

**U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:95-cv-00433-DEZ-RCM**

SMITH v. COMMONWEALTH OF PA
Assigned to: Judge Donald E. Ziegler
Referred to: Robert C. Mitchell
Demand: \$0
Case in other court: 95-03236
Cause: 42:1983pr Prisoner Civil Rights

Date Filed: 03/22/1995
Date Terminated: 04/10/1995
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

KIM SMITH

represented by **KIM SMITH**
CT-2162
SCI Camp Hill
P.O. Box 200
Camp Hill, PA 17001
PRO SE

V.

Defendant

COMMONWEALTH OF PA

| Date Filed | # | Docket Text |
|-------------------|----------|--|
| 03/20/1995 | | MOTION to Proceed In Forma Pauperis and COMPLAINT Received from KIM SMITH. (emc) (Entered: 03/20/1995) |
| 03/20/1995 | | CASE REFERRED to Mag. Judge Robert C. Mitchell (emc) (Entered: 03/20/1995) |
| 03/22/1995 | 1 | MOTION by KIM SMITH to Proceed in Forma Pauperis with Proposed Order. (ces) (Entered: 03/22/1995) |
| 03/22/1995 | | ORDER upon motion granting [1-1] motion to Proceed in Forma Pauperis (signed by Mag. Judge Robert C. Mitchell on 3/21/95). (ces) (Entered: 03/22/1995) |
| 03/22/1995 | 2 | COMPLAINT (ces) (Entered: 03/22/1995) |
| 03/22/1995 | | Miscellaneous Case # 95-214 transferred to civil docket. (ces) (Entered: 03/22/1995) |

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| 03/22/1995 | 3 | REPORT AND RECOMMENDATION of Mag. Judge Robert C. Mitchell signed on 3/21/95 Recommending that [2-1] complaint be dismissed as frivolous pursuant to Section 1915(d) of Title 28 USC ; The parties have 10 days from the date of service to file objections to this Report and Recommendation. (ces) (Entered: 03/22/1995) |
| 04/06/1995 | 4 | OBJECTION by KIM SMITH to [3-1] report and recommendations (jsp) (Entered: 04/06/1995) |
| 04/07/1995 | 5 | ORDER dismissing [2-1] complaint as frivolous, adopting [3-1] report and recommendations (signed by Judge Donald E. Ziegler on 4/7/95) CM all parties of record. Notices mailed. (ces) (Entered: 04/10/1995) |
| 04/10/1995 | | Case closed (ces) (Entered: 04/10/1995) |
| 04/17/1995 | 6 | NOTICE OF APPEAL by KIM SMITH from [5-1] order adopting [3-1] report and recommendations dated 4/7/95 (fees unpaid) (ces) Modified on 04/19/1995 (Entered: 04/18/1995) |
| 04/19/1995 | | Certified copy of Notice of Appeal [6-1] appeal by KIM SMITH , certified copy of docket, certified copy of order dated 4/7/95 mailed to USCA; copy of Notice of Appeal and information sheet to judge and Chief Magt Judge Mitchell. Copy of information sheet to appellant. Letter requesting payment of fees to appellant and copy thereof to U.S. Ct. of Appeals. (ces) (Entered: 04/19/1995) |
| 04/19/1995 | | Certified and transmitted Record on Appeal to U.S. Court of Appeals: [6-1] appeal by KIM SMITH (ces) (Entered: 04/19/1995) |
| 05/01/1995 | | NOTICE of Docketing ROA from USCA Re: [6-1] appeal by KIM SMITH USCA Number: 95-3236 (ces) (Entered: 05/01/1995) |
| 06/01/1995 | 7 | NOTICE of Change of Address to SCI Camp Hill by KIM SMITH (jsp) (Entered: 06/01/1995) |
| 08/04/1995 | 8 | Certified copy of JUDGMENT dated 7/31/95 issued in lieu of a formal mandate received from USCA re: [6-1] appeal by KIM SMITH granting motion to proceed in forma paueris and dismissing appeal as lacking in legal merit under 28 USC Section 1915(d). See Denton V. Hernandez---U.S ---,112 S.Ct. 1728, 1733(1992) (ces) (Entered: 08/04/1995) |
| 08/04/1995 | | Record on Appeal returned from U.S. Court of Appeals: [6-1] appeal (ces) (Entered: 08/04/1995) |
| 08/21/1995 | 9 | Information sheet from USCA that a petition for rehearing on behalf of Appellant was filed on 8/10/95. (emc) (Entered: 08/21/1995) |
| 02/16/1996 | 10 | Information sheet from USCA on Post Decision Matters advising |

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| | | that a petition for writ of certiorari was filed on 2/7/96 in the Supreme Ct at S.C. No. 95-7769.. (ces) Modified on 02/16/1996 (Entered: 02/16/1996) |
| 04/25/1996 | 11 | Information sheet from USCA On Post Decision Matters advising that the petition for writ of certiorari was denied on 4/15/96. (ces) (Entered: 04/25/1996) |