

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

OFFICE OF PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW

PROTHONOTARY
AND
CLERK OF COURT

CLEARFIELD COUNTY



DAVID S. AMMERMAN

SOLICITOR

JACQUELINE KENDRICK

DEPUTY PROTHONOTARY

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

CLEARFIELD COUNTY



DAVID S. AMMERMAN

SOLICITOR

JACQUELINE KENDRICK

DEPUTY PROTHONOTARY

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

-vs-

PENNSYLVANIA DEPARTMENT OF
CORRECTIONS, ET AL.

:

:

:

:

01-561-CD

No. ~~01-144-MD~~

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 A. Hannon
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CRIMINAL ACTION

JOHN ANTHONY PINO

-VS-

PENNSYLVANIA DEPARTMENT OF
CORRECTIONS, ET AL.

:

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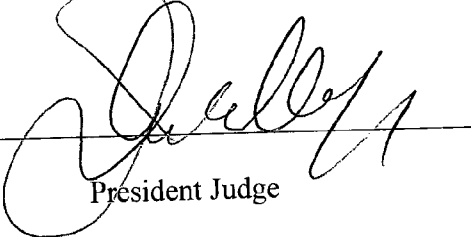
:

01-561-C0
No. ~~01-144-MD~~

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:

01-561-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~~
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 130/ury
William A. Shaw
Prothonotary

1cc

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOHN ANTHONY PINO,
PETITIONER/PLAINTIFF

: DOCKET No. 144 MD 2001

VS.

PENNSYLVANIA DEPARTMENT OF
CORRECTIONS, et al.,

PETITIONER 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, 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.

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FILE IN UNLESS
I.F.P IS GRAMER

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 F.2d 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, Giampetruzzi 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 Endanging 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.

MARCH 5, 2001

Respectfully Submitted,

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

~~SC-1000-1000~~
MARCH 5, 2001

01-561-CD

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

True
Original
Se.

APR 1 2001

Attest:

William A. Shaw
Prothonotary

~~March 5, 2001~~
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

W. A. Shaw
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,
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:

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.

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.

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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, Giampetruzzi 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.

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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 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 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 6th day to the 12th day petitioner had received threaten notes on FB 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.
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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 Moutzdale P.O. BOX 1000 Moutzdale, PA. 16098-1000. The same ones I sent the complaint to on grievance request 30 days who did nothing. I was placed in the hole and punished for trying the above charges filed same thing on 1/26/01 received 30 days for sending Captain Tripps a complaint on Sgt. Stone and C/O Refer. received 30 days for C/O Nick retaliation.

10. Special relief fro this court satisfyin, petitioners claim.

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

Respectfully Submitted,

John A. Pino

John Anthony Pino #DJ-9124

P.O. BOX 1000

Moutzdale, PA. 16098-1000

MARCH 5, 2001

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

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.

DEPARTMENT OF CORRECTIONS
et al.,

Respondents :

No. 144 M.D. 2001

01-5d-cd

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, Balshy 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

WAS
William A. Shaw
Prothonotary

9:12 A.M.

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 144 MD 2001

Page 1 of 4

April 11, 2001



01-561-CD

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 CaseType: 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

Bar No.:

Law Firm:

Address: DJ-9124

P.O. Box 1000

Houtzdale, PA 16698-1000

Phone No.:

Fax No.:

Receive Mail: Yes

Respondent Pennsylvania Department of Corrections

Pro Se:

Appoint Counsel Status:

IFP Status:

Attorney: Hart, Sarah Baseden

Bar No.:

Law Firm:

Address: PA Dept. of Corrections

55 Utley Drive

Camp Hill, PA 17011

Certified from the Record

APR 11 2001

and Order Exit

FILED

APR 19 2001

William A. Shaw
Prothonotary

9:12 A.M.

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.
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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:

9:12 A.M.

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

TO:

01-561-02

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/s/30/1
William A. Shaw
Prothonotary



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& SIGN MAKING**

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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOHN ANTHONY PINO,

Petitioner

v.

DEPARTMENT OF CORRECTIONS
et al.,

Respondents :

No. 144 M.D. 2001

PER CURIAM

O R D E R

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, Balshy 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

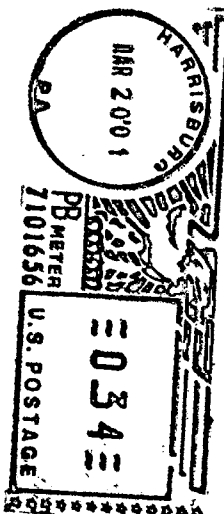
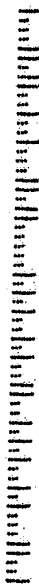
MAR 20 2001

