

Miscellaneous Docket Sheet

Docket Number: 624 MD 2010

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April 14, 2011



CAPTION

David Lusik,
Petitioner
v.
Pennsylvania Board of Probation
and Parole; Cynthia Daub, Board Secretary;
Matthew T. Mangino, Esquire, Board Member;
Allan M. Robinson, Esquire, Board Attorney;
Judith B. Selvey, Parole Staff Technician;
Steven Palm, Unlicensed Therapist; Dr.
Simmons, Staff Psychologist; Unit Manager
Heberling; and Eric D. Ray, Corrections
Classification Program Manager,
Respondents

CASE INFORMATION

Initiating Document: Petition for Review
Case Status: Closed
Case Processing Status: November 9, 2010 Completed
Journal Number:
Case Category: Miscellaneous Case Type(s): Inmate Petition for Review

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Petitioner Lusik, David
Pro Se: Yes
IFP Status: Yes
Pro Se: Lusik, David
Address: CQ-3760, SCI-Forest
Housing Unit G/A 1021
P.O. Box 945
Marienville, PA 16239
Phone No: Fax No:
Respondent Simmons, Dr.
Pro Se: No
IFP Status:
Attorney: Rand, Debra S.
Law Firm: PA Department of Corrections
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Camp Hill, PA 17011
Phone No: (717) 731-0444 Fax No:

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COUNSEL INFORMATION

Respondent Selvey, Judith B.

Pro Se: No

IFP Status:

Attorney: Allensworth, Chad L.
Law Firm: PA Board of Probation & Parole
Address: 1101 S Front St Ste 5100
Harrisburg, PA 17104
Phone No: (717) 787-8126 Fax No: (717) 705-1774

Respondent Robinson, Allan M.

Pro Se: No

IFP Status:

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Respondent Ray, Eric D.

Pro Se: No

IFP Status:

Attorney: Rand, Debra S.
Law Firm: PA Department of Corrections
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Respondent Probation and Parole Board

Pro Se: No

IFP Status:

Attorney: Hueston, Suzanne Noelle
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COUNSEL INFORMATION

Respondent Palm, Steven

Pro Se: No

IFP Status:

Attorney: Rand, Debra S.
Law Firm: PA Department of Corrections
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Respondent Mangino, Matthew T.

Pro Se: No

IFP Status:

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Respondent Heberling, Unit Manager

Pro Se: No

IFP Status:

Attorney: Rand, Debra S.
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Respondent Department of Corrections

Pro Se: No

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Respondent Daub, Cynthia L.

Pro Se: No

IFP Status:

Attorney: Allensworth, Chad L.
Law Firm: PA Board of Probation & Parole
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Commonwealth Court of Pennsylvania

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AGENCY/TRIAL COURT INFORMATION

Court Below: Board of Probation & Parole
 County: Division: Board of Probation & Parole
 Order Appealed From: Judicial District:
 Documents Received: July 30, 2010 Notice of Appeal Filed:
 Order Type:
 OTN(s):
 Lower Ct Docket No(s): CQ3760 028-CY
 Lower Ct Judge(s):

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
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Date of Remand of Record:

BRIEFING SCHEDULE

None

None

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 28, 2010	Petition for Review Filed Lusik, David		Petitioner	
July 28, 2010	Application to Proceed In Forma Pauperis Lusik, David		Petitioner	
August 10, 2010	Order Granting Application to Proceed In Forma Pauperis Per Curiam			08/11/2010
	Document Name: 1) The above-captioned matter shall be treated as a PFR addressed to this Court's original Comment: jurisdiction. 2) IFP is granted.			
August 25, 2010	Preliminary Objections Palm, Steven Simmons, Dr. Heberling, Unit Manager Ray, Eric D. Department of Corrections		Respondent Respondent Respondent Respondent Respondent	
	Document Name: Corrections Respondents' Preliminary Objections			
August 25, 2010	Entry of Appearance Rand, Debra S. Rand, Debra S. Rand, Debra S. Rand, Debra S. Rand, Debra S.	Simmons, Dr. Ray, Eric D. Palm, Steven Heberling, Unit Manager Department of Corrections	Respondent Respondent Respondent Respondent Respondent	
September 3, 2010	Application for Extension of Time to File Lusik, David		Petitioner	
	Document Name: Praecept for Extension of Time to Answer Respondent's preliminary Objections Filed On 8/25/2010 Comment: Case # 624 MD 2010, David Lusik v. pa board of parole, et al.			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 7, 2010	Praecipe Lusik, David		Petitioner	
	Document Name: Praecipe for Rule to Show Cause 906.6 Case Caption No 624 MD 2010			
September 8, 2010	Order Filed Per Curiam			09/09/2010
	Document Name: Petitioner's praecipe for ext. of time to answer resp.'s P.O.'s is granted in part. Petitioner's Comment: response to Corrections respondents' P.O.'s is due by 10/25/2010.			
September 10, 2010	Entry of Appearance			
	Allensworth, Chad L.	Daub, Cynthia L.	Respondent	
	Allensworth, Chad L.	Robinson, Allan M.	Respondent	
	Allensworth, Chad L.	Department of Corrections	Respondent	
	Allensworth, Chad L.	Selvey, Judith B.	Respondent	
	Allensworth, Chad L.	Mangino, Matthew T.	Respondent	
	Allensworth, Chad L.	Probation and Parole Board	Respondent	
September 27, 2010	Application for Relief Lusik, David		Petitioner	
	Document Name: Praecipe Order to Compell Defendants to Answer Discovery Or Face Sanctions, Case# 624 MD 2010 Comment: Lusick v PA Board et al			
September 30, 2010	Application for Stay Department of Corrections		Respondent	
	Document Name: Corrections Respondents' Application to Stay Discovery Pending Disposition of Their Preliminary Comment: Objections.			
October 1, 2010	Preliminary Objections			
	Probation and Parole Board		Respondent	
	Daub, Cynthia L.		Respondent	
	Mangino, Matthew T.		Respondent	
	Robinson, Allan M.		Respondent	
	Selvey, Judith B.		Respondent	
October 5, 2010	Order Granting Application for Stay Per Curiam			10/06/2010
	Document Name: Discovery is stayed pending disposition of Corrections resp.'s P.O.'s. Pet.'s Praecipe Order to Comment: Compel Defendant's to Answer Discovery is dismissed as moot.			
October 6, 2010	Order Filed Per Curiam			10/07/2010
	Document Name: Pet. shall serve his PFR on all respondents & the Attorney General in person or by cert. mail as Comment: required by Pa.R.A.P. 1514(c) & file w/ this court a cert. of service of same w/in 14 days of entry of this Order or respondent's P.O. pertaining to service will be sustained & the PFR will be dismissed as a matter of course. The court will withhold ruling on respondent's remaining P.O.'s pending compliance w/ paragraph one above.			
October 12, 2010	Application for Relief Lusik, David		Petitioner	
	Document Name: Motion to Quash Repondents Application to Stay Discovery Pending Disposition of Their Preliminary Comment: Objections With Memorandum of Law			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
October 21, 2010	Application for Stay Lusik, David		Petitioner	
	Document Name: Praeipce For Emergency Order To Stay All Aspects Of This Case Until The desposition Of The Comment: Petitioners Appeal			
October 26, 2010	Certificate of Service Filed Lusik, David		Petitioner	
	Document Name: Proof of service by certified mail on Respondent and Attorney General			
November 3, 2010	Order Denying Application for Stay Per Curiam			11/04/2010
	Document Name: Pet.'s motion to quash resp.'s application to stay discovery is dismissed as moot. Pet.'s Praeipce Comment: for Certification to Appeal Respondents' Application to Stay Discovery & Praeipce for Emergency Order to Stay All Aspects of this Case pending Disposition of Petitioner's Appeal 1311(a), which the court treats as applications for relief, the applications are denied.			
November 9, 2010	Dismissal Per Curiam			11/10/2010
	Document Name: Resp.'s P.O.'s are sustained & the PFR is dismissed. (See Order)			
November 29, 2010	Notice of Appeal to PA Supreme Court Filed Lusik, David		Petitioner	

DISPOSITION INFORMATION

Final Disposition:	Yes	Judgment Date:	
Related Journal No:		Disposition Author:	Per Curiam
Category:	Disposed Before Decision	Disposition Date:	November 9, 2010
Disposition:	Dismissal	Filing Author:	
Dispositional Filing:			
Filed Date:			