

NO. \_\_\_\_\_

---

IN THE  
SUPREME COURT OF THE UNITED STATES

---

WADE PLAIR, PETITIONER

---

VS.  
SUPREME COURT OF PENNSYLVANIA, et. al.  
(W.D. CIV NO. 3 : 21 -cv- 00163)  
(CA. NO. 22-1186)

RESPONDENTS

---

PETITION FOR WRIT OF CERTIORARI

---

APPENDIX – A

FEDERAL APPELLATE COURT : ORDERS

FILED BY : WADE PLAIR, PRO SE  
911 GREEN AVE. APT. #920  
ALTOONA, PENNSYLVANIA 16601  
PHONE : 814-889-5372

1. WRIT OF MANDAMUS  
FEDERAL RULES OF APPELLATE PROCEDURE: RULE 21(a)(b)(1)(2) (A)(B)(C)  
FEDERAL RULES OF APPELLATE PROCEDURE: RULE: 44 (a)  
FEDERAL RULES OF CIVIL PROCEDURE Rule: 56(a)(b)(c)(1)(A) (B)  
DATED : SEPTEMBER 15, 2021 -----1
  
2. UNITED STATES MAGISTRATE, WESTERN DISTRICT REPORT AND  
RECOMMENDATION. (4) PAGES DATED : NOVEMBER 8, 2021 -----2
  
3. WRITTEN OBJECTIONS TO MAGISTRATE'S REPORT  
FEDERAL RULES OF CIVIL PROCEDURE RULE: 72 (b) (2)(3)  
FEDERAL RULES OF APPELLATE PROCEDURE 3.1  
DATED NOVEMBER 22, 2021 -----3
  
4. UNITED STATES DISTRICT COURT, WESTERN DISTRICT ORDER  
JUDGE KIM R. GIBSON DATED : DECEMBER 29, 2021 -----4
  
5. MOTION FOR CERTIFICATE OF APPEALABILITY  
28 U.S.C. 2254 AND 2255 RULE: 11 (a) (b)  
FEDERAL RULES OF APPELLATE PROCEDURE RULE: 22(b) (2)  
DATED : JANUARY 26, 2022 -----5
  
6. U.S. COURT OF APPEALS 3<sup>RD</sup>. CIR ENTRY OF JUDGEMENT (2) PAGES  
DATED : MAY 17, 2022 -----6
  
7. U.S. COURT OF APPEALS 3<sup>RD</sup>. CIR. ORDER OF THE COURT  
DATED : MAY 17, 2022 -----7
  
8. PETITION FOR REHEARING  
FEDERAL RULES OF APPELLATE PROCEDURE RULE: 35 (b)(2)(3)  
FEDERAL RULES OF APPELLATE PROCEDURE Rule: 40 (a) (2)  
DATED : MAY 26, 2021 -----8
  
9. U.S. COURT OF APPEALS 3<sup>RD</sup>. CIR. PETITION FOR EXTENSION OF TIME  
DATED : JUNE 7, 2022 -----9
  
10. U.S. COURT OF APPEALS 3<sup>RD</sup> CIR. PETITION FOR REHEARING, DENIED (2) PAGES  
DATED : JULY 26, 2022 -----10

3-21-163

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RECEIVED

IN RE : WADE PLAIR

SEP 5 4 2021

---

PETITIONER / APPELLANT

CLERK, U.S. DISTRICT COURT  
FOR THE WESTERN DISTRICT  
OF PENNSYLVANIA

v.

SUPREME COURT OF PENNSYLVANIA, WESTERN DISTRICT, DOCKET NO. 117 WAL 2021

CONSOLIDATED CASES :

SUPERIOR COURT OF PENNSYLVANIA, WESTERN DISTRICT, DOCKET NO. 179 WDA 2021

TRIAL COURT : BLAIR COUNTY COURT OF COMMON PLEAS

TRIAL COURT DOCKET NO. 2019 GN 1764

TRIAL COURT DOCKET NO. CP-07-CR-00001231-2019

JUDGE DANIEL J. MILLIRON

---

RESPONDENT (S) / APPELLEE (S)

TITLE V. EXTRAORDINARY WRIT WRIT OF MANDAMUS

FEDERAL RULES OF APPELLATE PROCEDURE RULE 21 (a) (b) (1) (2) (A) (B) (C)

FEDERAL RULES OF APPELLATE PROCEDURE RULE 44 (a)

FEDERAL RULES OF CIVIL PROCEDURE RULE 56 (a) (b) (c) (1) (A) (B)

FILED BY: WADE PLAIR, PRO SE, 911 GREEN AVE. APT. 920 ALTOONA, PENNSYLVANIA 16601

PHONE : 814-889-5372

PAGE (1)

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WADE PLAIR, :  
Petitioner :  
v. : Case No. 3:21-cv-163-KRG-KAP  
SUPREME COURT OF :  
PENNSYLVANIA, *et al.*, :  
Respondents :  
:

Report and Recommendation

Recommendation

On or about September 15, 2021, petitioner submitted what he styled as a writ of mandamus [sic] directed to the Honorable Daniel Milliron, a judge of the Blair County Court of Common Pleas, and to each of the three levels of the Pennsylvania judiciary. It has been referred to me. Because the petition seeks dismissal of criminal charges against petitioner, it is a habeas corpus petition. Regarding it as a habeas petition, I recommend that pursuant to 28 U.S.C. § 2243 and Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, the petition be dismissed and that no certificate of appealability be issued. Petitioner's *ifp* status should be revoked on appeal because no good faith argument could be made that would support an appeal.

Report

As the attached seventeen-page public docket sheet indicates, petitioner is awaiting trial on criminal charges of disorderly conduct, defiant trespass, and harassment in the Blair County Court of Common Pleas, where he has chosen to proceed *pro se*. He filed a motion in the trial court seeking dismissal of the charges against him as barred by the Double Jeopardy Clause, a motion Judge Milliron heard and denied in January 2021. Petitioner took an interlocutory appeal that the Pennsylvania Superior Court quashed, and the Pennsylvania Supreme Court refused to review that action. Petitioner then filed this petition, asserting that the criminal charges against him are barred by the Double Jeopardy Clause.

Due to the special nature of the double jeopardy right and the fact that the right cannot be fully vindicated on appeal following final judgment, a petitioner who has exhausted his state court remedies can bring a pretrial petition for a writ of habeas corpus in federal court. Justices of Boston Municipal Court v. Lydon, 466 U.S. 294, 302-03 (1984).

The Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), Pub.L. No. 104-132, 110 Stat. 1214, April 24, 1996, allows a federal court to issue a writ of habeas corpus to a person challenging a state court criminal conviction and sentence if the petitioner establishes that he "is in custody in violation of the Constitution or laws or treaties of the United States." 28 U.S.C. § 2254(a); *see Howell v. Superintendent Rockview SCI*, 939 F.3d 260, 264 (3d Cir. 2019). AEDPA does not permit a federal court to review either trial or appellate proceedings *de novo*.

Where, as here, a state court adjudicates claims on the merits, to obtain relief a petitioner must show that the ruling:

- (1) resulted in a decision that was contrary to, or involved an unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States; or
- (2) resulted in a decision that was based on an unreasonable determination of the facts in light of the evidence presented in the State court proceeding.

28 U.S.C. § 2254(d). *See also Williams v. Taylor*, 529 U.S. 362, 405-06 (2000). An unreasonable application of federal law focuses on whether the state court unreasonably applied Supreme Court precedent, not whether it was "merely wrong." *White v. Woodall*, 572 U.S. 415, 419 (2014). An unreasonable determination of the facts is one where the petitioner proves by clear and convincing evidence, *see* 28 U.S.C. § 2254(e)(1), that the conclusion drawn from the evidence by the state court is so improbable that it "blinks reality." *See Miller-El v. Dretke*, 545 U.S. 231, 266 (2005). Where reasonable minds might disagree, federal habeas review cannot reject the state court's determination. *See Rice v. Collins*, 546 U.S. 333, 341-42 (2006).

These are deliberately demanding standards. As the Supreme Court has observed, habeas corpus is a guard against extreme malfunctions in the state criminal justice system, not a substitute for ordinary error correction through appeal, and requires a petitioner to show a malfunction in his prosecution so egregious "that the state court's ruling on the claim being presented in federal court was so lacking in justification that there was an error well understood and comprehended in existing law beyond any possibility for fairminded disagreement." *Harrington v. Richter*, 562 U.S. 86, 102-03 (2011). Or, as the Court of Appeals has put it, at every step of habeas review AEDPA "gives state courts the benefit of th[e] doubt." *Brown v. Wenerowicz*, 663 F.3d 619, 634 (3d Cir. 2011).

Here, there is no benefit of the doubt to discuss because there is no doubt: Judge Milliron made a decision that correctly applies Supreme Court precedent. Petitioner is

awaiting trial on charges that arose from events that allegedly took place on April 11, 2019. Petitioner says that the events that gave rise to the charges were also the subject of a November 20, 2019 civil agreement (attached as an exhibit to the petition) that resolved an eviction proceeding against him by the Altoona Housing Authority. The AHA agreed to drop its eviction proceeding and petitioner agreed to discontinue litigation pending in the state courts. Judge Milliron approved the agreement.

