There ATTORNEY I even wrote To MR Horn and Tom Ridge. Since I been in SCI HOMEDALE And had Tom Ridge Name in my 1983 on Montgomery County Jail. And I will sue him for The medical complaint I sent him for I'm even being refused proper medical care. Ridge is Responsible for You know on 1983 civil Action you can go up To The Chain of Command. And MR McCULLOUGH is unfit person

To be Runing a Jail Has a Superintendent
I can prove it with my Paper work. And
All His Prejudice Answers, on my Request
Slip's and Grievances.

It is All in your Hands Mr Fisher.
If Nothing is done about it I will Take
it into Court like I did my County.
District Attorneys Office Public Defenders
Office and The Judge.

As of Right Now I'm Falsely Imprison
with cause and All The Pain and suffering
caused by The D.C.C. And The County
Court.

I'm bring This To your ATTENTION IF
Nothing is done Then you Sir are Respon-
sible as well. my Best wishes To you
Always I Remain

Very Truly Yours
John A. Price



Exhibit E

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

January 10, 2001

MIKE FISHER
ATTORNEY GENERAL

15th Floor Strawberry Square
Harrisburg, PA 17120
(717) 783-1111

John A. Pino, #DJ-9124
P.O. Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino:

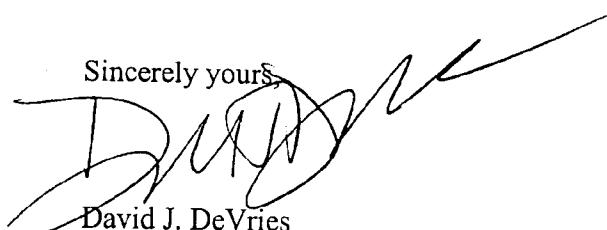
Your letter to the Attorney General has been referred to this office for reply.

Our office receives a large number of letters from people who have legal matters or other problems they are trying to resolve. We review each letter carefully, but not all problems fall within our authority. The powers of the Office of Attorney General are defined by state statutes, and the matter you raise in your letter does not come under our jurisdiction. You may want to forward your inquiry to the agency listed below for any advice or assistance they may be able to provide.

We are making this suggestion based on the information provided in your letter. Please understand that it will be up to the agency officials receiving your correspondence to determine whether they can be of any assistance.

Governor's Office of General Counsel
P.O. Box 11775
Harrisburg, PA 17108

Sincerely yours,



David J. DeVries
Chief Deputy Attorney General
Office of Civil Law

DJD:mlm
CLS010056

John Anthony Pino EXHIBIT F

DJ9 124
P.O. Box 1000

HOMEDALE, PA 16698-1000

January 17, 2001

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE ATTORNEY GENERAL
MR MIKE FISHER
15TH FLOOR STRAWBERRY SQUARE
HARRISBURG, PA 17120

RE: TO A COMPLAINT I SENT YOU AND YOUR
ANSWER TO THE COMPLAINT.

DEAR MR FISHER ATTORNEY GENERAL OF PENNSYLVANIA.

I HAVE SENT YOU A COMPLAINT AND YOUR
OFFICE STATES:

YOUR LETTER TO THE ATTORNEY GENERAL HAS
BEEN REFERRED TO THIS OFFICE. REPLY.

MY COMPLAINT DOES COME UNDER YOUR
JURISDICTION. YOU ARE THE ATTORNEY
FOR THE DEPARTMENT OF CORRECTION.

YOU ARE ALLOWING THEM TO ABUSE THEIR
POWER. AND ALLOWING THEM TO FORCE INMATES
TO ATTEND ILLEGAL PROGRAM AND STOPPING
THEM FROM BEING PAROLED. LOOK AT ACT OF

May 10, 1909. And ACT 1978 April 28
P.L. 202, No. 53 and PAC.S.A. E 9721
(a) and sentencing code 1974 Dec. 30,
P.L. 1052 No, 34531 which will show:
In The year of 1978 The Record Officer
For The Department of correction of
Commonwealth of Pennsylvania was order-
ed by state Legislative Body (TO NO LONGER
LIST PRISONERS AS HAVING) INDEFINITE
SENTENCE SEE: (2(A) [931] OF ACT 1978
April 28 P.L. 202, No 53, This was done
IN LIGHT OF EFFECT OF THE ENACTMENT
OF 1974 SENTENCING CODE 1974 DEC 30
P.L. 1052 NO. 34531 SEE: 42. PAC.S.A.
E 9721(a) (All sentences of Imprison-
ment Imposed under This Chapter Shall be
for "DEFINITE TERM" PLEASE HAVE
DEPARTMENT OF CORRECTION
THE LAW. HAVE THEM REMOVE THE
INDEFINITE SENTENCE FROM THERE
SENTENCE STATUS SHEETS AND CORRECT
STATUS SHEET LISTING AS A DEFINITE
SENTENCE. Under The ACT of 1978
NOT EVEN A Judge can Imposed And
SENTENCE without The Right To Parole.

