02-447-CD
JAMES STEVENSON -vs- PENNSYLVANIA DEPARTMENT OF CORRECTIONS

5/8/02

ORIGINAL TO C/A

3-22-02

Checked w/CA & Cindy - Said they do not have

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
PETITIONER / PLAINTIFF

V.

PENNSYLVANIA DEPARTMENT
OF CORRECTIONS ET AL

COMMONWEALTH OF PENNSYLVANIA
COUNTY'S OF CLEARFIELD AND
DAUPHIN
DOCKET NO. 02-447-CD
81 MD 2002

MOTION TO PROCEED IN FORMA PAUPERIS

I James Stevenson, hereby states The Information concerning my Enability To pay The cost of This Proceeding pursuant To Rule 561 of Pa R. APP. PROC., is True and correct, and made subjected To The penalties SET forTh in 18, Pa. C.S.A. § 4904 Relating To unsworn Falsification To Authorites,

I state under The Penalties provided in 18, Pa C.S.A. 4904 THAT:

) I am The PETITIONER, in The matter within and because of my financial situations, I am unable To pay The Fees and costs of This proceeding or any other proceeding hereafter.

) The questions To my unemployment To pay The Fees and cost in Applying Judicial Actions Are True and correct.

) I have Not been Employed due To my Incarceration, and Not have Any Income, Pensions, Annuity, Social Security Benefits, support payments, or my I state No Real-state, Stocks, Bonds, Notes, Automobilies or anyother valuable property.

understant That False statements made in This verified tatements Are subject To The penalties provided by Law n The Statute Page 4

Date: 3/22/02

Respectfully submitted
(S) James Stevenson
James Stevenson
P.O. Box 1000
HUNTINGDALE, PA 16698-1000

FILED
I hereby certify this to be a true and attested copy of the original statement filed in this case.
MAR 22 2002
MAR 22 2002
Attest.
William A. Shaw
Prothonotary/
Clerk of Courts
William A. Shaw
Prothonotary

James Stevenson
DK 9729
P.O. Box 1000
Houtzdale, PA 16698-1000

81 MD 2002

S

Dated 02-06-02

OFFICE OF THE PROTHONOTARY

COMMONWEALTH COURT OF PENNSYLVANIA

P.O. Box 11730

HARRISBURG, PENNSYLVANIA 17108-11730

Dear Prothonotary

Please Find Enclosed 1 original and 9 copies of my Petition for Review and In Nature of civil Action or special Relief / potential medical malpractice case PRELIMINARY INJUNCTION. And 1 original and 9 Summons To have The Pennsylvania State Police To Serve All defendant's Named on The Proof of Service. Plus To Serve 8 Summons For 8 witness out Side This State of Pennsylvania. Please have The State Police Serve All Summons and complaint's To Each Defendant Listed. Please Find 1 original and Two copies for This Honorable and 7 more Petition For Each Defendant. Thank you for your time and help in This matter.
My Best wishes To you Always I Remain

Very Truly Yours

(S) James Stevenson

81 MD 2002

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner/plaintiff
V.
PENNSYLVANIA DEPARTMET .
OF CORRECTION'S ET al

COMMONWEALTH OF PENNSYLVANIA
. COUNTY OF CLEARFIELD
. AND DAUPHIN
. DOCKET NO.

PETITION FOR REVIEW IN NATURE OF CIVIL ACTION OR SPECIA RELEIF, POTENTIAL MEDICAL MALPRACTICE CASE/PRELIMENARY INJUCTION

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Petitioner JAMES Stevenson, Pro-se Respectfully Request This Honorable court To Issues A midical ORDER(S) OR Other(S) Against The Above Respondents for Releif Specified below. This court has original Jurisdict in This matter Are Granted by 42 Pa. C.S. § 761 IN Support OF THIS REQUEST, The Petitioner States The following.

1) The Petitioner, James Stevenson, is An Inmate Currently Incarcerated at The State correctional Institution AT SCI HUNTZDALE, Located at 2007 State Route, P.O. Box 1000 HUNTZDALE PENNSYLVANIA 16698-1000 Clearfield county.

2) The Respondent Pennsylvania Department of Corrections, Is A State — wide Jurisdiction And has its Principle office located at 2520 Lisburn Road camp Hill, Pennsylvania 17001-0598 County of Dauphin.

3) The Respondent, Jeffery Beard, Secretary of Pennsylvania Department of Corrections Located at 2520 Lisburn P.O. Box 598 camphill, Pa 17001-0598 county of Dauphin.

4) The Respondent, Thomas L. James, CHIEF Grievance coordinator for The Pennsylvania Department of corrections Located at 2520 Lisburn P.O. Box 598 Camphill, Pa 17001-0598 County of Dauphin.

5) The Respondent, John m. mccullough Superintendent of SCI HOUTZDALE, Located at 2007 State Route P.O. Box 1000 HOUTZDALE, Pa 16698-1000. County of Clearfield.

6) The Respondent, Kathy Emel, Grievance coordinater For SCI HOUTZDALE Located at 2007 State Route P.O. Box 1000 Houtzdale, pa. 16698-1000 County of Clearfield.

12) All Respondents, herein Named Are Adult Individual Citizens of The United States and Acted under The Color of State Law.

13) All Respondents herein Named Are Sued in Their Individual and Personal Private, Public official capacity at all Times, mentioned in this complaint. As Each Respondent Acted under Color of State Law, while denying The Plaintiff of his constitutional Rights.

Petitioner Request That A Jury Trial be Demanded.

14) This is A civil Action filed for damages of Relief Alleging The denial of Eight Amendment Guarantees The Prison's medical "SETTING" failure To provide "Adequate" "medical care" (constitute Cruel and unusual Punishment). As A Inmate I have The Right To be free from Punishment under The due Process clause, To Preclude "DELIBERATE INDIFFERENCE, To my Serious medical needs. By Doctor Pomerantz and MS Norene Greenleaf and Nurse Randy Schnarrs. Plus Not Receiving my Pain

7) The Respondent, MS. Norene P. Greenleaf, CHCA. The Head Person of SCI HOUTZDALE medical Department Located AT 2007 State Route P.O. Box 1000 HouTzDale Pa 16698-1000 county of ClearField.

8) The Respondent, Jeffery Pomerantz, The Docter For SCI HouTzDALE, Located at 2007 State RouTe P.O Box 1000 HouTzDALE, Pa 16698-1000 county of Clearfield.

9) The Respondent, Randy Schnarrs, Male Nurse AT SCI HouTzDALE, Located at 2007 State Route P.O. Box 1000 HouTzDALE, Pa 16698-1000 county of ClearField.

10) This court has Original Jurisdiction To entertain This Civil Action Pursuant To 42 Pa. C.S. § 761.

11) The Petitioner, / Plaintiff / Avers That he is in Severe Pain, and is ~~suffering~~ suffering from The Pain in his Neack To his Lower Back, Wears A Neack Brass, That is old has No more Support To his Neack, The medical Department failed To Exercise The degree of care and Skill, That a Physician, or Surgeon of The Same medical Specialty would use under Similar circumstance, often Shortened To mid. mal

7) The Respondent, Ms. Norene P. GreenLeaf, CHCA. The Head Parson of SCI HeuTZDALE midical Department Located AT 2007 STaTe RouTe P.O. Box 1000 HeuTZDale Pa 16698-1000 ceunTy of ClearField.

8) The RespondenT, JeffeRy PomeranTZ, The DecTer For SCI HeuTZDALE, LeceTed aT 2007 STaTe ReuTe. P.O Box 1000 HeuTZDALE, Pa 16698-1000 ceunTy of ClearField.

9) The RespondenT, Randy Schnarrs, Male Nurse AT SCI HeuTZDALE, Leceted at 2007 STaTe RouTe P.O. Box 1000 HeuTZDALe, Pa 16698-1000 ceunTy of ClearField.

10) This ceurT has Original JurisdicTion To enTerT-ain This Civil ACTion Pursuant To 42 Pa. C.S. § 761.

11) The PeTiTioner, / PlaintiFF / AveRs That he is in SeveRe Pain, and is ~~sorffing~~ suffering from The Pain in his NeacK To his LoweR Back, WeaRs A NeacK BRass, That is old has No more Support To his NeacK, The midical DepaRTment failed To ExeRcise The degRee of caRe and SKill, That a PhysiCion, or SuRgeon of The same midical SpeciaLTy would use under Similar CiRcumSTanee, oFTen SheTened To mid. mal

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Department was Negligence for Failure To send my medication. By Not Given it To The officer's in SCI HeuTZDALE's Receiving Room, To give The Phila. Sheiffs with The Rest of my Property That went down with me. They Are To give The Sheriffs our medication for The days We Are Away on ATA. This Action Will show That The medical Department AT SCI HeuTZ Dale having No particular Interest in or ~~Concerns~~ Concerns For: Neither good Nor Bad midical Indifarent Not matting one way or The other.

STATEMENT OF CLAIM

1) Petitioner Asserts That He filed a Grievance on July 31, 01, on Ms Greenleaf. Is Allowing midical Staff under her Authority To Perform using unprofessional Conduct That leads To unproper midical care. She Allowed Doctor PomeranTZ Order me all kinds of medication's That don't work or help with my Severe Pain, I have in my Neack. He is using me for A Lab Rat and Refused To send me out for A MRI. For my Neack and Back, I wrote To Ms Greenleaf on A Request on 7/12/01 For all The Pain I am in. For The medication is Not Working. She wrote To Say Remember you had A Em G. Reading The Pain is Still The Same. All I Requested was To have and "MRI. All The medications That Doctor PomeranTZ is ordering is Not Working.

I Replyed To ms GreenLeaf Answer on 7/13/01 I Stated Saw Dr PomerantZ After having To sign up for sick Call So many Times The Answer is Not Receiving Proper midical care. Grievance NO. 593 Sent To be Filed on 7/31/01 Exhibit A.

2) Petitioner Asserts on 8/1/01 ms. Kathy Emel Filed The Grievance NO. 593 marked AS Exhibit A, ms Emel as The Grievance coordinator did not Aswer The Grievance. She Allowed MS. GreenLeaf To Answer her own Grievance That was Filed Against her, MS GreenLeaf Answer Dated 8/2/01 Previous Tests Haven't Clarified What The Problem is. So Additional Test Are Needed See Exhibit B.

3) ~~Pet~~ Petitioner Asserts on 8/8/01 He Filed his Appeal on Grievance 593, I Stated When I First get hurt was In Camphill, I was Treated for Pinch Nerves in my Neack When I came To SCI HeuntZDale Doctor PomerantZ Started To TreatMent me for my Pinch Nerves and he Said I had Pinch Nerves Problem. MS GreenLeaf StaTes Dr PomerantZ states EF I had a Pinch Nerve Problem it would of Shown on The EMG. My ComplaintIs I am being Refused And M.R.I. and Dr PomerantZ has ordered me all kind of midications That Don't work MS GreenLeaf Also Answered her own Grievance and About her staff using unprofessional

conduct Appeal is marked Exhibit C on Grievance 593

4) Petitioner Asserts on 8/15/2001 MR Mccullough Sent his Answer To Grievance Appeal No 593. He States: Stevenson is Disappointed That The Test did Not Show any Nerve problem. I cannot Alter The Results of a diagnostic Test. There was No objective or organic Finding And we can't keep ordering Tests when Nothing is There. Grievance Appeal is denied. He does not say Any Thing About The unprofessional conduct All The medications That don't work And he Refused To have medical TO Order me A M.R.I. Test and my Pain is more and more As Each day goes on and on I am in A Lot of Pain MR. Mccullough Answer is unJust marked Exhibit D.

5) Petitioner Asserts That he Appealed John m mccullough Judgment to The Chief Grievance coordinator MR Thomas L. James at Central office Review comittee in Camp Hill. ON his Answer To my Appeal. He shows Prejudice. I Showed him That MS GreenLeaf Refused To have Another Test done for A MRI done for my Pinch Nerves in my Neack and All The Pain and suffering with pain in my Lower Back. I Told him I could Not Take all The pain I am in. Im Loosing a Lot of Sleep at Night and That I am in Great Need of proper medical-Care.

and How Doctor Pomerant and Ms Greenleaf is Just Abusing Their Power. Mr Thomas L. James A Greed with John m. McCullough and Ms GreenLeaf Judgment and Denied my Appeal, I can not go see/or To A Doctor on my own free will To See what is Wrong with my Neack. I need A M.R.I. done. All The Respondents Are Allowing SCI HeuTZDALE medical Department and Staff under John m. McCullough's Authority To Use unprofessional conduct for The Prison Doctor PomerauTZ To Give unproper medical Care. We had a LoT of Inmates die in SCI HeuTZDALE. For They do not Like spending money on Inmates who have Hepatitice C. for They Tell The Inmates The medication costs A LoT of money. So Instead. I faces Repeated Instance of denial or delay's in Treatment, systemic And chronic Problems. I am very concerned of my medical Need(S) in SCI HeuTZDALE, I had Filed A LoT of Grievances and They all get Denied from The Above Respondents. Whereas All my Reguest(S) and Grievance (S) Are marked as Exhibits. To Support Petitioner(S) Claim.

6) Petitioner Arrests That he claims Deliberate Indifference Standard Applied To Action(S) Against Prison official (S) Doctor PomerauTZ Failed To Give Petitioner proper Treatment and Refused To Send

him out To Receive A MRI I am in Great Pain have difficulty walking. I am complaining about my Neack, and my Lower Back pain over To my ~~hip~~ hip That Pain is from my Neack, To Lower Back and Across my Lower Back. Prison official Including Ms Grenleaf, Doctor Pomarantz, on Almest seventy occasions midical malpractic on Part of Prisen midical Dipartment, Precluded Finding of deliburate Indifference To Petitioner's Neack and Low Back Pain cause by Doctor's Promarantz(s) Neglect. I have Sirious midical Need(s) based on The Fact That between Nov of 1997 when I get hurt down SCI camp Hill To Now ~~and~~ The Petitioners Experienced Great Pain in my Neack and Back.

