



## CAPTION

Thomas Washington, Appellant  
 v.  
 The PA Department of Corrections, Appellee

## CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Active

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

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 225 Fifth Ave Ste 1200  
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Representing: Washington, Thomas, Appellant

Pro Se: No

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

Attorney: Hages, Ted Angelo

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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**


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 Receive EMail: Yes Email:  
 Representing: Department of Corrections, Appellee  
 Pro Se: No  
 IFP Status:

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Attorney: Adams, Kimberly Anne  
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 Representing: Department of Corrections, Appellee  
 Pro Se: No  
 IFP Status:

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 Representing: Department of Corrections, Appellee  
 Pro Se: No  
 IFP Status:

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Attorney: Hayes, Connor Pearse  
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 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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## Supreme Court of Pennsylvania



## Appeal Docket Sheet

Docket Number: 13 MAP 2022

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September 24, 2023

## COUNSEL INFORMATION

Attorney: Christy, Andrew Chapman  
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 Aclu Of Pa  
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 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:



## 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.

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>January 27, 2022</b>	<b>Notice of Appeal</b>	Appellant	Washington, Thomas
<b>January 27, 2022</b>	<b>Jurisdictional Statement</b>	Appellant	Washington, Thomas
<b>February 2, 2022</b>	<b>Praecipe for Appearance</b> Department of Corrections	Appellee	Adams, Kimberly Anne
<b>February 3, 2022</b>	<b>Verified Statement in Support of Continuation of IFP Status</b>	Appellant	Washington, Thomas
<b>February 3, 2022</b>	<b>In Forma Pauperis Continued</b>		Supreme Court of Pennsylvania
<b>March 15, 2022</b>	<b>Probable Jurisdiction Noted</b>		Dreibelbis, Amy
	Comments: AND NOW, this 15th day of March, 2022, probable jurisdiction is noted.		
<b>March 15, 2022</b>	<b>Order Exited</b>		Office of the Prothonotary
<b>March 16, 2022</b>	<b>Commonwealth Court Record Received</b>		Commonwealth Court of Pennsylvania
<b>April 1, 2022</b>	<b>Application for Extension of Time to File Brief - First Request</b>	Appellant	Washington, Thomas



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>April 1, 2022</b>	<b>Order Granting Application for Extension of Time to File Appellant Brief</b>		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.			
<b>April 1, 2022</b>	<b>Order Exited</b>		Office of the Prothonotary
<b>May 25, 2022</b>	<b>Appellant's Brief</b>	Appellant	Washington, Thomas
<b>May 25, 2022</b>	<b>Amicus Curiae Brief</b>	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			
<b>June 22, 2022</b>	<b>Appellee's Brief</b>	Appellee	Department of Corrections
<b>June 27, 2022</b>	<b>Application for Extension of Time to File Brief - First Request</b>	Appellant	Washington, Thomas
<b>June 27, 2022</b>	<b>Order Granting Application for Extension of Time to File Brief</b>		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.			
<b>June 27, 2022</b>	<b>Order Exited</b>		Office of the Prothonotary
<b>July 18, 2022</b>	<b>Appellant's Reply Brief</b>	Appellant	Washington, Thomas
<b>October 19, 2022</b>	<b>Dispositional Memo Order</b>		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?



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 19, 2022	Order Exited		Office of the Prothonotary
March 30, 2023	<b>Acknowledgement of Argument Notice</b> Department of Corrections	Appellee	Adams, Kimberly Anne
March 30, 2023	<b>Acknowledgement of Argument Notice</b> Washington, Thomas	Appellant	Hages, Ted Angelo
May 24, 2023	<b>Argued</b> Washington, Thomas Department of Corrections	Appellant Appellee	Hages, Ted Angelo Adams, Kimberly Anne

## CROSS COURT ACTIONS

Docket Number: 485 MD 2020