And Please don't sit in your big chair
Thinking I don't have a Right To Parole.
I even have case Law STATing I have
The Right To Parole. Even on my District
ATTorney's Appeals Brief Against my
Brief That I was sentence To A Definite
You are Allowing The Department of correction
and The Pennsylvania Department of
Probation and Parole To Abuse Their
Power. For your's way is of Thinking IS:
Build more Jails, Don't give Fair
Trial's. A Keep People in Jail and To
Effect Illegal Federal Funds To Run
Your Illegal AA/NA 12 Step's Religious
Based Program. which is Another part
of my complaint To you. That you state
is a LETTER. I see way Commonwealth
has A Lot of Law SUIT Filed Against
yours don't Know The difference's between
A LETTER and A complaint which you are
or have Pushed The Buck

TO AVOID The
Problems which you are Allowing To Acc^{ord}
To give Them under you A Special privileges.
AS I STATED in my Complaint. How would you like To
Their ATTorney. How would you like To

To be forced and Threaten To ATTend A Program That you can prove That you STOPped Drinking and Never did STREETS in your Life and was Never Arrest For.

As I stated in my complaint John M McCullough has had STAFF members To Threaten me and he him self has done the same. He had NOT DID ANYTHING or DID MR Martin Horn do ANYTHING when I sent MR Horn on CO ^{mick} who gave Inmates Pens Paper and market To make 19 Threaten Notes on my cell door. A complaint my life was Endanger. For 4 days. you want To Pass The Buck. you think it is "Right", Because I Told MR Jerry Everhart unit manager of FB Block of CO mick's wrong doings. Having Inmates going After Inmates, And Telling Inmates what They are In Jail For. IS This The duties of A Correctional officer. Inmates saw A CO help make Them and Read Them Before They were Placed on The cell door. What kind of People are you Backing

up when you send your motion To dismiss
ACivil Action for, In short They our
unprofessional use unprofessional conduct
and are unFIT AS The Same for Drug
counselor's which I can show By The
Pennsylvania Department of Health
STATES They must have Experience in
AS A Drug counselor And with 3 Years
Drug counseling In a STATE Facility.

The Counselor's AT SCI HONZDALE were
hired and Trained By MR DALE Close
which SCI HONZDALE is NOT Listed
or in License or is The Program Licensed
To Be used AS A AA/NA Drug counselor
Training Center. You need To be Certified
and must be Qualify To have a Job
AS And AA/NA program Counsel.

SCI HONZDALE IS Runing a money
making SCAM and usinng use of
Fedral funds. which is A crime. AS I
stated To State Police in 1999 who
did Nothing. Staff members had Stolen
over 180,000 out of Inmates Acco-
unts. And Walked way. like I had
mr mccullough IF you want me To

ON North Walk Why Are you allowing your
Search Teams To HARASS me and Keep on Destroy-
ing my Legal work. Why on your Request
you STATE Pino I don't Believe you, why
did you say That for His words were
you Are A Fucking Lier. For a Superint-
endant of a STATE Facility using Abuse
Words Like This He is unfit and very unpro-
fessional Conduct. For The Record This is not
The way a Superintendent is To Talk. Plus
He even Said PUT IT on Paper what I JUST
Said and I Did ms Emul Again Refused
To File A Grievance on John m mccullough.
For his using Abuse of conduct and unfit
Words he used. For Her NOT Filing my Grie-
vances she is Violating my Due Process
Rights and is obSTRUCTION of JUSTICE To be
done. And All The LETTERS SENT TO MR Horn
he is NO BETTER. For The Record This is
The Second Complaint I SENT you The First
you Took for a LETTER. Which was NO LETTER.
I have copies for my Record. I was Told BY
A major my Paper work PUT me in The hole.
They don't like it. The Truth hurts Them.
IF NO Actions Are Taken in These matter's

