

PROOF OF SERVICE

I hereby certify, ^{swear & declare} that on 3/18/19 I served a true and correct copy of the petition for A Writ of Certiorari, Appendix and motion to proceed *pro* forma pauperis under perjury by mail delivery upon the following;

Jeremy J. Koleski, Esq
Phelan Hallinan Diamond & Jones, LLP
Omni William Penn Office Tower
555 Grant Street, Suite 300
Pittsburgh, PA 15219.

Michael P. Trainor
Blank Rome, LLP
One Logan Square
130 North 18th Street
Philadelphia, PA 19103

I served as required by Supreme Court Rule 29 on each party to the above proceeding or that party's counsel and on every person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days. The names of those served and addressed are listed above.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on 3/18/2019


Frederick Banks

Fees; In Forma Pauperis; Dismissal

The docket fee for an appeal is paid in the district court. The amount is \$505.00 for appeals filed on or after December 1, 2013. The docket fee for a petition for review of a decision of a federal agency or for an original proceeding is \$500.00 for petitions or original proceedings filed after December 1, 2013, paid in this Court.

If you are indigent you may file a motion for in forma pauperis status which dispenses with the filing and/or docketing fee in non-prisoner cases and allows you to file fewer copies of your brief. It does not cover other expenses associated with the appeal, e.g., service, copying, mailing, or costs you may have to pay the other party if you lose the appeal. FRAP 39.

The Clerk's Office will advise you whether you need to file a motion for in forma pauperis status. If you do not pay the docket fee or file the motion to proceed in forma pauperis and additional forms as may be required in accordance with the Clerk's instructions, your appeal may be dismissed. 3rd Cir. LAR 3.3 and 107.

A. In Forma Pauperis Status for Prisoners

The Prison Litigation Reform Act of 1996, effective April 26, 1996, has made significant changes to the in forma pauperis statute, 28 U.S.C. §1915, as it applies to civil actions and appeals filed by prisoners. The statute no longer provides for the waiver of court filing or docketing fees for prisoners who are granted leave to proceed in forma pauperis. If a prisoner has been granted leave to proceed in forma pauperis, the prisoner is obligated to pay the entire filing and/or docketing fee in the manner prescribed by statute, regardless of the outcome of the proceeding or appeal.

If you are a **prisoner** and paid the filing fee at the beginning of your case in the district court or were granted in forma pauperis by the district court and are indigent or cannot afford to pay the fees on appeal, you must file a motion to proceed in forma pauperis in the Court of Appeals.

B. In Forma Pauperis Status for Non-Prisoners

If you are not a prisoner and paid the filing fee at the beginning of your case in the district court, but are indigent or cannot afford to pay the fees on appeal, you may file a motion to proceed in forma pauperis, with an affidavit of poverty, in the district court.

If the district court denies the motion, or if you were granted permission to proceed in forma pauperis at the beginning of your case in the district court but the district court dismissed your