

Docket Number: 4143

BROWN, ALTON D.

Mr. Alton D. Brown, Pro Se

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

Theron Perez, Chief Counsel

May 18, 2016

Plaintiff filed Statement of Claim, verification and proof of mailing together with application to proceed in forma pauperis in lieu of filing fee.

June 3, 2016

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 3rd day of June, 2016, upon consideration of the Application for Leave to Proceed In Forma Pauperis and the Complaint filed by Plaintiff Alton D. Brown, it is hereby **ORDERED** and **DECREED** that the Application is **DENIED**. The Complaint is **DISMISSED** in accordance with Rule 240(j) of the Pennsylvania Rules of Civil Procedure." Copy forwarded to Plaintiff and Defendant.

June 13, 2016

Defendant filed Acceptance of Service of Opinion and Order dated June 3, 2016. Receipt of same acknowledged June 6, 2016.

July 7, 2016

Plaintiff filed an Application for Leave to Appeal to the Commonwealth Court In Forma Pauperis.

July 7, 2016

Board forwarded letter to Plaintiff with copy to Defendant, returning Plaintiff's material and advising that the Board's Order of June 3, 2016 was final and that any documents intended to initiate an appeal would need to be filed with the Commonwealth Court.

July 21, 2016

Commonwealth Court filed an order. Order as follows: "Now, July 18, 2016, petitioner having filed a notice of appeal in a matter where the proper document to commence the appeal is an appellate jurisdiction petition for review filed pursuant to Chapter 15 of the Pennsylvania Rules of Appellate Procedure, petitioner shall 1) file an appellate petition for review with a copy of the order appealed and proof of service on respondent, see *Rocco v. Workers' Comp. Appeal Bd. (Parkside Realty Constr.)*, 725 A.2d 239 (Pa. Cmwlth. 1999), and 2) pay the filing fee of \$85.50 or file an application for leave to proceed in forma pauperis within 30 days of the entry of this order, or this matter will be dismissed as of course.

August 22, 2016

Plaintiff filed copy of Petition for Review as filed in Commonwealth Court.

August 29, 2016

Commonwealth Court filed Notice of filing of Petition for Review. 1155 CD 2016.

August 29, 2016

Commonwealth Court filed Order dated August 25, 2016. Order as follows: "Now, August 25, 2016, upon consideration of petitioner's application for leave to proceed in forma pauperis, the application is granted. This court's filing fee is waived, and petitioner shall proceed in conformity with Pa. R.A.P. 2151(b)."

September 7, 2016

Board filed original file and description of all documents comprising the record from the Board of Claims to Commonwealth Court. Copy forwarded to Plaintiff and Defendant.

September 9, 2016

Commonwealth Court filed briefing schedule.

September 12, 2016

Board filed Application for Relief in Accordance with Pa. R.A.P. 123 in Commonwealth Court. Copy forwarded to Plaintiff and Defendant.

September 19, 2016

Commonwealth Court filed Order dated September 14, 2016. Order as follows: "Now, September 14, 2016, upon consideration of the application of the Board of Claims to substitute the Department of Corrections as respondent, the application is granted, and the Department of Corrections is substituted for the Board of Claims as respondent as reflected in the above caption. See Pa. R.A.P. 1513(a)."

October 20, 2016

Plaintiff filed a letter advising that he did not receive a copy of the documents forwarded to Commonwealth Court and requesting a copy of the certified record.

October 21, 2016

Board forwarded to Plaintiff a copy of the certified list and documents filed in Commonwealth Court.

August 9, 2017

Commonwealth Court filed Opinion and Order dated August 8, 2017. Order as follows: "AND NOW, this 8th day of August, 2017, the order of the Pennsylvania Board of Claims in the above-captioned matter is affirmed."

November 17, 2017

Supreme Court filed a notice of filing of a Petition for Leave to File Petition for Allowance of Appeal Nunc Pro Tunc. 180 MM 2017.

January 24, 2018

Supreme Court filed an Order dated December 29, 2017. Order as follows: "**AND NOW**, this 29th day of December, 2017, the Petition for Leave to File Petition for Allowance of Appeal Nunc Pro Tunc is DENIED."

January 26, 2018

Commonwealth Court returned file.