I'm 57 years old And I know what to do. Request a Federal Investigation To prove you cannot misuses Federal Funded Funds. And keep on keeping People in jail To collect The funds To Build more Jails, which Are used AS Human Warehouses. How is The D.O.C. on The New York Stock Exchange? IT is All a money making Scam. By giving Prisoner Illegal Sentence's After They are sentence To A Definite Sentence By The Judge They come into Camp Hill And The D.O.C. Record office changes There sentence To And Indefinite Sentence. To make Them do 85 % of There Time. And with A Definite sentence That was Imposed by The Judge STATES you get Pre Paroled on your minimum date. Which causes The D.O.C. and The Parole Board To put Together A SCAM To Abuse There Power To change Inmates Sentence To keep Them in Jail To make money off The Federal Government. This is wrong and you mike Fisher is A part of it. My Best wishes To you I remain

Very Truly Yours
(77) John a Pino.



EXHIBIT G

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

January 31, 2001

MIKE FISHER
ATTORNEY GENERAL

15th Floor, Strawberry Square
Harrisburg, Pa 17120
(717) 783-1111

John A. Pino, #DJ-9124
P.O. Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino:

This will acknowledge receipt of your recent letter to the Attorney General of Pennsylvania.

At one time, the corrections system was under the jurisdiction of the Attorney General. That law was changed years ago to put it under the Governor's Office where it remains.

We are referring your most recent letter to the Governor's Office.

Sincerely yours,

A handwritten signature in black ink, appearing to read "DJ DeVries".

David J. DeVries
Chief Deputy Attorney General
Office of Civil Law

DJD:mlm
CLS010056.01
cc: Governor's Office



EXHIBIT A

PENNSYLVANIA DEPARTMENT OF CORRECTIONS
OFFICE OF CHIEF COUNSEL
55 UTLEY DRIVE
CAMP HILL, PENNSYLVANIA 17011
(717) 731-0444

February 28, 2001

John A. Pino, DJ-9124
SCI-Houtzdale
P.O. Box 1000
Houtzdale, PA 16698-1000

Dear Mr. Pino:

Your January 17, 2001 letter to the Office of Attorney General has been referred to our office. The issue raised in your letter must be addressed through the institution's grievance process. That process is described in DC-ADM 804.

Very truly yours,

Randall N. Sears

Randall N. Sears
Deputy Chief Counsel

RNS/jls

cc: Bureau of Inmate Services (filing office)
File (Misc. Inm. Corresp.)

John A Pino
DJ9124

Exhibit I

P O Box 1000
HOMEDALE PA 16698-1000

215101

MR MIKE FISHER

COMMONWEALTH OF PENNSYLVANIA

OFFICE OF ATTORNEY GENERAL

15th Floor, Strawberry Square

Harrisburg, Pa 17120.

RE: To your Reply. Dated January 31, 2001.

Dear Mr FISHER Attorney General of Penns

Thank you for your Reply, Since The
Harassment Did NOT STOP I Found my
self in RH on False STATEMENTS.

Heretofore state we are going to Court
soon I will complete A Petition for
Review in A Nature of A WRIT OF
A mandamus. Like I said before The
Threats and The Harassment needs to
Stop. I'm allow to use the Grievances
System. And it is all from
Ritualization. I sent Mr. Governor

Ridge a complaint in 1998 and did
Nothing.. What is he going to do Now?
Plus soon I'm going to be going to court
on my criminal case. Sincerely yours

John A Pino

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

Exhibit J.
INSTRUCTIONS

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

TO (NAME AND TITLE OF OFFICER)	2. DATE
BY: (OFFICIAL NAME AND NUMBER)	8-14-78
WORK ASSIGNMENT	4. COUNSELOR'S NAME
	mb Barber
	6. QUARTERS ASSIGNMENT
	F B - 17

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

I would like to talk to you about the CCTC issues I have to talk to you about IT made me get a lot of stress plus a Bipolar disorder. I was called Callahan 997 supp 643 in D. Pa 1978. I had this before when I came out of jail. Now being in the CCTC I got it back. They are giving me an unsuccessful discharge. The Psychiatrist got me off the CCTC MR Close and MR Steeler and the other counsels fire me. Thank you. John A. Pino
Bipolar disorder is not to be played with this is a serious matter.