The Double Jeopardy Clause provides that no “person be subject for the same offence to be twice put in jeopardy of life or limb.” Constitution, Amendment 5. That clause prohibits the Government from punishing twice, or attempting a second time to punish criminally for the same offense. United States v. Ursery, 518 U.S. 267, 273 (1996). The key words here are “government” and “criminally.” The Altoona Housing Authority is not the government and does not have the power to prosecute crimes. No agreement with it can give petitioner a double jeopardy claim.

Second, an eviction proceeding is not a criminal proceeding and eviction is not so punitive either in purpose or effect that it would transform what is clearly intended as a civil remedy into a criminal penalty. See Hudson v. United States, 522 U.S. 93, 99-100 (1997). It is only a criminal punishment (or here, an agreement to forego criminal punishment) that would bar a subsequent criminal prosecution for an offence. The Supreme Court, in Kennedy v. Mendoza-Martinez, 372 U.S. 144, 168–169, (1963), listed factors that the Court looked to in Hudson: (1) “[w]hether the sanction involves an affirmative disability or restraint”; (2) “whether it has historically been regarded as a punishment”; (3) “whether it comes into play only on a finding of *scienter*”; (4) “whether its operation will promote the traditional aims of punishment-retribution and deterrence”; (5) “whether the behavior to which it applies is already a crime”; (6) “whether an alternative purpose to which it may rationally be connected is assignable for it”; and (7) “whether it appears excessive in relation to the alternative purpose assigned.” The Hudson court noted that “only the clearest proof” will suffice to transform what has been denominated a civil remedy into a criminal penalty. *Id.*

Petitioner does not come close to satisfying any of the Hudson factors, and to the contrary his proposed use of the agreement with AHA, though it seems appropriate to him in a relatively minor prosecution, would wreak havoc in serious criminal matters. Legal principles announced in one case are precedent in the next. Consider a homicide committed in a unit in an AHA building or other rental property, after which the accused suspect quickly “agreed” in a written agreement signed by a friendly landlord to be evicted, or (if not a tenant) “agreed” simply to stay off the premises. Under petitioner’s theory, regardless of the lack of participation by (or even notice to) the District Attorney he thereby could never be prosecuted for murder. That is absurd. The petition should be summarily denied.

Because petitioner does not make a "substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(3), no certificate of appealability should be issued.

Pursuant to 28 U.S.C. § 636(b)(1), the petitioner is given notice that he has fourteen days to file written objections to this Report and Recommendation. Petitioner is advised that in the absence of timely and specific objections, any appeal would be severely hampered or entirely defaulted. See EEOC v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (describing standard of appellate review when no timely and specific objections are filed as limited to review for plain error).

The Clerk shall add the District Attorney of Blair County to the docket as counsel for the Blair County Court of Common Pleas for notice purposes only. The District Attorney has no duty to respond.

DATE: November 8, 2021

  
Keith A. Pesto,  
United States Magistrate Judge

Notice by ECF to counsel of record and by U.S. Mail to:

Wade Plair  
911 Green Avenue, Apt. 920  
Altoona, PA 16601

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WADE PLAIR, :  
PETITIONER :  
V. :  
CASE NO. 3:21-cv-163-KRG- KAP

**FILED**

SUPREME COURT OF NOV 22 2021  
PENNSYLVANIA, et. al. : CLERK U.S. DISTRICT COURT  
RESPONDENTS : WEST. DIST. OF PENNSYLVANIA

COMES NOW, THE PETITIONER, WADE PLAIR, PRO SE, PURSUANT TO 28 U.S.C.]636 (b) (1) TO RESPECTFULLY FILE WRITTEN OBJECTIONS TO THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE KEITH A. PRESTO DATED : DATED : NOVEMBER 8, 2021. FEDERAL RULES OF CIVIL PROCEDURE : RULE 72 (b) (2) (3) MAGISTRATE JUDGE'S PRE-TRIAL ORDER.

FEDERAL RULES OF APPELLATE PROCEDURE : RULE 3.1. APPEAL FROM A JUDGEMENT OF A MAGISTRATE JUDGE IN A CIVIL CASE.

FILED BY : WADE PLAIR, PRO SE, 911 GREEN AVENUE APT. 920 ALTOONA PENNSYLVANIA 16601  
PHONE : 814- 889-5372.

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WADE PLAIR,	)	CIVIL ACTION NO. 3:21-cv-163
	)	
Petitioner,	)	JUDGE KIM R. GIBSON
	)	
v.	)	
	)	
SUPREME COURT OF	)	
PENNSYLVANIA, <i>et al.</i> ,	)	
	)	
Respondents.	)	

MEMORANDUM ORDER

This case was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72. The Magistrate Judge filed a Report and Recommendation on November 8, 2021, recommending that Wade Blair's ("Plair") Petition, styled as a writ of mandamus, but construed as a habeus corpus petition, be dismissed and no certificate of appealability be issued. (ECF No. 21 at 1). The Magistrate Judge further recommended that Plair's *in forma pauperis* status be revoked on appeal because "no good faith argument could be made that would support an appeal." (*Id.*).

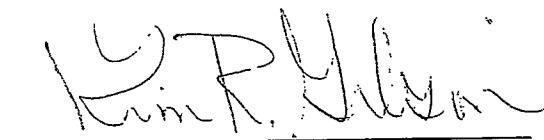
Plair was notified that, pursuant to 28 U.S.C. § 636(b)(1), he had fourteen days to file written objections to the Report and Recommendation. Plair filed objections to the Report and Recommendation on November 22, 2021. (ECF No. 6). Plair also filed an "appeal" to the Court which the Court construes as further objections to the Report and Recommendation. (ECF No. 7).

After *de novo* review of the record in this matter, the Report and Recommendation, and the objections thereto, the Court finds that the objections filed by Plair at ECF Nos. 6 and 7 are without merit. The following order is entered:

PAGE (4)

AND NOW, this 29<sup>th</sup> day of December, 2021, IT IS HEREBY ORDERED that the Petition (ECF No. 3) is dismissed with prejudice as stated in the Report and Recommendation. IT IS FURTHER ORDERED that no certificate of appealability is issued. The Court adopts the Report and Recommendation as the opinion of this Court.

BY THE COURT:



KIM R. GIBSON  
KIM R. GIBSON  
UNITED STATES DISTRICT JUDGE

Notice by U.S. Mail to:

Wade Plair  
911 Green Avenue  
Apartment 920  
Altoona, PA 16601

IN THE UNITED STATES COURT OF APPEALS FOR THE  
THIRD CIRCUIT, PHILADELPHIA, PENNSYLVANIA

IN RE : WADE PLAIR

---

PETITIONER APPELLANT

v.

*[Handwritten signature]*

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF PENNSYLVANIA  
MAGISTRATE JUDGE, KEITH A. PRESTO  
FEDERAL JUDGE, KIM R. GIBSON et al.  
CIVIL ACTION NO. 3 :21-cv-163-KRG-KAP

---

RESPONDENTS / APPELLEE (S)

MOTION FOR CERTIFICATE OF APPEALABILITY

28 U.S.C. 2254 AND 2255

RULES GOVERNING 2254 AND 2255 CASES RULE : 11 (a) (b) CERTIFICATE OF APPEALABILITY  
FEDERAL RULES OF APPELLATE PROCEDURE RULE: 22 (b) (2)

FILED BY : WADE PLAIR, PRO SE

911 GREEN AVENUE APT. #920

ALTOONA, PENNSYLVANIA 16601

PHONE : 814-889-5372

*PAGE (5)*

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT  
CLERK



UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT  
21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA, PA 19106-1790  
Website: [www.ca3.uscourts.gov](http://www.ca3.uscourts.gov)

TELEPHONE  
215-597-2995

May 17, 2022

Mr. Wade Plair  
911 Green Avenue  
Apt 920  
Altoona, PA 16601

Peter J. Weeks  
Blair County Office of District Attorney  
423 Allegheny Street  
Suite 421  
Hollidaysburg, PA 16648

RE: Wade Plair v. Supreme Court of Pennsylvania, et al  
Case Number: 22-1186  
District Court Case Number: 3-21-cv-00163

ENTRY OF JUDGMENT

Today, **May 17, 2022** the Court issued a case dispositive order in the above-captioned matter which serves as this Court's judgment. Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Form Limits:

3900 words if produced by a computer, with a certificate of compliance pursuant to Fed. R. App. P. 32(g).

15 pages if hand or type written.

Attachments:

PAGE (6)

A copy of the panel's opinion and judgment only.

Certificate of service.

Certificate of compliance if petition is produced by a computer.

No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. Pursuant to Fed. R. App. P. 35(b)(3), if separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to the form limits as set forth in Fed. R. App. P. 35(b)(2). If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,  
Patricia S. Dodszuweit, Clerk

By: s/ Shannon  
Case Manager  
267-299-4959

cc: Colleen Willison

CLD-149

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 22-1186

WADE PLAIR, Appellant

VS.

SUPREME COURT OF PENNSYLVANIA; ET AL.

(W.D. Pa. Civ. No. 3:21-cv-00163)

Present: AMBRO, SHWARTZ, and BIBAS, Circuit Judges

Submitted are:

- (1) Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1);
- (2) Commonwealth's response in opposition;
- (3) Appellant's reply to Commonwealth's response in opposition in the above-captioned case.

