

No. 19-6651

In The Supreme Court of The United States

Shawn Thompson

Petitioner,

v.

Tom McGinley

Superintendent Coal TWP

Respondent,

ON PETITION FOR WRIT of CERTIORARI
THE THIRD CIRCUIT COURT OF APPEALS

PETITION FOR REHEARING

Shawn Thompson

LC-1790

2800 Lisburn Road

Camp Hill, PA 17001-0200

Petitioner, Pro se

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PETITION FOR REHEARING AND SUGGESTIONS IN SUPPORT

Comes Now Petitioner, Shawn Thompson, Pro se, and prays this Court to grant Rehearing pursuant to Rule 44, and thereafter, grant him a Writ of Certiorari to review the opinion of The Third Circuit Court of Appeals. In support of petition, Mr. Thompson states the following:

Statements of Facts

At a four day- 8 hour deliberated trial, Shawn Thompson was convicted by a jury of third degree murder and attempted robbery of a motor vehicle and was sentence to twenty-five to fifty years in a State Correctional Institutional.

According to the State key witness Sara Blanner testified that " Thompson and Manly were in a physically altercation outside the nightclub Dragofly. Mr. Manly was not the only person in the physically fight with Thompson, there was another guy, a friend of Manly, who came from out of the crowd and threw punches at Thompson". According to Sara Blanner: "the bigger guy (Manly) was winning the fight, and it appeared that Thompson face had some sort of big bruises on his face. The other guy that was with Mr. Manly came in and threw punches at Thompson". She also testified that "she didn't see where the knife was from, just only when the knife felled to the ground".

According another State key witness Alex Coheix testified that; "Thompson and Manly separated a few feet, and That Thompson threw Manly on the wall and stabbed him". Coheix also testified that "someone came from out the crowd, throwing punches at Thompson.

According to Thompson, "he stabbed Manly out fear for his own life, because not only was he being violently attacked from Mr. Manly, but also from Manly friend. Imagine the fear that Thompson must of been feeling, being banged up against a brick wall, taken kicks to the back of the head after being sucka punch and knocked down to the ground, and being repeatedly punch by two men. Furthermore, the attempted robbery of a motor vehicle, simply came from Thompson and The cab driver engaging in a tussle inside

the cab, because when Thompson jumped into the back of the cab after being chase from the scene where the stabbing took place. Thompson was being chase from a civilian, who later was identified as Micheal Hamilton, (not the Harrisburg Police) but a civilian continue to chase Thompson and Thompson continue to run for his life. The evidence shows the fear that Thompson was continue feeling even after the violently attack from Manly and his friend. The civilian chased Thompson down the back of dark alley's, until Thompson came to what he thought was safety for him and that was a cab, jumping into the back of the slider door of the cab.

Thompson then ask the cab driver from the back seat of the cab "Can you take me off?" "Can you take me out the area?". The cab driver who was a Native of Africa, barely spoke English, couldn't quite understand the ferafulness, scared, the panic state of mind that Mr. Thompson was in at the time. Thompson testified that when he went into his pocket to pull some money out for the cab driver, that's when the cab driver panic not knowing what was about to happen, so the only thing that the cab driver could do at that time was grabbed a hold of Thompson. Thompson and the cab driver engaged in a tussle match, a Harrisburg Police Officers, along with the civilian ran over to the cab and pulled Thompson from passenger side of the cab, detaining Mr. Thompson and charging Thompson with Criminal Homicide and Attempted Robbery of a Motor Vehicle.

Austin Dodge was a witness who the commonwealth scratch off from their list, so Austin Dodge who is U.S. Military Rep. and served in Afghanistan testified on behalf of Thompson stating that "people were attacking Thompson, and that the bigger (Manly) was banging Thompson up against the wall and I understand that he had to do what he had to do in order to survive". The evidence in this case shows nothing more than voluntary manslaughter, if not justifiable homicide, and and the trial court, and trial counsel violated Thompson Constitutional rights of the Fourteenth & Sixth Amendment, and the right to a fair/ an impartial.

REASON'S MERITING REHEARING

1. The Third Circuit merely examined the opinion of The United States District Court, Middle District of Pennsylvania, and made a decision in

light most favorable to the jury verdict, when the omitted instructions was ignored. For example, The United States District Courts, of Pennsylvania opinions states "The court found that the definition of "malice" given was adequate, as it was used one of three alternate version of the charge given in the PSSJI, and the words that Thompson claimed were left out 'optional material" and required to be part of the charge". (Id at 41).