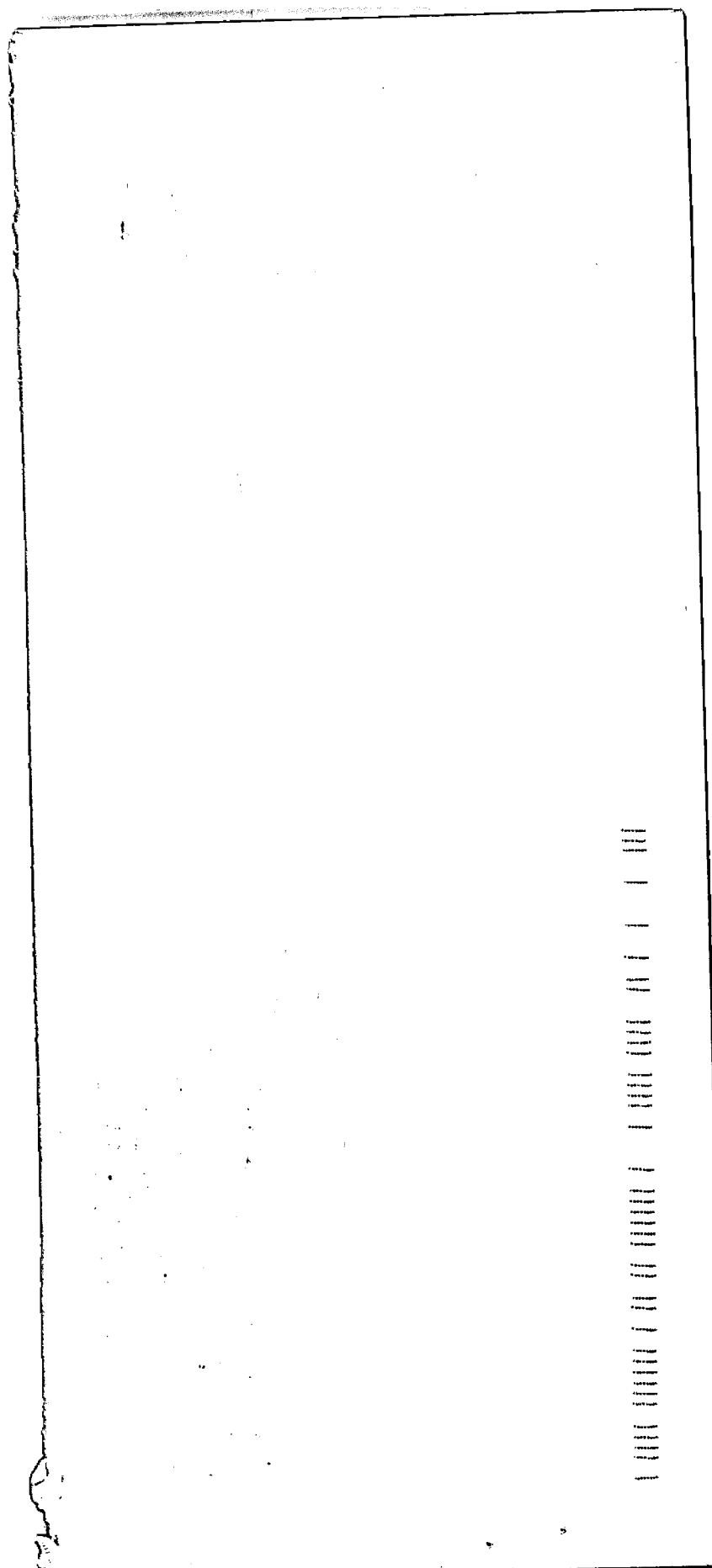
and Order Exit

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

William Shaw
Prothonotary
~~Court of Common Pleas~~
Clearfield County
Court House
230 East Market Street
Clearfield PA 16830

16630-2442 04





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. P10-56

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) ☒ (Appealable) _____ (Interlocutory)

Oral Argument ☒ (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.

☒ 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.

2/00

the usual
first trip

Judge Reilly already
ruled on this once.
He won't do it again.
If you want to
file this & he doesn't
pay - you'll "eat"
the cost. 5-15-01

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 ACCOUNT: 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 FABRICATION
TO AUTHORITIES.

DATE MAY 8TH 2001

Very Truly Yours
under Oath
(S) John A Pino plaintiff
John A Pino
DJ9124
PO Box 1000
HOUTSDALE PA 16698-1000

VERIFICATION

I John Anthony Pino, Plaintiff, hereby states that I hereby verify that the statements made in the forgoing 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 Oaths

John A Pino

John Anthony Pino

DJ 9124

P.O. Box 1000

HOUTZDALE 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 or 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 Oath
John A. Pino Plaintiff
054124
P.O Box 1000

HOUTZDALE 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 PLAINTIFFS 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 Avers 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 OHarra of office of Professional Responsibility
Information AS Follows:

12 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 Over Looked Nothing was done.

3) Plaintiff Avers he had Correctional officers Read Co Mick's complaint As They were doing Harassment of Bell searches. Co Myers Co Wackland Co Smith Co Brown Co Casher Co Sha Disturbed 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 SCE HOUTSDALE. See January 15, 2001 complaint

Form DC-135A

INMATE'S REQUEST TO STAFF MEMBERCommonwealth 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

5. Unit Manager's Name

Inmate Signature

6. Work Assignment

7. Housing Assignment

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

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

5) Plaintiff Avers 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 W. 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 Avers January 26, 2001 After Two weeks of Harassment of Correctional officers Plaintiff Received more Threats and Then was Placed in The Hole Plaintiff Avers 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 Avers 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.

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

5. Unit Manager's Name

Inmate Signature

6. Work Assignment

7. Housing Assignment

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

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

5) Plaintiff Avers 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. Davies 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. Davies 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 Avers January 26, 2001 After two weeks of Harassment of Correctional Officers Plaintiff Received more Threats and then was placed in the Hole Plaintiff Avers Every Time he send the State Police a complaint, the State Police send it to the Department of Correction it is used Against me for Retaliation.

Retaliation.

7) Plaintiff Avers that he had Received 3 unlawful misconducts that was All False statements which he had filed Grievances to have the False Information Removed from his Prison Record SEE Grievance.

