

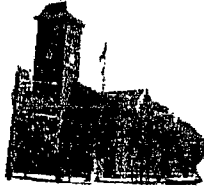
04-1028-CD
JASON F CAMPBELL VS DR. HILLANDER, et al

Jason Campbell vs Dr. Hillander et al
2004-1028-CD

CLEARFIELD COUNTY
OFFICE OF THE PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW
PROTHONOTARY/
CLERK OF COURTS

DAVID S. AMMERMAN
SOLICITOR



JACKI KENDRICK
DEPUTY PROTHONOTARY

BONNIE HUDSON
ADMINISTRATIVE ASSISTANT

P.O. Box 549, Clearfield, PA 16830
Phone: (814) 765-2641 Ext. 1330 Fax: (814) 765-7659

July 22, 2004

Jason E. Campbell
vs
Dr. Hillander, etal
Docket # 2004-1028-CD

DEAR Mr. Campbell:

PLEASE BE ADVISED THAT THE ACTION YOU FILED TO THE ABOVE
TERM AND NUMBER HAS BEEN STRICKEN EFFECTIVE July 22, 2004. YOU
MAY NOT PROCEED WITH THIS ACTION WITHOUT GOOD CAUSE FROM THE
COURT.

William A. Shaw, Prothonotary

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

JASON E. CAMPBELL,
Plaintiff

vs.

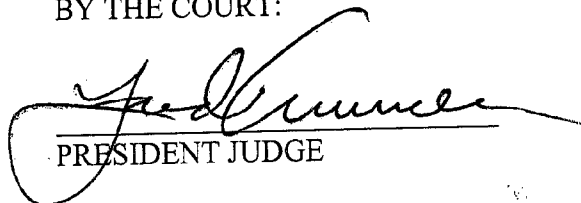
DR. HILLANDER,
GEORGE N. PATRICK, &
NOREENE P. GREENLEAF,
Defendants

DOCKET NO. 2004-1028-CV

ORDER

NOW, this 7 day of July, 2004, upon consideration of the "Form of I.F.P.
Verified Statement" filed by the Plaintiff, above-named, it is the ORDER of this Court
that said Petition be and is hereby DENIED pursuant to Pa.R.C.P. 240(j). The Court is
satisfied that the action is frivolous.

BY THE COURT:


PRESIDENT JUDGE

FILED

JUL 07 2004

William A. Shaw
Prothonotary

FILED

JUL 07 2004

o / 1:00 King

William A. Shaw
Prothonotary

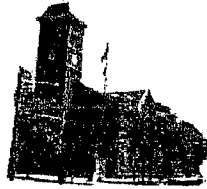
1 sent to REC

w/ IFP DENIAL LETTER

CLEARFIELD COUNTY
OFFICE OF THE PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW
PROTHONOTARY/
CLERK OF COURTS

DAVID S. AMMERMAN
SOLICITOR



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BOENNIE HUDSON
ADMINISTRATIVE ASSISTANT

P.O. Box 549, Clearfield, PA 16830
Phone: (814) 765-2641 Ext. 1330 Fax: (814) 765-7659

July 7, 2004

Jason E. Campbell
EN 1655
SCI Houtzdale
Houtzdale, PA 16651

DEAR Mr. Campbell

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

THIS ACTION WILL BE STRIKEN AFTER TEN (10) WORKING DAYS FROM THE DATE OF THIS LETTER IF PAYMENT IN THE AMOUNT OF \$85.00 HAS NOT BEEN RECEIVED.

SINCERELY,

WILLIAM A. SHAW
PROTHONOTARY/CLERK OF COURTS

ENCLOSURE

Continued pg 2 of 3 I.F.P. Verified Statement

Petitioner seeks relief From this court in order
to be free From illegal, unlawful, and unconstitutional

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

JASON E. CAMPBELL
Plaintiff

VS.

DR. HILLANDER OF SCI Houtzdale

GEORGE IV. PATRICK, Superintendent

[HOUTZDALE STATE Prison]

IVOREENE P. GREENLEAF

Medical Supervisor, RN
Defendant

CASE NO. 2004-1028-
CO.