7) Petitionir Asserts That hi sent complaint To Mr. Jeffery A. Beard, Phd Secretary of Dipartment of Correction(s) To direct The Operation(s). He is Allowing The above Named Respondent(s) who All under is Authority to Violate Plaintiff Stevensons Us Constitution 5th, 8th and 14th Amendmint Rights. By Allowing Ms Grenleaf and Doctor Pomerantz To Denied Adequate midical care and use unprofessional conduct And Allowes The Chief Grievance coordinator Mr Thomas L James To Answer Grievance in A unlawful matter knowing The Grievance(s) have merit hi denied(s) Them

All Grievances were Filed with merit and in Good faith For Relief, MR James is Violating The due Process of Law and The Equal protection of The Law and he is obstructions of Justice. He is not Honest ~~wh~~ with his Answer(S) To The Grievance(S). He does not Answer Them he Just Agrees with John M McCullough(S) Appeal Judgment and Ms Kathy Emel(S) Judgment on her Review of The Grievances. This is not what The Grievance System is made for. when you have A ~~Serious~~ Serious Complaint or a violation of your U.S. Constitutional Rights, whereas Petitioner has A Serious medical complaint. And my complaint Should be Granted ~~Stating~~ MR Jeffery Beard, Petitioner sent him A complaint stating my medical needs, He is Allowing his medical Administrator(S) and Physicans To Denied prompt medical care and Prompt medical Treatment, And he Allows MR. James To Denied Grievances with merit and That whereas filed in Good faith For Relief for They Are Filed To provide Adequate medical care. Nurse Randy Schnarrs many Complaints Are Filed Against him. He is unfit and unprofessional To be Even Working in A medical Department. Talk(S) To The Inmates Like They Are Less Than Human(S) very Rude with his mouth And ways. Call you up for Sick call he has you Sign A cash Slip Too have you keep Paying Two Dollars for The Same Treatment

That you Never Received from The First day I seen MR Schnarrs. I Told him in A Nice way on going Treatment for The same medical problems you do not have To Pay Two Dollars for Sick call Fees. MR Schnarrs, Then Would Get Real Rude with his mouth and state. If you don't Sign The Two Dollar medical Cash slip you can get out Now go Back To your Block and I will mark you down AS Refusing Sick call. So you must Sign The Cash Slip Before you are seen for medical Treatment. If you don't. He Tells you "To get out Now". Then you must Take his Rudeness on Top of Not Receiving Adequate medical care. MR Schnarrs has called me up To Sick call To Reorder my medication. Ever 6 months our medication orders Run out. It may Take 6 to 10 days To be called. When I put my medication order is going To Run out in 4 days can your Please Call me up To Reorder my medication ~~for 8 days~~ The order Run out and I was without my medication for 8 days. Then I was called To Sick call Saw MR Schnarrs. Saw him in and very up set way. What can I do for you Today. I need To have my medication Reordered Sign The Cash Slip. I only Need my medication Reordered only. Sign The Cash Slip or Leave get out Now I signed The Cash Slip He said he Reordered my medication. Pick it up Tomorrow when your Block Set(s) called

(N/A) (11)

For Pill Line. I went up To pill Line Told The Nurse I am here To pick up my medication. She Looks For it Could not Find it. Then she Looked in The Book and Told me That Schnarrs Never ordered my medication. So Again I had To sign up for Sick call To have my medication ordered, and I'm without my medication for Two weeks. Then when you File A Grievance on The matter IT gets Denied. Like I Said Mr. Beard is Responsible for The Respondents and The Officials of The medical Administraters and The Docters under his Authority in his personal private, and official capacity. Is Allowing The medical Department To denied Are Rights To Adequate medical care, And Allowing The Grievance coordinater To Denied Grievances Filed with merit and in Good faith Without Using Honest Judgment. He Always makes The Inmate Look Like The Bad Guy's. and he Allows The OFFicial (S) To Never Admitt They Are wrong. All They do is Violate Inmates constitutional Rights To medicare. I Receive unecessary Suffing by The medical Department and Administraters For Failure To provide prompt medical care and Prompt medical Treatment and have The Right To be Pain Free of Punishment.

Petitioner Asserts That he Also claims That Prison Administraters Are under A constitutional obligation To Provide him with Psychiatric Treatment No matter what The Petitioner was convicted of. and That their Failure to do So constitutes cruel and unusual Punishment. IT is of cause true having Incarcerated a Prisoner And Thereby having prevented him From obtaining Triatmint on his own. The State may be found To have Inflicted Cruel and unusual punishment by Failing To provide needed medical Treatment Stevensons Allegations, however ~~vire~~ Viewed in The Light most favorable To him do not Present a factual dispate In Estelle V. Gamble, 429 U.S. 97, Sct 285, 50 Led 251 (1976) The supreme Court held The deliberate Indifference To serious medical needs of Prisoners constitutes The unnecessary and winton Infliction of pain Proscribed by The Eighth Amendmint 429 U.S. at 104 97 Sct. 291 (citation omitted) The limits that Stevenson's claimed Right To Pyschiatric Treatment Exceeds That The Prison Administrators Failure To Provide medical care.

Criminal Law 12 3. 10 (7)

Medical and health care dist

C.A. 3 (Pa) 1992 I hereby Asserts That A minimum Correctional Institution Satisfies obligations.

under Eighth Amendment when it Furnishs Prisoners with Adequate Food, clothing, shilter, sanitation midical care and Person of safety U.S.C.A. Const. Amend. 8. SEE: YOUNG V Quinian, 960 F 2d 351, CA 3 (Pa) 1991 Two components of concept of Serious midical need of prisoners, as To which deliberate Indifference by Prison officials Violates Eighth Amindments Prescription of cruel and unusual Punishment, Are That The detainers condition must be such That failure To Treat can be Expected To Lead To Substantial and unnicessary Suffering Injury is Estalle V Gamble, 429 U.S. 97 Sct 285, 50 L ed 2d 251 (1976).

Petitioner / Plaintiff Assirts That he is suffering Irreperable harm the Procedures and Behaviors by The Respendents And Petitioners Reserve The Rights To Add other Defendants.

PRELMINARY STATEMENT

This Civil Action Filed by James Stevenson A State Prisoner, for damages and Injuctive Relief under 42 Pa C.S. § 761 Alleging Violations of his constitutional Rights. When The Above Named defendants Acted with Deliberate Indifference In Administrating An over Excessive Amount.

OF Prescribed [MEDICATION] That Lead To Serious medical complications As up-To-Date and That The PeTiTioner / plainTiff Also maintains That This is A Policy And Procedure of which The commissioner of The STaTe Prison. The plainTiff furTher Alleges ThaTas A Right of his RepeaTedly ~~discern~~ Requested STaTemenTs That The Said medicaTion To be discontinued for This midicaTion has TaKen A Toll on The PeTiTioner, which harshly limiTed him in Performing his Every day bodily funcTions And his Everday Daily AcTiviTies SO much AS To Place him aT The Risks of SeriouS InJury of furTher healTh Problems.

WHEREFORE The PeTiTioner's consTiTuTional RighTs Are being ViolaTed. If The midical DeparTmenT would Not Play GameS with my medicaTion I would not be Asking To discenTinuing midicaTions That TacK a To Toll on me and I would Not be Telling Them TO maintain The Policy and Procedure from The commissioner. Plus from my ReSearcheS of This midicaTion iT STaTes IT has [SIDE AFFECTS] Such AS high EnZymeSlev-elS in The Liver and weight Gain and InfiCTion in The Body and Some Passing of Blood if TaKen over A Long PeriOd of TimeS Also I was InformeD by The medical STaff here aT SCI HunTZDALE That TheSe SySTemS would be A ResulT of ExcessiVe UsageS I was RefuseD TO (15)

Receive A MRI And They Keep on changing my medication Like I am a Lab Test Animal. By Telling me Try This Pill If That don't work will Try Something Else. When I First got hurt camphill had me on medication That worked. Came up here To SCI HeuTZDALE The medical Department changed my medication. Doctor PomeranTZ Started To, Treatment for my Pinch Nerves and my Lower Back Pain. Then he said I don't have Any Pinch Nerves In my Neack, After he Treated me for The Pinch Nerves Gave me The medications To Treat me for Pinch Nerves Down camp Hill found The Pinch Nerves and Treated The Problems as Same.

Petitioner States I Told medical DepartmentMs GreenLief So many Times That The medication is Not helping me at all In The Light They Just Don't care. I Truly believe all of my medical Problems came As The Result of The force by The medical department In SCI HeuTZDALE who had me Take This Said medication That was Not Needed Because They Said Take The Pills and They Started The Problems. I am Suffering Do To all This Side Affects.] I am gaining more Plain and I am Still having medical Problems because of Said medication.

CLAIMS FOR RELIEF

The Actions of The Respondents constitutes Cruel And unusual Punishment in Violation of The United States Constitution Amendments Eighth and 14, Fourteen, As To The deliburate Indifference To Serious medical Needs.

RELIEF REQUESTED

WHEREFORE, The Plaintiff Riquests That This Honerable Court Grant him The Following Relief A Issue A declaratory Judgment stating That:

1) The Acts and omissions of The defendants Secretary Jeffrey A Beard, P.h.d. superintendent John m. Mccullough, MS Kathy Emil, MR Thomas L James, Doctor Pomerantz Nurse Randy Schnarrs MR. Greenleaf The head Person of SCI Heutzdale Violated The Petitioners Eighth Amend and fourteenth. Amidment Rights.

under The United States constitution (B) Award The Plaintiff compensatory damages in The Amount of Seven Hundred Fifty Thousand Dollars ($750.000.00) Against Each defendant in Their Individual, Personal Private, Public official Capacity

C) Award The Plaintiff Punitive damages in The Amount of seven Hundred Fifty Thousand Dollars ($750.000.00) Against Each defendant in Their Individual, Personal Private, Public official Capacity.

D) Award The Plaintiff The cost Incurred As A Result of Litigating This Action, Including but Not Limited to Attorney Fees and cost As may be Provided by Law.

E) Issuse An Injunction Prohibiting The defendants and Their Subordinates Taking Any Retaliatory Acts Against The Plaintiff.

F) Grant any other such Relief as This Honorable court may deem Appropriate.

Respectfully submitted

(S) James Stevenson

James Stevenson
DK 9729
P.O. Box 1000
Hunt2DALE, Pa 16698-1000

Dated. 02-06-02

VERIFICATION

I James Stevenson Pro-Se hereby verify under The Penalty of Perjury That this Information contained in The foregoing Annexed Plaintiffs Complaint is True and correct To The Best of my Information, knowledge and belief So States The Plaintiff I understand That any false STATEMENTS made Subject To The Penalties of 18 Pa C.S. § 4904

Dated 02-06 dayof 2007

Respectfully Submitted
(S) James Stevenson
James Stevenson Pro-St

PROOF OF SERVICE

CERTIFICATE OF SERVICE

I do hereby Certify That I am This day Serving The foregoing civil complaint A True and correct Copy. upon The Following List of Persons In A manner That Satisfying Requirement of Rule Pa R.A.P. 121(b) and 1514 (C)
US FIRST CLASS MAIL CERTIFIED RETURN RECEIPT
Daniel R Schuckers ProThenotary (one original and Two copies
OFFICE of The ProThenotary / commonwealth court of PENNA.
P.O. Box 11730 / Harrisburg, Pennsylvania 17108-11730

Jiffery
Jiffrey A Board, P.h D. For The Penna Department of
corrections, one copy 2520 Lisburn RD. Road, P.O. Box 598
Camp Hill Penna. 17001-0598

John m mccullough superintendent SCI Houtzdale
2007 State Route / Houtzdale, PA 16698-1000 P.O. Box 1000
one copy.

Ms Kathy Emil SCI Houtzdale, 2007 State Route one copy
P.O. Box 1000 Houtzdale, Pa 16698-1000 one copy

Ms. Greenleaf Norene P. CHCA Head of SCI Houtzdale
medical Department 2007 State Route one copy.
P.O Box 1000 Houtzdale, PA 16698-1000

Doctor Jiffery Pomerantz Doctor SCI Houtzdale one copy
State Route Po. Box 1000 Houtzdale, Pa 16698-1000 one copy

Nurse Randy Schnarrs SCI Houtzdale Pa 2007
State Route P.O. Box 1000 one copy
Houtzdale, PA 16698-1000
James L. Thomas Chief Grievance coordinator
Penna Department of corrections one copy.
2520 Lisburn Road Camp Hill, Pa 17001-0598.

Dated: 02-06-02

Respectfully submitted
(5) James Stevenson
P.O. Box 1000
Houtzdale PA 16698 1000

IN THE Commonwealth COURT OF PENNSYLVANIA

JAMES STEVENSON :

VS : DOCKET NO

PENNSYLVANIA DEPARTMENT :

OF CORRECTIONS ET al :

SUBPOENA ISSUANCE

SERVICE COMPLIANCE

FEES PRISONERS

I James Stevenson hereby Respectfully Request of a party, The Prothonotary Shall Issue a subpoena signed and under The seal of The court upon The person Named Below. To A Person out-side. This commonwealth.

John Doe owner of Institutional Supply INC; Located AT STOUGHTON MA, 02072. By any form of mail

SEE 42 Pa C.S.A. § 5903 for The compensation and Expenses of witnesses See Also Evans V. OTIS Elevator Co Pa., 13 168 A 2d 573 (1960).

Thank you for your time and help in this matter

send TO

John Doe owner of The

Institutional supply co.

49 ROSE STREET

MA. 02072, court seal.

very Truly yours

James Stevenson

Dated. 02-06-02

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
petitioner / plaintiff

v.

PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al

: COMMONWEALTH OF PENNSYLVANIA
: COUNTYS OF CLEARFIELD AND
: DAUPHIN
: DOCKET NO.

MOTION TO PROCEED IN FORMA PAUPERIS

I JAMES STEVENSON hereby STATES The Information Concerning my Inability To pay The cost of This Proceeding pursuant To Rule 561 of The P.A.R. APP. PROC., is True and correct, and made subjected To The Penalties set forth in 18, Pa. C.S.A. 4904 Relating To unsworn Falsification To Authorites. I state under The Penalties provided in 18, Pa, C.S.A. 4904. THAT;

1) I am The petitioner in The matter within and because of my Financial Situations, I am unable To pay The Fees and costs of This proceeding or Any other proceeding hereafter.

2) The Questions To my unemployment To pay The Fees and cost in Applying Judicial Actions Are True and Correct.

3) I have Not Been Employed due To my Incarceration and Not have Any Income, Pensions, Annuity, social security Benefits, support payments, or my I State No Real estate, Stocks, Bonds, Notes, Automobilies or any other Valuable property.

I understand That False STATEMENTS made in This Verified Statement Are subject To The penalties provided by Law in The second Degree.

Dated: 02-06-02

Respectfully Submitted
(S) James Stevenson
James STEVENSON
P.O. BOX 1000
HUNTINGDALE, PA 16698-1000

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON

VS.

PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET al

DOCKET NO

COMMONWEALTH OF PENNSYLVANIA

COUNTY

SUBPOENA TO ATTEND AND TESTIFY

TO John Doe Head Person of Philadelphia County Prison C.F.C.F LOCTated at 7901 STATE RD PHILADELPHIA, PA 19136.

1) You are hereby ordered by The court To come To COMMONWEALTH COURT OF PENNSYLVANIA IN Harrisburg PENNSYLVANIA 17108 DAUPHIN PENNSYLVANIA ON AT OCLOCK ___ M ___ TO TESTIFY on behalf of James Stevenson in The Above case, and To Remain until Excused

2) AND Bring with you The Following: On Nov 2, 01 I Left SCI Hountzdale on ATA To Philadelphia County for court. I was housed AT C.F.C.F, County Prison. I was without my medication for 4 1/2 days. medical staff in Philadelphia county Jail Stated SCI HOUNTZDALE did Not send your medication with

IN THE Commonwealth COURT OF PENNSYLVANIA

JAMES STEVENSON

VS , DOCKET NO

PENNSYLVANIA DEPARTMENT

OF CORRECTIONS ET al ,

SUBPOENA ISSUANCE

SERVICE COMPLIANCE

FEES PRISONERS

I James Stevenson hereby Respectfully Request of a party, The Prothonotary Shall Issue a subpoena signed and under The seal of The court upon The person Named Below. To A Person out-side This commonwealth.

John Doe owner of Institutional

Supply INC; Located AT Stoughton

MA, 02072. By any Form of mail

SEE 42 Pa C.S.A. § 5903 For The compensation and Expenses of witnesses See Also Evans v. otis Elevator co Pa., 13 108 A2d 573 (1950).

Thank you for your time and help in This matter

Send To

John Doe owner of The

Institutional supply co.

49 ROSE STREET

MA, 02072 court seal.

Very Truly yours

James Stevenson

DATED. 02-06-02

marked Exhibit 1

DC-804
Part 1

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

FOR OFFICIAL USE ONLY
593
GRIEVANCE NUMBER

OFFICAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY:	DATE:
Kathy M. Emel	Medical at Mercer Greenlee	07-31-01
FROM: (INMATE NAME & NUMBER)	SIGNATURE of INMATE:	
James B Stevenson DK9739	James B Stevenson	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:	
Block Work Klerk	EH-1	

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 two pages. I am here by Filing This Grievance on Ms. Greenlee In her Official capacity of Medical Administrator of SCI Houtzdale Medical Department. As allowing Medical Staff under her Authority to perform using un Professional Conduct whereas leads to Abuse of Power.