And file a Protection what is Requested on
his Petition for Review No 01561 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 HEUTZDALE,
CO mick and John m McCullough 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

^{Under Duress}
John A Pino

Plaintiff

John A Pino

DJ9124

P.O. Box 1000

HEUTZDALE PA 16698-1000

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

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 area. 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,

GRISSEL YBARRA

GY:gv

cc. by fax.

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

Loose.
was stabl'd 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. Pino

DJ9124

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 Labeling 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 watch 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 their life 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 SGI HOUTZDALE Major Tatum MR EVERHEART and Major Kizer 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 went 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 and the other inmates I told him about what officer did on Wednesday and what he

3.

Said about The Inmate on Wednesday at 330 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 Threating Notes will 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 OFFICE mick. I Told him about This before when he was Bad mouthing 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 net The one To Put my Life in danger Like He did and Threating me with his mouth he Started and I must Put a end To it. I Told The OFFICE who save me your Name That I'm pressing Charges on OFFICE mick For he did

4

Indeed Labeled me and Threaten me. For what I said about him. Breaking all The Rules and putting me on a spot in A Life Threatening 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 Endangering 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 Milk Labeled 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

Swan 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
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
DJ 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 Security 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 Superintendant 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 Cause 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 Intellige-
nce officer and John m McCullough
Had made up & S I's To make False
Statements had me under And Investi-
gation in The hole for 4 days Then
Hada 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 Co
mick and The other Staff members.
who is misusing Federal Funded money.
I know you hard about The head man
in The Activities who stolen over 280,000
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 Extension 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 Warrants or charges Filed Against The Common Pleas court Failed To give me a prompt Probable 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 delays. I can prove I don't belong in Jail. That is what you or The way you were 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 in 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
Rights;

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 from The county I have Affidavit
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 Pennsylv-
ania 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 Ever Heart
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".

(5)

Thank you
John A. Paine



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,

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
DJ9124
P.O. BOX 1000
HOUTZDALE PA 16678-1000

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 ESQ.

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 Henry OF Inmates Record III of SCI HEUTZDALE AND The Superintendent John m. McCullough Request Slips and Filed A Grievance and I had Appealed 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 Sentences" State Legislative Body Sent The Record Department and Order Not To give Indefinite Sentences, 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 ~~Prote~~. 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 Can not
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 ET seq. 42 ^{PA} ~~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 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 or terms of imprisonment on one or more indictments to run consecutively or concurrently total less than thirty days.

In Garnier v. Jones, 120 S.Ct. 1362 (2000)

Ex Post Facto clause of Constitution id., at

595 Eight years is a long time the court emphasized and (much) 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.Ct. 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." ~~A law has inflicted~~

Calder v. Bill 3 DALL, 386, 390 1 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, Where 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 HOUTZDALE 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 ~~BAA~~ Board There Power To order inmates inside Prison walls and Fences. To Even To beable 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.
(6.7)

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 completions 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 member's which John m McCullough claims he had The Charges dropped, ~~which~~ I cannot 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 warrants 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. 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 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 multiplicitas 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 ^{well} 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 McCullough said he dropped and I have proof That Co Mike 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 MREVERHEART Unit Manager of F Block That Co Mike has inmates going AFTER inmates and had inmate put a home made shank That Co Mike made at home gave it to And inmate to put in 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 Mike

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 CA
SCI HEUTZDALE. 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 harassen 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 suits which There are more To be
Filed you are hereby Awar of The wrongful
doing's And you are There ATTorney I even
wrote To MR Horn and Tom Ridge. Since
I been in SCI HEUTZDALE 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 Running a Jail Has a Superintendent
I can prove it with my Paper work. And
All His Perjudice Answers, on my Request
Slips 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 Pine



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

EXHIBIT E

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
DJ9124
P.O. Box 1000
HOUTZDALE, 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 There
Power. And Allowing Them To Force Inmates
To ATTend Illegal Program and STOPing
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. (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.
(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 THEIR
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 ways of Thinking IS:
Build more Jails, Don't give Fair
Trial's. A Keep People in Jail and To
Ellect 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.
Their ATTORNEY, How would you like To
You are 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} ~~mick~~ who gave Inmates Pens Paper and mark\$T 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 dutyies 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

(4)

up when you send your motion to dismiss
A civil Action for., In short They are
unprofessional use unprofessional conduct
and are unfit as the same for Drug
counselors 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 DALL GLOE
which SCI HOUTZDALE is not listed
or has 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 qualified 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 stolen
over ^{\$}180,000 out of inmates acco-
unts. And walked away. 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 Superintendant is To Talk. Plus
He even said Put ~~it~~ on Paper what I just
~~said~~ said and I did ms Emil 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 Griev-
ances she is Violating my Due Process
Rights and is obstructions 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 matters

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 Jail's,
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 given 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
Pro 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. Pina.



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

EXHIBIT G

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 dark ink, appearing to read "David J. DeVries".

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,

A handwritten signature in cursive script that reads "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
P O Box 1000
HOUTSDALE 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 Penna

Thank you for your Reply. Since the
Harassment did NOT STOP I found my
self in RHA on False Statements.

I hereby state we are going to court
soon I will complete a Petitioner
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 uses the Grievances
System- And it is All from
Retaliation. 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

~~6-1-A~~ Exhibit J.