Mr. Thompson states that his argument is that the 'optional material' language that wasn't given to the jury wasn't an error, the Courts are right, but Thompson points out to the other courts before this Court. What about the 'material' that not optional or bracketed in the instruction? The Third Circuit completely ignored the facts that the material that Thompson continues to raise, must be given to the jury to determine if there was a fair and impartial. If the 'material' (the instruction) that Thompson is raising was never given to the jury for the third degree murder instructions to be read as a whole, an instructions that is not 'optional material' then it violates Mr. Thompson due process of law. The Third Circuit Court of Appeals completely ignored the merit that Thompson brought forth to their Court, by showing that the material from the PSSJI that wasn't given to the jury, which is not optional material read as follow:

"When deciding whether the defendant acted
malice, you should consider
all the evidence regarding his words, conduct,
and the attending circumstances that may
show his state of mind, including state of mind".

The jury can not proceed the third degree murder instructions as a whole when the jury doesn't receive the complete instructions of an instructions. And for that jurors are presumed to follow the courts instructions. see Weeks v. Angelone, 528 U.S. 225, 234 (2000). Even when an instructions or elements is not given to the jury.

2. The Third Circuit Court of Appeals decision is clearly in conflict with *Strickland v. Washington*, 466 U.S. 668 (1984), emphasizing that in determining Strickland-prejudice, the court examine the testimony of Thompson and determine that the omitted elements if would of have been presented there is no reasonable probability of a different outcome in the trial. The Third Circuit merely examine the opinion of The United States District Court, Middle District, of Pennsylvania which stated: "There was no prejudice to Thompson because Thompson own testimony confirmed his intent to committed the Robbery". Thompson testimony went something like this: "My intent was just ask him" "Can you take me off?" "Can you take me out of the area?" see T.T. April 1-4, 2013 Pg. 193-196.

Thompson testimony never stated that his intent was to overwhelm the driver and commander his vehicle". Furthermore at bar, Thompson raised *inter alia*, counsel's ineffectiveness of assistance for failing to object to the incomplete instruction of Attempted Robbery, and for that charge an Evidentiary Hearing was held on Jan. 20, 2017. During the hearing trial counsel testified that he, counsel, that he was only focused on the asserted self-defense and murder charge, that he, counsel, considered the Attempted Robbery charge a "throw away" charge. [see Evidentiary Transcripts pg.9 line 23]. To further compound on his admitted and total failure, counsel alluded to and pointed out that he didn't think it was necessary to ask the court for clarification as it relates to the jury instructions on intent that requires for 'Attempt'. In a similar *Jackson v. Virginia*, 443 U.S. 307, 99 S.Ct 2781 61 L.Ed 560 (1979), "an incomplete jury instruction relieves the burden proof beyond a reasonable doubt for the Commonwealth. This COURT MUST GRANT REHEARING and ISSUE a WRIT OF CERTIORARI, because the failure to do so would allow The Third Circuit Court of Appeals to continue to apply the wrong standard in deciding the prejudiced prong of ineffective assistance claims and deny justice to those that it is entitled to.

3. Finally, The Third Circuit is conflict with the *Martinez v. Ryan*

prong. The Third Circuit Court of Appeals claims that Thompson has not met his burden of proof or persuasion. Trial Counsel was ineffective for failing to request an lesser included offense for Thompson when the evidence called for such an instruction. Mr. Thompson tried to get PCRA Counsel to amend the procedural defaulted issues threw his initial pcra, but pcra counsel failed to do so. Mr. Thompson filed letters threw the clerk of courts for PCRA counsel, requesting for him, counsel to raise the new procedural defaulted issues, but pcra counsel completely ignored the request and failed Thompson causing ineffectiveness, and prejudiced because the later became barred from state, procedural defaulted. In Saleem Bey v. Greene, 856 F.3d 233, similar case to Thompson, The courts gave an opinion and stated that "we conclude there is cause to excuse Bey's procedural defaulted issues for ineffectiveness assistance of counsel's pertaining to the Koliber instruction. In rejecting that position, The District Court reasoned that because the PCRA petition generally raised ineffectiveness claims based on issues with the Koliber charge, Bey counsel did raised the claim to state court". Here in Mr. Thompson case, ineffective of counsel was raised in a state court for the third degree murder instructions and attempted robbery of a motor vehicle instructions, that trial counsel failed to object to those instructions, but because the absent acts and omissions of pcra counsel, failing to raise the issues of Trial counsel ineffectiveness for failing to request an 'heat of passion instructio' and failing to object to Incomplete/Erroneous voluntary manslaughter instruction on Thompson initial PCRA, it caused prejudiced and there is a reasonable probability that the result of his trial and sentencing would have been different. Furthermore, because The Third Circuit Court of Appeals has truncated the scope of Strickland v. Washington, 466 U.S. 688, 687, 688 (1984), prejudiced review, This Court MUST grant certiorari.

