

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 13 MAP 2022

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April 25, 2024

CAPTION

Thomas Washington, Appellant

v.

The PA Department of Corrections, Appellee

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Closed

Journal Number: J-32-2023 May 24, 2023

Case Category: Administrative Agency

Case Type(s):

Corrections, Department of

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney: Martin, James Christopher

Address: Reed Smith LLP
225 Fifth Ave Ste 1200
Pittsburgh, PA 15222-2716

Phone No: (412) 288-3546

Receive Mail: Yes

Receive EMail: Yes

Email:

Representing: Washington, Thomas, Appellant

Pro Se: No

IFP Status: Pa.R.A.P. 551

Attorney: Hages, Ted Angelo

Address: Reed Smith LLP
22
Pittsburgh, PA 15222

Phone No: (412) 523-3571

Receive Mail: Yes

Receive EMail: Yes

Email:

Representing: Washington, Thomas, Appellant

Pro Se: No

IFP Status: Pa.R.A.P. 551

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COUNSEL INFORMATION

Attorney: Defelice, Chase M.
 Pennsylvania Department of Corrections
 Address: Pa Dept Of Corrections Ogc
 1920 Technology Pkwy
 Mechanicsburg, PA 17050
 Phone No: (717) 728-7743
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Department of Corrections, Appellee
 Pro Se: No
 IFP Status:

Attorney: Adams, Kimberly Anne
 Pennsylvania Department of Corrections
 Address: 1920 Technology Pkwy
 Mechanicsburg, PA 17050
 Phone No: (717) 728-7763
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Department of Corrections, Appellee
 Pro Se: No
 IFP Status:

Attorney: Holmes, Timothy Andres
 Address: Pennsylvania Department of Corrections
 1920 Technology Pkwy
 Mechanicsburg, PA 17050-8507
 Phone No: (717) 728-7747
 Representing: Department of Corrections, Appellee
 Pro Se: No
 IFP Status:

Attorney: Hayes, Connor Pearse
 ACLU of Pennsylvania
 Address: Po Box 23058
 Pittsburgh, PA 15222
 Phone No: (412) 443-4702
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: American Civil Liberties Union of Pennsylvania et al., Amicus Curiae
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

Attorney: Christy, Andrew Chapman
 Address: ACLU of Pennsylvania
 Aclu Of Pa
 Po Box 60173
 Philadelphia, PA 19102
 Phone No: (215) 592-1513
 Receive Mail: Yes
 Representing: American Civil Liberties Union of Pennsylvania et al., Amicus Curiae
 Pro Se: No
 IFP Status:

SUPREME COURT INFORMATION

Appeal From: the Order of the Commonwealth Court at No. 485 MD 2020 dated December 30, 2021
 Appeal Filed Below: 1/27/2022 12:00:00AM

Probable Jurisdiction Noted: March 15, 2022 Docketed Date: January 28, 2022
 Allocatur/Miscellaneous Granted: Allocatur/Miscellaneous Docket No.:
 Allocatur/Miscellaneous Grant Order:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
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INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Docket Number:
 Date of Order: Rearg/Recon Disp Date:
 Rearg/Recon Disposition:
 Judge(s):
 Intermediate Appellate Court Action:
 Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Commonwealth Court of Pennsylvania
 County: Division: Commonwealth Court of Pennsylvania
 Date of Agency/Trial Court Order: December 30, 2021
 Docket Number: 485 MD 2020
 Judge(s): Crompton, J. Andrew OTN:
 Leavitt, Mary Hannah
 McCullough, Patricia A.
 Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Part(s)		1

Record Remittal: January 12, 2024

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BRIEFING SCHEDULE

Amicus Curiae**American Civil Liberties Union of Pennsylvania et al.****Brief**

Due: May 25, 2022

Filed: May 25, 2022

Appellee**Department of Corrections****Brief**

Due: June 27, 2022

Filed: June 22, 2022

Appellant**Washington, Thomas****Brief**

Due: May 25, 2022

Filed: May 25, 2022

Reply Brief

Due: July 18, 2022

Filed: July 18, 2022

SESSION INFORMATION

Journal Number: J-32-2023
 Listed/Submitted Date: May 24, 2023
 Consideration Type: Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No:	J-32-2023	Judgment Date:	
Category:	Decided	Disposition Author:	Donohue, Christine
Disposition:	Reversed/Remanded	Disposition Date:	December 19, 2023
Dispositional Filing:	Majority Opinion	Author:	Donohue, Christine
Filed Date:	December 19, 2023		
Justice:	Todd, Debra	Vote:	Joins
Justice:	Dougherty, Kevin M.	Vote:	Joins
Justice:	Wecht, David N.	Vote:	Joins
Dispositional Filing:	Dissenting Opinion	Author:	Brobson, P. Kevin
Filed Date:	December 19, 2023		
Justice:	Mundy, Sallie U.	Vote:	Join Dissenting Opinion
Dispositional Filing:	Concurring Opinion	Author:	Dougherty, Kevin M.
Filed Date:	December 19, 2023		