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS *Exhibit J.*

INMATE'S REQUEST TO STAFF MEMBER

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) <i>Superintendent John McCullough</i>		2. DATE <i>8-14-98</i>
3. BY: PERSONAL NAME AND NUMBER) <i>John A Pino DJ9124</i>		4. COUNSELOR'S NAME <i>MB Barber</i>
5. WORK ASSIGNMENT		6. QUARTERS ASSIGNMENT <i>F B - 17</i>
7. 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 stress plus a Bipolar Disorder Akers vs Callahan 997 Supp 643 W.D. Pa 1998. I had this before when I came out of Vietnam. Now being on the CCTC I get it back they are given me a unsuccessful discharge the Psychiatrist got me off the CCTC MR Close and MR Steeler and the other counselors give me my Disorder. Thank you John A Pino Bipolar Disorder is not to be played with this is a serious matter.

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

*John
If you can't
Make it in the CCTC
You can't go home. Bipolar
Disorder don't give you an
excuse to commit crime*

*CC. Unit Man
Counselor
MR Close*

☐ TO DC-14 CAR ONLY

☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

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 EML

2. Date: 1/17/01

3. By: (Print Inmate Name and Number)
John A Pino DJA 1244. Counselor's Name
MS Tucci

John A Pino

5. Unit Manager's Name

MR Whitesell

Inmate Signature

6. Work Assignment
maint Repair A.M.7. Housing Assignment
E A 34

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

72 hours which is A Violation of my US
const with Amendment Rights.
DNA WARRANTLESS ARREST you must Be Taken To
A Testing 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
The subject matter by Failure To give me
A prompt Probable cause Should I never been
taken To Trial or To Receive a conviction
of A Crime I did not commit. Which led To
false Imprisonment. And MR McCullough has
Threaten me him self by saying John If you don't
complete The TC Program AKA you are Not going
home on Parole.

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)

ms f m e l

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ 9124

4. Counselor's Name

ms Ivicic

5. Unit Manager's Name

mr Whitesel

6. Work Assignment

maint Repair Arm

7. Housing Assignment

EA 34

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

I would love to see what John m MacCullough 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 pulled over by his arms 12" has his legs 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 lumps Received in his Testicles. Along with cyst caused by the Kick. And Is being Refused The Follow ups you were to Receive from The Doctor The County Took you to see. Mr. MacCullough you are the Superintendent of SCI Huntzberg IT IS ALL coming Back To you. on a Legal Tip. you Allowed

9. Response: (This Section for Staff Response Only) SGT Stenz To Lie on Boots.

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

Staff Member Name

Print

Sign

Date

Revised July 2000

(48)

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 Eml1

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ9124

4. Counselor's Name

MS Ivicic

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 Horn on Co Mike 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 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 \$112. 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

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.

ms EMEL

1. To: (Name and Title of Officer)

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pina DJ9124

4. Counselor's Name

ms Ivicic

John A Pina

Inmate Signature

5. Unit Manager's Name

ms Whitehead

6. Work Assignment

maint Repair Am

7. Housing Assignment

EA 34

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

This is my only Defence Against MR McCullough when I put my Thoughts on Paper at his wrong doing's As A unprofessional misuse of conduct MR McCullough 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 Lord in my heart and I can say I never walk alone. The only thing he can do to me is keep on letting his go's harass me and threaten me and have them keep on Telling lies for misconducts. For The New Officer's when I Ask for Request giving 90 days as they said or no you are not

ITS officer that I have written up Telling The New officer's to keep and Explain that

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

Pina he will write you up

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

4. Counselor's Name

MS Ivicic

John A Pino

Inmate Signature

5. Unit Manager's Name

MR Whitescell

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 complaint what was going on and said when I'm Ready To File a Civil Action on SCT HONT2DALE 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 there 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 There Money Away From Them. I go to Court. For who who knows Nos Nothing and who they think No is a lame fool For The Record I sent a Nether complaint To State Police

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

Staff Member Name

Print

Sign

Date

E x h i b i t 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

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) *Super.**MR. John M. McCullough*

2. Date:

12/29/00

3. By: (Print Inmate Name and Number)

John Anthony Pino DJ9129

4. Counselor's Name

MS Ivicic

5. Unit Manager's Name

*MR Whites*RECEIVED
SUPERINTENDENT OFF.

JAN 02 2001

SCI-HOUTZDALE
PO BOX 1000 HOUTZDALE PA

Inmate Signature

6. Work Assignment

mainT Repair Am.

7. Housing Assignment

EA 34

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

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 other's 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 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.

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

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) Super
John M Mcmellough

2. Date:

12/29/00

3. By: (Print Inmate Name and Number)

John A Pine DJ9124

4. Counselor's Name

MS Ivicic

5. Unit Manager's Name

MR Whitel

6. Work Assignment

maint Repair Am

7. Housing Assignment

EA 3H.

