



## CAPTION

John Doe 1, John Doe 2, John Doe 3 and Jane Doe 1, Appellees

v.

Franklin County, Franklin County Sheriff's Office, Franklin County Sheriff Dane Anthony and Employee John/Jane Does,  
Appellants

## CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Decided/Active

Journal Number: J-44-2017 May 10, 2017

Case Category: Civil Case Type(s): Tort

## CONSOLIDATED CASES

## RELATED CASES

## COUNSEL INFORMATION

Attorney: Hosenpud, Jessica Sydney  
Lavery Faherty Patterson, P.C.

Address: 225 Market St Ste 304  
PO Box 1245  
Harrisburg, PA 17108-1245

Phone No: (717) 233-6633

Representing: Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony,  
Appellant

Pro Se: No

IFP Status:

Attorney: Autry, Joshua M.

Address: Lavery Law  
Lavery Law PC  
225 Market St Ste 304  
Harrisburg, PA 17108

Phone No: (717) 233-6633

Representing: Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony,  
Appellant

Pro Se: No

IFP Status:




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**COUNSEL INFORMATION**


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Attorney: Lavery, Frank J., Jr.  
 Lavery Law  
 Address: 225 Market Street, Suite 304  
 PO Box 1245  
 Harrisburg, PA 17108-1245  
 Phone No: (717) 233-6633  
 Representing: Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony,  
 Appellant  
 Pro Se: No  
 IFP Status:

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Attorney: Prince, Joshua Garett  
 Address: Prince Law Ofcs PC  
 646 Lenape Rd  
 Bechtelsville, PA 19505  
 Phone No: (610) 845-3803 x:81114  
 Representing: Doe 1, Jane, Appellee  
 Pro Se: No  
 IFP Status:  
 Representing: Doe 1, John, Appellee  
 Pro Se: No  
 IFP Status:  
 Representing: Doe 2, John, Appellee  
 Pro Se: No  
 IFP Status:  
 Representing: Doe 3, John, Appellee  
 Pro Se: No  
 IFP Status:

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Attorney: Beemer, Bruce Richard  
 PA Office of Attorney General  
 Address: 16th Floor, Strawberry Square  
 Harrisburg, PA 17120  
 Phone No: (717) 787-3391  
 Representing: Attorney General's Office of Pennsylvania, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Elliott, Ronald Troy  
 Dillon McCandless King Coulter & Graham L.L.P.  
 Address: Dillon Mccandless ET AL  
 128 W Cunningham St  
 Butler, PA 16001-5742  
 Phone No: (724) 283-2200  
 Representing: The Pennsylvania Sheriffs' Association, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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**COUNSEL INFORMATION**


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Attorney: Delone, John Bartley  
 Pennsylvania Office of Attorney General  
 Address: PA Ofc of Attorney General  
 Strawberry Sq Fl 15  
 Harrisburg, PA 17120-0001  
 Phone No: (717) 783-3226  
 Representing: Attorney General's Office of Pennsylvania, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Knorr, John G., III  
 Pennsylvania Office of Attorney General  
 Address: 564 Forbes Avenue  
 6th Floor, Manor Complex  
 Pittsburgh, PA 15219  
 Phone No: (412) 565-5438  
 Representing: Attorney General's Office of Pennsylvania, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Shapiro, Joshua D.  
 Address: Pennsylvania Office of Attorney General  
 16th Floor Strawberry Square  
 Harrisburg, PA 17120  
 Phone No: (717) 787-3391  
 Representing: Attorney General's Office of Pennsylvania, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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**SUPREME COURT INFORMATION**

Appeal From: the Order of the Commonwealth Court at No. 1634 CD 2015, dated May 20, 2016, Reversing in part and Affirming in part the Order of the Franklin County Court of Common Pleas, Civil Division, at No. 2014-4623, dated August 13, 2015 (exited August 17, 2015) and remanding.

Probable Jurisdiction Noted: Docketed Date: December 21, 2016

Allocatur/Miscellaneous Granted: December 21, 2016 Allocatur/Miscellaneous Docket No.: 431 MAL 2016

Allocatur/Miscellaneous Grant Order: AND NOW, this 21st day of December, 2016, the Petition for Allowance of Appeal is GRANTED. LIMITED TO the issue set forth below. Allocatur is DENIED as to all remaining issues. The issue rephrased for clarity, is:

(1) Whether the General Assembly intended to abrogate high public official immunity when it enacted 18 Pa. C.S. §6111(i)?