Dr. Pomerantz has ordered me all Kinds of Medications That don't work he has me like a Lab-Rat. He is Refusing to send me out for a M.R.I. I hereby State the Medication he ordered isn't working. I am in a lot of pain. Ms. Greenlee said on 07-12-01 of my Requestslip Remember you had a EMG Reading. And with the EMG Reading the pain is still the Same. All I am requesting is to have a MRI for all the Medication that Doctor Pomerantz has ordered is not working

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.
Me, I need A MRI. Reply to Ms. Greenlee's Answer on 07-13-01. Saw Doctor Pomerantz after having to sign up for sick call so many times. The Answer is not Receiving Proper Medical Care, which is a Violation of my 8th U.S. Const. Amend. Rights

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

Kathy Emel
Signature of Facility Grievance Coordinator

8/1/01
Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy

Revised
July 2000

Exhibit B

DC-ADM 804, Inmate Grievance System **Attachment B**

DC-804
Part 2

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

OFFICIAL INMATE GRIEVANCE
INITIAL REVIEW RESPONSE

GRIEVANCE NO. HOU -593

TO: (Inmate Name & DC No.)	FACILITY		
Stevenson, James B DK9729	Houtzdale	EA1	08-01-01

The following is a summary of my findings regarding your grievance:

Your grievance stated I am allowing unprofessional conduct in this department and abuse of power. You stated Dr. Pomerantz has tried many medications on you. You state the medication is not working and you are still in pain. You claim you need an MRI.

After receiving your grievance I spoke again to Dr. Pomernantz. He stated if you had a nerve problem it would have shown on the EMG. It is good news that you don't have a significant problem. It isn't unusual for the Dr. to attempt to provide some relief of pain. It is normal to try drugs until you have success. No one doubts your pain but with no objective data found when Dr. assesses you he can't order additional tests. Remember you don't exhibit any atrophy of muscles etc. All your symptoms are subjective only.

Now you would have a complaint if Dr. refused to work with you but reviewing your chart shows much patience on the part of Dr. Pomerantz.

Your grievance has no merit.

Cc: Inmate Grievant
Superintendent
Deputies (2)
Majors (2)
Superintendent's Assistant
DC-15
Grievance Officer

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
Norene P. Greenleaf, CHCA	GAP	8/2/01

Exhibit D

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
State Correctional Institution at Houtzdale
Office of the Superintendent
August 15, 2001

SUBJECT: Appeal of Grievance #593

TO: James Stevenson, DK9729
EA-01

FROM: John M. McCullough
Superintendent

Stevenson is disappointed that the test did not show any nerve problem. I cannot alter the results of a diagnostic test. There was no objective or organic finding, and we can't keep ordering tests when nothing is there.

Grievance appeal is denied.

JMM:dkc

c: Deputy Tatum
Deputy Patrick
Major Kyler
Acting Major Barone
Ms. Emel
Ms. Greenleaf
Case Record
file

2

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) Central Office Review Committee	2. Date: 08/17/01
3. By: (Print Inmate Name and Number) James B. Stevenson DK9734 James B. Stevenson Inmate Signature	4. Counselor's Name Ms. Guice 5. Unit Manager's Name Jay Whitesel
6. Work Assignment Blockworker	7. Housing Assignment CA-1

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

John M. McCullough in his personal capacity as an defendant of S.C.I. Houtzdale is allowing the medical staff under his authority to use unprofessional conduct and to give unproper unfit medical care. Do you know how many inmates died in S.C.I. Houtzdale for use of prison doctors refused to treat a prisoner for medication for Hepatitis C. For they said the medication costs a lot of money, they don't like spending money to give proper medical care. Inmates reported instances of a serious or delays in treatment, systemic and chronic problems. I am very concern of my medical needs in S.C.I. Houtzdale, it won't stop I'm being denied my medical needs which is called inadequate medical needs or cares which as caused me serious harm, stress which is a violation of my 8th Amendment rights. Each time I sign up for sick call or see a nurse for my medical

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

of only fifteen or twenty seconds, when medical care was delayed I can considered grossly inadequate care, officials were deliberately indifferent to show that the prison authorities were deliberately indifferent to the need of medical care. Eighth Amendment violation when medication was prepared and dispensed by untrained and unlicensed personal.

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

Staff Member Name ____________ / ____________ Date ____________
Print Sign

Revised July 2000

DC-804
Part 1

OCT 17 2001

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

FOR OFFICIAL USE ONLY
5715
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY:	DATE:
Kathy M. Emel	Smithfield	10/14/01
FROM: (INMATE NAME & NUMBER)	SIGNATURE of INMATE:	
James B. Stevenson DK9729	James B. Stevenson	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:	
Block Worker	J A-2	

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 any actions you may have taken to resolve this matter. 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 two pages.
Mr. Whitesel in his personal and Official Capacity allowed his C.O. and Sgt. like C.O. Kwiecien forced me to move in Inmate Wilson DU-3600 Cell on July 13, 2001 knowing that Inmate Wilson and I don't get along. But me being a Christian of God I followed C.O. Kwiecien's orders and he said it was only for a short period of time. 2) With Wilson being a heavy Spy didn't like the ideal of me having his bottom bunk, Mr. Wilson wanted all the space in the as well like nobody else is supposed to have anything in the cell and because he was only the block clerk/Laundry worker he thinks he should have a cell by himself. Mr. Whitesel knew that Wilson and I weren't get along that good. But he kept us in the cell together for almost 2 months. But I don't feel that I should be the one who was punished by leaving EA-where I was making 35 cent an hour and working 8 hours a day job. So with them moving me to JA- for only working 4 hours a day. Often I moved out of Wilson's cell and was in no cell, Wilson's the one who started trouble with me and I was moved off the block and I don't think it's fair for Inmate Wilson to have 2 Jobs Laundry worker and Block clerk and change people to do their laundry and also to go to the commissary. Mr. Whitesel is Prejudice and Bias and uses Un-Professional. Plus Mr. Whitesel knows that Inmate Wilson is doing these things. Before I left EA. I ask Mr. Whitesel was this a DOC laundry on Mr. Wilsons and he didn't answer that

B. List actions taken and staff you have contacted, before submitting this grievance.

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

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy

Revised
December 2000

PENNSYLVANIA DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PENNSYLVANIA 17001-0598
(717) 975-4859

October 17, 2001

James Stevenson, DK-9729
State Correctional Institution Houtzdale

Dear Mr. Stevenson:

The Office of Professional Responsibility recently received your correspondence dated October 14, 2001.

Your correspondence is being referred to Superintendent McCullough for any action he deems appropriate.

Sincerely,

H. Clifford O'Hara
Director
Office of Professional Responsibility

HCO/yb

cc: Superintendent McCullough (w/attachments)

DC-804
Part 1

NOV 1 ' 2001

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

FOR OFFICIAL USE ONLY
7392
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY:	DATE:
Kathy M. Emel	RHD & Medical	11/09/01
FROM: (INMATE NAME & NUMBER)	SIGNATURE of INMATE:	
James B. Stevenson DK9729	James B. Stevenson	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:	
Blockworker	JA-2	

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 any actions you may have taken to resolve this matter. 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 two pages.

11-01-01
On 11-02-01 I was in the RHD at 6:30 P.M. I ask C.O. Kramer was my Medical Records in the Paperwork for my ATA, and his reply was yes. So after we got to C.F.C.F I was process right away for count on 11-02-01. So when I got back from count they still have to finish my paperwork, they look up and discover that my Medical records didn't come down. So I was put into Quarantine for 4½ days and since my Medical Records weren't there I didn't receive any medicine for almost 4½ days. And I had to get my Mother who's up there to make at least 3 or more phone calls up to this prison. Me I was in a great amount of pain for them 4½ days or more. Plus who's going to reimburse for the calls and my pain and suffering

B. List actions taken and staff you have contacted, before submitting this grievance.

My Mother finally talk to Health Care Admin. istrator, Noreme Greenleaf. And then they had to order the medicine. Which they only got the Ct. Altman, and that was all for 1 day or so.

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

Signature of Facility Grievance Coordinator — Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy

Revised
December 2000

DC-804
Part 1

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

FOR OFFICIAL USE ONLY
71/95
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: Ms. Gburek PA. Women Greenlee	DATE:
Kathy M. Emel		11/13/01
FROM: (INMATE NAME & NUMBER) JAMES B. Stevenson DK9729	SIGNATURE of INMATE: James B. Stevenson	
WORK ASSIGNMENT: Block Worker	HOUSING ASSIGNMENT: JA-3	

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 any actions you may have taken to resolve this matter. 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 two pages.

My complaint is against S.C.I. Houtzdale and it's Medical Staff Dr. Pomeranz, Ms. Wonecue Greenlee, Ms. Gburek PA. I had wrote a Request to Dr. Pomeranz and Wonecue Greenlee about me getting a Complete Physical Examination. I wrote the request on 11-2-01, And I was called up to Medical and saw Ms. Gburek PA Student. So I told her about my ~~problem consists of~~ a bruise bicep where as I can't wear, no shoes on my right foot, and then I told her about these coughing spells that I have from time to time, which Dr. Pomeranz knows about, and then when I showed her my ASBY neck collar, and she tells me there's no chin rows with my neck collar and I had it for about 6 mos. But what ~~I don't understand~~ I want Ms. Greenlee to see this eyesore. Also I paid $2.00 for sick call

B. List actions taken and staff you have contacted, before submitting this grievance.

It seems like Ms. Greenlee is using all the excuses to not see me. Plus Ms. Gburek PA she didn't say anything regarding my coughing spells. So I guess I don't receive proper medical care, I'll let my family know, so that they can call my Attorney.

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

Kathy Emel
Signature of Facility Grievance Coordinator

11/14/01
Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy
Revised

DC-804
Part 2

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

OFFICIAL INMATE GRIEVANCE
INITIAL REVIEW RESPONSE

GRIEVANCE NO. 7495

TO: (Inmate Name & DC No.)	FACILITY		
Stevenson James DK9729	Houtzdale	JA3	11-14-01

The following is a summary of my findings regarding your grievance:

On 11-12 -01 you wrote request to Dr. Pomerantz regarding a physical examination. I responded to you and said you needed to go thru the sick call process. Perhaps you needed a further explanation. We, by policy, offer physicals routinely every year when you are over 50 and every 2 years when you are under 50. You are eligible for the exam in 2002 and q year after. In the meantime if you need medical care you must go through our sick call process.

The Pa assessed your collar and said no change needed at this time. She is not a student but a licensed physician assistant and she makes the medical decision – not me. She also checked your foot – dry skin was noted.

You didn't get a new collar or your tennis shoe approval to wear them to work. Medical decisions made by a licensed prescriber with proper documentation.. I see no issue here to grieve.

Cc: Inmate Grievant
Superintendent
Deputies (2)
Majors (2)
Superintendent's Assistant
DC-15
Grievance Officer

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
Norene P. Greenleaf, CHCA		11/16/01

PENNSYLVANIA DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PENNSYLVANIA 17001-0598
(717) 975-4859

November 14, 2001

James Stevenson, DK-9729
State Correctional Institution Houtzdale

Dear Mr. Stevenson:

The Office of Professional Responsibility recently received your correspondence dated November 9, 2001 regarding your complaint.

Please refer to DC-ADM 804 in your Inmate Handbook. A copy of your correspondence will be sent to the Bureau of Health Care Services. We will be sending a copy of your complaint to Superintendent McCullough for his review.

Sincerely,

H. Clifford O'Hara
Director
Office of Professional Responsibility

HCO/yb

cc: Director McVey, BHCS (w/enclosure)
Superintendent McCullough (w/enclosure)

)C-804
'art 2

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

)FFICIAL INMATE GRIEVANCE
NITIAL REVIEW RESPONSE

GRIEVANCE NO. 7392

TO: (Inmate Name & DC No.)	FACILITY		
. Stephenson, James DK 9729	Houtzdale	JA-3	11-20-01

The following is a summary of my findings regarding your grievance:

Your grievance states that you were not offered all your meds while ATA. We sent a 5 day supply with you when you went ATA as per policy.

Your mother phoned me and I contacted medical staff and informed them of the medications you were on. You were gone more than five days. Your issue is with Philadelphia not us. We went out of our way to assist you.

Regarding your cervical collar – it was noted that it was fraying but the Velcro etc. was adequate. You are to be rechecked in one month to see if the collar then needs replaced. That date will be around 12-13.

Cc: Inmate Grievant
Superintendent
Deputies (2)
Majors (2)
Superintendent's Assistant
DC-15
Grievance Officer

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
Norene P. Greenleaf, CHCA		11/25/01

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
2520 LISBURN ROAD, P.O. BOX 598
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF
INMATE GRIEVANCES AND APPEALS

November 27, 2001

James Stevenson, DK-9729
SCI Houtzdale

RE: DC-ADM 804 – Final Review
Grievance No. 7392

Dear Mr. Stevenson:

This is to acknowledge receipt of your letter to this office. Upon review of your letter, it is the decision of this office to file your letter without action. You have failed to comply with the provision(s) of the revised DC-ADM 804 effective January 1, 2001.

In accordance with the provisions of the DC-ADM 804, VI D, 1, a proper appeal to final review must include photocopies of the Initial Grievance, Initial Review, the Appeal to the Facility Manager, and the Facility Manager's decision. The text of your appeal to this office shall be legible, presented in a courteous manner, and the statement of facts shall not exceed two pages.

Review of the record reveals that your appeal is incomplete. You have failed to provide this office with the required documentation that relates to your appeal. An appeal at this level will not be permitted until you have complied with all procedures established in DC-ADM 804. **Any further correspondence from you regarding this grievance, which does not contain the required documents needed to conduct final review, will result in a dismissal of your grievance.**

Sincerely,

Tshanna Kyler

Tshanna C. Kyler
Grievance Review Officer

TCK/ms

cc: Superintendent McCullough
Grievance Office
Central File

BUREAU OF HEALTH CARE SERVICES PENNSYLVANIA DEPARTMENT OF CORRECTIONS

P.O. Box 598/2520 Lisburn Road Camp Hill, PA 17001-0598

Telephone Number: (717) 731-7031
Fax Number: (717) 731-7000

November 28, 2001

James Stevenson, DK-9729
SCI-Houtzdale

Mr. Stevenson:

This is in response to your recent letter sent to the Office of Professional Responsibility regarding your medical care at SCI-Houtzdale. Your concerns were reviewed by staff at the Bureau of Health Care Services. It has been determined that the care being provided to you by the staff at SCI-Houtzdale is medically appropriate.

The Pennsylvania Department of Corrections provides medical services to inmates that are consistent with community standards. The DOC contracts with vendors who employ credentialed, licensed physicians and physician assistants who are responsible for the assessment, treatment and follow-up of all inmate medical conditions. Access to outside specialists and appropriate medical facilities is also provided through the vendors.

The medical staff at SCI-Graterford will continue to address your health care concerns and assess and appropriately treat every medical condition identified. Please direct your future questions and concerns to Dr. Pomerantz, Medical Director and Noreen Greenleaf, Corrections Health Care Administrator. The grievance process is available to you if you are not satisfied with their responses.

Sincerely,

Catherine McVey.

Catherine C. McVey
Director
Bureau of Health Care Services

CCM/RE/cj

cc: Superintendent McCullough
Deputy Superintendent Speck
CHCA Greenleaf
File:(Stevenson.James.dk-9729.11.28.01)

(1)

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) Superintendent John M. McCullough	2. Date: 12/05/01.
3. By: (Print Inmate Name and Number) James B. Stevenson DK9729 James B. Stevenson Inmate Signature	4. Counselor's Name Mr. White 5. Unit Manager's Name Ms. Beth Bailey
6. Work Assignment Blockworker	7. Housing Assignment JA-3

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

Dear, Superintendent.
I loss a lot of respect for you regardless, what other inmates said about you. Because of the remark you made this afternoon that this must be Stevenson, because he always have a Complaint here or there.
Listen all my complaints be legitimate and yes they are about some of your staff members at times. But this is where the buck stops at right now, because my Panashiba radio was playing and doing everything except cutting off the cassette tape automatic. So I sent my radio to get the Automatic Stop fix or repaired. My radio was sent to American Institutional Supply Inc.
40 Rose Street
Stoughton, MA 02072

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

James your issue is between the American Inst. Supply and vendor
JM

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

Staff Member Name ______________ Print ______________ Sign Date ______________

Revised July 2000

DC-804
Part 1

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

FOR OFFICIAL USE ONLY

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: R&D Superintendent	DATE:
Kathy M. Emel		12/08/01
FROM: (INMATE NAME & NUMBER)	SIGNATURE of INMATE:	
James Stevenson DK9729	James B. Stevenson	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:	
Blockworker	JA-3	

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 any actions you may have taken to resolve this matter. 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 two pages.