4. This Court has ethical duty by The United States constitution to establish the law of the land and to assure the citizens of the United States of America that the lower court apply that law. When they do not, it is this Court's obligation to HOLD THAT COURT ACCOUNTABLE and seek to it

that justice is administered fairly. This Court MUST hear this case and hold The Third Circuit accountable for failing to properly apply the law of this Court and relief where relief is do.

SUGGESTIONS IN SUPPORT OF REHEARING

The Third Circuit Court of Appeal adopted the Report & Recommendations of the United States District Court, Middle District , of Pennsylvania, who used as evidence by the decision of the State Supreme Court who stated: "The trial court's decision to leave out the specific language "optional material" of definition of malice did not render the instruction erroneous or deficient".

The trial court violated Thompson due process right, by failing to give the complete instruction of third degree murder, which fundamentally caused the third degree murder instruction defective/deficient. Trial court failed to give the jury an instruction that completes the third degree murder, that wasn't "optional material". Were not talking language like "hatred, spite, or ill will, but the instruction not brought to the attention of the jury states as follows quoting from the PSSJI:

"when deciding whether the defendant acted with malice, you should consider ALL the evidence regarding his words, conduct and the attending circumstance that may show his state of mind including state of mind. [If you believe that the defendant intentionally used a deadly weapon on a vital part of the [victim's body] you may regard that as an item circumstantial evidence from which you may, if you choose, infer that the defendant acted with malice".]

Furthermore, The Third Circuit is conflict with the decision they made of the third degree murder instruction, when The Third Circuit Court of Appeals quoted and gave relief from cases like Cupp v. Naughten, 414 U.S. 141, 147, 94 S.Ct. 369, 370 L.Ed.2d (1973). In closely analogue of the Cupp v. Naughten case. "habeas corpus relief for a due process violation concerning an absent of an instruction, or a defective instruction infects the entire trial unfairness (whether constitutional violation has occurred will depend upon evidence in the case overall in the instructions given to the jury). also see Duckett v. Godinez, 67 F.3d 734, 745 (9th Cir. 1995).

Additionally, when the trial court failed to give the absent of the instruction it causes prejudice, confusion, and misleading of the jury in Thompson case. see Liard v. Horn, 414 F.3d 419, 426-27 (3rd Cir. 2005); Evertt v. Beard, 209 F.3d 500, 512 (3rd Cir. 2002). In Wortham, writing for the Court Chief Nix pointed out: "It is true that the charge to the jury must read as whole in order to determine if it was fair and prejudiced". In Thompson case, the instruction wasn't given as a whole, so how can the court determine was the trial fair and prejudiced. The Court **MUST EXAMINE** the Trial Transcripts, had the omitted instruction been presented, there is a reasonable probability of a different outcome.

To the extent that inferior federal courts have decided factually similar case, reference to those decisions is appropriate in assessing the reasonableness...of the state court's treatment of the contested issue Copeland v. Washington, 237, F.3d 969, 974 (8th Cir. 2000). Thompson refers this Court to Jackson v. Virginia, 443 U.S. 307, 99 S.Ct 2781 61 L.Ed 560 (1979), 'The incomplete instruction relieved the burden of proof beyond a reasonable doubt for the commonwealth'. Which in so, in Thompson case an incomplete instruction was given and it relieved the burden for the commonwealth. Also causing prejudiced and unfair trial for Thompson. The Third Circuit is in agreement with the District Court, Middle Court, of Pennsylvania that "Thompson argued that the court did not properly define "intent" as it related to the attempted charge. (Doc. 13, at 7). And on this score, we note that Thompson was given ample opportunity to develop this claim by the state court's, but simply to do so". This is in conflict with a decision, because here The Third Circuit Court of Appeals states that: "Thompson failed to develop the claim of ineffectiveness of counsel for trial counsel failure to object to the Attempted Robbery of a Motor Vehicle charge". But on Thompson appeal from the lower courts State Superior Court had found that there was arguable merit to Thompson claim, because the Court instructed the jury that attempt required intent, but did not define the meaning of 'intent' with respect to the charged offense.

