

EXHIBIT

A

maurice,

what's up baby?

Notchin' much here just
chillen thinking of you
and a couple of other
things so how are you
doing me okay but could
be so much better you
know how my parents
are crack heads well
I started smokin it to
for a little but I stopped
but I'm and my
mom got worse and I
got tired of it so I left
I know live in the
cable house now with
a friend I miss home
though but not as
much as I miss you.
I ran away one day
last week didn't
come home al night
but I had a lot on
my mind like a lot from
you cause I started
fippin cause I missed
you really bad that
day and with me
getting rapped by
that P.R. I just wanted
to go out and forget
all about my problem

getting short so I
am going to bungee
now. Remember I love
and care about you.

I love you
Victoria Abramson

P.S. Are you pissed at me?
Why?

P.S. Call my dad's this
Saturday at 1:00 please.
I miss talking to you.

252-9574 / 252-9574

And please write, right
at my back.
real house.

VICTORIA ABRAMSON
338 E. Princess St.
17403 York PA.

But stayin at

400 E. Princess St.
Apt. 206
York PA - 17403

Nov. 1, 1998

Attorney Eugene Campbell
18 S. George St.
York, PA 17401

Dear Attorney Campbell:

This is to let you know, that I willingly wish to testify on behalf of Glynn Holder. I have never and still do not believe the charges brought against him by my daughter, Victoria Abramson. I have contacted my friend about the items she has. Please come in here to the prison to speak to me or contact me, at any time.

Sincerely yours,
Dorothy V. Abramson

Copy

Attorney Eugene Campbell
18 S. George St., Suite 203
York, PA 17401

Nov. 7, 1990

Dear Attorney Campbell:

Glynn asked me to write to you with anything that I can remember that was in the diaries, letters, etc. that belong to my daughter, Victoria. Attorney Robinson has the one letter I had in here. Some of the things that were in there; one part she admits to starting to use crack around Christmas time last year. neither Glynn nor myself were using drugs at that time, Glynn was living in a 1/2-way house in Harrisburg, he wasn't even in York; she also says states in that letter that she spent her Christmas money on drugs; she admits to freely having sex with "thrott", A.K.A. "E", who was a drug dealer and who Detective Ward was looking for, in connection with this case; she goes into detail about what Glynn, supposedly, made her do to him, and how he took her to a crack house. She also talks about someone by the name of "G"; he also was a drug dealer, that used to "hook her up" with something. Those are some of the highlights I can remember from that letter.

Her diaries and letters, talk about her sexual encounters with different guys. On one, she refers to, someone who raped her, in March, when Glynn and I were in North Carolina. Kate, Nicole, and Vickie have covered up for each other, and been involved in different things

of the apartment. That is not true. He originally said to them, because of their disrespectful & disruptive behavior to get out of the apartment and stay out, but then changed what he said to, "go outside and wait for your father." This was at 10:00 am and their father was coming at 10:30 am. They left the house, with their father, and returned approximately 2 hrs. later. When I asked them, why they were back so early, they said they had their father bring them home, because he was cursing me out because he had received Child support papers from me that day. In the one newspaper article, he admitted to calling Children's Youth on me & Glyn. This same day, Shawn & Victoria were trying to figure out how to get money for some drugs and Glyn and I said "no" to any more drugs. After about 2 1/2 - 3 hrs. they left the house and went to a friend's house, and as they were leaving, stated we're gonna get "high" today. Victoria called me from this person's house to let me know they got there okay and would be home later. They never returned. I filed a missing Child report on both of them, around 10-11 pm that night with the York City Police Dept. Several times during visits at the Detention Center or Children's Home, they would mention how unhappy they were there; at one point I said, "Well, if you wouldn't have said what you did, you wouldn't be here." Shawn's answer to that was, "you shouldn't have called the police." I made mention to Victoria, alone, "whoever put you up to saying those things;" and she said Cathy." Since she has been writing to me, again,

hasn't mentioned anything about Glynn. All she says is that
set on me, so I would get help. There is no discussion about
was, allowed, between the kids and I.

re to the drug issue, she told the truant officer, at Hannah
, that she had been using drugs for 1 1/2 years, this statement
was made in April. That should be on the Court transcript
April 29, 1998. I previously sent Glynn, a note with important
, that occurred during the time frame that has been men-
tioned in all the arrest warrants and probable cause statements.
me frame, I missed, was the few days, he was in York Hospital
bril, 1998. Also, York City Police Dept, Detective Hoad, has a report
ed about items being taken from my apartment on Dec.
3. They also have a copy of a letter that Victoria had
s to her co-conspirators to take these things, after she
s to the policeman. She had any knowledge of what
happened.

At this point in time I am unable to remember anything
(as I remembered things), I would write them down and
them to Glynn. I did keep copies of those things. Also, I am
sitting a signed authorization for you, to obtain any needed
information to defend Glynn. If you need something more formal
me the necessary items and I will gladly sign them. Some
things that Attorney Robinson should have, are items
needed for my defense, that is the only reason he has them.
questions or further information I may be able to help
with, I will do so gladly.