Respectfully,

Clerk

ORDER

Wade Blair requests a certificate of appealability (COA) to appeal the District Court's December 29, 2021 order denying what was properly construed as Blair's pretrial habeas petition. A COA will issue if jurists of reason would debate whether the litigant's habeas petition "states a valid claim of the denial of a constitutional right." Slack v. McDaniel, 529 U.S. 473, 478 (2000). Blair fails to make that showing. In particular, reasonable jurists would not debate the invalidity of Blair's double jeopardy claim, regardless of whether the test under Kennedy v. Mendoza-Martinez, 372 U.S. 144, 168-69 (1963), see Hudson v. United States, 522 U.S. 93, 99-100 (1997), or the test under Artway v. Attorney General of New Jersey, 81 F.3d 1235, 1254 (3d Cir. 1996), see

PAGE (1)

Taylor v. Cisneros, 102 F.3d 1334, 1341-42 (3d Cir. 1996), is applied. Accordingly, the COA request is denied.

By the Court,

s/Patty Shwartz  
Circuit Judge

A True Copy:



*Patricia S. Dodsweit*

Patricia S. Dodsweit, Clerk  
Certified Order Issued in Lieu of Mandate

Dated: May 17, 2022  
SLC/cc: Wade Blair  
Peter J. Weeks, Esq.

CLD-149

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

---

C. A. NO. 22-1186

---

WADE PLAIR, Appellant

VS.

SUPREME COURT OF PENNSYLVANIA ; ET AL.

( W.D. Pa. Civ. No. 3 :21-cv-00163)

---

PETITION FOR REHEARING

FEDERAL RULES OF APPELLATE PROCEDURE : RULE 35 (b) (2) (3) EN BANC DETERMINATION

FEDERAL RULES OF APPELLATE PROCEDURE: RULE 40 (a) (2) PETITION FOR PANEL  
REHEARING.

FILED BY : WADE PLAIR, PRO SE

911 GREEN AVENUE APT. #920

ALTOONA, PENNSYLVANIA 16601

PHONE : 814-889-5372

PAGE (8)

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 22-1186

WADE PLAIR,

Appellant

v.

SUPREME COURT OF PENNSYLVANIA, et al.

(W.D. Pa. No. 2-21-cv-00163)

Present: SHWARTZ, Circuit Judge

1. Motion by Appellant for Extension of Time to File Petition for Rehearing Exhibits and for Leave to File Rehearing Exhibits.

Respectfully,  
Clerk/slc

ORDER

The foregoing motion by Appellant for an extension of time to file a petition for rehearing exhibits and for leave to file rehearing exhibits is granted. These items shall be filed no later than June 21, 2022.

By the Court,

s/Patty Shwartz  
Circuit Judge

Dated: June 7, 2022  
SLC/cc: Wade Blair  
Peter J. Weeks, Esq.

PAGE (9)

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 22-1186

---

WADE PLAIR, Appellant

v.

SUPREME COURT OF PENNSYLVANIA; ET AL.

---

(W.D. Pa. Civ. No. 3-21-cv-00163)

---

SUR PETITION FOR REHEARING

---

Present: CHAGARES, Chief Judge, McKEE, AMBRO, JORDAN, HARDIMAN,  
GREENAWAY, JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER, MATEY,  
and PHIPPS, Circuit Judges

The petition for rehearing filed by Appellant in the above-entitled case having  
been submitted to the judges who participated in the decision of this Court and to all the  
other available circuit judges of the circuit in regular active service, and no judge who  
concurred in the decision having asked for rehearing, and a majority of the judges of the  
circuit in regular service not having voted for rehearing, the petition for rehearing by the  
panel and the Court en banc, is denied.

PAGE (10)

BY THE COURT,

s/Patty Shwartz  
Circuit Judge

Dated: July 6, 2022  
SLC/cc: Wade Blair  
Peter J. Weeks, Esq.

NO. \_\_\_\_\_

---

IN THE  
SUPREME COURT OF THE UNITED STATES

---

WADE PLAIR, PETITIONER

---

VS.  
SUPREME COURT OF PENNSYLVANIA, et. al.  
(W. D. CIV No. 3 : 21 -cv- 00163)  
(CA. No. 22-1186)

RESPONDENTS

---

APPENDIX – B

FILED : WADE PLAIR, PRO SE  
911 GREEN AVE #920  
ALTOONA, PENNSYLVANIA 16601  
PHONE : 814-889-5372

1. ALTOONA HOUSING AUTHORITY, LEASE TERMINATION NOTICE /  
NOTICE TO QUIT EVICTION DATED : MAY 3, 2019 ----- (A)
2. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA  
CRIMINAL DOCKET: CP-07-CR-00001231-2019 DATED: MAY 29, 2019 ----- (B)
3. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA  
CRIMINAL DOCKET: CP-07-CR-00001231-2019 DATED: JUNE 20, 2019 ----- (C)
4. LETTER, HABERSTROH, SULLIVAN & GEORGE, DATED: JUNE 28. 2019 ----- (D)
5. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, ORDER  
JUDGE TIMOTHY M. SULLIVAN, DATED : JULY 24, 2019 ----- (E)
6. COUNTY OF BLAIR, COURT ADMINISTRATOR, THOMAS M. PRICE  
DOCKET NO. 2019 GN 1764 ----- (F)
7. BLAIR COUNTY, PENNSYLVANIA, PROTHONOTARY, CIVIL CASE PRINT  
14373809202019 PYS510 (2) PAGES : ----- (G)
8. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, ORDER  
JUDGE TIMOTHY M. SULLIVAN, DATED : SEPTEMBER 4, 2019 ----- (H)
9. COMMON PLEAS COURT, BLAIR C., PENNSYLVANIA, ORDER  
JUDGE TIMOTHY M. SULLIVAN, DATED : SEPTEMBER 19, 2019 ----- (I)
10. LETTER, HABERSTROH, SULLIVAN, & GEORGE, DATED: SEPTEMBER 23, 2019 --- (J)
11. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, ORDER  
JUDGE TIMOTHY M. SULLIVAN, DATED : OCTOBER 9, 2019 ----- (K)
12. SUPREME COURT OF PENNSYLVANIA, WESTERN DISTRICT  
DOCKET NO. : 109 WM 2019 ----- (L)

13. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, FINAL ORDER,  
JUDGE DANIEL J. MILLIRON, DOCKET NO. 2019 GN 1764, DATED: NOV. 20, 2019 ---(M)

14. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA,  
MOTION TO BARR PROSECUTION, DATED : JANUARY 6, 2021 -----(N)

15. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, ORDER, DENIAL  
JUDGE DANIEL J. MILLIRON, DATED : JANUARY 12, 2021 -----(O)

16. SUPERIOR COURT OF PENNSYLVANIA, WESTERN DISTRICT, APPEAL  
MOTION TO BARR PROSECUTION, DATED : FEBRUARY 3, 2021 -----(P)

17. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, MOTION TO AMEND  
CRIMINAL INFORMATION, ASSIT. DIST. ATT. JESSICA ANN WEIL,  
DATED : FEBRUARY 3, 2021 -----(Q)

18. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, CRIMINAL INFORMATION  
SHEET. ASSIT. DIST. ATT, JESSICA ANN WEIL, DATED: FEBRUARY 3, 2021 -----(R)

19. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, ORIGINAL CRIMINAL  
INFORMATION SHEET, DIST. ATT. RICHARD CONSIGLIO, DATED: JULY 3, 2019 -----(S)

20. SUPERIOR COURT OF PENNSYLVANIA, WESTERN DISTRICT, ORDER TO QUASH,  
DOCKET NO. 179 WDA 2021 PER CURIAM DATED : MARCH 18, 2021 -----(T)

APPENDIX –B

APP-PAGE :

21. COMMON PLEAS COURT, BLAIR CO., PENNSYLVANIA, ORDER, TO  
GRANT, MOTION TO AMEND CRIMINAL INFORMATION, ASSIT. DIST. ATT.  
JESSICA ANN WEIL, DATED : MARCH 18, 2021, -----(U)

22. SUPREME COURT OF PENNSYLVANIA, WESTERN DISTRICT, PETITION FOR  
ALLOWANCE OF APPEAL, FILED, DATED : APRIL 9, 2021. -----(V)

23. SUPERIOR COURT OF PENNSYLVANIA, WESTERN DISTRICT, ORDER,  
TO QUASH, APPEAL AT: 476 WDA 2021, DATED: MAY 19, 2021 -----(W)

24. SUPREME COURT OF PENNSYLVANIA, WESTERN DISTRICT, FILED,  
PETITION FOR ALLOWANCE OF APPEAL, MOTION TO AMEND CRIMINAL  
INFORMATION, DATED : JUNE 14, 2021. -----(X)

25. SUPREME COURT OF PENNSYLVANIA, WESTERN DISTRICT, DENIAL, OF  
PETITION FOR ALLOWANCE OF APPEAL, AT: 117 WAL 2021  
DATED : AUGUST 16, 2021. -----(Y)

26. SUPREME COURT OF PENNSYLVANIA, WESTERN DISTRICT, DENIAL, OF  
PETITION FOR ALLOWANCE OF APPEAL, AT : 194 WAL 2021  
DATED : NOVEMBER 10, 2021. -----(Z)



# Altoona Housing Authority

2700 Pleasant Valley Blvd. • Altoona, Pennsylvania 16602-4492  
tel 814-949-2000 • tdd / voice 814-949-2002 • fax 814-949-2025  
[www.altoonahousing.org](http://www.altoonahousing.org)

## LEASE TERMINATION NOTICE NOTICE TO QUIT / EVICTION

May 3, 2019

Mr. Wade Blair  
911 Green Avenue, Apt. 920  
Altoona, PA 16601

Dear Mr. Blair:

As per the Altoona Housing Authority's One Strike Policy, Section V- Lease Enforcement: The Altoona Housing Authority's lease provisions bar drug-related and other criminal activity. Through the inception of this "One Strike" Policy, the Housing Authority will maintain a "zero tolerance" with respect to violations of lease terms regarding drug related or criminal activity. The Altoona Housing Authority will appropriately evict a public housing resident who: (1) engages in any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents.