**FEE INFORMATION**

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
11/25/2017	Petition for Reargument	15.00	11/27/2017	2017-SUP-M-001568	15.00

## Supreme Court of Pennsylvania



## Appeal Docket Sheet

Docket Number: 120 MAP 2016

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December 14, 2017

## INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Commonwealth Docket Number: 1634 CD 2015  
 Date of Order: May 20, 2016 Rearg/Recon Disp Date:  
 Rearg/Recon Disposition:  
 Judge(s): Cohn Jubelirer, Renee  
 Wojcik, Michael H.  
 Leadbetter, Bonnie Brigance  
 Intermediate Appellate Court Action: Affirmed/Reversed/Remanded  
 Referring Court:

## AGENCY/TRIAL COURT INFORMATION

Court Below: Franklin/Fulton County Court of Common Pleas  
 County: Franklin Division: Franklin County Civil Division  
 Date of Agency/Trial Court Order: August 13, 2015  
 Order Type: Order  
 OTN(s):  
 Lower Ct Docket No(s): 2014-4623  
 Lower Ct Judge(s): Kurtz, Stewart L.  
 Senior Judge

## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Part(s)	December 21, 2016	4

## Record Remittal:

## BRIEFING SCHEDULE

Amicus Curiae	Appellee
<b>Attorney General's Office of Pennsylvania</b>	<b>Doe 1, Jane</b>
<b>Brief</b>	<b>Brief</b>
Due: January 30, 2017 Filed: April 17, 2017	Due: March 1, 2017 Filed: February 2, 2017
<b>The Pennsylvania Sheriffs' Association</b>	<b>Reply Brief</b>
<b>Brief</b>	Due: April 17, 2017 Filed: April 17, 2017
Due: January 30, 2017 Filed: January 30, 2017	<b>Doe 1, John</b>
<b>Appellant</b>	<b>Brief</b>
<b>Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony</b>	Due: March 1, 2017 Filed: February 2, 2017
<b>Brief</b>	<b>Reply Brief</b>
Due: January 30, 2017 Filed: January 30, 2017	Due: April 17, 2017 Filed: April 17, 2017
<b>Reply Brief</b>	<b>Doe 2, John</b>
Due: February 21, 2017 Filed: February 16, 2017	<b>Brief</b>
<b>Reproduced Record</b>	Due: March 1, 2017 Filed: February 2, 2017
Due: January 30, 2017 Filed: February 2, 2017	<b>Reply Brief</b>
	Due: April 17, 2017 Filed: April 17, 2017



## BRIEFING SCHEDULE

## Appellee

Doe 2, John

Doe 3, John

## Brief

Due: March 1, 2017

Filed: February 2, 2017

## Reply Brief

Due: April 17, 2017

Filed: April 17, 2017

## REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date: November 25, 2017

Disposition: Date:

Reargument Order:

Record Remittal:

## SESSION INFORMATION

Journal Number: J-44-2017  
 Listed/Submitted Date: May 10, 2017  
 Consideration Type: Oral Argument Supreme Ct.

## DISPOSITION INFORMATION

Related Journal No: J-44-2017 Judgment Date: November 22, 2017  
 Category: Decided Disposition Author: Dougherty, Kevin M.  
 Disposition: Reversed/Reinstated/Remanded Disposition Date: November 22, 2017  
 Dispositional Filing: **Majority Opinion** Author: Dougherty, Kevin M.  
 Filed Date: November 22, 2017

Justice:	Saylor, Thomas G.	Vote:	Joins
Justice:	Baer, Max	Vote:	Joins
Justice:	Todd, Debra	Vote:	Joins
Justice:	Donohue, Christine	Vote:	Joins
Justice:	Wecht, David N.	Vote:	Joins
Justice:	Mundy, Sallie	Vote:	Joins

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>December 21, 2016</b>	<b>Allocatur Granted</b>		Per Curiam

## Comments:

AND NOW, this 21st day of December, 2016, the Petition for Allowance of Appeal is GRANTED. LIMITED TO the issue set forth below. Allocatur is DENIED as to all remaining issues. The issue rephrased for clarity, is:

(1) Whether the General Assembly intended to abrogate high public official immunity when it enacted 18 Pa. C.S.