DISPOSITION: (DO NOT WRITE IN THIS SPACE)

John (ain't
If you make it in the CCTC Bipolar
If you make it go home. Bipolar
You can't do it. Don't give you an
order to commit me
I. don't want
Counsel
Mr. Rose

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

STAFF MEMBER

DATE

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections
INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <i>ms Emel</i>	2. Date: <i>1/17/01</i>	
3. By: (Print Inmate Name and Number) <i>John N Pino DJ9124</i> <i>John N Pino</i> Inmate Signature	4. Counselor's Name <i>ms Trivicic</i>	5. Unit Manager's Name <i>MR. Whitesci</i>
6. Work Assignment <i>main t Repair Am</i>	7. Housing Assignment <i>EA 34</i>	
8. Subject: State your request completely but briefly. Give details. <i>ms Emel Again you have refused to file this grievance on John M McCullough, "Read my Lips" IT IS NOT AND APPAL I SENT THE APPEAL OF ms Emel McCullough TO a chief hearing Examiner waiting an answer. True and correct statements of true facts. ms Emel John M McCullough has been making me look like the bad guy for his CO's wrong doings that he allow has allowed them and other staff member to tell lies and made up false statements for misconduct's and to receive unlawful parole hits. John M McCullough thinks I have NO credibility well he is wrong once again I can show a win in the Superior Court of Pennsylvania were my Appeal on my Criminal case received a win even after John M McCullough allowed his search teams</i>		
9. Response: (This Section for Staff Response Only) TO STEAL MY APPEAL BRIEF 4 TIMES.		
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

MS F MEL

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ9124

John A Pino

Inmate Signature

4. Counselor's Name

MS JIVIC

5. Unit Manager's Name

MR WHITSEL

6. Work Assignment

mainT Repair Am.

7. Housing Assignment

E A 34

8. Subject: State your request completely but briefly. Give details.

Plus I can show I sued The Judge who gave me a unlawful Trial By Jury and Sentence. The Judge Ran off The Case. Because he could not take The heat. John M McGuilough has called me a liar and your Name is. Allow unit manager's Abuse. There Power's adding Programs on my PPP Plan For Parole hits Allowed STAFF members To Threaten me Told me he is Tired Tired of my complaints That he did nothing about it. Allowed The 3 years of harassment to go on and had you in Email To Refused to have you file my Grievances. In my law suit on The Justice Against The Judge and The D Office and Public Defender OFFICE I can prove False Imprisonment. On Ground's I was Arrested and Jail-dover

9. Response: (This Section for Staff Response Only)

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

/

Sign

Date

INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections
INSTRUCTIONS		
Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <i>ms Emz</i>	2. Date: <i>1/17/01</i>	
3. By: (Print Inmate Name and Number) <i>John A Pino D# 124</i> <i>John A Pino</i>	4. Counselor's Name <i>ms Jovic</i>	
	5. Unit Manager's Name <i>ML Whitesel</i>	
6. Work Assignment <i>Maint Repair Am.</i>	7. Housing Assignment <i>EA 34</i>	
8. Subject: State your request completely but briefly. Give details. <p>72 hours which is a violation of my U.S. CONST 4th Amendment Rights. NOA warrantless arrest you must be taken to a JCSUING AUTH, at that county magistrate without delay. Being held over 72 hours without warrants or charges filed against. The common pleas court lack jurisdiction over this subject matter by failure to give me a prompt probable cause. Should a trial never be taken to trial or to receive a conviction of a crime I did not commit, which led to false imprisonment. And MR McCullough has threatened me him self by saying John IF you don't complete the TC Program AA/KA you are NOT going home on parole.</p>		
9. Response: (This Section for Staff Response Only)		

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

Revised July 2000

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

ms Email

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ9124

John A Pino

Inmate Signature

4. Counselor's Name

ms Iwicic

5. Unit Manager's Name

m a whitescell

6. Work Assignment

main t Repair dm

7. Housing Assignment

EA 34

8. Subject: State your request completely but briefly. Give details.

I would love to see what John M McCullough would do if he was in jail going on 5 years under A False Arrest And False Imprisonment And has been refused proper medical care as well and has been in pain for 5 years from Being Bullied and by his arms 12000 as he gets kicked between his legs by A Police Officer from behind like a foot Ball Player would kick a foot Ball for A Field Goal. Have Bumps Received in his Testicles. Along with cyst caused by the Kick. And I S bring refused the follow ups you were to receive from the Doctor the County Took you To see. Mr. McCullough you are the Superintendent of SCI Huntingdon IT IS ALL Coming Back To you on a Legal Tip. You allowed

9. Response: (This Section for Staff Response Only) *Set Stone To Lie on Boots.*To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

MS Emel

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ9124

John A Pino

Inmate Signature

4. Counselor's Name

MS Iovic

5. Unit Manager's Name

MA Whitesel

6. Work Assignment

Maint Repair Am.