Therefore, this shall serve as your notice to vacate your premises within ten (10) days from the date of this notice for the following reason(s):

On April 11, 2019 there was an incident between you and another resident wherein you were charged with the following by the Altoona Police Department:

1. Disorderly Conduct/Engage in fighting.
2. Defiant Trespass Posted.
3. Harassment-Subject Other to Physical Contact.

The Altoona Housing Authority has sufficient reason to believe that you have seriously or repeatedly violated the material terms of your lease which are as follows:

### **SECTION 9 "TENANT OBLIGATIONS"**

(i) **Compliance with Laws**: Tenant shall, at its sole cost and expense, promptly comply with all laws, statutes, ordinances and governmental rules, regulations or requirements now in force or which may hereafter be in force and with the requirements of any board of fire underwriters or other similar bodies now or hereafter constituted relating to or affecting the condition, use or occupancy of the Premises.

(ii) **Prohibited Activities**: Resident shall not engage in and shall prevent any Household Member, guest, visitor or invitee under the Resident's control from engaging in any of the following:

Pleasant Valley  
2700 Pleasant Valley Blvd.  
949-2000

Eleventh Street Tower  
1100 11th St.  
949-2011

Green Avenue Tower  
911 Green Ave.  
949-2009

Fairview Hills  
1614 First St.  
949-2016

Section 8 Program  
2700 Pleasant Valley Blvd.  
949-2008

APP- (A)



# COURT OF COMMON PLEAS OF BLAIR COUNTY

## DOCKET



Docket Number: CP-07-CR-0001231-2019  
**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania  
v.  
Wade Blair

Page 4 of 10

### COMMONWEALTH INFORMATION

Name: Blair County District Attorney's Office  
District Attorney

Supreme Court No:

Phone Number(s):  
814-693-3010 (Phone)

Address:  
Blair County Courthouse  
Suite 421  
423 Allegheny Street  
Hollidaysburg, PA 16648

### ATTORNEY INFORMATION

Name: Blair County Public Defender's Office  
Public Defender

Supreme Court No:

Rep. Status: Inactive  
Phone Number(s):

Address:  
Blair County Courthouse  
423 Allegheny Street, Suite 344  
Hollidaysburg, PA 16648

### ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	05/29/2019		DeAntonio, Daniel C.
	Bail Set - Blair, Wade		
2	05/29/2019		Plair, Wade
	Bail Posted - Blair, Wade		
	Blair County District Attorney's Office		
	06/20/2019 eService		Served
	Blair County Public Defender's Office		
	06/20/2019 eService		Served
1	06/20/2019		Court of Common Pleas - Blair County
	Original Papers Received from Lower Court		
	Blair County District Attorney's Office		
	06/20/2019 eService		Served
3	06/20/2019		MDJ-24-1-03
	Waiv of arraignment-Jury Trial		
	Blair County District Attorney's Office		
	06/20/2019 eService		Served
	Blair County Public Defender's Office		
	06/20/2019 eService		Served
1	07/12/2019		Commonwealth of Pennsylvania
	Information Filed		
	Blair County District Attorney's Office		
	07/12/2019 eService		Served
	Blair County Public Defender's Office		
	07/12/2019 eService		Served

APP-C

CPCMS 9082

Printed: 02/09/2021

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

**HSG**  
**ATTORNEYS AT LAW**  
*Haberstroh, Sullivan, & George, LLP*

Partners

William J. Haberstroh  
Shawn P. Sullivan  
Terressa E. George

Associate  
Brandon T. Ry

June 28, 2019

WADE PLAIR  
911 GREEN AVENUE TOWER APT. 920  
ALTOONA PA 16601

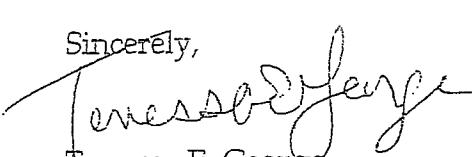
In Re:           Altoona Housing Authority v. Wade Plair  
                  No. 2019 GN 1764

Dear Mr. Plair:

Please be advised that I have been contacted and retained by the Altoona Housing Authority, in regards to the above-captioned eviction action. Pursuant to that representation, enclosed herewith please find a copy of the Complaint, which I have prepared and filed on behalf of my client, the Altoona Housing Authority. You have twenty (20) days to file a response to this Complaint.

Thank you for your attention to this matter.

Sincerely,

  
Terressa E. George

Enclosure

Cc:   Linda Holsinger  
      Altoona Housing Authority

APP-D

 Altoona Office

3615 Burgoon Road Altoona, PA 16602  
Phone: 814.944.9486 or 814.944.0300  
Fax: 814.944.4299 or 814.944.3200

Martinsburg Office

133 East Allegheny Street Martinsburg, PA 16662  
Phone: 814.793.7904  
Fax: 814.793.2673

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

ALTOONA HOUSING AUTHORITY,  
PLAINTIFF

2019 GN 1764

v.

WADE PLAIR,  
DEFENDANT

HON. TIMOTHY M. SULLIVAN

PRESIDING JUDGE

WILLIAM J. HABERSTROH, ESQUIRE  
TERRESSA E. GEORGE, ESQUIRE

COUNSEL FOR PLAINTIFF

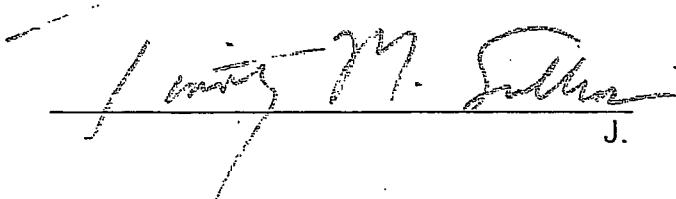
WADE PLAIR  
911 Green Avenue Tower, Apt 920  
Altoona, PA 16601

SELF-REPRESENTED LITIGANT

ORDER

AND NOW, this 24<sup>th</sup> day of July, 2019, the court having received the Plaintiff's Certificate of Readiness, it is hereby ORDERED, DIRECTED and DECREED that this matter shall be scheduled by the Blair County Court Administrator's Office for a one (1) day trial by court before the undersigned.

BY THE COURT:



A handwritten signature in black ink, appearing to read "Timothy M. Sullivan", is written over a horizontal line. Below the signature, the initials "J." are handwritten.

APP-E

# COUNTY of BLAIR



Janice Meadows  
District Court Administrator

Telephone 814-693-3050  
Facsimile 814-693-3289

OFFICE OF COURT ADMINISTRATOR  
423 ALLEGHENY STREET, SUITE 239  
HOLLIDAYSBURG, PA 16648

Harry Lorenzi  
Deputy Court Administrator

Mary Wilt  
Deputy Court Administrator

July 25, 2019

William J. Haberstroh, Esquire  
Terressa E. George, Esquire  
HSK&G, LLP.  
3615 Burgoon Road  
Altoona, PA 16602

Wade Plair  
911 Green Avenue Tower, Apt 920  
Altoona, PA 16601

Subject: Altoona Housing Authority Vs. Wade Plair  
2019 GN 1764  
Trial by Court

The above matter is scheduled per order of Court dated 7/24/19 as follows:

Date: Friday, NOVEMBER 22, 2019

Time: 9:00 A.M.

Place: Courtroom 5

Presiding: The Honorable Timothy M. Sullivan

Please feel free to contact this office if you have questions regarding this matter.  
Counsels are responsible for notifying their parties and witnesses.

Thomas M. Rice  
Civil Processor

Cc: The Honorable Timothy M. Sullivan  
Court Administration

APP-F

2019-01764 ALTOONA HOUSING (vs) WADE PLAIR

Reference No. . . . .	Filed. . . . .	6/05/2019
Case Type. . . . .	Time. . . . .	10:44
CIVIL APPEALS - JUDICIAL: MDJ (LANDLORD/TENANT)		
Judgment. . . . . 00	Execution Date	0/00/0000
Judge Assigned: SULLIVAN TIMOTHY M	Jury Trial. . . . .	
Disposed Desc. . . . .	Disposed Date. . . . .	0/00/0000
----- Case Comments -----	Higher Crt 1. . . . .	
	Higher Crt 2. . . . .	

