

IN THE COURT OF COMMON PLEAS OF GREENE COUNTY, PENNSYLVANIA

RONALD CLARK,)

Petitioner,)

vs.)

A.D. No. 561, 2006

JEFFREY A. BEARD, Secretary, et al.,)

Respondents.)

ORDER

AND NOW, this 15th day of June, 2006, Petitioner's request to proceed *in forma pauperis* is DENIED as frivolous. Mandamus does not lie to direct performance of a discretionary act. Which medical test to use is certainly a discretionary act.

THIRTEENTH JUDICIAL DISTRICT OF PENNSYLVANIA

ATTEST:

BY THE COURT:

Susan K. White
PROTHONOTARY

William A. Raloff
JUDGE

FILED
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