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 27, 2022	Notice of Appeal		
		Appellant	Washington, Thomas

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 27, 2022	Jurisdictional Statement	Appellant	Washington, Thomas
February 2, 2022	Praecipe for Appearance Department of Corrections	Appellee	Adams, Kimberly Anne
February 3, 2022	Verified Statement in Support of Continuation of IFP Status	Appellant	Washington, Thomas
February 3, 2022	In Forma Pauperis Continued		Supreme Court of Pennsylvania
March 15, 2022	Probable Jurisdiction Noted		Dreibelbis, Amy
Comments: AND NOW, this 15th day of March, 2022, probable jurisdiction is noted.			
March 15, 2022	Order Exited		Office of the Prothonotary
March 16, 2022	Commonwealth Court Record Received		Commonwealth Court of Pennsylvania
April 1, 2022	Application for Extension of Time to File Brief - First Request	Appellant	Washington, Thomas
April 1, 2022	Order Granting Application for Extension of Time to File Appellant Brief		Dreibelbis, Amy
Comments: AND NOW, this 1st day of April, 2022, Appellant's application for extension of time is granted. Appellant's Brief shall be filed on or before May 25, 2022.			
April 1, 2022	Order Exited		Office of the Prothonotary
May 25, 2022	Appellant's Brief	Appellant	Washington, Thomas
May 25, 2022	Amicus Curiae Brief	Amicus Curiae	American Civil Liberties Union of Pennsylvania et al.
Comments: Amicus Brief on behalf of; THE AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA, JUVENILE LAW CENTER, DR. LISA SERVON, MOTHERS OF INCARCERATED SONS, AND PENNSYLVANIA INSTITUTIONAL LAW PROJECT IN SUPPORT OF APPELLANT THOMAS WASHINGTON			
June 22, 2022	Appellee's Brief	Appellee	Department of Corrections
June 27, 2022	Application for Extension of Time to File Brief - First Request	Appellant	Washington, Thomas

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 27, 2022	Order Granting Application for Extension of Time to File Brief		Dreibelbis, Amy
Comments: AND NOW, this 27th day of June, 2022, Appellant's application for extension of time is granted. Appellant's Reply Brief shall be filed on or before July 18, 2022.			
June 27, 2022	Order Exited		Office of the Prothonotary
July 18, 2022	Appellant's Reply Brief	Appellant	Washington, Thomas
October 19, 2022	Dispositional Memo Order		Per Curiam
Comments: AND NOW, this 19th day of October, 2022, oral argument is GRANTED on the following questions as presented by Appellant: 1. Whether the Commonwealth Court erred in holding that the Department of Corrections' increase in the rate of deduction from inmate accounts to pay court-ordered costs and restitution pursuant to 42 Pa. C.S. § 9728(b)(5)(i) could be applied to Mr. Washington without notice or an opportunity to be heard? 2. Whether the Commonwealth Court erred in holding that the Department of Corrections lacks discretion to alter the amount of the deduction under 42 Pa. C.S. § 9728(b)(5), notwithstanding that the deprivation of property triggers principles of due process?			
October 19, 2022	Order Exited		Office of the Prothonotary
March 30, 2023	Acknowledgement of Argument Notice Department of Corrections	Appellee	Adams, Kimberly Anne
March 30, 2023	Acknowledgement of Argument Notice Washington, Thomas	Appellant	Hages, Ted Angelo
May 24, 2023	Argued Washington, Thomas Department of Corrections	Appellant Appellee	Hages, Ted Angelo Adams, Kimberly Anne
December 19, 2023	Reversed/Remanded		Donohue, Christine
Comments: We therefore reverse the order sustaining preliminary objections and remand for further proceedings consistent with this opinion. Chief Justice Todd and Justice Wecht join the opinion. Justice Dougherty joins the opinion except for Section III.B.1.b and the last paragraph of footnote 53. Justice Dougherty files a concurring opinion. Justice Brobson files a dissenting opinion in which Justice Mundy joins.			
December 19, 2023	Judgment Entered		Office of the Prothonotary

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 12, 2024	Original Record remitted to Commonwealth Court		Office of the Prothonotary
January 16, 2024	Acknowledgement of Record Remittal		Commonwealth Court of Pennsylvania

CROSS COURT ACTIONS

Docket Number: 485 MD 2020