\*\*\*\*\*  
General Index Attorney Info

ALTOONA HOUSING PLAINTIFF  
911 GREEN AVE  
ALTOONA PA 16601

WADE PLAIR DEFENDANT  
911 GREEN AVE  
APT 920  
ALTOONA PA 16601

\*\*\*\*\*  
\* Date Entries \*

6/05/2019 - - - - - FIRST ENTRY - - - - -  
NOTICE OF APPEAL FROM DISTRICT JUSTICE JUDGMENT WITH PRAECIPE TO  
ENTER RULE TO FILE COMPLAINT AND RULE TO FILE COMPLAINT FILED BY  
WADE PLAIR  
(SENT TO CT ADMIN 06 05 2019)  
6/05/2019 SECTION 8 TENANT'S SUPERSEDEAS AFFIDAVIT FILED PURSUANT TO  
PA.R.C.P.M.D.J. NO. 1008C(2)  
6/05/2019 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT  
FILED BY WADE PLAIR  
6/05/2019 PRAECIPE TO PROCEED IN FORMA PAUPERIS FILED BY WADE PLAIR  
6/14/2019 ORDER GRANTING IFP DATED 6/10/19 BY WAK  
6/27/2019 COMPLAINT IN CIVIL ACTION FILED BY ATTY GEORGE  
7/11/2019 ANSWER FILED BY WADE PLAIR  
7/16/2019 PRAECIPE FOR TRIAL LIST FILED BY ATTY GEORGE WITH CERTIFICATE OF  
COMPLIANCE (SENT TO CT ADMIN 7/16/19)  
7/16/2019 CERTIFICATE OF READINESS AGAINST DEFENDANT WADE PLAIR FILED BY  
ATTY GEORGE WITH CERTIFICATE OF COMPLIANCE  
7/24/2019 ANSWER TO PRAECIPE FOR ARBITRATION FILED BY DEFT ALONG WITH CERT  
OF SERVICE AND COMPLIANCE (SENT TO CT ADMIN 07/25/19)  
7/24/2019 ANSWER TO CERTIFICATE OF READINESS FILED BY DEFT ALONG WITH CERT  
OF COMPLIANCE AND SERVICE (SENT TO CT ADMIN 07/25/19)  
7/25/2019 COURT ADMINISTRATION SCHEDULED TRIAL BY COURT SET HEARING FO  
R11/22/19 @9:00 AM IN CT RM 5  
7/25/2019 NOTICE OF ENTRY OF ORDER HAS BEEN GIVEN AS REQUIRED BY PA.R.C.P.  
236(B).  
7/25/2019 ORDER DATED 7/24/19 BY TMS THAT THIS MATTER SHALL BE SCHEDULED BY  
THE BLAIR COUNTY COURT ADMINISTRATORS OFFICE FOR A ONE (1) DAY  
TRIAL BY COURT BEFORE THE UNDERSIGNED (SEE ORDER)  
7/25/2019 NOTICE OF ENTRY OF ORDER HAS BEEN GIVEN AS REQUIRED BY PA.R.C.P.  
236(B).  
7/31/2019 AMENDED ANSWER TO CERTIFICATE FO READINESS AGAINST PLAINTIFFS  
ALTOONA HOUSING AUTHORITY FILED BY WADE PLAIR WITH CERTIFICATE OF  
COMPLIANCE

APP-G

2019-01764 ALTOONA HOUSING (vs) WADE PLAIR

Reference No. . . . .	Filed. . . . .	6/05/2019
Case Type. . . . .	Time. . . . .	10:44
CIVIL APPEALS - JUDICIAL: MDJ (LANDLORD/TENANT)		
Judgment. . . . . 00	Execution Date	0/00/0000
Judge Assigned: SULLIVAN TIMOTHY M	Jury Trial. . .	
Disposed Desc. . . . .	Disposed Date	0/00/0000
----- Case Comments -----	Higher Crt 1. . .	
Higher Crt 2. . .		
7/31/2019 CONTINUATION OF IN FORMA PAUPERIS STATUS FILED BY WADE PLAIR		
8/30/2019 NOTICE OF APPEAL TO SUPERIOR COURT FILED PRO SE		
8/30/2019 CONTINUATION OF IN FORMA PAUPERIS STATUS FILED PRO SE		
8/30/2019 CERTIFICATE OF SERVICE FILED PRO SE		
9/05/2019 ORDER DATED 09/04/2019 IT IS ODD APPEAL IS QUASHED AND A HEARING IS SCHEDULED.		
9/16/2019 NOTICE OF APPEAL TO SUPERIOR COURT FILED PRO SE RE-FILLED APPEAL OF THE ORDER OF THE COURT		
9/16/2019 CONTINUATION OF IN FORMA PAUPERIS STATUS FILED PRO SE		
9/16/2019 CERTIFICATE OF SERVICE FILED PRO SE		
9/16/2019 NOTICE OF APPEAL TO SUPERIOR COURT FILED PRO SE		
9/16/2019 CONTINUATION OF IN FORMA PAUPERIS STATUS FILED PRO SE		
9/16/2019 CERTIFICATE OF SERVICE FILED PRO SE		
9/19/2019 ORDER DATED 09/19/2019 ODD NOTICE OF APPEAL IS QUASHED. SCHEDULED HEARING FOR 11/14/2019 AT 3:15 IN COURTROOM 5. THIS ORDER ALSO AUTHORIZES PROTHONOTARY TO REJECT ANY FILINGS OF NOTICE OF APPEAL UNTIL AFTER SCHEDULED HEARING ON 11/14/2019. BY TMS		
----- LAST ENTRY -----		

\*\*\*\*\*  
\* Escrow Information  
\* Fees & Debits Beg Bal Pymts/Adj End Bal  
\*\*\*\*\*  
\*\*\*\*\*

RENT	222.00	222.00	.00
RENT	222.00	222.00	.00
RENT	222.00	222.00	.00
	-----	-----	-----
	666.00	666.00	.00

\*\*\*\*\*  
\* End of Case Information  
\*\*\*\*\*

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

ALTOONA HOUSING AUTHORITY,  
PLAINTIFF

2019 GN 1764

v.

WADE PLAIR,  
DEFENDANT

**COPY**

HON. TIMOTHY M. SULLIVAN  
WILLIAM J HABERSTROH, ESQUIRE  
WADE PLAIR

PRESIDING JUDGE  
COUNSEL FOR PLAINTIFFS  
SELF-REPRESENTED LITIGANT

ORDER

AND NOW, this 4th day of September, 2019, it was brought to our attention that the Defendant, who is acting in a *pro se* capacity, filed an "Appeal of the Order of the Court" on August 30, 2019. It is hereby ORDERED, DIRECTED and DECREED that said Appeal is **quashed**. Our order of July 24, 2019 simply directed that this matter shall be scheduled for a one-day trial by court. In his Appeal, however, the Defendant seeks that we disqualify ourselves from presiding over his trial since the Plaintiff is represented by Attorney William J. Haberstroh and Attorney Terressa E. George, who work in the same law firm with Attorney Shawn P. Sullivan, the undersigned's brother. Therefore, we will treat the Defendant's "Appeal" as a Motion for Recusal and direct the Blair County Court Administrator's Office to schedule this matter for hearing before the undersigned. Fifteen (15) minutes shall be set aside for this hearing.

BY THE COURT:

Timothy M. Sullivan  
J.

APP-H

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

ALTOONA HOUSING AUTHORITY,  
PLAINTIFF

2019 GN 1764

v.

WADE PLAIR,

DEFENDANT

HON. TIMOTHY M. SULLIVAN

PRESIDING JUDGE

WILLIAM J HABERSTROH, ESQUIRE

COUNSEL FOR PLAINTIFFS

WADE PLAIR

SELF-REPRESENTED LITIGANT

ORDER

AND NOW, this 19<sup>th</sup> day of September, 2019, it was brought to our attention that the Defendant, who is acting in a *pro se* capacity, has filed another "Notice of Appeal" from our July 24, 2019 order. Our order of July 24, 2019 simply directed that this matter shall be scheduled for a one-day trial by court. Therefore, such order is merely a scheduling order and not a "final order". It is hereby ORDERED, DIRECTED and DECREED that said "Notice of Appeal" is quashed.

The next court hearing scheduled is **Thursday, November 14, 2019 at 3:15 p.m. in Courtroom No. 5**, at which time we will address the Defendant's request that we recuse ourselves from presiding over this trial. The Defendant is specifically directed not to file any "Notice of Appeal" before the November 14, 2019 hearing. If he does so, the Blair County Prothonotary's Office is authorized to reject such filing.

BY THE COURT:

Timothy M. Sullivan  
J.

APP-I

**HS&G**  
**ATTORNEYS AT LAW**  
*Haberstroh, Sullivan, & George, LLP*

Partners

William J. Haberstroh

Shawn P. Sullivan

Terressa E. George

Associate

Brandon T. Ryan

September 23, 2019

THE HONORABLE TIMOTHY M SULLIVAN  
423 ALLEGHENY STREET  
HOLLIDAYSBURG PA 16648

In Re:           Altoona Housing Authority v. Wade Blair  
                  No. 2019 GN 1764

Dear Judge Sullivan:

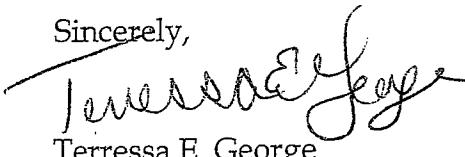
This letter will acknowledge receipt of your September 4<sup>th</sup> and September 19<sup>th</sup> Court Orders, in the above-captioned matter.

