

**COURT OF COMMON PLEAS OF SCHUYLKILL COUNTY**  
**CIVIL ACTION - LAW**

CLARK A. WEBER,	:	NO. S-768-2013
	Plaintiff	:
v.	:	
	:	
JOHN/JANE DOE, ET AL.,	:	
	Defendant	:

PROthonotary's  
 OFFICE  
 SCHUYLKILL CTY PA  
 17901  
 2013 MAY - 2 P 3: 32

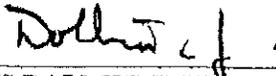
**ORDER OF COURT**

**DOLBIN, J.**

AND NOW, this **3<sup>rd</sup>** day of May, 2013, in consideration of the Petition to Proceed In Forma Pauperis, IT IS HEREBY ORDERED as follows:

1. The cause of action is found to be frivolous pursuant to Pa.R.C.P. 240(j), and is, therefore, dismissed.\*
2. The Petition to Proceed In Forma Pauperis is denied as moot.

BY THE COURT:

  
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 CYRUS PALMER DOLBIN, JUDGE

\* Under Pa.R.C.P. No. 240(j), if a party files a petition for leave to proceed in forma pauperis simultaneously with the commencement of an action, the Common Pleas Court has the authority to dismiss the action if the allegation of poverty is untrue or the action is frivolous. According to the note to Pa.R.C.P. No. 240(j), an action is frivolous if it "lacks an arguable basis either in law or fact." Neitzke v. Williams, 490 U.S. 319 (1990). The filings of the Petitioner appear to be complaints about prison housing, and as such invoke matters solely within the jurisdiction of the prison authorities.