7. Housing Assignment

EA 34

8. Subject: State your request completely but briefly. Give details.

He claims he is Tired of hearing my complaints
 He is The cause of The complaints. for he is Prejudice
 Bias All His old officer's and The one I
 have problems with For A complaint I Filed
 To martin Hern on CO mick and a complaint
 To The STATE Police which John m McCullough
 Said he had That complaint Dropped which when
 His Search Team's came into my Cell Read That
 Complaint on CO mick g.t mad and Destroyed
 my legal work and Stolen my Brief I had
 To File in Superior court on Nov 21, 99 and his
 officers Stolen The copies I just copied on
 Nov 10, 99 at The Law Library \$12. Dollars
 it had costed me To make Them 7 copies
 for he Allowed his officer's To use Retaliation against

9. Response: (This Section for Staff Response Only) Me over co micks complaint

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

/

Sign

Date

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections
ms EMEL		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.
1. To: (Name and Title of Officer)	2. Date: 1/17/01	
3. By: (Print Inmate Name and Number) John A Pino D79124 John A Pino Inmate Signature	4. Counselor's Name ms Jovicic	
6. Work Assignment Maint Repair Am	5. Unit Manager's Name ms whitez	
8. Subject: State your request completely but briefly. Give details. This is my only Defence Against MR McCallough when I put my Thoughts on Paper of his wrong doing's AS A unprofessional misuse of conduct. MR McCallough is not going to get me upset on giving me a heart ATTACK as he had Tried To do. when he Abuses his Power. Plus I have Thier hand in my heart and I can say I never walk alone. The only Thing he can do To me is his keep an LETTING his CO'S harass me and Threaten me and have Them keep on Telling lie's. For misconducts. For The New OFFicer's when I ASK for Request giving the Officer's a copy of the said Officer's not ITS officer that I have written up Telling The New officer's To keep and Eye on That	7. Housing Assignment EA 34	
9. Response: (This Section for Staff Response Only) Pino he will write you up		
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

Ms Emel

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ9124

John A Pino

Inmate Signature

4. Counselor's Name

MS I Vicic

5. Unit Manager's Name

MR White

6. Work Assignment

Maint Repair Am.

7. Housing Assignment

EA 34

8. Subject: State your request completely but briefly. Give details.

To Try and Cause The New Officer's To Join in on The Harassment, I Told Mike Fisher in a complaint what was going on and Said when I'm Ready To File a Civil Action on SCT HAUTZDALE If He does not do Anything About It He will Need a Lawyer as well. I was Shown years ago when you File a Suit one you go for millions Two Find out who Their Lawyer will be send him a Complaint If The Lawyer does NOT Take Steps As in This Case would be Mike Fisher who is The ATTORNEY GEN. of Penn and The Lawyer for The D.O.C. The Best Place To hurt a person is in The pocket Book Take Their Money Away from Them. In COURT For who who KnewS Nos Nothing and

9. Response: (This Section for Staff Response Only) who They Think No is a dame fool. For The Record I Sint a Nother complaint To STATE Police.

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

Sign

Date

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>MS Em 1.</i>	FACILITY: <i>HCU72DALE</i>	DATE: <i>1/15/01</i>
FROM: (INMATE NAME & NUMBER) <i>John A Pino DT 9124</i>	SIGNATURE of INMATE: <i>John A Pino</i>	
WORK ASSIGNMENT: <i>Maint Repair Am.</i>	HOUSING ASSIGNMENT: <i>E.A - 34</i>	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B the specific actions you have taken to resolve this matter informally. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum ~~Part 2 of~~ two pages. *John m mccullough you have been Presjudice against. You had been having your staff members to try and force me and Threaten me over a 12 step Religious program which got me sick for I don't drink or did I ever do drugs in my life. you made fun of my disorder. That I receive from the war. you allowed your staff members to lie and make up false statements. you been trying to hold parole over my head, you and the Department of Corrections had given me a illegal sentence. By putting. Indefinite SENTENCE on my sentence STATUS sheet. which I can show you in Black and white in my DA Block. That I received a definite*