It is my understanding that Mr. Blair is requesting that you recuse yourself from hearing this case because of your relationship with Attorney Shawn Sullivan, in our office. Please be advised that, on behalf of our client, we will not object to your recusal. While we believe that you can be fair and impartial in this case, however, we understand Mr. Blair's position.

It is my understanding that a hearing on the issue of recusal is scheduled for November 14<sup>th</sup>. As you know, the hearing, in this matter, is scheduled for November 22<sup>nd</sup>. We do not want to delay the November 22<sup>nd</sup> hearing. Therefore, we request that this matter be moved before another Judge on November 22<sup>nd</sup>.

Thank you for your attention to this matter. If you have any questions, concerning this matter, please do not hesitate to contact me.

Sincerely,



Terressa E. George

✓Cc: Wade Blair  
Cc: Altoona Housing Authority

APP-T

Altoona Office  
3615 Burgoon Road Altoona, PA 16602  
Phone: 814.944.9486 or 814.944.0300  
Fax: 814.944.4299 or 814.944.3200

Martinsburg Office  
133 East Allegheny Street Martinsburg, PA 16662  
Phone: 814.793.7904  
Fax: 814.793.2673

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

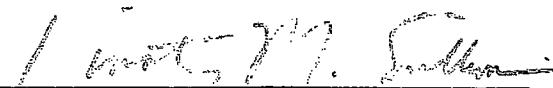
ALTOONA HOUSING AUTHORITY, PLAINTIFF	:	2019 GN 1764
V.	:	
WADE PLAIR, DEFENDANT	:	
HON. TIMOTHY M. SULLIVAN		PRESIDING JUDGE
WILLIAM J. HABERSTROH, ESQUIRE TERRESSA E. GEORGE, ESQUIRE		COUNSEL FOR PLAINTIFF
WADE PLAIR 911 Green Avenue Tower, Apt 920 Altoona, PA 16601		SELF-REPRESENTED LITIGANT

ORDER

AND NOW, this 9th day of October, 2019, it is hereby ORDERED,  
DIRECTED and DECREED that the undersigned ~~recuses~~ himself from this case.  
Therefore, the hearing that was scheduled on Thursday, November 14, 2019 at 3:15  
p.m. in Courtroom No. 5 is ~~cancelled~~. This matter remains scheduled for trial on  
Friday, November 22, 2019 at 9:00 a.m. in Courtroom No. 3, before the Honorable  
Daniel J. Milliron.

BY THE COURT:

APP-K

  
\_\_\_\_\_  
J.

cc: The Honorable Daniel J. Milliron



## Supreme Court of Pennsylvania

John A. Vaskov, Esq.  
Deputy Prothonotary  
Patricia A. Nicola  
Chief Clerk

Western District

November 15, 2019

801 City-County Building  
414 Grant Street  
Pittsburgh, PA 15219  
(412) 565-2816  
[www.pacourts.us](http://www.pacourts.us)

RE: **Plair, W., Pet. v. Blair County et al**  
**109 WM 2019**  
**Intermediate Court Docket No:**  
**Trial Court: Blair County Court of Common Pleas**  
**Trial Court Docket No: 2019 GN 1764**

Dear Attorney George  
Attorney Williams  
Blair County Prothonotary  
Judge Sullivan

This is to advise that the below listed item(s) was/were received in the above-captioned matter.

**Petition for Writ of Mandamus**  
**Application for Leave to File Original Process**

An original (unbound) and one (1) copy of either the Answer, or a letter stating that an Answer will not be filed, is required to be filed within fourteen (14) days after service. An additional three (3) days may be added if service was effectuated by mail. See Rule Pa.R.A.P. 121(e).

Effective January 6, 2018, all filings must contain a certification of compliance with the Public Access Policy of the Unified Judicial System. For more information, visit [www.pacourts.us/public-record-policies](http://www.pacourts.us/public-record-policies).

Very truly yours,  
Office of the Prothonotary

/alf  
cc: Wade Plair

APP-L

THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA  
CIVIL DIVISION

ALTOONA HOUSING AUTHORITY, :

Plaintiffs :

vs. :

NO. 2019 GN 1764

WADE PLAIR, :

Defendant :

**ORDER OF COURT**

WHEREAS, this matter has come before the Court on an appeal, by Defendant from an Order of the Magisterial District Judge, seeking possession of premises occupied by the Defendant; and

WHEREAS, the parties have reached agreement and compromise relative to the possession of the premises and disposition of the appeal and, based upon the consent of the parties, the Court enters the following Order;

AND NOW, this 20<sup>th</sup> day of Nov, 2019, this matter comes before the Court on a Complaint for Eviction and the parties having reached an agreement, **IT IS HEREBY ORDERED, DIRECTED AND DECREED** as follows:

1. The foregoing action shall act as a warning and notice to the Defendant, WADE PLAIR, and Defendant agrees that he shall not violate the Rules and Regulations of the Plaintiff, ALTOONA HOUSING AURTHORITY, and/or the terms of his Lease. In the event of a violations of said Rules and Regulations and the terms of his Lease, in the future,

APP-M

Defendant, WADE PLAIR, agrees the Plaintiff has the right to evict Defendant from the premises.

2. Defendant, WADE PLAIR, agrees to withdraw the pending Petition for Allowance of Appeal, Writ of Mandamus and Application for Leave to File Original Process, currently pending before the Supreme Court of Pennsylvania, docketed to 109 WM 2019. This Order shall act as a withdrawal of said actions and a formal request to the Supreme Court of Pennsylvania to dismiss the actions.

3. The Defendant's appeal and this action for possession is hereby denied and dismissed.

BY THE COURT:

Daniel J. McLean  
J.

We, ALTOONA HOUSING AUTHORITY, Plaintiff, and WADE PLAIR, Defendant, do hereby consent to the foregoing as an Order of Court.

Date: 11-19-19

ALTOONA HOUSING AUTHORITY, Plaintiff

Angela C. Alley  
Witness

BY: Linda Holsinger  
Linda Holsinger, Administrative Officer, II

Date: 11-19-19

Angela C. Alley  
Witness

Wade Blair  
Wade Blair, Defendant

IN THE COURT OF COMMON PLEAS, BLAIR COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA :

v. : CASE NO. CP-07-CR-00001231-2019

WADE PLAIR

DEFENDANT

MOTION TO BARR PROSECUTION

JURISDICTION

2021 JAN 6 PM 12:50

COMES NOW, THE DEFENDANT, WADE PLAIR, PRO SE, TO THE COURT OF COMMON PLEAS  
BLAIR COUNTY, PENNSYLVANIA, CRIMINAL DIVISION, PURSUANT TO 42 PENNSYLVANIA C.S.A.  
931 TO FILE: A MOTION TO BARR PROSECUTION, 42 PENNSYLVANIA RULES OF CRIMINAL  
PROCEDURE 575 AND 18 PENNSYLVANIA C.S.A. 109 (2) AND 18 PENNSYLVANIA C.S.A. 111 (2)  
AND TO CLAIM A VIOLATION OF THE DOUBLE JEOPARDY CLAUSE OF THE 5<sup>TH</sup>. AMENDMENT, OF  
THE UNITED STATES CONSTITUTION.

FILED BY : WADE PLAIR, PRO SE

911 GREEN AVENUE APT. #920

ALTOONA, PENNSYLVANIA 16601

PHONE: 814-232-4305

RECEIVED  
JAN 06 2021  
DISTRICT ATTORNEY'S  
OFFICE

APP-N

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :

VS. :

WADE PLAIR : CR 1231-2019

\*\*\*\*\*

HON. DANIEL J. MILLIRON : PRESIDING JUDGE

SIMON RYDER, ESQUIRE : ASSISTANT DISTRICT ATTORNEY

WADE PLAIR : SELF REPRESENTED LITIGANT  
911 Green Avenue Apt. 920  
Altoona Pa. 16601

ORDER

AND NOW, this 12<sup>th</sup> day of January, 2021, the Court is conducting a Suppression Hearing in which the Defendant has been appropriately questioned and has made the voluntary decision to proceed representing himself and he has waived counsel.

The Defendant has filed numerous Pro Se petitions and the Court believes that an Order which is dispositional of the majority of them will aide all parties, perhaps particularly the Court, in going forward, therefore it is ORDERED, DIRECTED AND DECREED as follows:

1. The Motion to Suppress under jurisdiction is hereby denied.

2. The Amended Motion to Suppress listed under

APP-D

jurisdiction is hereby denied.

3. The fact is that the undersigned Judge executed an Order dated November 20, 2019 which is being relied upon by the Defendant. That Order was civil in nature and involved the Altoona Housing Authorities efforts to evict/terminate the lease of the Defendant. That agreement apparently has been maintained by all parties and is not dispositional nor sets any precedent by way of estoppel or any other legal justification for this Court to stop the current prosecution. Simply put if the Altoona Housing Authority attempts to evict the Defendant on these same matters then the Defendant has a right to ask the Court to enforce that agreement but that will remain civil in nature.

4. The request by the Defendant to bar the prosecution is also denied.

5. The request to prevent the one witness, John Perazzo, from testifying based on a speculative but prior criminal record which may include crimen falsi prior convictions is deferred with the Court noting that if in fact Mr. Perazzo does testify the Defendant is entitled to all the crimen falsi information as entitled under the rules.