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 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
Tip's of The Soles Broke in front of The Ed
Building officers Just were Three officer's
said Leave it To Pine 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

Print

Sign

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) Super
John M McCullough2. Date:
12 / 29 / 003. By: (Print Inmate Name and Number)
John A Pino DJ91244. Counselor's Name
MS IvicicJohn A Pino
Inmate Signature5. Unit Manager's Name
Mr MR Whitesell6. Work Assignment
Maint Repair Am7. Housing Assignment
EA 34.8. 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 filed tried to file Grieva-
nces on the 112; one hundred and 12 dollars in
cap's you told me you stoped 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 misconducts.
Every Grievance I ever wrote 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 ☐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 McCullough2. Date:
12/29/003. By: (Print Inmate Name and Number)
John A Pina DJ91244. Counselor's Name
MS IvicicJohn A Pina

5. Unit Manager's Name

MR Whitesel

Inmate Signature

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
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 year's 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 stoped smoking.
Jan 5 0001 I will be in SCI HOUTZDALE 3
year's 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 of 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*2. Date: *12/29/00*3. By: (Print Inmate Name and Number)
*John A Pino DT9124*4. Counselor's Name
*MS Ivicic**John A Pino*
Inmate Signature5. 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. *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-
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 my
for the Record I did not do anything 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 copy: Happy New Years

*John A Pino.*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

Exhibit m

FOR OFFICIAL USE ONLY

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>MS E m c l.</i>	FACILITY: <i>HOUTZDALE</i>	DATE: <i>1/15/01</i>
FROM: (INMATE NAME & NUMBER) <i>John A Pino DJ 9124</i>	SIGNATURE of INMATE: <i>John A Pino</i>	
WORK ASSIGNMENT: <i>maint Repair AM</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 2* two pages.

John m McCullough you have been Prejudice 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 Street 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 people 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 Judges cannot impose a sentence without The Right To Parole. you want To force something on me McCullough in force The law. I gave you cas. law.

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

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy

CANARY - File Copy

PINK - Action Return Copy

GOLDENROD - Inmate Copy

Revised
July 2000

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
pauperis 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 Durs~~

under Durs

John A Pino Plaintiff

John A Pino

DJ9124

P.O. Box 1000

HOUTSDALE 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

Respondants

CIVIL COMPLAINT

CIVIL ACTION

CASE NO. 01561-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
DJ9124
P.O. Box 1000
HOUTZDALE PA 16698-1000

IN THE COURT OF COMMON PLEAS OF ~~CLARKE~~ **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-50~~**

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

_____ I.D. No. _____

Document Filed (Specify) **~~MOTION FOR RECONSIDERATION TO~~**
~~PROCEED INFORMAL PAUPER'S RATE 240.~~

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

Oral Argument ☒ (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.

☒ 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-CV

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 Prosecu-
ting or defending The Action Proceeding.
 - 2) I am unable to obtain funds from Anyone Includ-
ing 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 Times 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 (write)

(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.

Other 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 falsifica-
tion to authorities.

Date

Very Truly yours
under Oath
(S) John A. Pinn Plaintiff

DJ 9124
Pa Box 1000
HOUTZDALE PA 16698-1000

VERIFICATION

I John Anthony Pino, Plaintiff, hereby States That I hereby Verify That The Statements made in The forgoing 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 PA. C. S. A. § 4904 Relating To Unsworn Falsification To Authorities

Dated May 8th, 2001

Very Truly yours

under Oath

John A Pino

John Anthony Pino

DJ4124

P.O. Box 1000

HOUTZDALE PA. 16658-1000

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. 01561-CD

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 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
D19124
Da Pino
HOUTZDALE 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 PLAINTIFFS 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 Avers 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 OHarra 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 in danger. 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 Wackland CO Smith CO Brown CO Casher 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 HOUTZDALE. 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

5. Unit Manager's Name

Inmate Signature

6. Work Assignment

7. Housing Assignment

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

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

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

10) Plaintiff Avers he sent MS Email of SCI Houtzdale 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 Avers on Jan 2, 2001 sent Superintendent John m McCullough 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 Apprial on a misconduct, which I Apprial it To camp Hill.

12) Plaintiff Avers The only way he can STop The Harassment and The Threates is To have his Petition for Review Filed Against The Above Respondents.

(~~8~~)(3)

8) Plaintiff Avers on Feb 5th, 2001 he sent
The Attorney A Reply on his January 31 2001
Letter. See Exhibit I. Attached To Exhibit F.

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by John m McCullough ~~for~~ from 8/14/98
See Request Slip marked Exhibit J.

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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 Avers The only way he can stop
The Harassment and The Threats is To have his
Petition for Review Filed Against The Above
Respondents.

(4)

CONCLUSIONS

THEREFORE For The foregoing Reasons SET
Fourth The Plaintiff Request With The upmost
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 Jailed 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 Their 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 Pauperis 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 01561 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 SCE HOUTZDALE,
CO MICK and John m McCullough 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
^{under duress}
John A Pino

Plaintiff

John A Pino

DJ9124

P.O. Box 1000

HOUTZDALE PA 16658-1000

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

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 area. 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 and 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,

GRISSEL 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

DJ9124

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

3,

Said about The Inmate on Wednesday at 330 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 Threating Notes will 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 OFFICE Mick. I Told him about This before when he was Bad mouthing 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 Threating me with his mouth he started and I must Put a end to it. I Told The OFFICE who save me your Name That I'm pressing Charges on OFFICE Mick For he did

4

Indeed Labeled me and Threaten me. For what I said about him. Breaking all The Rules and putting me on a spot in A Life Threatening 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 Endangering 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 Milk Labeled me with The other Inmates. 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 Pina

Sworn AFFIDAVIT

PENNSYLVANIA STATE POLICE
COMMONWEALTH OF PENNSYLVANIA CLEARFIELD COUNTY STATION.
COUNTY OF CLEARFIELD S.S. 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.

