

IN THE COURT OF COMMON PLEAS OF HUNTINGDON COUNTY,
PENNSYLVANIA

CIVIL DIVISION

DEMETRIUS BAILEY, :
Plaintiff :
vs. : NO. 07-822
ANN MILLER, LT. BAIRD,
R. REED, C. MITCHELL,
Defendants:

2007 JUL 31 P 3 32
CLERK OF COURT
HUNTINGDON CO., PA.

FILED

O R D E R

AND NOW, this 31st day of July, A.D., 2007, the request of Demetrius Bailey to file this action in forma pauperis is denied since the Court is satisfied the action is frivolous. Pa.R.C.P. 240(j). In this regard, Plaintiff has failed to allege facts that support a claim of retaliation as to any named Defendant. To state a claim a plaintiff must state facts that demonstrate (1) that he was engaged in protected activity; (2) that he suffered an "adverse action" by government officials; and (3) that there is a "causal link" between the protected activity and the adverse action. Rausser v. Horn, 241 F.3d 330 (3d. Cir. 2001). Simply pleading that an individual has engaged in retaliatory conduct is insufficient.

1/31/07
Demetrius Bailey

BY THE COURT,

William Kung
J.

NOTICE OF ENTRY OF ORDER OR DECREE
PURSUANT TO PA. R. C. P. NO. 238
NOTIFICATION - THIS DOCUMENT HAS
BEEN FILED IN THIS CASE.
HUNTINGDON COUNTY, PA
DATE: JUL 31 2007