6. Finally, the prosecutions efforts to dismiss this case are also denied. Although the Defendant did not

comply with the Pretrial Rule 571 are true and correct however, this Court is not prepared to dismiss the Defendant's Pretrial Suppression Claims on a procedural matter at this point.

7. The Commonwealth's further request to dismiss this matter on Constitutional grounds are denied. The Court believes both parties are measuring this matter in Constitutional issues raising it far above what is necessary when it becomes a simple Motion to Suppress. The Motion to Suppress will continue forward and this Order is a final Order issued after approximately one hour of the hearing simply as a roadmap so this matter may go forward.

BY THE COURT

Daniel J. Milligan

tr

J.

IN THE SUPERIOR COURT OF PENNSYLVANIA

WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA :

v, : CASE NO. CP-07-CR-00001231-2019

WADE PLAIR

DEFENDANT

JURISDICTION

COMES NOW, THE DEFENDANT, WADE PLAIR, PRO SE, TO THE SUPERIOR COURT OF PENNSYLVANIA, WESTERN DISTRICT, PURSUANT TO 42 PENNSYLVANIA 741 TO APPEAL THE ORDER OF COMMON PLEAS COURT, BLAIR COUNT, PENNSYLVANIA, CRIMINAL DIVISION JUDGE DANIEL J. MILLIRON, DATED: JANUARY 12, 2021. IN WHICH, THE DEFENDANT'S MOTION TO BARR PROSECUTION, WAS DENIED.

FILED BY : WADE PLAIR, PRO SE

911 GREEN AVENUE APT. # 920

ALTOONA, PENNSYLVANIA 16601

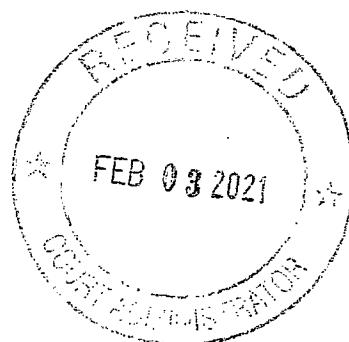
PHONE : 814-232-4305

APP - P

RECEIVED  
FEB 03 2021  
DISTRICT ATTORNEY'S  
OFFICE

2021 FEB -3 PM 11:21

PENNSYLVANIA  
SUPREME COURT  
RECEIVED  
FEB 03 2021  
CLERK'S OFFICE



**COPY**

**IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION**

**COMMONWEALTH OF PENNSYLVANIA** :  
VS :  
: 2019 CR 1231  
**WADE PLAIR,** :  
**DEFENDANT.** :

**MOTION TO AMEND CRIMINAL  
INFORMATION**

Filed on behalf of:  
Commonwealth of Pennsylvania  
District Attorney's Office by:

Jessica Ann Weil, Esquire  
PA ID #325191  
Assistant District Attorney  
Office of the District Attorney,  
County of Blair  
423 Allegheny Street, Suite 421  
Hollidaysburg, PA 16648  
(814) 693-3010

Pro Se Defendant:

Mr. Wade Blair  
911 Green Ave., Apt 920  
Altoona, PA 16601

APP-Q

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA :  
VS : 2019 CR 1231  
WADE PLAIR, :  
DEFENDANT. :  
RECEIVED  
BLAIR COUNTY  
CLERK'S OFFICE  
FEB 01 2019  
2021 FEB - 3 AM 11: 14

MOTION TO AMEND CRIMINAL INFORMATION

AND NOW, comes the Commonwealth of Pennsylvania, by and through the District Attorney's Office of Blair County, and files this Motion to Amend Criminal Information and in support thereof avers the following:

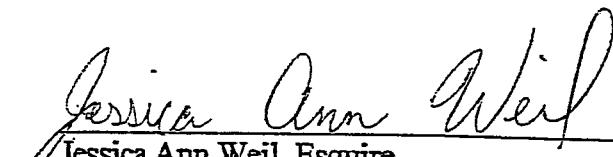
1. Defendant, Wade Blair ("Defendant-Plair"), is charged at the above criminal docket number with Disorderly Conduct (18 Pa. C.S.A. §5503A1); Criminal Trespass (18 Pa. C.S.A. §3503B.1); and Harassment (18 Pa. C.S.A. §2709A1).
2. The Commonwealth avers that the information filed in Defendant Kearney's case has a defect in the description of the Disorderly Conduct charges, and, pursuant to Pennsylvania Rule of Criminal Procedure 564, the Commonwealth is permitted to amend the information to accurately describe the offenses charged. Pa.R.Crim.P. 564.
3. Rule 564 states: "The court may allow an information to be amended when there is a defect in form, the description of the offense(s), the description of any person or any property, or the date charged, provided the information as amended does not charge an additional or different offense." Pa.R.Crim.P. 564 (emphasis added).
4. The Information presently describes the offense of Disorderly Conduct as a Misdemeanor of the third degree. However, after further consideration of the facts and evidence, the

Commonwealth now believes that it is appropriate to amend the grading of the Disorderly Conduct charge to a Summary offense.

5. The Commonwealth avers that it is neither charging an additional or different offense nor prejudicing Defendant-Plair in any way.
6. In light of the above, the Commonwealth avers that the requested Amendment to the Information is authorized by Pennsylvania Rule of Criminal Procedure 564 and has attached a proposed Amended information as Exhibit A.

WHEREFORE, the Commonwealth of Pennsylvania respectfully requests this Honorable Court allow and/or permit the Commonwealth to amend Count 2 and 3 of the instant Information to reflect the appropriate description for the Escape charge and Flight charge and amend the date range of the offenses. A copy of the proposed Amended Information is attached hereto as Exhibit "A".

Respectfully submitted,

  
\_\_\_\_\_  
Jessica Ann Weil, Esquire  
Assistant District Attorney

AMENDED INFORMATION  
IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION

Criminal Action No. CP-07-CR-0001231-2019

COMMONWEALTH OF PENNSYLVANIA

VS.

WADE PLAIR

The District Attorney of Blair County, by this Information charges that on or about Thursday, the 11th day of April, 2019, in said County of Blair, WADE PLAIR did commit the crime or crimes herein in ,

**COUNT 1: DISORDERLY CONDUCT ENGAGE IN FIGHTING**

185503A1 — Summary

did, with intent to cause public inconvenience, annoyance, or alarm, or recklessly create a risk thereof engage in fighting or threatening or in violent tumultuous behavior, all of which constitutes Disorderly Conduct, a Summary , in violation of Section 5503(a)(1) of the Crimes Code [18 Pa. C.S.A. 5503(a)(1)].

**COUNT 2: CRIMINAL TRESPASS/SIMPLE TRESPASSER**

18 P.S. 3503B.11 — Summary

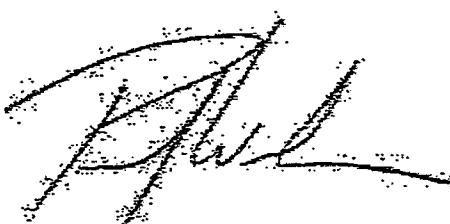
A person commits an offense if knowing that he is not privileged to do so enters or remains in any place for the purpose of threatening or terrorizing the owners or occupants of the premises.

**COUNT 3: HARASSMENT/STRIKE, SHOVE, KICK, ETC.**

18 P.S. 2709A1 — Summary

With the intent to harass, annoy or alarm another person, namely JOHN PERAZZO, did strike, shove, kick or otherwise subject such other person to physical contact, or did attempt or threaten to do the same, namely THE DEFENDANT WALKED TO THE DOOR AND PUNCHED THE VICTIM IN THE SIDE OF THE FACE in violation of Section 2709a1 of the Pa Crimes Code. [18 Pa C.S. 2709A1]

All of which is against the Acts of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.



District Attorney

Citation of Statute and Section:

185503A1  
18 P.S. 3503B.11  
18 P.S. 2709A1



1123-19  
JC  
PC 9/16

INFORMATION  
IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION

Criminal Action No. CP-07-CR-0001231-2019

COMMONWEALTH OF PENNSYLVANIA

VS.

WADE PLAIR

The District Attorney of Blair County, by this Information charges that on or about Thursday, the 11th day of April, 2019, in said County of Blair, WADE PLAIR did commit the crime or crimes herein in CITY OF ALTOONA,

COUNT 1: DISORDERLY CONDUCT ENGAGE IN FIGHTING

18 P.S. 5503A1 -- Misdemeanor 3rd DEGREE

did, with intent to cause public inconvenience, annoyance, or alarm, or recklessly create a risk thereof engage in fighting or threatening or in violent tumultuous behavior, all of which constitutes Disorderly Conduct, a MISDEMEANOR, in violation of Section 5503(a)(1) of the Crimes Code [18 Pa. C.S.A. 5503(a)(1)].

COUNT 2: CRIMINAL TRESPASS/SIMPLE TRESPASSER

18 P.S. 3503B.11 – Summary

A person commits an offense if knowing that he is not privileged to enter or remains in any place for the purpose of threatening or terrorizing the owners or occupants of the premises.

COUNT 3: HARASSMENT/STRIKE, SHOVE, KICK, ETC.