Superior Court remanded the case for an evidentiary hearing. (Doc. 9, at 23). Trial counsel testified "that he was more concerned with defending the murder charge, and saw the attempted robbery charge as a "throw away charge" (Id). Furthermore, trial counsel stated that he did not believe it was necessary for the court to reiterate the definition of intent, as it had instructed the jury on specific intent with respect to the murder charge. (Id)

Not only did The Third Circuit stated that "Thompson was given ample opportunity to develop this claim, but simply to do so". First Thompson did develop this claim and Furthermore, The third Circuit merely examined the opinion of the District Court, Middle District, of Pennsylvania which stated: "The PCRA Court found that trial counsel's strategy of focusing on the murder-related charges was reasonable and that there was not a reasonable probability that the outcome would have been different if the language had been included. (Id. at 24) The claim of the instruction is that trial court violated Thompson 14th Amendment, when the trial court didn't define the element of 'intent' to require for 'Attempt'. All elements have to be proven beyond a reasonable doubt. Both appeals were denied, where both Courts adopted the trial courts ascertain "reasonable strategy " and "adequate instructional" despite it's acknowledgment of the jury instructions omitting definition and clarity.

Thompson turns back to *Jackson v. Virginia*, because Thompson defense at trial, in relation to the Attempted Robbery of a Motor Vehicle, was that Thompson lack any intent, to thereby neglect to the instruct the jury on the element of intent, effectively removed the Commonwealth of its burden of proof and persuasion, Jackson Supa. There is a likely probability that the erroneous jury instruction directly lead to Thompson conviction. In Additional, the District Court of Pennsylvania concluded that "There was no prejudiced to Thompson because Thompson own testimony confirm his intent to commit the robbery". (Id. at 25). And with The Third Circuit merely examining the opinion is in agreement with the District Court. However, all

the previous reviewing Courts, while quoting Strickland v. Washington, 466 U.S. 688, has repeatedly mis-applied the prejudiced standard as well as the performance and probability prongs. In this case Thompson own testimony at best was nothing but asking question to the cab driver. "My intent was just ask him [the cab driver]" "can you take me off?" "Can you take me out of the area?" see T.T April 1-4, 2013 pg.193-194. But the Courts found no prejudiced because Thompson own testimony confirmed his intent".

As already acknowledge the prejudiced that trial counsel preform to Mr.Thompson, was when counsel deemed the attempted robbery charge a "throw away" charge. Meaning in essence, Trial Counsel didn't care if Thompson was convicted of the Attempted Robbery of a motor vehicle charge or not. Here in this instant case, Trial counsel felt it was best to ignore Thompson constitutional duty to provide Thompson with effective representation. Any findings to the contrary is in error and mis-application of counsel performance. To allow this to stand, would amount to nothing less that the exact opposite of the standard set out in U.S. v. Cronic, 466 U.S. 648, 653 (1984) "of all the rights that an accused person has the right to be represented by counsel is by far the most persuasive for it affects his ability to assert any other right he may have" Id at 654.

Trial counsel's mind-set and subsequent deficient of Attempted Robbery beinga "throw away" charge, can not be viewed as strategy that any professional attorney would employ. Furthermore, one can only guess as to counsel intentions to the remaining charges and preparation of trial as a whole where counsel is willingly to "throw away" his client to faulty instructions. Therefore, The Untied States Constitution and its jurisprudence does not allow for a "throw away" charge. Nor should this Court.