Dated OCT 13TH 1999

BY John A Pino

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

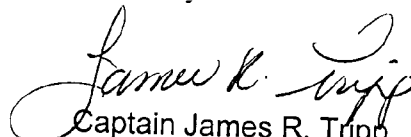
Dear Mr. Pino,

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
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.

An Internationally Accredited Law Enforcement Agency



John A Pino
DJ 9124

Exhibit C.

P.O. Box 1000
HOUTZDALE PA 16698-1000

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 Security 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 comick 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 unprofet
essional misconduct And Failure To
Perform your duties as a State
Police Officer has cause 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 Intellig-
ence officer and John m McCullough
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 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 Co
mick and The other Staff members.
who is misusing Federal Funded money.
I know you hard about The head 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 Extension 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 Probable cause and Lack Jurisdiction over The Subject matter. Comes down To A Illegal Arrest. And you put me in more danger.

Now on Thim 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 were 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
Rights.

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. I have
From Forms from The county ~~they~~ filed
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 Pennsylv-
ania Department of Correction on Co mick
I sent To MR Martin Hearn who did Nothing.
Co mick had 40 Inmates AFTER me
And had Them Put Threaten Notes on my
Cell door. AFTER I Told MR EVERHEART
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".

(5)

Thank you
John a Rine



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,

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,
DJ9124
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 ESQ.

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 Depart-
ment 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 Henry OF Inmates Record III of SCI HOUTZDALE AND The Superintendent John m. McCullough Request Slips and Filed A Grievance and I had Appealed 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 Sentences" State Legislative Body Sent The Record Department and Order Not To give Indefinite Sentences. 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 ~~Prote~~. 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 Can not
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 ET seq. 42 ^{PA} ~~PAC~~ 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 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 or terms of imprisonment on one or more indictments to run consecutively or concurrently total less than thirty days.

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

Ex Post Facto clause of Constitution id., at

595 Eight years is a long time the court emphasized 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.Ct. 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." ~~A law has inflicted~~

Calder v. Bill 3 DALL, 386, 390 T.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, Wever 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 HOUTZDALE 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 ~~BAA~~ 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.
(6.7)

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 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 ~~did~~ 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 McCullough claims he had The charges dropped, ~~which~~ I cannot 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 warrants 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 complaints or Affidavits of Probable cause where Double Jeopardy bars Prosecution of The multiplicitas 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 ^{well} over 72 hours before Arraignment is A certain and Demonstrated Failure To Establish Subject matter, Rem or Personam Jurisdiction over The case,

(8)

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 holded past my minimum date Illegal And I'm going to File The Charges Against The Staff members That MR John McCullough Said he dropped and I have proof That Co Mike 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 MREVERHEART Unit Manager of F Block That Co Mike has Inmates going After Inmates and had Inmate Put a home made shank That Co Mike made at home gave it to And Inmate To Put in ~~McGill~~ 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 Mike

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 HOUTZDALE. 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 harassen 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 Suits which There are more To be
Filed you are hereby Awar of The Wrongful
doing's And you are There ATTorney I even
wrote To MR Horn and Tom Ridge. Since
I been in SCI HOUTZDALE 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 Running a Jail Has a Superintendent
I can prove it with my Paper work. And
All His Perjudice Answers, on my Request
Slips 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 Pino



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 "David J. DeVries".

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

DJD:mlm
CLS010056

John Anthony Pino Exhibit F
D39124
P.O. Box 1000
HOUTZDALE, 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. § 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.
§ 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 There
Power. For your's ways 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. 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. you are 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} ~~mick~~ who gave Inmates Pens Paper and mark\$T 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
(4)

up when you send your motion to dismiss
A civil Action for., In short They are
unprofessional use unprofessional conduct
and are unfit AS The same for Drugs
counselor's which I can show By The
Pennsylvania Department of Health
States They must have Experience in
AS A Drugs counselor And with 3 years
Drugs Counseling In a State Facility.

The Counselors AT SCI HOUTZDALE were
hired and trained By MR DAUCLOSE
which SCI HOUTZDALE is NOT LISTED
or in License or is The Program Licensed
To Be used AS A AA/NA Drugs 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 stolen
over \$180,000 out of Inmates Acco-
unts. And walked away. 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 FUEKING 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 Superintendant is To Talk. Plus
He even said Put ~~it~~ on Paper what I Just
~~Said~~ Said and I Did ms Emil 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 Griev-
ances She is Violating my Due Process
Rights and is obstructions 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 matters

(6)

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 Jail's,
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 given 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
~~Para~~ 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.



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

EXHIBIT G.

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 "David J. DeVries".

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,

A handwritten signature in cursive script that reads "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
Montzdale PA 16698-1000

2/5/01

MR MICHAEL 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 Penna

Thank you for your Reply. Since the
Harassment did NOT stop I found my
self in RHA on False Statements.
I hereby state we are going to court
soon I will complete a Petitioner
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 uses the Grievances
letter system. And it is All from
Retaliation. 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

INSTRUCTIONS *Exhibit J.*

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) <i>Superintendent John McCullough</i>		2. DATE <i>8-14-95</i>
BY: PERSONAL NAME AND NUMBER) <i>John A Pino DT9124</i>		4. COUNSELOR'S NAME <i>MB Barber</i>
WORK ASSIGNMENT		6. QUARTERS ASSIGNMENT <i>F B - 17</i>

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 vs Callahan 997 Supp 648 W.D. Pa 1998. I had this before when I came out of Vattman. 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 give me my DISORDER. 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
If you can't
Make it in the CCTC
You can't go home. Bipolar
disorders don't give you an
excuse to commit crime*