On 10/09/01 I sent my radio out to be repaired at this place American, Institutional Supply Inc. 49 Rose S.t. Stoughton, MA. 02072. Okay they weren't able to repair the automatic stop button for the tape to stop when it is finish. But my radio was working real good before I sent it out. So I had my Counselor Mr. White to call them before he went on his holiday break, but he wasn't able to catch the right person there. So my Unit Manager Ms. Bailey call them to tell them that they could use $5.00 of some money had sent for repairs to mail me my radio. So I got my radio back on 12-05-01 and it wasn't playing on nothing and then I ask what happen to my radio they tell me that the company sent my radio like that. See I have brought things like boots and when I got them the (sholy) shoelaces are mismatched - Because I have a pair of boots from Istanbul. Sports that are all like over a year old and you can look at the laces how because they were sabotage in R&D.

I wrote to the Superintendent and he's in denial that his staff members don't do no wrong. But I'm at the point I'm tired of you People keep taking from me over and over when it's costing me more money

B. List actions taken and staff you have contacted, before submitting this grievance.

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

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy

Revised

DC-ADM 804. Inmate Grievance System
DC-804
Part 3

Attachment C
COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI- Huntingdon

DATE: 12/10/01
SUBJECT: Grievance Rejection Form
TO: James Stevenson, DK9729 J-A3
FROM: Cathy Emerl
Facility Grievance Coordinator

FOR OFFICIAL USE ONLY
9207
GRIEVANCE NUMBER

The attached grievance is being returned to you because you have failed to comply with the provision(s) of DC-ADM 804, Inmate Grievance System:

1. ____ Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator:

a. DC-ADM 801-Inmate Disciplinary and Restricted Housing Unit Procedures
b. DC-ADM 802-Administrative Custody Procedures
c. other policies not applicable to DC-ADM 804.

2. ____ Block B must be completed, as per the Instruction #3 of the Official Inmate Grievance Form.

3. X The grievance does not indicate that you were personally affected by a Department or facility action or policy.

4. ____ Group grievances are prohibited.

5. ____ The grievance was not signed and/or dated.

6. ____ Grievances must be legible and presented in a courteous manner.

7. ____ The grievance exceeded the two (2) page limit. Description needs to be brief.

8. ____ Grievances based upon different events shall be presented separately.

9. ____ The grievance was not submitted within fifteen (15) working days after the events upon which claims are based.

10. ____ You are currently under grievance restriction. You may not file any grievances until _____
Date

11. ____ Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.

12. ____ The issue(s) presented on the attached grievance has been reviewed and addressed previously.

Your issue is with American Institutional Supply.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
petitioner / plaintiff
vs.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al

Commonwealth of Pennsylvania
County of Clearfield
Docket, No.
01 MD 2002

PROOF OF SERVICE

I James Stevenson, Petitioner / plaintiff hereby certified That I am This 02-06 day of 2002, SERVED THE Prothenotary's office of This Honorable Court Two Summons (1) one original (1) one copy To Respectfully Request That The Prothenotary MR. Daniel R Schuckers, To Serve Each defendant with The Attach Summons, To The DefendantsListed Below. with This Proof of Service which is True and Correct copy upon The Parsons in The manner Listed, which Service SATISFING The Requirements of Pa. R.A.P. 121 D BY THE WAY OF U.S. FIRST CLASS MAIL AND BY RESQUEST COMMONWEALTH OF PENNSYLVANIA TO HAVE SERVICE BY THE STATE POLICE. TOO DEFENDANTS

OFFICE OF THE PROTHONOTARY
MR Daniel R. Schuckers Two Summons For Each Defendant
Commonwealth court. OF PENNSYLVANIA Listed Below.
P.O. Box 11730
Harrisburg Pa 17108

PENNSYLVANIA, DEPARTMENT OF
corrections, MR Jeffery A Beard,
Secretary of D.O.C, 2520 LISBURN
Road, po Box 598, CAMPHILL, Pa
17001-0598 County of DAUPHIN

Thomas L. James, chief Grievance
Coordinater
Pa Dipartmint of corrections
2520 Lisburn Road P.O. Box 598
CAMP Hill, Pa 17001-0598 DAUPHIN
County.

John m Mccullough, Superintendent
of SCI HOUTZDALE 2007 STATE ROUTE
P.O. Box 1000 HOUTZDALE PA 16698-
1000 county of clearfield.

MS Kathy Emil, Grievance corrdinater
For SCI HOUTZDALE, 2007 State Route
P.O. Box 1000 HOUTZDALE, PA 16698-1000
County of Clearfield

MS NORENE P. Greenleaf, CHCA THE
HEAD PESON, OF SCI HOUTZDALE
MEDICAL DEPARTMENT 2007
State Route P.O. Box 1000
HOUTZDALE PA 16698-1000 County of Clearfield.

MR Jeffrey Pomeroant 2, Doctor Medical Department of
SCI HOUTZDALE 2007 State Route
P.O. Box 1000 HOUTZDALE PA 16698-1000
County of Clearfield,

Randy Schnarrs, Male Nurse medical Department of
SCI HOUTZDALE 2007 STATE ROUTE
P.O Box 1000
HOUTZDALE, PA 16698-1000 county of Clearfield.

VERY TRULY yours
(S) James Stevenson
Petitioner / plaintiff
JAMES STEVENSON
DK9729
P.O. Box 1000
2007 STATE ROUTE
HOUTZDALE PA, 16698-1000

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / Plaintiff
VS.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AT

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN

FORM OF WRIT OF SUMMONS

To Defendant Jeffery A Beard secretary , of PENNSYLVANIA Department of Corrections, Located at 2520 Lisburn Road P.O.Box 598 Camp Hill, Pa 17001-0598 County of Dauphin

You are hereby Notified That, James Stevensons has (have) commenced an Action Against you.

Dated:

Daniel R. Schuckers, Prothonotary

SEAL OF THE COURT.

By _____

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
PETITIONER / PLAINTIFF
VS
PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN : DEFENDANT.
DOCKET NO.
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN

FORM OF WRIT OF SUMMONS

TO Difendant Thomas L. James chief Grievance Coordinator For Pennsylvania Dipartmint of corrections Located at P.O. Box 598 cam Hill, PA 2520 Lisburn Road P.O. Box 598 camp Hill Pa 17001-0598 DAUPHIN COUNTY

you are hireby Notified That, James stevenson, has (have) Commenced An Action Against you

DATED:

Daniel R. Schucklers Prothenotary

SEAL OF THE COURT

BY _____
(DEPUTY)

VERY TRULY YOURS
James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON	: Commonwealth of Pennsylvania
Petitioner / Plaintiff	: County of Clearfield Defendant.
VS.	: DOCKET NO.
PENNSYLVANIA DEPARTMENT	: COMMONWEALTH OF PENNSYLVANIA
OF CORRECTIONS ET al	: COUNTY OF DAUPHIN COURTHOUSE

FORM OF WRIT OF

SUMMONS

To Defendant Superintendent John M, McCullough
SCI HUNTZDALE
Located at 2007 State Route / P.O.Box 1000 HUNTZDALE
Pennsylvania 16658-1000. County of Clearfield

you are hirby Notified That, James Stevenson,
has (have) commenced an Action Against you

Date

Daniel R. Schuckers Prothonotary

SEAL OF The Court. By _____

(Deputy)

VERY TRULY YOURS

James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
petitioner/plaintiff
VS
PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al

commonwealth of Pennsylvania
county of Clearfield
DOCKET
commonwealth of Pennsylvania
county DAUPHIN COURTHOUSE

FORM OF WRIT OF
SUMMONS

To Defendant ms Kath Email Grievance coordinater For SCI HUNTZDALE, Located at 2007 State Route P.O. Box 1000 HUNTZDALE, PA 16658-1000. Clearfild county

You Are hereby Notified That, James Stevenson, has (have) Commenced An Action Against you

Dated:

Daniel R. Schuckers, PRO Thenotary

By _____
(Deputy)

Seal of The Court

Very Truly yours
James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON	Commonwealth of Pennsylvania
PETITIONER / PLAINTIFF	County of Clearfield
VS.	Docket NO
PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al	

FORM OF WRIT OF

SUMMONS

TO Defendant MS Norma P. Green Leaf, CHCA THE Head Person of SCI HUNTINGDALE Medical Department Located State Route, P.O. Box 1000 HUNTINGDALE PA 16698-1000 You are hereby Notified That, James Stevenson has (have) commenced An Action Against you.

Dated

Denial Schuckers, ProThonotary
(Deputy)

Seal of The Court.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
petitioner / plaintiff
VS.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL

commonwealth of Pennsylvania
county of DAUPHIN Defendant
DOCKET NO. 01 MD 2002
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN COURTHOUSE

FORM OF WRIT OF

SUMMONS

TO Defendant, Jeffrey A. Beard secretary of PENNSYLVANIA Department of Corrections, Located at 2520 Lisburn Road P.O. Box 598 CAMP HILL, Pa 17001-0598 you are hereby Notified That, James Stevenson, has (have) commenced an Action Against you

Date

Daniel R. Schuckers, Prothonotary

SEAL OF THE COURT

BY _____
(Deputy)

Very Truly yours
James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
PETITIONER / PLAINTIFF
VS.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN DEFENDANT.

DOCKET NO.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN COURTHOUSE

FORM OF WRIT OF

SUMMONS

TO Defendant, Jeffrey A. Beard Secretary of PENNSYLVANIA Department of Corrections, Located at 2520 Lisburn Road P.O. Box 598 CAMP HILL, Pa 17001-0598

You are hereby Notified That, James Stevenson; has (have) commenced an Action Against you

Date

Daniel R. Schuckers Prothonotary

SEAL OF THE COURT

BY _____
(Deputy)

VERY TRULY YOURS
James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / Plaintiff
VS.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AT

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN

FORM OF WRIT OF SUMMONS

To Defendant Thomas L James Chief Grievance Coordinator of PENNSYLVANIA Department of Corrections, Located at 2520 Lisburn Road P.O. Box 598 Camp Hill, Pa 17001-0598 County of Dauphin

You are hereby Notified That, James Stevensons has (have) commenced an ACTION Against You.

Dated:

Daniel R. Schuckers, ProThonotary

SEAL OF THE COURT.

By _____

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / plaintiff

VS

PENNSYLVANIA DEPARTMENT
OF CORRECTIONS et al

: COMMONWEALTH OF PENNSYLVANIA
: COUNTY OF DAUPHIN
: DOCKET NO.
: COMMONWEALTH OF PENNSYLVANIA
: COUNTY OF DAUPHIN COURTHOUSE

FORM OF WRIT OF
SUMMONS

To Defendant Thomas L James Chief Grievance
Coordinator for Pennsylvania Department of Corrections
Located at P.O. Box 598 camp Hill, PA 2520 Lisburn
Road P.O. Box 598 camp Hill Pa 17001-0598

You are hereby Notified That, James Stevenson,
has (have) Commenced An Action Against you

DATED:

Daniel R. Schuckers Prothonotary

SEAL OF THE COURT

BY _____
(DEPUTY)

VERY TRULY YOURS
James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
petitioner / plaintiff
V.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al

COMMONWEALTH OF PENNSYLVANIA
COUNTY of Clearfield
Docket No.

FORM OF WRIT OF SUMMONS

TO Defendant John M. McCullough superintendent of SCI HUNTINGDALE located at 2007 State Route, P.O. Box 1000 HUNTINGDALE Pa. 16698-1000 county of Clearfield.

You are hereby Notified That, James Stevenson, has (have) commenced An Action Against you.

Dated

Daniel R. Schuckers, Prothonotary

By _____
(Deputy)

Seal of The court.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / Plaintiff
VS.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET al

: COMMONWEALTH OF PENNSYLVANIA
: COUNTY OF Clearfield Defendant
: DOCKET NO.
: COMMONWEALTH OF PENNSYLVANIA
: COUNTY OF DAUPHIN

FORM OF WRIT OF
SUMMONS

To Defendant Superintendant John M, Macullough
Located at 2007 State Route / P.O Box 1000 HOUTZDALE
Pennsylvania 16698-1000 SCI HOUTZDALE COUNT Clearfield
you are hereby Notified That, James Stevenson,
has (have) commenced an Action Against you

Date

Daniel R. Schuckers Prothonotary

SEAL OF The Court.

BY _____
(Deputy)

VERY TRULY yours
James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / Plaintiff
V.S.
PENNSYLVANIA DEPARTMENT
CORRECTIONS ET al

: Commonwealth of Pennsylvania
: County of Clearfield Defendant
: Docket No:
: COMMONWEALTH OF PENNSYLVANIA
: County of DAUPHIN Courthouse

FORM OF WRIT OF
SUMMONS

To Defendant MS. Kath Emal Grievance Coordinator
FOR SCI HUNTINGDALE Located at 2007 State Route
P.O. Box 1000 HUNTINGDALE, Pa 16658-1000 Clearfield County
You Are hereby Notified That, James Stevenson,
has (have) commenced An Action Against you.

Dated

Daniel R. Schuckers, Prothonotary

By _____
(Deputy)

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / Plaintiff
V.
PENNSYLVANIA DEPARTMENT OF
CORRECTIONS ET al

: COMMONWEALTH OF PENNSYLVANIA
: COUNTY of Clearfield
: Docket No.

FORM OF WRIT OF
SUMMONS

To Defendant MS Kathy Emal Grievance Coordinator
FOR SCI HUNTINGDALE Located at 2007 State Route
P.O. Box 1000 HUNTINGDALE Pa. 16658-1000 County OF
Clearfield.
You are hereby Notified That, James Stevenson,
has (have) commenced An Action Against you.

Dated

Daniel R Schuckers, Prothonotary

By _____
(Deputy)

Seal of The court.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON	COMMONWEALTH OF PENNSYLVANIA
Petitioner / plaintiff	COUNTY of Clearfield
V.	Docket No.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al	

FORM OF WRIT OF SUMMONS

TO Defendant MS Kathy Emil Grievance coordinator FOR SCI HUNTINGDALE Located at 2007 State Route P.O. Box 1000 HUNTINGDALE Pa. 16698-1000 county OF Clearfield.

You are hereby Notified That, James Stevenson, has (have) commenced An Action Against you.

Dated

Daniel R Schuckers, Prothonotary

By _____

(Deputy)

Seal of The court.

IN THE Commonwealth COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / Plaintiff
V S.
PENNSYLVANIA DEPARTMENT
CORRECTIONS ET al

: commonwealth of Pennsylvania
: county of clearfield Defendant
: DOCKET NO:
: commonwealth OF PENNSYLVANIA
: County OF DAUPHIN. COURTHOUSE

FORM OF WRIT OF

SUMMONS

To Defendant MS. Kath Email Grievance Coordinater FOR SCI HUNTINGDALE Located at 2007 State Route P.O. Box 1000 HUNTINGDALE, Pa 16658-1000 Clearfield county you Are hereby Notified That, James Stevenson, has (have) commenced An Action Against you.