This Court has an ethical duty by The United States constitutional to establish the law of the land to assure the citiziers of the United States of America that the lower court apply that law. When they do not, it is this Court's obligation to hold that Court ACCOUNTABLE and see to it that

justice is administered fairly. For Post-conviction counsel's failure to view Thompson pcra and amend petition and the said claims that Thompson had which to have raise, constituted deficient performance under thefirst prong of Stricklandanalysis meaning that Counsel representation fell below the standard of objectiveness. The Third Circuit made a decision that is clearly in conflict with the Martinez v. Ryan, 566 U.S. 1, 132 S.Ct. 1309, 182 L.Ed.2d 272 (2012), emphasizing "that Martinez does not, however allow a petitioner to rely on the ineffectiveness of post-conviction counsel as a ground for relief, as that is precluded by 2254". But later quoted under Martinez, "the failure to raise a claim in a PCRA petition is excused only if counsel rendered ineffective assistance in developing, or failing to develop the claim. Martinez, 566 U.S. at 21-22. Thompson argues that PCRA Counsel's failure to adequately raise the claims during collateral proceedings before the PCRA Court. Thompson wrote a letter to PCRA Counsel requesting that pcra counsel amend his petition to include said claims. The letter that Thompson wrote to counsel was log in on record as 9/25/15. It was very clear from the record that pcra counsel filed a no merit letter on 8/7/15. Thompson had filed the letter [] to pcra counsel threw Dauphin County clerk & courts as of 9/25/15, addressing for pcra counsel to amend petition for the issues could of gotten exhausted.

Before the courts grant permission for pcra counsel to withdrawal from Thompson post-conviction collateral relief; let the record reflect permission was granted on 11/30/15. see hab.pet. Ex. A. PCRA Counsel failed to response to Thompson letters and or amended said claims. see Preston v. Superintendent Grate4rford, 952 F.3d 365, 376 (3rd Cir. 2012). The Third Circuit addressed this case by stating "A lawyer performs deficiently when simply no rational basis to believe that Counsel's failure to argue the...en appeal was strategic choice". Here in Thompson case, PCRA Counsel filed a no-merit letter, requesting the Court to withdrawal from Thompson post-conviction because Thompson issues were meritless. Nonetheless, 90 days later permission was granted from the PCRA Court, Thompson then filed an appeal to the PCRA Superior Court, where that Court, reverse in part/affirmed in part and remand for further proceedings stating

that "Thompson have some merits". PCRA counsel filed the Finley/Turner letter, and told Thompson that his issues are meritless. But again PCRA Superior Court reversing in part/affirming in part and remanding for further proceedings, and this where the conflict comes into with this case, because The Third Circuit stated 'that trial counsel was not ineffective of assistance and there was no merit to Thompson issues. But if we go back the PCRA Superior Court stated, 'Thompson has some merits to his issues'. see. pet. for cert. Ex. H. Clearly it shows counsel's representation fell below an objective standard of reasonableness, which is one of the prong's a petitioner has to satisfy in Strickland to overcome the defaulted issue and be excused under Martinez.

The second prong of Strickland is the prejudiced. Thompson demonstrated the prejudiced that pcra counsel caused when pcra counsel failed to amend Thompson petition of the said issue that later became procedural defaulted. With the significance amount of evidence that shows the prejudiced that pcra counsel caused, the potentially success of the issues that was failed to be amended from pcra counsel. United States v. Mannino, 212 F.3d 835, 844 (3rd Cir. 2000)(citing as an example a case in which a layer failed to raise [an] obvious and potentially successful sentencing...issue"). The unprofessional errors and strategic choices that pcra counsel made for the selfishness to withdraw from the post conviction petition, when their is potential success within the procedural defaulted issues that pcra counsel failed to amend. There could of been a reasonable probability the result of the appeal proceeding would have been different.

In a similar case Malik Mack v. John Kerastes case No. 15-1829, "Petitioner was denied a certificate of appealability because he couldn't overcome one of the prongs of Strickland to excuse hs defaulted issues. The petitioner raised that pcra counsel failed to advance a claim of imperfect self-defense which became procedural defaulted, but the Courts determine the petitioner could not have established the defense, because petitioner fails to meet the requirement of imperfect self defense. The petitioner cannot prove that he was free from fault in provoking and he did not violate any duty to retreat. Here in Thompson case, one of the

procedural defaulted issue have some merit ,if not all but, Trial Counsel ineffectiveness for failing to raise a mitigated defense and request the instruction of 'heat of passion'. "A defendant is entitled to a jury instruction on his or her theory of the case if there is sufficient evidence to permit a reasonable juror "to credit the defendant theory " United States v. Josleyn, F.3d 1182 (1996). In Thompson case, trial counsel testified at a PCRA evidentiary hearing and counsel testified to "that he, counsel, was primarily focused, on defending the murder charge, and the asserted defense of self defense" (Id). Trial counsel provided ineffectiveness of assistance, when the strategy that trial counsel chosen was unsound.

