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General Docket  
Third Circuit Court of Appeals

Court of Appeals Docket #: 93-1780 Nature of Suit: 3550 Prisoner-Civil Rights Rauso v. Cohen Appeal From: U.S. District Court for the District of Eastern Pennsylvania Fee Status: IFP	Docketed: 08/12/1993 Termed: 07/25/1994
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## Case Type Information:

- 1) prisoner petition
- 2) State
- 3) Civil Rights-prisoner

## Originating Court Information:

District: 0313-2 : [93-01665](#)  
 District Judge: Edmund V Ludwig, U.S. District Judge  
 Date Filed: 03/30/1993  
 Date Order/Judgment: 07/06/1993

Date NOA Filed:  
08/05/1993

11/29/1993	MOTION filed by Appellant to reopen appeal. No Service.
11/29/1993	MOTION filed by Appellant to amend jurisdictional defect answer. No Service.
03/18/1994	STAFF ATTORNEY LETTER SENT to Appellant advising upon further examination of Affidavit in support of Motion to proceed in forma pauperis, they have noted that several answers need further clarification; Directing him to refer to 2(a) where he stated he received \$4,000.00 in rents; this answer does not describe each source and the amount received from each during the past 12 months. In addition, the response to 4(a) is equally deficient; Appellant is directed to describe the valuable property and its approximate value. He also stated that he has no equity in this property and referred to a bankruptcy case, they note that there was no attachment of the case. Appellant is requested to provide any pertinent information regarding the bankruptcy action. Appellant's response to this letter is necessary for this Court's adjudication of his motion to proceed in forma pauperis.
03/30/1994	RESPONSE to Staff Attorney's letter of 3/18/94 by Appellant Gennard Rauso, received. Certificate of Service dated 3/29/94.
05/19/1994	Submitted on motion to reopen appeal ., affidavit to proceed in forma pauperis . Coram: Becker, Nygaard, Roth, Circuit Judges.
07/25/1994	ORDER (Becker, Authoring Judge, Nygaard, Roth, Circuit Judges) granting motions by appellant pro se to reopen appeal and to proceed in forma pauperis. We are satisfied that we have appellate jurisdiction. The appeal is dismissed as it is without arguable legal and/or factual merit under 28 U.S.C. section 1915(d). See Denton v. Hernandez, 112 S. Ct. 1728 (1992); Neitzke v. Williams, 490 U.S. 319 (1989). That is because Judge Cohen is immune from a claim for damages by reason of the doctrine of judicial immunity because the acts complained of were performed in her judicial capacity, filed.
07/25/1994	Certified copy of Order sent to Clerk of District Court.
07/25/1994	RECORD RETURNED.
08/15/1994	MOTION filed by Appellant Gennaro Rauso to recall mandate., to extend time to file petition for rehearing en banc 8/22/94 . . Certificate of Service dated 8/10/94.
08/17/1994	ORDER ( Becker, Circuit Judge) denying motion to recall mandate by Appellant Gennaro Rauso., granting motion to extend time to file petition for rehearing en banc by Appellant Gennaro Rauso. (to & including August 22, 1994), filed.

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