B. List actions taken and staff you have contacted, before submitting this grievance. Attach the copy of the DC-135A with the staff member's response of your informal resolution attempt. *Sentence and I want you to change my sentence STATUS sheet. to a definite sentence for I should of been home on my minimum date. Ever since 1978 the Record office and the Judges can not impose a sentence without the right to parole. you want to force something on me mccullough in force the law. I gave you a chance to show*

Your grievance has been received and will be processed in accordance with DC-ADM 804. *To show*

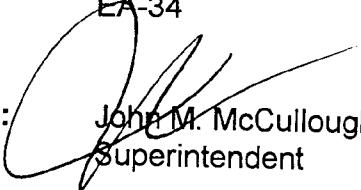
Signature of Facility Grievance Coordinator

Date

Exhibit L

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
State Correctional Institution at Houtzdale
Office of the Superintendent
January 2, 2001

SUBJECT: Appeal of Misconduct #A285374

TO: John Pino, DJ9124
EA-34

FROM: John M. McCullough
Superintendent

For the record, I had refused to hear this appeal because Pino had sent a 4-page document. In this latest appeal he increases it to 5 pages, and in it he attempts to raise other issues which have been previously dealt with and which do not have anything to do with the misconduct.

Because the misconduct appeal of this document is only 2 pages, I will address that. The other issues have been gone over with him numerous times, and I am not going to rehash them in the 801 procedure.

Pino argues his witnesses were disallowed. His witnesses were neither relevant nor crucial for a finding of guilt or innocence. The facts are this – he was issued a pair of reconditioned boots, and he did not like the soles. Later on 12/6, the boots were confiscated after Pino reported the soles fell off. The laundry foreman could not remove the rest of the sole, which correctly made him suspicious, because they could not have been removed by casual use or by tripping over a rug as Pino states. The evidence was clear that he had altered them himself in order to get a new pair of boots. He was offered an informal resolution, which would have had a very simple resolution, and went to a hearing where he was found guilty.

His story is simply not believed. The misconduct and the action of PRC are sustained.

JMM:dkc

c:	Deputy Speck	Mr. Croyle, Laundry Foreman
	Deputy Tennis	Mr. Whitesel
	Dr. Mazurkiewicz	Ms. Baker
	Case Record	File

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) <i>Supr.</i> <i>MR. John M. McCullough</i>	2. Date: <i>12/29/00</i>	RECEIVED SUPERINTENDENT OFF.
3. By: (Print Inmate Name and Number) <i>John Anthony Pino DJ9124</i> <i>John A. Pino</i>	4. Counselor's Name <i>MS Ivicic</i>	JAN 02 2001
Inmate Signature	5. Unit Manager's Name <i>MR. White</i>	SCI-HOUTZDALE PO BOX 1000 HOUTZDALE PA
6. Work Assignment <i>mainT Repair Am.</i>	7. Housing Assignment <i>EA 34</i>	
8. Subject: State your request completely but briefly. Give details. <i>MR John M McCullough Thanks To you. You MR McCullough have allowed STaft Member member To make False STATEMENTS For Two misconduct's one on MS Hoover and MS Woodring Received 90 in The hole for STATEMENTS of 3 C.S.I who were made up People without Numbers THAT were To be made STATEMENTS said in The yard which were Never said in The yard. Those STATEMENTS were made by OTHER's in The TV Room. I had a Illegal hearing without witness's or a In house Gram Camra hearing with C.S.I's Now SGT Stone Telling main Laundry That I had ALTER my BOOTS When I fall over A hump in The Floor covered with carpet That caused me To hit my Right Leg and Arm Feet and hand</i>		

9. Response: (This Section for Staff Response Only)

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name _____ / _____ Date _____
 Print _____ Sign _____