CIVIL ACTION
LAW

Jury Trial Demanded
FILED

JUL 07 2004

William A. Shaw
Prothonotary

FORM OF I.F.P. VERIFIED STATEMENT
PA. R.A.P. 561

JASON E. CAMPBELL states under [penalties]
principals of 18, PA. C.S. § 4904 that:

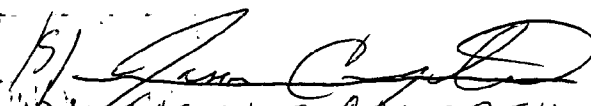
1. I am the petitioner in the above-captioned matter
and because of my financial condition am unable
to pay the following cost and fees:

Continued 1 of 3

Continued pg 3 of 3 I.F.P. Verified Statement

3.) I Understand that False statement or answer to any question herein @ this Verified Statement will subject me to the penalties provided by Law (m-2)

Respectfully Submitted

By 
Pl. JASON E. CAMPBELL, PLAINTIFF IN
WB.12 Propria Person ID# EN1655
Vision of S.C.I. HOUTZdale Correctional
Facility

DATE. April 13, 2004

FILED

JUL 07 2004

William A. Shaw
William A. Shaw
Prothonotary

1 case to RFE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA

JASON E. CAMPBELL
PLAINTIFF

V.S

CASE NO. _____

CIVIL ACTION - LAW

Jury Trial - Demanded

DR. HILLANDER SC.I Houtz

GEORGE N. PATRICK -

Superintendent HOUTZ DALE SC.I

[STATE PRISON], NORENE P. GREENLEAF,

Medical Supervisor, RN.

DEFENDANTS

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend
Against the claims set forth in the following pages, you must
take action within (2) two days after this complaint and notice are served
by entering a written appearance personally or by Attorney and Filing
in writing with the Court your defenses or objections to the claims
set forth against you. YOU are WARNED, that IF you fail to do
so the case may proceed without you and a judgement may be
entered against you by the Plaintiff. You are warned that IF you fail
to act, you may lose money or property or other rights important to you.

You should take this paper to a Lawyer at once. If you do
not have a lawyer or cannot afford one, go to or telephone the "Legal Aid Office"
in your area where you can get legal help.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA

JASON E. CAMPBELL
Plaintiff

VS.

Dr. HILLANDER S.C.I. HOUTZ

GEORGE N. PATRICK, Superintendent

[Houtzdale S.C.I. STATE Prison]

NOREEN P. GREENLEAF,

Medical Supervisor RIN

DEFENDANTS

CASE NO: _____

Civil Action - Law

Jury Trial Demanded

CIVIL COMPLAINT

And now comes Jason E. CAMPBELL (hereinafter) Plaintiff
a state prisoner, For damages and cost under 42 U.S.C. 1983
alleging a denial of medical care in violation of the Eighth, Fifth,
and Fourteenth Amendment to the United States Constitution, and
Article 1, Section 9, and 13 of the Pennsylvania Constitution for
negligence, and state:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA

JASON E. CAMPBELL
Plaintiff

CASE NO: _____

V.S.

CIVIL ACTION-LAW

Dr. HILLANDER S.C.I. Houtzdale

GEORGE N. PATRICK, Superintendent

S.C.I. Houtzdale [STATE Prison]

NOREEN P. GREENLEAF, Medical

Supervisor, RN

DEFENDANTS

Jury trial Demanded

JURISDICTION

1. This court has jurisdiction over the plaintiffs claims of violations of Federal and State Constitutional rights under 42 U.S.C. 1331 (a) and 1343.

2. This court has supplemental jurisdiction over the plaintiffs state law claims under 42 U.S.C. 1343 (a) and 28 U.S.C. 1367

IN THE COURT OF COMMON PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA

JASON E. CAMPBELL
Plaintiff

CASE NO. _____

VS.

CIVIL ACTION - LAW

DR. HILLANDER S.C.I. Houtzdale
GEORGE N. PATRICK, Superintendent
S.C.I. Houtzdale [STATE Prison]

Jury Trial Demanded

NOREEN P. GREENLEAF, Medical
Supervisor, R/V

DEFENDANTS

PARTIES

3. PLAINTIFF, JASON E. CAMPBELL, is an inmate at the STATE CORRECTIONAL INSTITUTION (S.C.I) HOUTZDALE, who is subject to the care, custody, and control of the Pennsylvania Department of Corrections (PA, DOC). Plaintiff is now in the Restricted Housing Unit.