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
§6111(i)?			
December 21, 2016	Original Record Transfer		Commonwealth Court of Pennsylvania
January 30, 2017	Amicus Curiae Brief	Amicus Curiae	The Pennsylvania Sheriffs' Association
January 30, 2017	Appellant's Brief	Appellant	Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony
January 31, 2017	Application for Leave to File Nunc Pro Tunc the Reproduced Record	Appellant	Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony
February 2, 2017	Order Granting Application for Leave to File Reproduced Record Nunc Pro Tunc		Dreibelbis, Amy
Comments: AND NOW, this 2nd day of February, 2017, Appellants' Application for Leave to File the Reproduced Record Nunc Pro Tunc is granted and the Reproduced Record received on January 31, 2017 is accepted for filing.			
February 2, 2017	Order Exited		Office of the Prothonotary
February 2, 2017	Appellant's Reproduced Record Filed	Appellant	Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony
February 2, 2017	Appellee's Brief	Appellee Appellee Appellee Appellee	Doe 1, John Doe 2, John Doe 3, John Doe 1, Jane
February 16, 2017	Appellant's Reply Brief	Appellant	Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony
February 21, 2017	Praecipe for Appearance Attorney General's Office of Pennsylvania	Amicus Curiae	Knorr, John G., III
February 22, 2017	Application for Leave to File Amicus Brief Nunc Pro Tunc	Amicus Curiae	Attorney General's Office of Pennsylvania



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 8, 2017	<b>Answer to Applic to File Amicus Brief NPT OR in the Alternative Motion to File Sur-Reply Brief</b>	Appellee	Doe 1, John
		Appellee	Doe 2, John
		Appellee	Doe 3, John
		Appellee	Doe 1, Jane
April 6, 2017	<b>Acknowledgement of Argument Notice</b> Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony	Appellant	Autry, Joshua M.
		Appellant	Autry, Joshua M.
		Appellant	Autry, Joshua M.
		Appellant	Autry, Joshua M.
April 6, 2017	<b>Acknowledgement of Argument Notice</b> Doe 1, John Doe 2, John Doe 3, John Doe 1, Jane	Appellee	Prince, Joshua Garet
		Appellee	Prince, Joshua Garet
		Appellee	Prince, Joshua Garet
		Appellee	Prince, Joshua Garet
April 17, 2017	<b>Order Granting Application for Nunc Pro Tunc Relief</b>		Per Curiam
	Comments: ND NOW, this 17th day of April, 2017, the Application for Leave to File Amicus Brief Nunc Pro Tunc and Appellees' Motion to File Sur-Reply are GRANTED.		
April 17, 2017	<b>Order Exited</b>		Office of the Prothonotary
April 17, 2017	<b>Amicus Curiae Brief</b>	Amicus Curiae	Attorney General's Office of Pennsylvania
April 17, 2017	<b>Appellee's Sur-Reply Brief</b>	Appellee	Doe 1, John
		Appellee	Doe 2, John
		Appellee	Doe 3, John
		Appellee	Doe 1, Jane
May 10, 2017	<b>Argued</b>		Supreme Court of Pennsylvania



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>November 22, 2017</b>	<b>Reversed/Reinstated/Remanded</b>		Dougherty, Kevin M.
Comments:			
Accordingly, we reverse the decision of the Commonwealth Court and remand for reinstatement of the trial court's order sustaining the preliminary objection dismissing Count III of the Complaint against Sheriff Anthony.			
Jurisdiction relinquished.			
Chief Justice Saylor and Justices Baer, Todd, Donohue, Wecht and Mundy join the opinion.			
<b>November 22, 2017</b>	<b>Judgment Entered</b>		Office of the Prothonotary
<b>November 25, 2017</b>	<b>Application for Reargument or in the Alternative Application for Extraordinary Relief</b>		
	Appellee		Doe 1, John
	Appellee		Doe 2, John
	Appellee		Doe 3, John
	Appellee		Doe 1, Jane
<b>December 11, 2017</b>	<b>Answer to Application for Reconsideration/Reargument</b>		
	Appellant		Franklin County, Franklin County Sheriff's Office, and Franklin County Sheriff Dane Anthony

## CROSS COURT ACTIONS

Docket Number: 1634 CD 2015  
Docket Number: 431 MAL 2016