*CC. Unit Mon
Counselor
MR Close*

☐ 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) <u>MS Eml</u>	2. Date: <u>1/17/01</u>
3. By: (Print Inmate Name and Number) <u>John A Pina DJ9124</u> <u>John A Pina</u> Inmate Signature	4. Counselor's Name <u>MS Ivicic</u> 5. Unit Manager's Name <u>MR Whitsett</u>
6. Work Assignment <u>maint Repair Am</u>	7. Housing Assignment <u>EA 34</u>
8. Subject: State your request completely but briefly. Give details. <u>ms Eml Again you have Refused To File This Grievance on John m macullough "Read my Lips" IT IS NOT AND Appeal I SENT The Appeal of John macullough To chief hearing Examiner waiting on Answer.</u> <u>True and correct STATEMENTS OF True Facts.</u> <u>ms Eml John m macullough has been making me look like The Bad Guy for his CO's wrong doings that he has has Allowed them and other state member To Tell lies and made up false statements for misconduct's and To receive Parole hits. John m macullough 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 macullough Allowed his Search Teams</u>	
9. Response: (This Section for Staff Response Only) <u>TO Steal my Appeal Brief 4 Times.</u>	
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		Commonwealth of Pennsylvania Department of Corrections	
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)		2. Date:	
MS EMELE		1/17/01	
3. By: (Print Inmate Name and Number)		4. Counselor's Name	
John A Pino DJ4124		MS IVICIC	
John A Pino Inmate Signature		5. Unit Manager's Name	
		MR WHITSEL	
6. Work Assignment		7. Housing Assignment	
maint Repair Am.		EA 34	
8. Subject: State your request completely but briefly. Give details.			
<p>Plus I can show I sued The Judge who gave me a unlawful Trial By Jury and Sentence. me The Judge Ran off The Case. Because he could not take The heat. John m McCuillough has called me a liar and you Name it. Allow unit manager's Abuse Thru 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. He Allowed Thru (3) years of harassment To go on and had you ms Emele To Refused To have you file my Grievances. In my Law suit on The Justice Against The Judge and The Dn Office and Public Defender Offices I can prove False Imprisonment. DN Ground's I was Arrested and Jail-dover</p>			
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

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 Em 21

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ 9124

John A Pino

Inmate Signature

4. Counselor's Name

MS J Vici

5. Unit Manager's Name

MR Whitesell

6. Work Assignment

maint Repair A m.

7. Housing Assignment

E A 34

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

72 hours which is A Violation of my U.S. CONST 4th Amendment Rights. A warrantless Arrest you must Be Taken To A Issuing Auth, of That County Magistrate without Delay. 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 A prompt Probable cause Should A Never been taken To Trial or To Receive a conviction of A Crime I did not commit. Which led To False Imprisonment. And MR McCullough has Threaten me him self by Saying: John If you dont complete The TC Program AKA you are Not going home on Parole.

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

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
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) <u>ms Eme1</u>		2. Date: <u>1/17/01</u>	
3. By: (Print Inmate Name and Number) <u>John A Pino DJ9124</u> <u>John A Pino</u> Inmate Signature		4. Counselor's Name <u>ms Ivicic</u>	
		5. Unit Manager's Name <u>ma whitesel</u>	
6. Work Assignment <u>maint Repair Am</u>		7. Housing Assignment <u>EA 34</u>	
8. Subject: State your request completely but briefly. Give details.			
<p><i>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 Padded over by his Arms 112 lbs 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 lumps Received in his Testicles Along with cyst caused by the Kick. And Is being 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 Houshington. IT IS ALL coming Back To you. on a Legal Tip. you Allowed</i></p>			
9. Response: (This Section for Staff Response Only) <u>Sgt Stenz To Lie on Boots.</u>			
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

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 Emcl

2. Date:

1/17/01

3. By: (Print Inmate Name and Number)

John A Pino DJ4124

4. Counselor's Name

MS Ivicic

5. Unit Manager's Name

MR Whitezel

6. Work Assignment

maint Repair Am

7. Housing Assignment

E A 3 4

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

I Receive 15 days Cell Restriction on made up lies By Sgt Stone stating I Altered my Boots which was null and Two other officers saw me Trip over a hump in The Floor covered with carpet That caught The Tips of The 1/2 sole on my Boots That were unsafe and did not need To The End Edages of The old Soles. To Put 1/2 Soles on Boots 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~~ sole you must Remove 1/2 of The sole off The Boot. So John McCallough Allowed Larry To give me a unsafe Pair of Boots 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 DG-15 IRS ☐