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections
INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <i>Super John m mcmillough</i>	2. Date: <i>12/29/00</i>	
3. By: (Print Inmate Name and Number) <i>John A Pino DJ9124</i>	4. Counselor's Name <i>ms Iovicic</i>	
<i>John A Pino</i> Inmate Signature	5. Unit Manager's Name <i>MR WHITESIDE</i>	
6. Work Assignment <i>Maint Repair Am</i>	7. Housing Assignment <i>EA 34.</i>	
8. Subject: State your request completely but briefly. Give details. <i>Part 2 and your medical Department Refused To give me and x-ray and my Right Leg is still hurting me. So Because unsafe 1/2 sole's were put on my boots I received 15 days cell restriction To make me look like a wrong person when Sgt Stone was wrong for making false statement saying I Alter boot when the tips of the soles broke in front of the Ed Building officers Desi were three officer's said leave it to Pino To be the one To trip over the hump. Then the next day it was removed. the carpet was gone and so was the hump. All unlawful actions To make me look bad. when you staff members are the cause of my complaining for they just violate</i>		
9. Response: (This Section for Staff Response Only)		

Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) <i>Suplr John M McCullough</i>	2. Date: <i>12/29/00</i>
3. By: (Print Inmate Name and Number) <i>John A Pino DJ9124 John A Pino</i>	4. Counselor's Name <i>MS I Vici C</i>
	5. Unit Manager's Name <i>BT MR Whitesol</i>
6. Work Assignment <i>Maint Repair Am</i>	7. Housing Assignment <i>EA 34.</i>

8. Subject: State your request completely but briefly. Give details. *Part 3*
 my U.S. CONSTITUTION 1, 5, 8, 14, Amendment
 you allowed them to, conduct Harass-
 ment of cell Search's Steal my legal work
 and my Brief I Fitted Tryd To File Griev-
 aces on Th 1/12; one hundred and 12 dollars in
 copies you told me you Stealed The Criminal
 charges That I sent And AFFIDAVIT TO STATE
 police on CO mick and other STAFF members
 Then you PUT me on Grievance RESTRICTION
 and you have your STAFF members JUSTICE
 JUST trying To keep on given me misconduct's
 or trying To set me up on misconduct's.
 Every Grievance I ever wrat is True and
 correct and have merit. All you had To Do
 was STOP The Harassment of your STAFF

9. Response: (This Section for Staff Response Only)

To DC-14 CAR only <input type="checkbox"/>	To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

To DC-14 CAR only To DC-14 CAR and DC-15 IRS Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) *Suplr*
John m mccallough

2. Date:

*12/29/00*3. By: (Print Inmate Name and Number)
John A Pino DJ9124
John A Pino

4. Counselor's Name

*MS Ivicic*5. Inmate Signature
John A Pino

5. Unit Manager's Name

*MR White*6. Work Assignment
*maint Repair Am*7. Housing Assignment
*EA 34.*8. Subject: State your request completely but briefly. Give details. *PART 4*

IT ALL STARTED OVER THE THERAPEUTIC COMMUNITY NA/NA PROGRAM. WHICH MY RECORD SHOWS, I HAVE NEVER BEEN ARRESTED IN MY LIFE FOR ALCOHOL OR DRUGS. I STOP DRINKING AT THE AGE OF 22 YEARS OLD. I'M NOT A POWERLESS PERSON, AND NEVER DID STREET DRUGS IN MY LIFE. IT HAS BEEN 1 YEAR AND A MONTH AND 3 WEEK SINCE I HAVE STOPPED SMOKING. JAN 5 2001 I WILL BE IN SCI HAUTZDALE 3 YEARS BECAUSE THE DEPARTMENT OF CORRECTION'S GAVE ME A ILLEGAL SENTENCE WHICH THEY CAN NOT IMPOSE A SENTENCE WITHOUT THE RIGHT TO PAROLE. NOT EVEN THE JUDGE CAN IMPOSE A SENTENCE WITHOUT THE RIGHT TO PAROLE. THE RECORD OFFICE AT THE DEPARTMENT OF CORRECTION'S

9. Response: (This Section for Staff Response Only)

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Print

/

Sign

Date

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) *Super**John M McCullough*

3. By: (Print Inmate Name and Number)

*John A Pino D.J.9124**John A Pino*

Inmate Signature

2. Date:

12/29/00

4. Counselor's Name

ms Ivicic

5. Unit Manager's Name

MR. Whitesel

6. Work Assignment

Maint Repair Bm

7. Housing Assignment

*EA 34*8. Subject: State your request completely but briefly. Give details. *PART 5*