4. Defendant Dr. Hillander, is an employee of Prison Health Services who is under contract with the PA, DOC to provide medical services to inmates in State Correctional Institutions.

Continued. 2

"PARTIES"

5. Defendant George M. Patrick, Superintendent, is responsible for the care and safety of any and all inmates under his custody and controlling jurisdiction over my person.

6. Defendant Noreen P. Greenleaf, RN is the supervisor of the Medical Department, who is responsible for processing and responding to inmates' medical complaints as well as ensuring proper, adequate medical treatment, and to take measures to prevent pain and further suffering of a patient under her Administration.

7. Each defendant is sued in their individual and official capacity and ~~as~~ has acted under color of state law at all relevant times.

8. A grievance concerning the facts of this complaint was filed and the grievance process completed as evidence by the attached (SEE EXHIBITS A & B)

IN THE COURT OF COMMON PLEAS, CLEARFIELD
COUNTY, PENNSYLVANIA

"COUNT I - EIGHTH AMENDMENT CLAIM"

9. Plaintiff incorporates herein by reference the allegation of paragraphs 1-8 as fully set forth herein at length
10. In or about April 2004, I began to experience pain and discomfort in my lower side of my rib cage and my abdomen area.
11. I continued to experience the pain and discomfort in that area so on April 6, 2004 I asked to be seen by the medical staff
12. An RN Staff member observed me through my 1 inch thick glass window encased behind a steel door that the pain and discomfort from what I believed to be a cracked rib was non-existent and looked fine to her, without never even giving an exam or offering to look at the reported area of pain and discomfort.
13. The basic adjustments I have to make due to the seriousness of the pain in my rib cage from a misplaced step from the top bunk which lead to my ~~my~~ injury in slamming my rib cage into a metal desk is now extremely painful not to mention the emotional and stressful as well as mental trauma from the RN refusing to submit me to an examination when I initially complained.

14. AS it was night time my emergency and pain and suffering that time was deemed an inconvenience. From what I perceived to be callous deliberate Indifference to my emergency complaint and given a pittance of a remedy, this being a tylenol aspirin to alleviate what felt like a hammer being smash into my side repeatedly

15. ON April 7, 2004, Plaintiff was taken to the medical facilities here at SCI Houtzdale, where I encountered a Dr. Hillender who after many hours of discomfort and barely able to rise from my bed without the assistance of a fellow inmate. I was told by the 2 minute exam that ~~Q~~ "Quote": You (the Plaintiff) have at least one (1) broken rib maybe more and then Dr. Hillender expressly said that he would set up an X-Ray to confirm his suspicions and that he would prescribe something to help my pain and discomfort as it was not life threatening

16. A Vicky Harris RN here at S.C.I. Houtzdale denied my medication as it was not relayed to her about the damage and seriousness of my pain and discomfort and my attestations and pleas for something to alleviate my pain were without such because she wasn't qualified (a Nurse) to dispense a remedy without the doctors permission, so again the Plaintiff was relegated to bed lying motionless as humanly possible which under extreme physical pain was not possible

17. April 7 2004 the Plaintiff Filed a grievance due to the fact that my medication was denied due to gross incompetence and indifference to my serious medical need.

18. On April 8 2004 Plaintiff was taken to the medical lab for X-Rays by the technician who couldn't make a determination and subsequently I was again returned to my cell without any confirmation of my injury and was advised that the Tylenol would be given to alleviate my pain but to no avail.

19. No remedy was given the Plaintiff nor adequate medical treatment, the grievances were returned and stamped received and date as the Exhibits will show with no response and with much indifference.

20. Therefore, the response given by the medical administrator denied me due process and equal protection under the 5th, 8th and 14th Amendment to the U.S. Constitution and Article 1, Section 9 and 13 to the Pennsylvania Constitution.