Staff Member Name

Print

Sign

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 A Pino DJ9124</i> <i>John A Pino</i> Inmate Signature	4. Counselor's Name <i>MS Ivicic</i> 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.	
<p> <i>He claims he is Tired of hearing my complaints</i> <i>He is The cause of The complaints. For he is Prejudice</i> <i>Bias All His old officer's and The one I</i> <i>have problems with For A complaint I Filed</i> <i>To Martin Hern on Co mick and a complaint</i> <i>To The State Police which John m McCullough</i> <i>Said he had That complaint Dropped which when</i> <i>His search Team's came into my cell Read That</i> <i>complaint on Co mick got mad and Destroyed</i> <i>my legal work and Stolen my Brief I had</i> <i>To File in Superior court on Nov 21, 99 and his</i> <i>officers Stolen The copys I Just copied on</i> <i>Nov 10, 99 at The Law Library \$112. Dollars</i> <i>it had costed me To make them 7 copies</i> <i>For he Allowed his officer's To use Retaliation against</i> </p>	
9. Response: (This Section for Staff Response Only) <i>me over Co micks complaint</i>	
Empty lines for staff response	
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		Commonwealth of Pennsylvania Department of Corrections	
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.	
MS EMEL			
1. To: (Name and Title of Officer)		2. Date: 1/17/01	
3. By: (Print Inmate Name and Number) John A Pina DJ9124 John a Pina Inmate Signature		4. Counselor's Name MS Ivicic	
		5. Unit Manager's Name MS White 521	
6. Work Assignment maint Repair Am		7. Housing Assignment EA 34	
8. Subject: State your request completely but briefly. Give details.			
<p>This is my only Defence Against MR McCullough when I put my Thoughts on Paper at his wrong doing's As A unprofessional misuse of conduct MR McCullough 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 Lord in my heart and I can say I never walk alone. The only Thing he can do to me his Keep on Letting his Co's harass me and Threaten me and have Them Keep on Telling lies For misconducts. For The New OFFICER'S when I Ask for Request Giving me written copy I said OKing then get not ITS OFFICER THAT I have wrotin up Telling The New OFFICER'S To Keep and Exlan That</p>			
9. Response: (This Section for Staff Response Only) Pina he well 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

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 complaint what was going on and said when I'm Ready To file a civil Action on SCT HUNT2DALE 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 there 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 There Money Away from Them. I court. For who who knows Nos Nothing and

9. Response: (This Section for Staff Response Only) who they think No is a lame fool. For The Record I sint a Nether 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

Exhibit M

FOR OFFICIAL USE ONLY

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>MS E m c l</i>	FACILITY: <i>HOUTZDALE</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>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 2* two pages. *John m McCullough you have been Prejudice 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 people 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 Judges cannot impose a sentence without the right to parole. You want to force something on me McCullough in force the law. I gave you cash, law.

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
Deputy Tennis
Dr. Mazurkiewicz
Case Record

Mr. Croyle, Laundry Foreman
Mr. Whitesel
Ms. Baker
File

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) *Super.**MR. John M. McCullough*

2. Date:

12/29/00

3. By: (Print Inmate Name and Number)

*John Anthony Pino DJ9129**John A Pino*

Inmate Signature

4. Counselor's Name

MS Ivicic

5. Unit Manager's Name

*MR Whites*RECEIVED
SUPERINTENDENT OFF.

JAN 02 2001

SCI-HOUTZDALE
PO BOX 1000 HOUTZDALE PA

6. Work Assignment

mainT Repair Am.

7. Housing Assignment

EA 34

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

MR John M McCullough Thanks To you. you MR McCullough have allowed Staff member number 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 other's 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 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.

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

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) Super
John m mcmclough

2. Date:

12/29/003. By: (Print Inmate Name and Number)
John A Pine DJ9124

4. Counselor's Name

MS IvicicJohn A Pine

Inmate Signature

5. Unit Manager's Name

MR Whitel

6. Work Assignment

maint Repair Am

7. Housing Assignment

EA 3H.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 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 Tip's of The Soles Broke in front of The Ed Building officers Desk were Three officer's said Leave it to Pine 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

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 McCullough2. Date:
12/29/003. By: (Print Inmate Name and Number)
John A Pina DJ91244. Counselor's Name
MS IvicicJohn A Pina
Inmate Signature5. Unit Manager's Name
MR Whitesci6. Work Assignment
maint Repair Am7. Housing Assignment
EM 34.8. Subject: State your request completely but briefly. Give details. part 4

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 year's 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 stoped Smoking.
Jan 5 0001 I will be in SCI HOUTSDALE 3
year's 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 of The Department of Correction.

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

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
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) <i>Super John M McCullough</i>		2. Date: <i>12/29/00</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>MS Ivicic</i>	
		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 5</i> <i>GAVE ME A ILLEGAL SENTENCE WHEN THEY PUT INDEFINITE SENTENCE ON TOP OF MY SENTENCE STATUS SHEET YOU YOURSELF 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 SENTENCES AND JUDGES WERE TOLD THE SAME BY THE STATE I'M BEING HELD ILLEGAL IN JAIL AND I'M NOT TO COMPLAIN ABOUT IT. SOON I BEING GOING TO COURT FOR A HEARING</i>			
9. Response: (This Section for Staff Response Only) <i>OR NEW TRIAL WHICH WILL JUST BE DIMISSED AND SOON WILL BE FREE MAN. I WILL STILL FIGHT FOR MORE FOR THE RECORD I DID NOT DO ANYTHING 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</i> <i>HAPPY NEW YEARS</i>			
<i>CC: I HAVE A COPY:</i> <i>John A Pino.</i>			
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

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 SG1-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
MR William Shaw
230 MARKET STREET
CLEARFIELD PA, 16830

Dated May 8TH 2001

Very Truly Yours
under Oath
John A. Pino Plaintiff
P.O. Box 1000

HOUTSDALE PA 16698-1000

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 former
proceedings 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 Oath~~
under Oath

John A Pino Plaintiff

John A Pino

DD9124

P.O. Box 1000

MONTZDALE PA 16698-1000

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

May 8th 2001

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

Dear MR SHAW ESQ 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 Plaintiffs petition of
Review should be file. 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. Piro

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 Pennsylv-
vania 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 danger.