18 P.S. 2709A1 – Summary

With the intent to harass, annoy or alarm another person, namely JOHN PERAZZO, did strike, shove, kick or otherwise subject such other person to physical contact, or did attempt or threaten to do the same, namely THE DEFENDANT WALKED TO THE DOOR AND PUNCHED THE VICTIM IN THE SIDE OF THE FACE in violation of Section 2709a1 of the Pa Crimes Code. [18 Pa C.S. 2709A1]

All of which is against the Acts of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

  
District Attorney

Citation of Statute and Section: 18 P.S. 5503A1  
18 P.S. 3503B.11  
18 P.S. 2709A1

APP-S

RECEIVED  
JUL 03 2019  
BLAIR COUNTY  
PUBLIC DEFENDER'S OFFICE

COMMONWEALTH OF PENNSYLVANIA : IN THE SUPERIOR COURT OF  
v. : PENNSYLVANIA  
WADE PLAIR : Blair County Criminal Division  
Appellant : CP-07-CR-0001231-2019  
: No. 179 WDA 2021

**ORDER**

Upon consideration of Appellant Blair's *pro se* letter to this Court, docketed on March 4, 2021, as a response to this Court's Order of February 25, 2021, directing Appellant to show cause why this appeal should not be quashed as premature, the following is now **ORDERED**:

The appeal is **QUASHED**.

PER CURIAM

APP-1

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :

-vs-

: CR 1231-2019

WADE PLAIR :

THE HON. DANIEL J. MILLIRON :

PRESIDING JUDGE

SIMON R. RYDER, ESQUIRE :

ASST. DISTRICT ATTORNEY

WADE PLAIR :

SELF REPRESENTED LITIGANT

ORDER

AND NOW, this 19th day of March, 2021, the Court has conducted a hearing on the Motion to Amend Criminal Information filed by the Commonwealth. The Commonwealth's Motion was to reduce Count 1, Disorderly Conduct, from a Misdemeanor of the Third Degree to a Summary Offense. The Motion also alleges a typographical error which they wish to correct. The Court has, in open Court, reviewed Title 18 Section 5503, which defines Disorderly Conduct and the Court agrees that the Commonwealth, pursuant to Rule of Criminal Procedure 564, has the authority to amend this charge. For the record, it is apparent that the Commonwealth wishes to amend this so that a Trial by Jury would not be available and this matter would be subject to an expedited disposition as a Trial by Court. The Defendant objects to this and wishes to have a Trial by Jury. The only question the Court has is whether a previous appeal filed pro se by the Defendant deprives this Court of the jurisdiction to make a ruling on

APP-4

this case. The Court has once again gone over the Defendant's right to counsel and the attendant questions at this stage of the proceedings as it did previously when the Defendant made the decision to represent himself. Mr. Blair has again indicated his desire to act as his own counsel.

The Court grants the Motion and the Information is amended so that Count 1, Disorderly Conduct, is degraded to become a Summary Offense. Once again, the only question the Court has is whether it maintains that authority once the case has gone to the Superior Court. A copy of this Order shall be provided to the Superior Court. That appellate caption is 299 WDA 2021.

The Defendant has correctly pointed out that the Motion to Amend Criminal Information, in the WHEREFORE clause at the end, reflects an intention to amend an Escape Charge and a Flight Charge, which are simply not correct and are in error. There is no Escape or Flight Charge involved in this matter and Count 2 and Count 3 remain Summary Offenses as originally charged.

BY THE COURT

Daniel J. Milliron

J.

lah

IN THE SUPREME COURT OF PENNSYLVANIA  
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA :  
PLAINTIFFS : BLAIR COUNTY CRIMINAL DIVISION  
DOCKET NO. CP-07-CR-00001231-2019  
V. : SUPERIOR COURT OF PENNSYLVANIA  
DOCKET NO. 179 WDA 2021  
WADE PLAIR  
DEFENDANT :

PETITION FOR ALLOWANCE OF APPEAL

JURISDICTION

COMES NOW, THE PETITIONER, WADE PLAIR, PRO SE, TO THE SUPREME COURT OF PENNSYLVANIA, WESTERN DISTRICT, PURSUANT TO 42 PENNSYLVANIA C.S.A. 724 (A) PENNSYLVANIA RULES OF APPELLATE PROCEDURE 1112 TO APPEAL THE FINAL ORDER, PER CURIAM, OF THE SUPERIOR COURT OF PENNSYLVANIA, WESTERN DISTRICT, DATED : MARCH 18, 2021 WHICH QUASHED, THE DEFENDANT'S, MOTION TO BARR PROSECUTION FILED: FEBRUARY 3, 2021, TO THE SUPERIOR COURT OF PENNSYLVANIA, WESTERN DISTRICT, PURSUANT TO : 42 PENNSYLVANIA C.S.A. 741, ORIGINAL JURISDICTION.  
PENNSYLVANIA RULES OF APPELLATE PROCEDURE 1113 (A)  
PENNSYLVANIA RULES OF APPELLATE PROCEDURE 1311 (A)  
PENNSYLVANIA RULES OF APPELLATE PROCEDURE 1311 (A) (3)

FILED BY: WADE PLAIR, PRO SE, 911 GREEN AVENUE APT. #920

ALTOONA, PENNSYLVANIA 16601 PHONE: 814-232-4305

APP-V

COMMONWEALTH OF PENNSYLVANIA : IN THE SUPERIOR COURT OF  
: PENNSYLVANIA  
v. : Blair County Criminal Division  
: CP-07-CR-0001231-2019  
WADE PLAIR :  
Appellant : No. 476 WDA 2021

**ORDER**

Upon consideration of Appellant Blair's *pro se* pleading docketed on May 12, 2021, as a Response to this Court's Order of May 5, 2021, which directed Appellant to show cause why this appeal should not be quashed as premature, the following is now **ORDERED**:

The appeal is **QUASHED**.

PER CURIAM

APP-W

(10)

IN THE SUPREME COURT OF PENNSYLVANIA

WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA :

PLAINTIFFS : BLAIR COUNTY CRIMINAL DIVISION  
V. DOCKET NO. CP-07-CR-00001231-2019  
WADE PLAIR : SUPERIOR COURT OF PENNSYLVANIA  
DEFENDANT : DOCKET NO. 476 WDA 2021

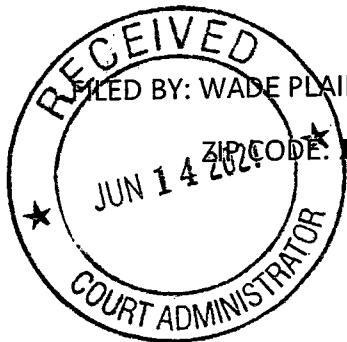
PETITION FOR ALLOWACE OF APPEAL

JURISDICTION

COMES NOW, THE DEFENDANT, WADE PLAIR, PRO SE, TO THE SUPREME COURT OF PENNSYLVANIA, WESTERN DISTRICT, PURSUANT TO 42 PENNSYLVANIA C.S.A. 724 (A) PENNSYLVANIA RULES OF APPELLATE PROCEDURE 1112, TO APPEAL, THE ORDER, PER CURIAM, OF THE SUPERIOR COURT OF PENNSYLVANIA, WESTERN DISTRICT, DATED: MAY 19, 2021 WHICH QUASHED, THE DEFENDANT'S APPEAL, TO THE SUPERIOR COURT OF PENNSYLVANIA DATED: MARCH 19, 2021. THE DEFENDANT, FILED A NOTICE OF APPEAL, NUNC PRO TUNC, DATED: APRIL 13, 2021 TO THE PRE-TRIAL MOTION TO AMEND CRIMINAL INFORMATION, FILED BY. THE BLAIR COUNTY, PENNSYLVANIA, OFFICE OF THE DISTRICT ATTORNEY DATED: FEBRUARY 3, 2021 RESPECTIVELY,  
PENNSYLVANIA RULES OF APPELLATE PROCEDURE 1113 (A)  
PENNSYLVANIA RULES OF APPELLATE PROCEDURE 1311 (A)  
PENNSYLVANIA RULES OF APPELLATE PROCEDURE 1311 (A) (3)

RECEIVED  
JUN 14 2021

DISTRICT ATTORNEY'S  
OFFICE



FILED BY: WADE PLAIR, PRO SE, 911 GREEN AVENUE APT. #920 ALTOONA, PENNSYLVANIA

ZIP CODE: 16601 PHONE: 814-889-5372

APP-X

IN THE SUPREME COURT OF PENNSYLVANIA  
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA, : No. 117 WAL 2021

Respondent

: Petition for Allowance of Appeal  
from the Order of the Superior Court

v.

WADE PLAIR,

Petitioner

ORDER

PER CURIAM

AND NOW, this 16th day of August, 2021, the Petition for Allowance of Appeal is  
DENIED.

A True Copy Patricia Nicola  
As Of 08/16/2021

Attest: Patricia Nicola  
Chief Clerk  
Supreme Court of Pennsylvania

APP-Y

**IN THE SUPREME COURT OF PENNSYLVANIA  
WESTERN DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 194 WAL 2021
	:	
Respondent	:	
	:	
	:	Petition for Allowance of Appeal
	:	from the Order of the Superior Court
V.	:	
	:	
WADE PLAIR,	:	
	:	
Petitioner	:	
	:	

## ORDER

**PER CURIAM**

**AND NOW**, this 10th day of November, 2021, the Petition for Allowance of Appeal is **DENIED**.

A True Copy Nicole Traini  
As Of 11/10/2021

Attest: Nicole Faini  
Chief Clerk  
Supreme Court of Pennsylvania

APP-Z