21. Therefore denying me medical treatment sufficient to the injury I charge and hold Superintendent Patrick culpable to the preexisting ~~cons~~ conditions which exist in his administration and control. The Plaintiff is dealing with a process within a system that cannot and will not condemn the wrong that's being done to the Plaintiff which constitutes deliberate indifference if not gross malicious conduct. The Plaintiff concedes the ribs while not fatal, was and is at this writing of complaint is very painful and extremely discomfort and is serious with lapses in coherent medical care.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA

"CLAIMS FOR RELIEF"

22. Defendants named herein violated my rights under the 5th, 8th and 14th Amendment to the United States Constitution and Article I, Section 9 and 13 to the Pennsylvania Constitution, when he denied (they) with indifference and/or callousness to not help or specifically to deny me medical assistance at its original onset of said incident respectively

23. Defendant Noreen Greenleaf as per her subordinate and/or ancillary stating to me that my ribs aren't broken with only a glance to surmise such an overt assumption shows indifference if not compassion has set the tone for how Medical here at SCI Houtzdale refused to address my severe pain, largely avoiding me and one's plight and angst.

24. Defendant Dr. Hillander as a professional made an acute observation based entirely on his experience, that indeed my ribs are broken, but as per this assumption that he conveyed to the Plaintiff I was remanded back to my cell hunched over in pain to wait for relief that never came when promised and later when my pleas were even further ignored due to the medical staff's incompetance for providing Plaintiff with relief sought

CLAIMS FOR RELIEF

25) Defendants Hillander and Greenleaf actions in failing to ensure me adequate medical care and denying my request to alleviate my pain and discomfort and to verify if indeed my ribs were actually broken, cracked, bruised, hence not riden me of this painful ailment constitutes negligence to my pain and suffering.

26) Also the grievance that was submitted was given no merit and constitutes professional negligence on the part of the Superintendent Patrick.

27) Neither Defendant Dr. Hillander or Greenleaf, RN at any time performed adequately on a level necessary to equal to the basic standard of care which governs the civil responsibilities in the United States today, and both displayed extreme ~~prejudice~~ prejudice and unlawful indifference to my known or perceived ailment and the extreme pain and discomfort this rib fracture is causing me, is intentional negligence.

28) Neither Defendant Dr. Hillander or Greenleaf, RN spent an appropriate or required amount of time or displayed necessary amount of professional attention to my terrible pain is intentional negligence.

CLAIMS FOR RELIEF

29) Consequently, neither Defendant Dr. Hillander and Greenleaf RV referred me to an X-RAY at Medical to which as of this Complaint April 8th to present April 15th has still not conferred to me what the outcome and developments of those X-RAYS, that supposedly had to be sent out to outside source. More evidence of the indifference suffered by the Plaintiff

30) First and last of all, Dr. Hillander and Greenleaf RV including ancillary Subordinates dont have what I believe and feel through extreme pain to be cracked, broken, bruised tender and swollen ribs, I am the one in Pain (Plaintiff) and can't sneeze, cough, urinate or defecate properly at the time of the Filing of this complaint. Also Defendant, Patrick denies me due process and equal protection for his failure and inept if not obtuse handling and denial of my grievance

Wherefore, Plaintiff Jason E Campbell, demands judgement be entered against the defendants in the following relief

I Issue a Declaratory Judgment Stating:

Continued

Continued pg 2 of 2

Issue of Declaratory Judgment stating

- 1) The Acts, policies, and practices described herein violate Plaintiffs rights under the United States Constitution, and the Pennsylvania Constitution
- 2) That Defendant Patrick, Superintendent, refusal to protect Plaintiffs Fundamental rights constituted cruel and unusual punishment and punishment without due process of law
- 3) Plaintiff has no plain, adequate, or complete remedy at law to redress the wrongs described herein
- 4) Plaintiff have been denied medical care and will continue to be denied medical care by the defendants unless this court grants the declaratory relief which plaintiff seek

II A Permanent Injunction which:

1. Which requires the defendants to make the necessary arrangements to have the plaintiff ribs and or other ailments that have stemmed from the principal occurrence addressed in this complaint to rid him of this pain and suffering causing him
2. Compensatory Damages in the amount of 5,000 to plaintiff from defendants jointly and individually for denying him proper medical attention and to rid plaintiff of pain and suffering

Continued

3) Punitive Damages in excess of 10,000 to plaintiff
From defendants jointly and individually for ignoring
the pain and suffering denying surgery, and violating
his constitutional rights

Grant such other and further relief as this
Court deems fair, just, and proper.