Dated

Daniel R. Schuckers, Prothonotary

By _____

(Deputy)

Seal of the court

Very Truly yours
James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
petitioner / plaintiff
VS
PENNSYLVANIA DEPARTMENT
OF CORRECTIONS ET AL

COMMONWEALTH OF PNESSYLVANIA
COUNTY OF CLEARFIELD DEFENDANT
DOCKET NO
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN COURTHOUSE

FORM OF WRIT OF
SUMMONS

TO Defendant MS Norene P. GreenLeaf, CHCA The Head Person of SCI HUNTINGDALE Medical Department Located at 2007 STATE Route P.O. Box 1000 HUNTINGDALE, Pa 16698 - 1000 Clearfield County.

You Are hereby Notified That, James Stevenson, has (have) commenced An Action Against You.

Dated

Daniel R. Schuckers Prothonotary

BY _____

(Deputy)

Seal of The Court

Very Truly Yours

(S) James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
PETITIONER / PLAINTIFF
VS
PENNSYLVANIA DEPARTMENT
OF CORRECTIONS ET AL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD DEFENDANT
DOCKET NO
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN COURTHOUSE

FORM OF WRIT OF

SUMMONS

TO Defendant Ms Norene P. Greenleaf, CHCA The Head Person of SCI HUNTINGDALE Medical Department Located at 2007 State Route P.O. Box 1000 HUNTINGDALE, Pa 16698-1000 CLEARFIELD COUNTY

You Are hereby Notified That, James Stevenson, has (have) commenced An Action Against you.

Dated

Daniel R. Schuckers Prothonotary

BY _____

(Deputy)

Seal of The Court

Very Truly yours

(S) James Stevenson

IN THE commonwealth COURT OF PENNSYLVANIA

JAMES STEVENSON

petitioner/ plaintiff

VS

PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET al

: commonwealth of PENNSYLVANIA
: county of Clearfield
: Docket NO.

FORM OF WRIT OF SUMMONS

To Difendant MR Jeffery Pomerantz Deeter For SCI Heuntzdale Medical Department, Located AT 2007 State Route P.O. Box 1000 Heuntzdale Pa 16658-1000 County of Clearfield.

You are hereby Notified That. James Stevenson has (have) commenced An Action Against you

Dated

Denial R S. Schuckers, Prothonotary

By _____

Seal of The court

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
PETITIONER / PLAINTIFF
VS.
PENNSYLVANIA DEPARTMENT CORRECTIONAL ET AL.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD DEFENDANT
DOCKET NO.
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN courthouse

FORM OF WRIT OF SUMMON

To Defendant Jeffrey Pomerantz The Doctor of SCI Huntzdale's Medical Department Located at 2007 State Route, P.O. Box 1000 Huntzdale Pa 16698-1000

You Are hereby Notified That, James Stevenson, has (have) commenced An Action Against you.

Dated

Daniel R. Schuckers Prothonotary

BY _____

(DEPUTY)

Seal of The court

VERY TRULY yours

(S) James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON

vs.

PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET al

: COMMONWEALTH OF PENNSYLVANIA
: COUNTY OF CLEARFIELD DEFENDANT
: DOCKET NO.
: COMMONWEALTH OF PENNSYLVANIA
: COUNTY OF DAUPHIN COURTHOUSE

FORM OF WRIT OF SUMMONS

To Defendant Randy Schnarrs male Nurse AT SCI HUNTZDALE Midical Department Located AT 2007 State Route, P.O. Box 1000 HUNTZDALE, PA 16698-1000 County of Clearfield

you Are hereby Notified That, James stevenson has(have) commenced An Action Against you.

Dated:

Denial R. schuckers, Prothenotary

BY _____

Deputy

Seal of The COURT.

VERY TRULY YOURS

(S) James Stevenson

IN THE Commonwealth COURT OF PENNSYLVANIA

JAMES STEVENSON

petitioner/ plaintiff

VS

PENNSYLVANIA DEPARTMENT

OF CORRECTIONS ET AL

: Commonwealth of PENNSYLVANIA

: County of Clearfield

: Docket NO.

FORM OF WRIT OF

SUMMONS

To Defendant MR Randy Schnarrs main Nurses at SCI

HUNTINGDON Medical Department Located at 2007

State Route P.O. Box 1000 HUNTINGDON PA 16654-1000

County of Clearfield.

You are hereby Notified That James Stevenson has

(have) commenced An Action Against you

Dated

Daniel R. Schuckers, Prothonotary

By _____

Seal of The Court

IN THE COMMON

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON

VS

PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al

, DOCKET NO 81 MD 2002

SUBPOENA ISSUANCE
SERVICE COMPLIANCE
FEES PRISONERS

I James Stevenson hereby Respectfully Request of a party, The Prothonotary Shall Issue a subpoena Signed and under The Seal of The court upon The person Named Below. To A Person out-side This commonwealth.

John Doe owner of Institutional Supply INC: Located AT Stoughton MA. 02072. By any form of mail

SEE 42 Pa C.S.A. § 5903 for The compensation and Expenses of witnesses See Also Evans V Otis Elevater Co Pa. 13 168 A2d 573 (1961).

Thank you for your time and help in This matter

send to
John Doe owner of The
Institutional supply co.
49 ROSE STREET
MA. 02072.

very Truly yours
James Stevenson

court Seal.

Dated. 02-06-02

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON

vs.

DEPART

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON :
: DOCKET NO.
VS :
:
PENNSYLVANIA DEPARTMENT :
OF CORRECTIONS ET AL :

SUBPOENA ISSUANCE
SERVICE COMPLIANCE
FEES PRISONERS

I James Stevenson hereby Respectfully Request of a Party, The Prothonotary Shall Issue a subpoena signed and under The Seal of The court upon The person Named Below To A person out of Philadelphia county.

John Doe The Head of Philadelphia county Prison C.F.C.F. Medical Department Located at 7901 State Road Philadelphia 19136

BY ANY FORM OF MAIL.

SEE 42 Pa C.S.A. § 5903 for The compensation and Expenses of witnesses See Also Evans V. OTIS Elevator Co. Pa, 13 168 A2d 573 (1960).

Thank you For your Time and Help in This matter.

Very Truly yours
James Stevenson

Dated: 02-06-02

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
VS.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al

: DOCKET NO.

AFFIDAVIT OF WITNESS

COMMONWEALTH OF PENNSYLVANIA } John Doe Head of medical
COUNTY OF CLEARFIELD } Department at C.F.C.F. Philadelphia

I John Doe, witness do hereby state the following under the penalty of perjury:

1) That in Respects to my Statements made As Follows:

2)

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON

VS

PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET al

DOCKET NO

AFFIDAVIT OF WITNESS

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

John Doe owner of INSTITUTIONA SUPPLY INC.

I John Doe, witness do hereby state the following under the penalty of perjury:

That In Respects To mr James Stevenson Radio That:

1)

2)

3)

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / plaintiff : DOCKET NO.
V.
PENNSYLVANIA DEPARTMENT :
OF CORRECTIONS ET al :

SERVICE OUTSIDE THE
COMMONWEALTH

I James Stevenson, Petitioner/Plaintiff hereby Requests With The Upmost Respect To Ask The Prothonotary of This Henorable To Serve The Subpoena To John Doe Owner of The Institutional Supply INC 001 Ma. 02072 AT 49 ROSE STREET under Rule 404(b) A Return of Service Shall set forth The date Time _____ Place _____ And manner of Service, To The Above Name Person and Place Served And Any other Facts Necessary for The Court To determine whether proper service has been made. To Server my Witness. outside This commonwealth.

Dated 02-06-02

Very Truly yours
(S) James Stevenson

RETURN OF SERVICE

On The _____ day of _____ _____ I James Stevenson, John Doe owner of Institutional Supply INC: with The foregoing Subporna by: (DESCribe method of Service) BY THE WAY OF U.S. FIRST CLASS MAIL CERTIFIED RECEIPT MAIL, BY THE COURT. I Verify That The statements in This Return of service Are True and correct. I understand That false statiments herein Are made subject To The penalties of 18 Pa C.S.A. § 4904 Relating To falsification To Authorities.

I hereby State That I am Requesting A hearing in connection with depositions and before Arbitrators. For See HanT2DAL staff members Are Saying The Abave Named John Doe Sent my Radio Back unFixed and it has No Sound AT all They only had To fix The Automatic Stop Button, other Then That my Radio was working Real Good. You Are being blamed For Barking my Radio. By The Staff members in SCI HanT2DALE.

DaTe: 02-06-02

Signature: James Stevenson

If you fail to attend or to produce the Estemate statement form or things required by this subpoena, you may be subject to the sanctions authorized by Rule 234.5 of the Pennsylvania Rules of Civil Procedure, including but not limited to costs, attorney fees and imprisonment

REQUESTED BY

JAMES STEVENSON
SCI HOUTZDALE
P.O. Box 1000
HOUTZDALE, PA 16698-1000

BY THE COURT

DATE:

BY_____

(Name of Prothonotary

Seal of the court.

RETURN OF SERVICE (Reverse side of subpoena

BY THE COURT

DATE

BY _____

Name of Prothonotary

Seal of The Court

RETURN OF SERVICE

on The day of _____ _____, I James Stevenson, John Doe The Head Perso for C F C F Medical Department: with The foregoing subpoena To have This Honorable courts prothonotary To have The Pinnsylvania State Police Serve The Subpoena. I verify That The Statements in This Return of Service Are True and correct I understand That False Statements herein Are made subject To The Penalties of 18 Pa C & S.A. § 4904 Relating To Falsification To Authorities

Dated: 02-06-02

Signature

James Stevenson

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / plaintiff
vs.
PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AT

DOCKET No.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF

SUBPOENA TO ATTEND AND TESTIFY

TO JOHN DOE OWNER OF Institutional SUPPLY INC.
witness! Located AT 49 ROSE, STREET Stoughton
MASSachusetts 02072

1. YOU ARE ordered by The court To came TO

PENNSYLVANIA ON AT
O clock___ m___ To Testify on behalf of James Stevenson in The above case, and To Remain until excused.

2, And Bring with you The following: The ESTimates form For The Repairs of my Radio of what was Wrong with my Radio. For it came Back without Sound, Co Buck AT SCI HOUTZDALE R and D of The Receiving Room is Stating it came Back with Sound Working.

We donot have your medication here. I had my mother call SCI HeuTZDALE To Send my medication down To C F C F. My mother had To make 3 Phone Calls To Talk To MS GreenLeaf who is The Head person of Sci HeuTZDALE Medical DepartMent. Then MS GreenLeaf had To order The medication and when I came Back of C F C F in Philadelphia. SCI HeuTZDALE is Now bleming C.F.C.F Stating my Issue is with Philadelphia Not us. For we sent a 5 day Supply with you when you went on A TA as per policy. your mother phoned me and I contacTed medical staff and Informed Them of The medications you were on. This is The Answer To my GrieVance. Philadelphia C.F.C.F would of had my medication They would of Gave it To me. I need The Above Named person To come To A hearing on my PeTition for ReVieW That is filed in The commonwealth of Pennsylvania. If you Fail To ATTend or To produce The medical Records or The order of The medication Required by This Subpoena you may be Subject To The SanctionS AuthoriZed by Rule 234.5 of The Pennsylvania Rules of Civil Procedure, IncludinG but Not limiTed To costs ATTorney fees and ImprisonMent

REQUESTED BY

sign James Stevenson

JAMES STEVENSON
DK 9729
SCI HeuTZDALE
P.O. Box 1000
HeuTZDALE, PA 16698-1000

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

FILED

MAR 22 2002

William A. Shaw
Prothonotary

JAMES STEVENSON, Petitioner :

v. :

PENNSYLVANIA DEPARTMENT OF CORRECTIONS et al., Respondents :

No. 81 M.D. 2002

02-447-CD

PER CURIAM ORDER

NOW, February 27, 2002, upon consideration of petitioner's pro se complaint, and it appearing that petitioner seeks money damages from respondents for an alleged violation of petitioner's constitutional rights, and it further appearing that this court lacks jurisdiction over tort actions for money damages whether based on common law trespass or 42 U.S.C. §1983 because such actions are in the nature of trespass in that they seek money damages as redress for an unlawful injury and are properly commenced in the court of common pleas, see Fawber v. Cohen, 516 Pa. 353, 532 A.2d 429 (1987); Balshy v. Rank, 507 Pa. 384, 490 A.2d 415 (1985), this matter is transferred to the Court of Common Pleas of Clearfield County.

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

Certified from the Record

FEB 28 2002

and Order Exit

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 81 MD 2002

March 21, 2002

James Stevenson, Jr.,
Petitioner
v.
Pennsylvania Department of
Corrections et al.,
Respondents

FILED

MAR 22 2002

William A. Shaw
Prothonotary

Initiating Document: Petition for Review

Case Status: Closed

Case Processing Status: February 27, 2002 Completed

Journal Number:

Case Category: Miscellaneous CaseType: Inmate Petition for Review

Consolidated Docket Nos.:

Related Docket Nos.:

COUNSEL INFORMATION

Petitioner Stevenson, James

Pro Se: ProSe

Appoint Counsel Status:

IFP Status: Pending

Attorney: Stevenson Jr., James B.

Bar No.:

Law Firm:

Address: DK-9729
P.O. 1000
Houtzdale, PA 16698-1000

Phone No.:

Fax No.:

Receive Mail: Yes

Certified from the Record
MAR 21 2002
and Order Exit

Respondent Department of Corrections, et al

Pro Se:

Appoint Counsel Status:

IFP Status:

Attorney: Farnan, Michael A.

Bar No.: 69158

Law Firm:

Address: Office of Chief Counsel
55 Utley Drive
Camp Hill, PA 17011

Phone No.:

Fax No.:

Receive Mail: Yes

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 81 MD 2002

March 21, 2002

TRIAL COURT/AGENCY INFORMATION

Court Below: Department of Corrections

County:

Division:

Date of Order Appealed From:

Judicial District:

Date Documents Received: February 22, 2002

Date Notice of Appeal Filed:

Order Type:

Judge:

Lower Court Docket No.: DK9729

ORIGINAL RECORD CONTENTS

Original Record Item	Filed Date	Content/Description

Date of Remand of Record:

BRIEFING SCHEDULE

DOCKET ENTRIES

Filed Date	Docket Entry/Document Name	Party Type	Filed By
February 22, 2002	Petition for Review Filed	Petitioner	Stevenson, James
February 22, 2002	Application to Proceed In Forma Pauperis	Petitioner	Stevenson, James
February 27, 2002	Transfer		Per Curiam
The matter shall be transferred to the Court of Common Pleas of Clearfield County.			
March 21, 2002	Transfer to Court of Common Pleas Clearfield County		Commonwealth Court Filing Office

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 81 MD 2002
Page 3 of 3
March 21, 2002

SESSION INFORMATION

Journal Number:
Consideration Type:
Date Listed/Submitted:

DISPOSITION INFORMATION

Related Journal Number:		Judgment Date:	2/27/2002
Disposition Category:	Disposed Before Decision	Disposition Author:	Per Curiam
Disposition:	Transfer	Disposition Date:	2/27/2002

Dispositional Comments: The matter shall be transferred to the Court of Common Pleas of Clearfield County.

Dispositional Filing:
Filed Date:

Author:

REARGUMENT/RECONSIDERATION/REMITTAL

Reargument/Reconsideration Filed Date:
Reargument Disposition:

Date:

Record Remitted:

File Copy

Commonwealth Court of Pennsylvania

Charles R. Hostutler
Deputy Prothonotary/Chief Clerk

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

March 21, 2002

TO:

RE: Stevenson v. Dept. of Corrections
No.81 MD 2002

Trial Court/Agency Dkt. Number: DK9729
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

3-22-02
Date

William A. Shaw
Printed Name

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
PETITIONER / PLAINTIFF

V.

PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL

COMMONWEALTH OF PENNSYLVANIA
COUNTY'S OF CLEARFIELD AND DAUPHIN
DOCKET NO.
81 MD 2002

MOTION TO PROCEED IN FORMA PAUPERIS

I James Stevenson, hereby states The Information concerning my Inability To pay The cost of This Proceeding pursuant To Rule 561 of Pa R. APP. PROC., is True and correct, and made subjected To The penalties SET forTh in 18, Pa C.S.A. § 4904 Relating To unsworn Falsification To Authorities,

I STATE under The Penalties provided in 18, Pa C.S.A. 4904 THAT:

1) I am The PETITIONER, in The matter within and because of my financial situations, I am unable To pay The Fees and costs of This proceeding or any other proceeding hereafter.

2) The questions To my unemployment To pay The Fees and cost in Applying Judicial Actions Are True and correct.

3) I have NOT been Employed due To my Incarceration, and NOT have Any Income, Pensions, Annaity, Social security Benefits, support payments, or my I state No Real-estate, Stocks, Bonds, Notes, Automobiles or anyother Valuable property.

I understant That False statements made in This verified Statements Are subject To The penalties provided by Law in The Second Degree.

Dated 02-06-02

Respectfully submitted
(s) James Stevenson
James Stevenson
P.O. Box 1000
HOUTZDALE, PA 16698-1000

FILED
MAR 22 2002
William A. Shaw
Prothonotary

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON	COMMONWEALTH OF PENNSYLVANIA
PETITIONER / PLAINTIFF	COUNTY'S OF CLEARFIELD AND
V.	DAUPHIN,
PENNSYLVANIA DEPARTMENT	DOCKET NO.
OF CORRECTIONS ET al	

MOTION TO PROCEED IN FORMA PAUPERIS

I James Stevenson, hereby States The Information ~~concerning~~ 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.A. § 4904 Relating To unsworn Falsification To Authorites. I STATE under The penalties provided in 18, Pa. C.S.A. 4904 THAT:

1) I am The PETITIONER in the matter within and because of my Financial SituaTions, I am unable To pay The Fees and costS of This Proceeding or Any oTher proceeding hereafter.

2) The QuesTions To my unemployment To pay The Fees and cost of This proceeding or Any oTher proceeding hereafter.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JAMES STEVENSON
Petitioner / Plaintiff

V.S.

PENNSYLVANIA DEPARTMENT OF
COURRECTIONS, et al

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Clearfield
DOCKET NO,

PETITION FOR REVIEW IN NATURE OF CIVIL
ACTION OR/SPECIAL RELIEF/ POTENTIAL MEDICAL
MALPRACTICE CASE.

PRELIMINARY INJUNCTION

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Petitioner James Stevenson, "Pro-se", Respectfully Request This Honerable court To issue A medical order(s) or other(s) Order(s) Against This 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, James Stevenson, is an Inmate currently Incarcerated at The State correctional Institution at HUNTZDALE, Located at 2007 State Route, P.O. Box 1000, Huntzdale, Pennsylvania 16678-1000 Clearfield County.

2) The Respondent, Pennsylvania Department of Corrections, is a State-wide Jurisdiction, and has its Principle office located at 2520 Lisburn Road Camphill, Pennsylvania 17001-0598, county of Dauphin

3) The Respondent, Jeffery Beard, Secretary of Pennsylvania Department of Correction Located at 2520 Lisburn P.O. Box 598 Camp Hill, Pa 17001-0598 DAUPHIN County.

4) The Respondent, Thomas L. James, CHief Grievance coordinator For The Pennsylvania Dipartment of Corrections Loctated at 2520 Lisburn P.O. Box 598 Camp Hill, Pa 17001-0598 DAUPHIN county.

5) The Respondant, John M. McCullough Superintendent of SCI HOUTZDALE Located AT 2007 State Route P.O. Box 1000, HOUTZDALE, Pa 16698-1000 Clearfield county.

6) The Respondent, Kathy Emel, Grievance coordinator For SCI HOUTZDALE, Located at 2007 State Route P.O. Box 1000, HOUTZDALE, Pa 16698-1000, County of Clearfield.

7.) The Respondent, ms Norene P. Greenleaf, C.H.C.A. The Head Parson, of SCI Houtzdale's medical Department Located at 2007 State Route P.O. Box 1000 Houtzdale, Pa, 16698-1000 Clearfield, County.

8.) The Respondent, Jeffery Pomerantz, The Doctor For SCI Houtzdale Located at 2007 State Route, P.O. Box 1000, Houtzdale, Pa 16698-1000 clearfield county.

9.) The Respondent, Randy Schnarrs, MALE NURSE AT SCI Houtzdale's Medical Department, Located AT 2007 State Route P.O. Box 1000 Houtzdale, Pa 16698 1000 Clearfield County.

10.) This court has original Jurisdiction To entertain This civil Action Pursuant To 42 Pa.C.S. § 761

11.) The Petitioner/Plaintiff Avers That he is in Severe Pain, and is Suffering from The pain in his Neack To his Lower Back, wears a Neack Brass That is old has No more Support To his Neack The medical Department failure to Exercise The degree of care and skill That a Physician or surgeon of The Same medical specialty would use under Similar Circumstances of Ten Shotened To med. mal.

12.) All Respondents herein Named Are Adult Individual citizens of The United States and Acted under The Color of State Law.

13.) All Respondents herein Named Are sued in Their Individual, and personal Private, Public official capacity at all times mentioned in this complaint, As Each Respondent Acted under color of State Law while denying The Plaintiff of his Constitutional Rights.

Petitioner Request That a Jury Trial be Demanded.

14) This is A Civil Rights Action Filed for damages of Relief Alleging The denial of Eighth Amendment guarantees To The prisons medical setting failure To provide adequate medical care (constitute cruel and unusual punishment) As A Inmate I have The Right To be free from punishment under The due process clause. To preclude "deliberate Indifference To my serious medical needs, By Doctor Pomerantz and MS Nenna Greenleaf and Nurse Randy Schnarr. Plus Not Receiving my Pain medication for 4 1/2 days for I went on BTA To Philadelphia county For Court Had To get my 83 year old mom To Call up To HOUTZDALE medical Department To get in touch with MS Greenleaf To send and order Down So The County Jail would Give me my medication

SCI HOUTZDALE medical Department was Negligence For Failure To send my medication by NOT giveni T To The OFFicers in SCI HOUTZDALES Receiving Room To give To The Phila Sheriffs with The Rest of my property That went down with me. They Are To give The Sheriffs our medication for The days we are away on ATA. This Action will show That The medical Department AT SCI HOUTZDALE having No particular Interest in or concers for; Neither good Nor Bad mediare indifferent Not matting ons way or The other.

STATMENT OF CLAIM

1) Petitioner Assents That He Filed a Grievance on July 31, 01 on ms Greenleaf is Allowing medical STaFF under Authority To perform using unprofessional conduct That Leads To unpropan medical care. She Allowed Doctor Pomerantz order me All kinds of medications That dont work or help with my sure pain I have in my Neack. He is using me for a Lab Rat and Refused To send me out for A MRI, For my Neck and Back. I wrote To ms Greenleaf on a Request on 7/12/01 For all The pain I am in. for The medication is not working, She wrote She Said Remember you had a EMG Reading and with The EMG Reading The pain is Still The same. All I Requested was To have and MRI For All This medications That Doctor Pomerantz is ordering is networking.

1 Replyed to Ms Greenleaf Answer of 7/13/01 I Stated Saw Dr Pomarant2 After having to sign up for sick call so many Times Tha Answer is Not Receiving Proper medical care. Grievance No 593 Sent to be filed on 07/31/01 Exhibit A

2) Petitioner, Asserts on 8/1/01 Ms Cathy Emel Filed Tha Grievance No 593 marked as Exhibit a Ms Emel as Tha Grievance coordinater did Not Aswer The Grivance she Allowed Ms. Greenleaf To Aswer her own Grievance That was Filed against her. Ms Greenleaf Answer Dated 8/2/01 Previous Tests Shaven't Clarified What Tha problem is. So Additional Test Are Needed. See Exhibit B.

3) Petitioner, Asserts on 8/8/01 He Filed his Appeal on Grievance 593. I Stated When I First got hurt was in SCI camp Hill I was treated For Pinch Nerves in my Neack When I came To SCI Houtzdale Docter Pomarant2 STATED I have Pinch Nerves, Now Ms Greenleaf States Dr Pomarant2 states If I had a pinch Nerve Problem It would of Shown on Tha Emg. my complaint is I am being Refused A MRI And Dr Pomerant2 has order mall kind of medications That Don't Work. Ms Greenleaf Also Answered her own Grievance and about her Staff using unprofessional conduct. Appeal is marked Exhibit C. on Grievance 593.

(3)

4) Petitioner Asserts on 8/15/2001 mr mccullough Sent his Answer To The Grievance Appeal No 593 He States Stevenson is disappointed That The test did Not show any Nerve problam I cannot alter The Results of a diagnastic tast There was No objective or organic Finding and we can't keep ordering Tests when Nothing is There Grievance Appeal is denied He does not Say and Thing about The unprofessional conduct All The medications That don't work And he Refused To have medical To order a MRI Tast and my pain is more and more as Each day gos on and on. I am in a Lot of Pain, MR mccullough Answer is unJust market Exhibit D

5) Petitioner Asserts That he Appealed John m mcCullough Judgment To The Chief Grievance Coordinator MR Thomas L. James at central office Review comittee in camp Hill, on his Answer To my Appeal He show's prejudice I Showed him That ms Greenleaf Refused To have another Test done for a MRI done for my Pinch Nerves in my Neck and All The pain and Suffering with pain in my Lower Back. I Told him I could Not Take all The pain I am in. I'm Loosing a Lot of Sleep at Night And That I am in Great need of proper medical care.

and How Doctor Pomerant and MS Greenleaf is Just Abusing Their power. MR Thomas L. James Agreed with John mcculloug h and MS GreenLeaf Judgment and Denied my Appeal. I cannot go see/or To A Doctor on my own Free will To see what is wrong with my Neack I need A MRI done. All The Respondents Are Allowing SCI HeuTZDALE Medical Staff under John m. mcculloug h Authenity To use unprofessional Conduct For The Prison Doctor Pomrant2 To Give unproper medical care. We had a Lot of Inmates die in SCI HeuTZDALE For They dont Like Spending money on Inmates Who Hepatitis C For They Tell The Inmates The medication costs A Lot of money. So instead I faces Repeated Instances OF A denial or delay's in Treatment, systemic And chronic Problems I am very Concerned of my medical Needs in SCI HeuTZDALE I had Filed A Lot of Grievances and They all get Denied from The Above Respondents. Whereas All my Requests and Grievances Are marked as Exhibits To Support Petitioner's Claim.

6) Petitioner Asserts That he claims Deliberate Indifference Standard Applied To Actions Against Prison officials Doctor Pomerant Failed To given Petitioner proper Treatment and Refused To send him

out To Receive For A M.R.I i am in Great pain have difficulty walking and I am complaining about my Neack, and Back, Pain over To my hip That pain is from The Neack, To Lower Back and ACROSS my Lower Back Prison official Including ms Greenleaf, Doctar Pomerantz, on Almest Seventy Occasions medical malpractic on part of Prison medical Deparment Precluded Finding of deliberate indifference To Petitioners, Naack and Lower Back Pain cause by Doctor's Promerantz's Neglect, I have Serious medical Need based on The Fact That between NOV of 1997 When I got hurt down SCI Camp Hill To Now and The Petitioners Experianced great Pain in my Neack and Back.

77 Petitioner Asserts That he sent complaints To Mr. Jeffery A Beard, Ph.D Secretary of The Department of Corrections To direct The operations, He is Allowing The above Named Respondents who Are under is Authority To Violate Plaintiff STEVENSONS U.S. constitution 5TH, 8TH, and 14, TH Amendments Rights, By Allewing ms Grenleaf and Doctor Pamerantz To Denied Adequate medical and use up professional conduct. And Allewes The Chief Grievance coordinater Mr Thomas L James To Answer Grievance in A unLawful matter knowing The Grievances have Merit he denied s Them.

All Grievances were Filed with merit and in Good Faith for Relief, MR James is violating The due process of Law and the Equal protection Law, and he is obstructions of Justice. He is Not Honest with his Answers To The Grievances. He does not Answer Them he Just Agrees with John m. mccullough's Appeal Judgment and mo Kathy Emal's Judgment on her Review of The Grievances. This is not What The Grievaner system is made for. when you have a Serious complaint on a violation of your U.S. constitutional Rights. Whereas Petitioner has a Serious medical complaint. And my complaint Should be Granted. MR Jeffery Beard Petitioner sent him a complaint Stating my medical needs. He is Allowing his medical Administrators, and Physican To denied Prompt medical care, and Prompt medical Treatment, And he Allows MR James To denied Grievances with merit and That whereas Filed in Good faith for Relief For They are Failing To provide Adequate medical care. Nurse Randy schnarrs many complaints Are Filed against him, He is unfit and unprofessional To be Even working in B medica Department. Talks To The Inmates Like They are Less Than Humans. Very Rude with his mouth and ways. Calls you up for sick call has you sign A cash Slip Two have you keep Paying Two Dollars For The Same Treatment That you never Received.

pick it up Tomorrow when your Block get called for Pill Line. I went up To Pill Line Told The Nurse I hear To Pick up my medication she Look for it could Not Find it. Then she Looked in The Book and Told me That Schnarrs Never ordered my medication. So Again I had To sign up for Sick Call To have my medication ordered, and I'm without my medication for Two Week's. Then when you File A Grievance on The matter It get's Denied, Like I Said MR Beard is Responsible for The Respondents And The Officials of The medical Administrators and The Doctors under his Authority in his personal, Private, and official capacity. is Allowing The medical Department To

From The First day I seen MR schnarrs, I Told him in A Nice way on going Treatment, for The same medical problems you, do Not have To pay Two Dollars for Sick Call Fees, MR Schnarrs Then would Get Real Rude with his mouth and State, If you don't sign The Two Dollar medical cash Slip you can get out Now go Back To your Block and I will mark you down as Refusing Sick call. So you must Sign The Cash Slip Before you are seen for medical Treatment. If you don't He, Tells you, "To get out Now," Then you must Take his Rudeness on Top of Not Receiving Adequate medical care. MR schnarrs has called me up To Sick Call To Reorder my medication Ever 6 months our medication orders Run out. It may Take 6 To 10 days To be called. when I put my medication order is going To Run out in 4 days can you Please call me up To Reorder my medication. The order Ran out and I was without my medication for 8 days, Then I was called To Sick Call Saw MR. Schnarrs Saw him in and very up Set way. what can I do for you Today. I need To have my medication Reordered Sign The cash Slip. I only Need my medication Reorder only. Sign The Cash Slip or Leave get out Now. I Signed The Cash He Said he Reordered my medication

From The First day I seen MR schnarrs, I Told him in A Nice Way on going Treatment, for The same medical problems you, do Not have To pay Two Dollars for sick call Fees, MR Schnarrs Then would Get Real Rude with his mouth and State, IF you don't sign The Two Dollar medical cash Slip you can get Out Now go Back To your Block and I will mark you down as Refusing Sick call. So you must Sign The Cash Slip Before you are seen for medical Treatment. If you don't He, Tells you, "To get out Now," Then you must Take his Rudeness on Top of Not Receiving Adequate medical care. MR schnarrs has called me up To Sick Call To Reorder my medication Ever 6 menths our medication orders Run out. IT may Take 6 To 10 days To be called. when I put my medication order is going To Run out in 4 days can you Please call me up To Reorder my medication. The order Ran out and I was without my medication For 8 days, Then I was called To Sick Call Saw MR. Schnarrs Saw him in and very up SET way. What can I do for you Today. I need To have my medication Reordered Sign The cash Slip. I only Need my medication Reorder only. Sign The Cash Slip or Leave get out Now. I Signed The Cash He Said he Reordered my medication

Pick it up Tomorrow when your Block get called for Pill Line. I went up To Pill Line Told The Nurse I hear To Pick up my medication she Look for it could Not Find it. Then she Looked in The Book and Told me That Schnurrs Never ordered my medication. So Again I had To sign up for Sick Call To have my Medication ordered, and I'm without my medication for Two Week's. Then when you File A Grievance on The matter IT get's Denied, Like I Said Mr Beard is Responsible for The Respondents And The Officials of The medical Administrators and The Doctors under his Authority in his personal, private, and official capacity. is Allowing The medical Department To denied Are Rights To Adequate medical care. And Allowing The Grievance coordinater and The Chief Grievance coordinator To denied Grievances Filed with merit and in good faith without ~~using~~ Using Honest Judgment He Always makes The inmate Look like The Bad Guy's and He allows The Officials To Never Admitt They Are Wrong. All They do is Violate Inmates constitutional Rights and Allow The medical Department To denied My Rights To medicare I Receive unnecessary Suffing by The medical Administrators For Failure To provide prompt medical care and prompt medical Treatment and have The Right To be pain free of punishment.