It's clearly that the evidence in this case meets the requirement of a heat of passion instruction. The Court held "that a person is guilty of 'heat of passion' voluntary manslaughter, if at the time of the killing [he or she] reacted under sudden and intense passion resulting from serious provocation by the victim". Thompson got sucker punch from Manly, got knocked down to the ground and took kicks and punches from another man. The emotions such as anger, rage, sudden resentment, or terror which renders the mind incapable of reason falls in wide range of an request for an instruction of 'heat of passion'. In Additional, The Commonwealth in their closing arguments argue to the jury that "Thompson didn't kill Mr. Manly out self defense, but rather he killed him out of Anger, because Thompson was mad that he was losing the fight in front of a rowdy crowd". see T.T closing arguments. Anger on of the emotions of an heat of passion, and therefore trial counsel should requested the instruction after the Commonwealth statements to the jury. This enough evidence to support Trial Counsel ineffectiveness and prejudiced for the failure to raise the 'heat of passion' instruction, and the prejudiced of pcra counsel causing for failing to amend these issues. The unprofessional errors and strategic choices that pcra counsel made, was selfish.

Furthermore, see Glover v. United States, 531 U.S. 1981 (2001), where this Court stated: "In assessing whether counsel deficient performance

prejudiced a defendant any amount of actual jail time has Sixth Amendment significance". To that point, PCRA Counsel lacked ineffectiveness of assistance and caused prejudiced to Mr. Thompson, when failing to amend Thompson amended petition, from the letter that Thompson wrote asking pcra counsel to amend the issues. Thompson was convicted of third degree murder and Attempted Robbery of a Motor Vehicle, and was sentenced to twenty-five fifty years. Had the courts heard the issues that are defaulted, there is a reasonable probability of a different outcome.

Conclusion

For the reason's stated, this Court MUST Grant Rehearing of its judgment entered on February 2nd, 2020, and issue a Writ of Certiorari to hold the Third Circuit Accountable for failing to properly apply the law of this Court and grant Mr. Thompson relief. Should Thompson's cry for justice not be heard and denied relief; may this Court also cry and not be heard "For whoever shut their eyes to the cry of the poor will also cry themselves and not be heard." Proverbs 21:13.


Respectfully submitted,
Shawn Thompson
#LC-1790
2800 Lisburn Rd.
Camp Hill, PA 17001-0200

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was mailed, postage prepaid, this 2nd day of February, 2020, to : Supreme Court of The United States, 1 First Street, N.E., Washington, DC 20543.


Petitioner

No. 19-6651

In The Supreme Court of The United States

Shawn Thompson,

Petitioner

v.

Tom McGinley
Superintendent Coal TWP
Respondent

Certificate of Good Faith

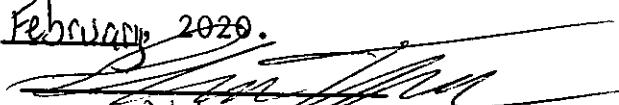
Comes Now Petitioner, Shawn Thompson, and makes certification that his petition for rehearing is presented to this Court in good faith pursuant to Rule 44. Mr. Thompson further states the following:

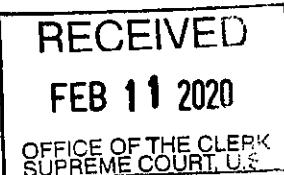
1. This Court entered it's judgement denying petitioner a Writ of Certiorari on January 13, 2020. Petitioner believes that he presents this Court with adequate grounds to justify the granting of rehearing in the case and said petition is brought in good faith and not d for delay.

Furthermore, petitioner believes that based upon the law of this Court and facts of this case, Thompson is entitled to relief which has been unjustly denied him. He further believes that if the Third Circuit Court of Appeals are continually allowed to apply the Strickland standard improperly, a number of people will be denied their constitutional right to due process.

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

Executed on this day on this 2nd day of February, 2020.


Petitioner



Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

January 13, 2020

Mr. Shawn Thompson
Prisoner ID LC-1790
2800 Lisburn Rd.
Camp Hill, PA 17001-0200

Re: Shawn A. Thompson
v. Tom McGinley, Superintendent, State Correctional Institution
at Coal Township
No. 19-6651

Dear Mr. Thompson:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,



Scott S. Harris, Clerk

Appendix
"A"