Respectfully Submitted

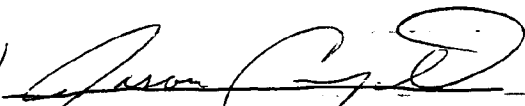
/s/ 
/P/ JASON E. CAMPBELL EN 1655

EXHIBIT A

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

FOR OFFICIAL USE ONLY
80813
GRIEVANCE NUMBER

AL INMATE GRIEVANCE

FACILITY GRIEVANCE COORDINATOR Mrs. Chinchek	FACILITY: SCI Houtz	DATE: 4/7/04
(INMATE NAME & NUMBER) Jason Campbell	SIGNATURE of INMATE: Jason Campbell	
ASSIGNMENT: IDOL	HOUSING ASSIGNMENT: L-5 B2	RECEIVED SUPTS ASST. OFF. APR 08 2004

INSTRUCTIONS:

Refer to the DC-ADM 804 for procedures on the inmate grievance system.
State your grievance in Block A in a brief and understandable manner.
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.

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

My grievance pertains to the malicious and deliberate interference that the medical staff treated me with. I asked repeated medical assistants the night of 4/6/04 but to no avail, my pleas for help to the nursing staff were blown off. I was informed from a glance by said staff respectively that I was fine and my ribs weren't broke, however I knew different, and was rhetorically reassured that I would be seen immediately in the morning as it turns out was also a "lie". A blatant disregard for my well-being. On that next day 4/7/04 I was to receive my medical pills per prescriptions and was totally immobilized and unable to obtain my meds and really had to succumb to great pains to even make an attempt, it was refused and was refused subsequently when finally examined it was determined that indeed my ribs were broken.

TALKED TO EVERY ONE ON THE L-5 STAFF, PLUS STATED my Problems to the Medical STAFF."

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

Signature of Facility Grievance Coordinator

Date

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

Exhibit B

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

FOR OFFICIAL USE ONLY

80813

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Ms. Cheneberick</i>	FACILITY: <i>SCI - HOUTZ</i>	DATE: <i>4-7-04</i>
FROM: (INMATE NAME & NUMBER) <i>CAMPBELL EN1655</i>	SIGNATURE of INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: <i>[Signature]</i>	HOUSING ASSIGNMENT: <i>45-B-21</i>	RECEIVED SUPT'S ASST. OFF. APR 08 2004 SCI-HOUTZDALE HOUTZDALE PA
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. <i>This is my second grievance slip filed in a totally different manner, same existing condition. Now it is 830 4/7/04 and the RN has walked past my cell and I have asked repeatedly for him and the L-5 staff to correct this malicious indifference and have been ignored as would one expect from a institution who is bound to give immediate medical service attention when an emergency arises or at least supply comfort until such time. I was specifically told by the physician at Houtzdale SCI that I would receive that comfort comfort in the form of a pain relief that's equal to a person with broken ribs lying helpless in bed and unbearable pain and discomfort I look forward to civil action</i>		
B. List actions taken and staff you have contacted, before submitting this grievance. <i>I talk to EVERYBODY ON the L-5 STAFF, Plus I STATED THIS ISSUE TO THE MEDICAL RN & Doctor.</i>		

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

Signature of Facility Grievance Coordinator

Date

VERIFICATION

I Verify that the statements set Forth herein
Are true and correct to the best of my Knowledge,
Information, and belief. I understand that False
Statements herein are made subject to the penalties
Of Title 18, PA. C.S.A. 4904 as sworn Falsification to
authorities. AND that all the Defendants in Complaint Filed
to the Clerk of Court has been served and Given "NOTICE" to
Defend

/s/ Jason Campbell
/P/ JASON E CAMPBELL EN 1655

Subscribed and sworn to before me by

Jason Campbell this
13th day of April, 2004.

W. A. Selt
Notary Public

Notarial Seal
Thomas A. Shorts, Notary Public
Houtzdale Boro, Clearfield Co.
My Commission Expires Oct. 5, 2006