Petitioner Asserts That he also claims That prison Administrators Are under a constitutional obligation To Provide him with psychiatric Treatment No matter what The Petitioner was convicted of and That Their failure To do so constitutes cruel and unusual Punishment. It is of cause True That having Incarcerated a prisoner and Thereby having Prevented him from obtaining Treatment on his own, The STATE maybe found To have Inflicted cruel and unusal punishment by failing To provide needed medical TREATMENT Stevenson's Allegations, however, viewed in The Light most favorable To him do not present a factual dispate In Estelle V. Gamble, 429 U.S. 97, S.Ct. 285, 50 L.ed 251 (1976) The Supreme court held The deliberate Indifference To Serious medical Needs of Prisoners Consitutes The unnecessary and wanton Infliction of Pain. Proscribed by The Eighth Amendment 429 U.S. at 104, 97 S.Ct. 291 (Citation omitted) The Right To Treatment Recognized in Estelle has limits That Stevenson's claimed Right To Psychiatric Treatment Exceeds That The Prison Administrators Failure To provide Medical Care.

Criminal Law 1213.10(3)
medical and health care dict.
C.A. 3(Pa) 1992 I hereby Asserts that a minimum, Correctional Institution Satisfies its obligations

Under Eighth Amendment when it Furnishs prisoners with Adequate Food, clothing, shilter, sanitation medical care and person of safety U.S.C.A. const. Amend 8, See young V. Quinlan 960 F2d 351 CA3 (Pa) 1991 Two components of concept of serious medical need of Prisoners, as to which deliberat Indifference by Prison officials voilates Eight Amendments prescription of cruel and unusual Punishment, Are That The detainers condition must be such That failure To Treat can be Expected To Lead To Substantial ~~-al~~ and unnecessary Suffering; Injury is Estelle V Gamble, 429 U.S. 97 ~~97~~ S.Ct 285, 50 L.Ed 2d 251 (1976)

Petitioner / Plaintiff Asserts That he is suffing Irreparable harm The Procedures And Behaviors by The Respondents And Petitioner Reserve The Rights To Add OTher Defendants.

PRELIMINARY STATEMENT.

This civil Action Filed by James Stevenson A State Prisoner, for damages and Injuctive Relief under 42 Pa, C.S. § 761 Alleging Violations Of his constitutional Rights, when The above Named defendants Acted with Deliberate Indifference in Administrating An over Excessive Amount-

of Prescribed [MEDICATION] That Lead To Serious medical complications As up-To-Date and That The Petitioner/Plaintiff, Also maintains That This is A Policy And Procedure of which the commissioner of The State Prison. The Plaintiff further Alleges That As A Right of his Repeatedly Requested Statements That The Said medication To be discontinued for This medication has taken Toll on The Petitioner, which harshly limited him in Performing his Every day bodily functions And his Everyday Daily Activities So much As To Place him at The Risks of Serious Injury of further health Problems.

WHEREFORE The Petitioner's Constitutional Rights Are being Violated, If The medical Department would Not Play Games with my medication I would not be Asking To discontinuing medications That Took A Toll on me and I would not be Telling Them To maintain The Policy and Procedure from The commissioner. Plus from my Research of This medication IT STATES IT has [SIDE AFFECTS] Such As high Enzymes levels in The Liver and weight gain And Infection in The Body and Some Passing of Blood if Taken over ~~The mind~~ A Long Period of Time. Also I was Informed by The medical Staff here at SCI HOUTZDALE That This would be A Result of Excessive Usage of This Same medication That will cause These Symptoms. The medical Staff has Refused me To

of Prescribed [MEDICATION] That Lead To Serious medical complications As UP-TO-DATE And That The Petitioner/plaintiff Also maintains That This A Policy And Procedure of which The Commissioner of The State Prison. The Plaintiff further Alleges That As A Right of his Repeatedly Requested Statements That The Said medication To be discantinued for This medication has Taken a toll on The Petitioner, which harshly limited him in Performing his Every day bodily Functions And his Everday Daily Activities. So much As To Place him at The Risks of Serious Injury of futher health Problems.

WHEREFORE The PeTiTioner's consTiTuTional RighTs Are being Violated. If The medical Department would NoT Play Games WiTh my medicaTion I would not have To Seek medicaTion from The Commissioner. Plus from my ReSearch of This medicaTion iT STaTes IT has [SIDE AFFECTS] such As high EnZymes/levels in The Liver and weight gain And InfecTion in The Body And Some Passing of Blood if Taken over A Long Period of Time. Also I was Informed by The medical staff here at SCI HouTZDALE That These SySTems would be A ReSulT of ExCessive UsaGe Of This Same medicaTion That will cause These SySToms. The medical STaFF has ReTused me To

Receive MRI And They keep on changing my medications Like I am A Lad Test Animal. By Telling me Try This Pill IF That don't work will Try Something Els.
when I First got hurt camp Hill had me on medication That Worked. came up here To SCI HOUTZDALE The medical Department changed my medication. Doctor Pomerantz Started To Treatment for my Pinch Nerves and my Lower Back Pain. Then he Said I don't have Any Pinch Nerves in my Neack. After He treated me for The Pinch Nerves gave me The medications To Treat me for Pinch Nerves. Down camp Hill found The Pinch Nerves. And Treated The Problems as Same.

Petitioner states I Told medical Department MS Greenleaf So many Times That The medication is Not helping me at all In The Light They Just Don't Care.
I truly believe all of my medical Problems came As The Result of The force by The medical department In SCI HOUTZDALE who had me Take This Said medication That was Not needed Because They me take THE pills and They Started The Problems. [I am Suffering Do To all This Side Affects] I am gaining more Plain and I am Still having medical Problems because of Said medication.

CLAIMS FOR RELEIF

The Actions of The Respondents constitutes Cruel and unusual Punishment in Violation of The United States constitution Amendments Eight and 14 Fourteen, AS To The deliberate Indifference To Serious medical Needs.

RELEIF REQUESTED:

WHEREFORE, The Plaintiff Requests That This Honorable court Grant him The Following Releif.
A Issue A declaratory Judgment Stating That:

1) The Acts and omissions of The defendants, Secretary Jeffrey A Beard, P.h.d, superintendent John m maccullough, MS Kathy Emil, MR Thomas L James, Doctor Pomerantz NURSE Randy schnarrs MS Grenkraf The head presons of Scl Hontzdale Violated The Petitioners Eighth Amind and Fourteenth

Marked Exhibit 1

DC-804
Part 1

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

FOR OFFICIAL USE ONLY
593
GRIEVANCE NUMBER

OFFICAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR Kathy M. Emel	FACILITY: Medical & Mental Health Grievance	DATE: 07-31-01
FROM: (INMATE NAME & NUMBER) JAMES B Stevenson DK9759	SIGNATURE of INMATE: James B. Stevenson	
WORK ASSIGNMENT: Block Worker	HOUSING ASSIGNMENT: EH-1	

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 two pages: I am here by Filing This Grievance on Ms. Grievance In her Official capacity of Medical Administrator of SCI Huntzdale Medical Department. Is allowing Medical Staff under her Authority to perform using un Professional Conduct where as leads to Abuse of Power.

Dr. Pomerantz has order me all Kinds of Medications That don't work he has me like a Lab-Rat. He is Refusing to send me out for a M.R.I. I hereby State the Medication he ordered isn't working. I am in a lot of pain. Ms. Grievance said on 07-12-01 of my Request slip remember you had a EMG Reading. And with the EMG Reading the pain is still the Same. All I am requesting is to have a MRI for all the Medication that Doctor Pomerantz has ordered is not working

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.
Me. I need a MRI. Reply to Ms. Grievance answer on 07-13-01. Saw Doctor Pomerantz after having to sign up for sick call so many times. The Answer is not Receiving Proper Medical Care, which is a Violation of my 8th U.S. Const. Amend. Rights

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

Kathy Emel
Signature of Facility Grievance Coordinator

8/1/01
Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy

Revised
July 2000

Exhibit B

DC-ADM 804, Inmate Grievance System **Attachment B**

DC-804
Part 2

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

OFFICIAL INMATE GRIEVANCE
INITIAL REVIEW RESPONSE

GRIEVANCE NO. HOU -593

TO: (Inmate Name & DC No.)	FACILITY		
Stevenson, James B DK9729	Houtzdale	EA1	08-01-01

The following is a summary of my findings regarding your grievance:

Your grievance stated I am allowing unprofessional conduct in this department and abuse of power. You stated Dr. Pomerantz has tried many medications on you. You state the medication is not working and you are still in pain. You claim you need an MRI.

After receiving your grievance I spoke again to Dr. Pomernantz. He stated if you had a nerve problem it would have shown on the EMG. It is good news that you don't have a significant problem. It isn't unusual for the Dr. to attempt to provide some relief of pain. It is normal to try drugs until you have success. No one doubts your pain but with no objective data found when Dr. assesses you he can't order additional tests. Remember you don't exhibit any atrophy of muscles etc. All your symptoms are subjective only.

Now you would have a complaint if Dr. refused to work with you but reviewing your chart shows much patience on the part of Dr. Pomerantz.

Your grievance has no merit.

Cc: *Inmate Grievant*
Superintendent
Deputies (2)
Majors (2)
Superintendent's Assistant
DC-15
Grievance Officer

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
Norene P. Greenleaf, CHCA	GAP	8/2/01

Exhibit

(1)

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) Superintendent John M. McCullough	2. Date: 08-12-01
3. By: (Print Inmate Name and Number) James B. Stevenson DK 9729	4. Counselor's Name Ms. Furie
James B. Stevenson Inmate Signature	5. Unit Manager's Name Jay Whitesel
6. Work Assignment Blockworker	7. Housing Assignment EA-1

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

I Am now the 12th day of August 2001 Appealing to you Superintendent of SCI Houtzdale Denial of my 13th Grievance [illegible] No. 5930 my appeal Grounds are When I first got sick [illegible] SCI Camp Hill the Doctors told me I had a pinch nerve down in the back of my neck, and when I came to SCI Houtzdale Dr. Pomerantz stated I have pinch nerve. Now Ms. Greenwalt states Dr. Pomerantz stated if I had a nerve problem it would have shown on the EMG My Complaint is that I'm being Refused [illegible] and Dr Pomerantz has ordered me all kinds of Medications that don't work Ms. Greenwalt also answered her own Grievance I file against her She is allowing medical staff under Authority to perform using unprofessional conduct.

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

Revised July 2000

Exhibit D

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
State Correctional Institution at Houtzdale
Office of the Superintendent
August 15, 2001

SUBJECT: Appeal of Grievance #593

TO: James Stevenson, DK9729
EA-01

FROM: John M. McCullough
Superintendent

Stevenson is disappointed that the test did not show any nerve problem. I cannot alter the results of a diagnostic test. There was no objective or organic finding, and we can't keep ordering tests when nothing is there.

Grievance appeal is denied.

JMM:dkc

c: Deputy Tatum
Deputy Patrick
Major Kyler
Acting Major Barone
Ms. Emel
Ms. Greenleaf
Case Record
file

(2)

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) Central Office Review Committee	2. Date: 08/17/11
3. By: (Print Inmate Name and Number) James B. Stevenson DK4739 James B. Stevenson Inmate Signature	4. Counselor's Name Ms. Quinn 5. Unit Manager's Name Jay Whitesel
6. Work Assignment Blockworker	7. Housing Assignment CA-1

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

John M. McCullough in his personal capacity as an defendant of S.C.I. Houtzdale is allowing the medical staff under his authority to use unprofessional conduct and to give unproper and deficit medical care. Do you know how many inmates died in S.C.I. Houtzdale for use of prison doctors refused to treat a prisoner for medication for hepatitis C for they said the medication cost a lot of money. They don't like spending money to give proper medical care. [illegible] reported [illegible] of a [illegible] or delay in treatment systemic and chronic problems [illegible] my concerns of my medical needs in S.C.I. Houtzdale. [illegible] have denied my medical needs which is called inadequate medical needs or cares which [illegible] stress which is a violation of my 8th Amendment rights. Each time I sign up for sick call or see a nurse for [illegible]

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

of only fifteen or twenty seconds, when medical care was denied I can considered grossly inadequate care [illegible] was deliberately indifferent to show that the [illegible] authorities were deliberately indifferent to the need of medical care. Eighth Amendment violation when medication was prepared and dispensed by untrained and unlicensed personal.

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

Staff Member Name ____________ / ____________ Date ____________
Print Sign

Revised July 2000

DC-804
Part 1

OCT 17 2001

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

FOR OFFICIAL USE ONLY
5715
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY:	DATE:
Kathy M. Zmiel	SCI Whitesel	10/14/01
FROM: (INMATE NAME & NUMBER) James B. Stevenson DK9729	SIGNATURE of INMATE: James B. Stevenson	
WORK ASSIGNMENT: Block Worker	HOUSING ASSIGNMENT: JA-2	

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 any actions you may have taken to resolve this matter. 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 two pages.

Mr. Whitesel in his personal and Official Capacity allowed his C.O. and Sgt. like CO Kwiek forced me to move in Inmate Wilson DU-3600 Cell on July 13, 2001 Knowing that i and Inmate Wilson and I don't get along. But me being a Christain of God I followed C.O. Kwiek's orders and he said it was only for a short period of time 2) With Wilson being a heavy Sky didn't like the ideal of me having his bottom bunk, Mr. Wilson wanted all the space in the As well like nobody else is supposed to have anything in the cell and because he was once the block clerk/Laundryworker he thinks he should have a cell by himself. Mr. Whitesel Knew that Wilson and I never got along that good. But he kept us in the cell together for almost 2 months. But I don't feel that I should be the one who was punished by leaving EA-where I was making $1 cent a hour and working 8 hours a day Job. So with them moving me to JA- for only working 4 hours a day. Often I moved out of Wilsons cell and was in no cell, Wilson's the one who started trouble with me and I was moved off the block and I don't think it's fair for Inmate Wilson to have 2 Jobs Laundryworker and Block clerk and change People to do their Laundry and also to go to the commissary. Mr. Whitesel is Prejudice and Bias and uses Un-Professional. Plus Mr. Whitesel knows that Inmate Wilson is doing these things. Before I left EA. I ask Mr. Whitesel was this a DOC laundry on Mr. Wilsons and he didn't answer that

B. List actions taken and staff you have contacted, before submitting this grievance.

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

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy

Revised
December 2000

PENNSYLVANIA DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PENNSYLVANIA 17001-0598
(717) 975-4859

October 17, 2001

James Stevenson, DK-9729
State Correctional Institution Houtzdale

Dear Mr. Stevenson:

The Office of Professional Responsibility recently received your correspondence dated October 14, 2001.

Your correspondence is being referred to Superintendent McCullough for any action he deems appropriate.