*Gave me a illegal sentence when They
put Indefinite Sentence on Top of my
SENTENCE STATUS Sheet. You know Self
Mr. McCullough Refused to have The
Record OFFICE correct my STATUS, Sheet
To A Definite Term of Sentence which my
Judge has Sentenced me To have A Definite
Sentence. The Commonwealth of Pennsylvania
Department of Correction has given me a
Illegal Sentence Since 1978 your Record
OFFICE were Told Not To give Inmates
and Indefinite Sentence's and Judges were
Told The Same By The STATE I'm being
helded Illegal in Jail and I'm not To comp-
lain about it. Soon I Being going to court for a hearing*

*9. Response: (This Section for Staff Response Only) or New Trial which will Just be
Dismissed and soon will be free man. I will still Fight for me
for The Record I did not do Any Thing Against The
Rules of SCI HOUTZDALE To Receive a misconduct.
I was given unlawful misconduct's For parole hits
only. My Best Wishes To you Always I remain*

Happy New Years

*cc: I have a copy:
John A Pino.*

To DC-14 CAR only To DC-14 CAR and DC-15 IRS Staff Member Name _____ / _____ Date _____
Print _____ Sign _____

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA

CIVIL DIVISION

JOHN ANTHONY DINO : CIVIL COMPLAINT
Plaintiff : CIVIL ACTION
v. : CASE NO. 01 561 - CD
PENNSYLVANIA DEPARTMENT :
OF CORRECTIONS ET AL :
Respondents :
+

CERTIFICATE OF SERVICE

I do hereby certify that I am this day serving the foregoing cover sheet of moving party, motion for reconsideration to proceed in forma pauperis under Rule 240 Civil Procedure, upon the following persons as listed: via first class mail such service satisfying the requirement of Rule 122.

Two copies to the Office of the Prothonotary
Mr. William Shaw

CLEARFIELD COUNTY COURTHOUSE
Mr. William Shaw
230 MARKET STREET

CLEARFIELD PA, 16830

Dated May 8th 2001

Very Truly Yours
Under Duly signed
John A. Dino Plaintiff
P.O. Box 1000

HOMEDALE PA 16698-1000

VERIFICATION

I John Anthony Pino Plaintiff, hereby states
That I hereby verify That The statements made
in The The foregoing motion For Reconsideration
To file Plaintiff's Position for Review In Forma
Pauporis and All The Exhibits Attached are True
and correct To The Best of my knowledge, Information
and belief. I understand That This statement
is being made Subject To The Penalties of 18 PA.
C.S. A. § 4904 Relating To unsworn Falsification
To Authorities

Dated May 8th 2001

Very Truly yours
~~under Date~~
under Date

John A Pino Plaintiff
John A Pino

DJ9124

P.O. Box 1000
MOUNT DALE PA 16658-1000

John A Pino
DJ 9124
P. O. Box 1000
HOMEDALE, PA 16698-1000

MAY 8 TH 2001

OFFICE OF THE PROTHONOTARY
WILLIAM SHAW ESG,
CLEARFIELD COUNTY COURTHOUSE
230 E. MARKET STREET
CLEARFIELD, PA 16830

Dear MR SHAW ESG Prothonotary

Please Find Enclosed one (1) original copy and one (1) copy of cover sheet of moving Party And motion for Reconsideration To Proceed In Forma Pauperis under Rule 240 Civil Procedure
Please Find Enclosed one (1) original copy and one (1) copy of motion for Reconsideration To File Plaintiff Plaintiffs Petition For Review In Forma Pauperis and copies of All Exhibits To Show cause why Plaintiff's Petition of Review Should be Filed. To Stop The Harassments and The Violation's of his U.S. CONSTITUTION 1, 5, 8, 14, Amendment Rights, All Statements made Are True and Correct under Pa, 18 C.S. A, 4904 - M2 Please send me a Court Stamped copy for my Records. This Reconsideration is The Response of The Honorable President Judge John K. REILLY JR. April 26, 2001 order

To Denied Plaintiff's motion To Proceed In
Forma Pauperis. Please Find Exhibit A is (4) pages
and on The original Copy 3 are loose They were
Stable up side down Sorry about This. ~~THANK~~
THANK you for you Time and help in This
matter.

Very Truly yours
under Durss
(S) *John A. Pino*

Under 18 Pa. C.S.A. 4904 - m-2.

PS IF you don't file it send it Please
Back To The Commonwealth Court of Pennsylvania For I Need The Harassment and The
Threats To Stop I Request The County Detect-
ives To come see me and Filed criminal charge
charges Filed. My Life is in Endanger.