Sincerely,

H. Clifford O'Hara
Director
Office of Professional Responsibility

HCO/yb

cc: Superintendent McCullough (w/attachments)

DC-804
Part 1

NOV 1 - 2001

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

FOR OFFICIAL USE ONLY
7392
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: RHD & Medical	DATE: 11/09/01
FROM: (INMATE NAME & NUMBER) JAMES B. STEVENSON DK9729	SIGNATURE of INMATE: James B. Stevenson	
WORK ASSIGNMENT: Blockworker	HOUSING ASSIGNMENT: JA-2	

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 any actions you may have taken to resolve this matter. 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 two pages.

On 11-01-01 I was in the RHD at 6:30 P.M. I ask C.O. Kramer was my Medical Records in the paperwork for my ATA, and his reply was yes. So after we got to C.F.C.F. I was process right away for count on 11-02-01. So went I got back from count they still have to finish my paperwork, they look up and discover that my Medical records didn't come down. So I was put into Quarantine for 4½ days and since my Medical Records weren't there I didn't receive any medicine for almost 4½ days. And I had to get my Mother who's up the ASE to make at least 30 or more phone calls up to this prison. Me I was in a great amount of pain for them 4½ days or more. Plus who's going to reimburse for the calls and my pain and suffering

B. List actions taken and staff you have contacted, before submitting this grievance.

My Mother finally talk to Health Care Administrator, Noreine Greenleaf. And then they had to order the medicine. Which they only got the Ct. Altman, and that was all for 1 day or so.

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

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy

Revised
December 2000

DC-804
Part 1

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

Ms. Gburek PA.

FOR OFFICIAL USE ONLY
7495
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR Kathy M. Emel	FACILITY: Medical Woman Greenleaf	DATE: 11/13/01
FROM: (INMATE NAME & NUMBER) JAMES B. Stevenson DK9729	SIGNATURE of INMATE: James B. Stevenson	
WORK ASSIGNMENT: Blockworker	HOUSING ASSIGNMENT: JA-3	

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 any actions you may have taken to resolve this matter. 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 two pages.

My complaint is against S.C.I. Houtzdale and it's Medical Staff Dr. Powlawitz, Ms Woman Greenleaf, Ms. Gburek PA. I had wrote a request to Dr. Powlawitz and Woman Greenleaf about me getting a Complete Physical examination. I wrote the request on 11-12-01, And I was call up to Medical and saw Ms. Gburek PA Student. So I told her about my ailments ~~which consist~~ of a bruise big toe where as I can't wear no shoes on my right foot, and then I told her about these coughing spells that I have from time to time, which Dr. Powlawitz knows about, and then when I showed her my ugly neck collar, and she tells me there's nothing wrong with my neck collar and I had it for about 6 Mos. But what ~~I don't understand~~ I want Ms Greenleaf to see this eyesore. Also I paid $2.00 for sick call

B. List actions taken and staff you have contacted, before submitting this grievance.

It seems like Ms. Greenleaf is using all the excuses to not see me. Plus Ms. Gburek PA she didn't say anything regarding my coughing spells. So I guess if I don't receive proper medical care, I'll let my family know, so that they can call my ATTORNEY.

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

Kathy Emel
Signature of Facility Grievance Coordinator

11/14/01
Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy
Revised

DC-804
Part 2

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

OFFICIAL INMATE GRIEVANCE
INITIAL REVIEW RESPONSE

GRIEVANCE NO. 7495

TO: (Inmate Name & DC No.)	FACILITY		
Stevenson James DK9729	Houtzdale	JA3	11-14-01

The following is a summary of my findings regarding your grievance:

On 11-12 –01 you wrote request to Dr. Pomerantz regarding a physical examination. I responded to you and said you needed to go thru the sick call process. Perhaps you needed a further explanation. We, by policy, offer physicals routinely every year when you are over 50 and every 2 years when you are under 50. You are eligible for the exam in 2002 and q year after. In the meantime if you need medical care you must go through our sick call process.

The Pa assessed your collar and said no change needed at this time. She is not a student but a licensed physician assistant and she makes the medical decision – not me. She also checked your foot – dry skin was noted.

You didn't get a new collar or your tennis shoe approval to wear them to work. Medical decisions made by a licensed prescriber with proper documentation.. I see no issue here to grieve.

Cc: Inmate Grievant
Superintendent
Deputies (2)
Majors (2)
Superintendent's Assistant
DC-15
Grievance Officer

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
Norene P. Greenleaf, CHCA		11/16/01

PENNSYLVANIA DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PENNSYLVANIA 17001-0598
(717) 975-4859

November 14, 2001

James Stevenson, DK-9729
State Correctional Institution Houtzdale

Dear Mr. Stevenson:

The Office of Professional Responsibility recently received your correspondence dated November 9, 2001 regarding your complaint.

Please refer to DC-ADM 804 in your Inmate Handbook. A copy of your correspondence will be sent to the Bureau of Health Care Services. We will be sending a copy of your complaint to Superintendent McCullough for his review.

Sincerely,

H. Clifford O'Hara
Director
Office of Professional Responsibility

HCO/yb

cc: Director McVey, BHCS (w/enclosure)
Superintendent McCullough (w/enclosure)

)C-804
'art 2

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

)FFICIAL INMATE GRIEVANCE
NITIAL REVIEW RESPONSE

GRIEVANCE NO. 7392

TO: (Inmate Name & DC No.)	FACILITY		
. Stephenson, James DK 9729	Houtzdale	JA-3	11-20-01

The following is a summary of my findings regarding your grievance:

Your grievance states that you were not offered all your meds while ATA. We sent a 5 day supply with you when you went ATA as per policy.

Your mother phoned me and I contacted medical staff and informed them of the medications you were on. You were gone more than five days. Your issue is with Philadelphia not us. We went out of our way to assist you.

Regarding your cervical collar – it was noted that it was fraying but the Velcro etc. was adequate. You are to be rechecked in one month to see if the collar then needs replaced. That date will be around 12-13.

Cc: Inmate Grievant
Superintendent
Deputies (2)
Majors (2)
Superintendent's Assistant
DC-15
Grievance Officer

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
Norene P. Greenleaf, CHCA	GNG	11/25/01

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
2520 LISBURN ROAD, P.O. BOX 598
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF
INMATE GRIEVANCES AND APPEALS

November 27, 2001

James Stevenson, DK-9729
SCI Houtzdale

RE: DC-ADM 804 – Final Review
Grievance No. 7392

Dear Mr. Stevenson:

This is to acknowledge receipt of your letter to this office. Upon review of your letter, it is the decision of this office to file your letter without action. You have failed to comply with the provision(s) of the revised DC-ADM 804 effective January 1, 2001.

In accordance with the provisions of the DC-ADM 804, VI D, 1, a proper appeal to final review must include photocopies of the Initial Grievance, Initial Review, the Appeal to the Facility Manager, and the Facility Manager's decision. The text of your appeal to this office shall be legible, presented in a courteous manner, and the statement of facts shall not exceed two pages.

Review of the record reveals that your appeal is incomplete. You have failed to provide this office with the required documentation that relates to your appeal. An appeal at this level will not be permitted until you have complied with all procedures established in DC-ADM 804. **Any further correspondence from you regarding this grievance, which does not contain the required documents needed to conduct final review, will result in a dismissal of your grievance.**

Sincerely,

Tshanna Kyler

Tshanna C. Kyler
Grievance Review Officer

TCK/ms

cc: Superintendent McCullough
Grievance Office
Central File

BUREAU OF HEALTH CARE SERVICES *PENNSYLVANIA DEPARTMENT OF CORRECTIONS*

P.O. Box 598/2520 Lisburn Road Camp Hill, PA 17001-0598

Telephone Number: (717) 731-7031
Fax Number: (717) 731-7000

November 28, 2001

James Stevenson, DK-9729
SCI-Houtzdale

Mr. Stevenson:

This is in response to your recent letter sent to the Office of Professional Responsibility regarding your medical care at SCI-Houtzdale. Your concerns were reviewed by staff at the Bureau of Health Care Services. It has been determined that the care being provided to you by the staff at SCI-Houtzdale is medically appropriate.

The Pennsylvania Department of Corrections provides medical services to inmates that are consistent with community standards. The DOC contracts with vendors who employ credentialed, licensed physicians and physician assistants who are responsible for the assessment, treatment and follow-up of all inmate medical conditions. Access to outside specialists and appropriate medical facilities is also provided through the vendors.

The medical staff at SCI-Graterford will continue to address your health care concerns and assess and appropriately treat every medical condition identified. Please direct your future questions and concerns to Dr. Pomerantz, Medical Director and Noreen Greenleaf, Corrections Health Care Administrator. The grievance process is available to you if you are not satisfied with their responses.

Sincerely,

Catherine McVey

Catherine C. McVey
Director
Bureau of Health Care Services

CCM/RE/cj

cc: Superintendent McCullough
Deputy Superintendent Speck
CHCA Greenleaf
File:(Stevenson.James.dk-9729.11.28.01)

(1)

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) John M. McCullough Superintendent	2. Date: 12/05/01.
3. By: (Print Inmate Name and Number) James B. Stevenson DK9729 James B. Stevenson Inmate Signature	4. Counselor's Name Mr. White 5. Unit Manager's Name Ms. Beth, Bailey
6. Work Assignment Blockworker	7. Housing Assignment JA-3

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

Dear, Superintendent.
I loss a lot of respect for you regardless, what other inmates said about you. Because of the remark you made this afternoon that this must be Stevenson, because he always have a complaint here on there.
Listen all my complaints be legitimate and yes they are about some of your staff members at times. But this is where the buck stops at right now, because my Panasonic radio was playing and doing everything except cutting off the cassette tape automatic. So I sent my radio to get the automatic stop fix or repaired. My radio was sent to American Institutional Supply Inc.
40 Rose Street
Stoughton, MA 02072

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

Jim - You were not sent to American but Samuel and Warner

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

Staff Member Name ______________ Print ______________ Sign Date ______________

Revised July 2000

DC-804
Part 1

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

FOR OFFICIAL USE ONLY

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: RQ Superintendent	DATE:
Kathy M. Emel		12/08/01
FROM: (INMATE NAME & NUMBER)	SIGNATURE of INMATE:	
James Stevenson DK9729	James B. Stevenson	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:	
Blockworker	JA-3	

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 any actions you may have taken to resolve this matter. 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 two pages.

On 10/09/01 I sent my radio out to be repaired at this place American, Institutional Supply Inc. 49 Rose St. Stoughton, MA. 02072. Okay they weren't able to repair the automatic stop button for the tape to stop when it is finish. But my radio was working real good before I sent it out. So I had my Counselor Mr. White to call them before he went on his holiday break but he wasn't able to catch the right person there. So my Unit Manager Ms. Bailey call them to tell them that they could use $5.00 of some money I had sent for repairs to mail me my radio. So I got my radio back on 12-05-01 and it wasn't playing on nothing and then I ask what happen to my radio they tell me that the company sent my radio like that. See I have brought things like boots and when I got them the (sholy) shoelaces are trimmed. Because I have a pair of boots from Istorabind. Sports that are all like over a year old and you can look at the laces how because they were sabotage in RQ.

I wrote to the Superintendent and he's in denial that his staff members don't do no wrong. But I'm at the point I'm tired of you People keep taking from me over and over when it's costing me more money

B. List actions taken and staff you have contacted, before submitting this grievance.

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

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy **CANARY** - File Copy **PINK** - Action Return Copy **GOLDENROD** - Inmate Copy

Revised

DC-ADM 804. Inmate Grievance System
DC-804
Part 3

Attachment C
COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI- Huntingdon

DATE: 12/10/01
SUBJECT: Grievance Rejection Form
TO: James Stevenson, DK9729 J-A3
Cathy Emerick
FROM: Facility Grievance Coordinator

FOR OFFICIAL USE ONLY
9207
GRIEVANCE NUMBER

The attached grievance is being returned to you because you have failed to comply with the provision(s) of DC-ADM 804, Inmate Grievance System:

1. ____ Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator:

a. DC-ADM 801-Inmate Disciplinary and Restricted Housing Unit Procedures
b. DC-ADM 802-Administrative Custody Procedures
c. other policies not applicable to DC-ADM 804.

2. ____ Block B must be completed, as per the Instruction #3 of the Official Inmate Grievance Form.

3. X The grievance does not indicate that you were personally affected by a Department or facility action or policy.

4. ____ Group grievances are prohibited.

5. ____ The grievance was not signed and/or dated.

6. ____ Grievances must be legible and presented in a courteous manner.

7. ____ The grievance exceeded the two (2) page limit. Description needs to be brief.

8. ____ Grievances based upon different events shall be presented separately.

9. ____ The grievance was not submitted within fifteen (15) working days after the events upon which claims are based.

10. ____ You are currently under grievance restriction. You may not file any grievances until _____ Date

11. ____ Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.

12. ____ The issue(s) presented on the attached grievance has been reviewed and addressed previously.

Your issue is with American Institutional Supply.

Amendment Rights under The United States constitution.

B) Award The Plaintiff compensatory damages in The Amount of Seven Hundred Fifty Thousand Dollars ($750,000.00 Against Each defendant in Their Individual Personal and official capacities.

C) Award The Plaintiff Punitive damages in The Amount of Seven Hundred Fifty Thousand Dollars ($750,000.00) Against Each defendant in Their Individual personal and ~~official~~ capacities.

D) Award The Plaintiff The cost Incurred As A Result of Litigating This Action, Including but not Limited To Attorney Fees And cost As may be Provided by Law.

E) Issue An Injunction Prohibiting The defendants and Their Subordinates Taking Any Retaliatory Acts Against The Plaintiff.

F) Grant any other Such Relief as This Honorable court may deem Appropriate.

Dated 02-06-02

Respectfully submitted
James Stevenson
James STevenson
DK 9729
P.O. Box 1000
HOUTZDALE, PA 16698-1000

(18)

VERIFICATION

I James Stevenson Pro-se hereby Verify under The Penalty of Perjury That This Information contained in The Forgoing Annexed Plaintiff's Complaint is True and correct To The Best of my Information, Knowledg and belief, so States The Plaintiff. I understand That any False Statemint is made subject To The Penalties of 18 Pa.C.S. §4904.

Dated 02-06 day of 2002.

Respectfully submitted
(S) James Stevenson
James Stevenson Pro-se,

PROOF OF SERVICE
CERTIFICATE OF SERVICE.

I do Hereby certify That I am This day Serving The Forgoing civil complaint A True and correct copy upon The Following List of Persons In A manner That ~~Sta~~ Satisfying The Requirimint of Rule ~~906~~.
Pa. R. A. P. 121(b) and 1514 (c).

U.S. FIRST CLASS MAIL FROM HOUTZDALE, PENNSYLVANIA

DANiel R. Schuckers, ProThonotary Coriginal and Two copies.
OFFICE OF The ProThonotary/commonwealTh court of Pennsylvania.
P.O. Box; 11730/Harrisburg, Pennsylvania. 17108

Jeffrey A Beard, Ph.D. Secretary for The Penna, Department of Corrections
2520 Lisburn Road (one copy)
Camp Hill, Penna. 17001-0598.

John M. McCullough Superintendent SCI HUNTINGDALE
2007 STATE ROUTE 1 / HUNTINGDALE PA 16698-1000 one copy

Ms Kathy Emel SCI HUNTINGDALE 2007 STATE Route one copy
HUNTINGDALE PA 16698-1000

Ms GreenLeaf SCI HUNTINGDALE 2007 State Route one copy
HUNTINGDALE PA 16698-1000

Doctor Jeffery SCI Huntingdale 2007 STATE Route one copy
HUNTINGDALE PA 16698-1000

Nurse Randy Schnarrs SCI HUNTINGDALE 2007 STATE
Route HUNTINGDALE PA 16698-1000 one copy

Thomas James 2520 Lisburn Road one copy)
Camp Hill, Penna 17001-0598.

Dated 02-06-02

Respectfully Submitted
(S) James Stevenson