Sincerely yours,
Victory W. Abramson

EXHIBIT

B



COMMONWEALTH OF
PENNSYLVANIA

COUNTY OF YORK

To any authorized person:

In the name of the Commonwealth of Pennsylvania, you are commanded to take into custody DOB: 1/29/78 M BLACK

(Name): RAMOS, ELLIS ELLIOT
(Address): ADDRESS UNKNOWN

If the defendant be found in said Commonwealth, and bring the defendant before us at WILLIAM J. FARRELL
204 EAST KING STREET
YORK, PA 17403

to answer the Commonwealth or YORK CITY POLICE
(Political Subdivision)

upon the complaint or citation of WARD, JR., DANA 133 C
charging the defendant with 18 §3121 SSA1

RAPE

and further to be dealt with according to law, and for such purposes this shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this

13th day of November, 2000.

SEAL William J. Farrell
(Signature)

Magisterial District No.: 19-1-01 Amount required to satisfy sentence:

Citation No.: FILED: 11/13/00
Docket No.: CR-0000389-00
OTN: H 138213-5 Fine: \$
Costs: \$ Other: \$
Total: \$

Amount needed to satisfy collateral: \$ 6832

Reason for warrant: FELONY

COPY : DEFENDANT

DEPUTY KEN WITMER

RETURN WHERE DEFENDANT
IS FOUND

By authority of this warrant
May 9, 2001

I took into custody the within named
ELLIS E. RAMOS

He is now at liberty on bail posted
before _____

in the _____ jail.

before you for disposition.

I accepted a guilty plea and
collected

\$ _____
for fine and costs.

I accepted a not guilty plea and
collected \$ _____
for collateral.

I accepted the fine and costs due
in the amount of

\$ _____

William J. Farrell Deputy
(Signature of Officer - Name & Title)

RETURN WHERE DEFENDANT
IS NOT FOUND

After careful search, I cannot find
the within named defendant

SIGNATURE _____

NAME _____

8 NOV 14 15 WARRANT OF ARREST

5 WARRANT CONTROL NO.:
0405800
DOCKET NUMBER:

CR-0000389-00

COMMONWEALTH

OF

PENNSYLVANIA

VS.

RAMOS, ELLIS ELLIOT

OFFENSE DATE 3/01/98

CHARGE

18 §3121 SSA1

I acknowledge that I am voluntarily
and knowingly pleading guilty. I paid
to the officer the fine and costs stated
in the warrant in the amount of

\$ _____

(Defendant's Signature)

I acknowledge that I am voluntarily
and knowingly pleading not guilty.
I paid to the officer the collateral for
my appearance at trial stated in the
warrant in the amount of

\$ _____

(Defendant's Signature)

Officer's costs:

Warrant _____

Miles @ _____¢

Commitments _____

Miles @ _____¢

Conveying to hearing _____

Miles @ _____¢

Total _____

ENTERED
FUGITIVE SENT TO COURT
CLEANING 12/1/01

Defendant's Name: Ellis Elliot Ramos

Docket Number: CR0000389-00-101



POLICE
CRIMINAL COMPLAINT

(1) RAPE: In that the defendant Ramos did engage in sexual intercourse with a complainant V.A. age 13 at time of incident, by forcible compulsion and by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution. Section 3121 (a)(1)(2) of PA Crimes Code

(2) INVOLUNTARY DEVIATE SEXUAL INTERCOURSE: In that the defendant Ramos did engage in deviate sexual intercourse with a complainant V.A. age 13 at time of incident, by forcible and threat of forcible compulsion that would prevent resistance by a person of reasonable resolution. Also with V.A. being less than 16 years of age and Ramos being four or more years older, age 21 at time of incident, and that they were not married to each other.

Section 3123 (a)(1)(2)(7) of PA Crimes Code

(3) STATUTORY SEXUAL ASSAULT: In that the defendant Ramos, being 21 years old at time of incident, did engage in sexual intercourse with a complainant, V.A. age 13 at time of incident, with V.A. being less than 16 years old and Ramos being four or more years older and the two of them not being married to each other.

Section 3122.1 of PA Crimes Code

(4) SEXUAL ASSAULT: In that the defendant Ramos did engage in sexual intercourse and deviate sexual intercourse with a complainant, V.A. without the complainant's consent.

Section 3124.1 PA Crimes Code

(5) INDECENT ASSAULT: In that the defendant Ramos age 21 at time of incident, did have indecent contact with a complainant, V.A. age 13 at time of incident, or caused the complainant to have indecent contact with him without the complainant's consent, by forcible and threat of forcible compulsion that would have prevented resistance by a person of reasonable resolution. Also with V.A. being less than 16 years of age and Ramos being four or more years older and the two of them not being married to each other.

Section 3126 (1)(2)(3)(8) of PA Crimes Code

(6) CORRUPTION OF MINORS: In that the defendant Ramos being over the age of 18 did act to corrupt or tend to corrupt the morals of a minor, V.A. age 13 at time of incident by aiding, abetting, enticing and encouraging the minor in the commission of a crime.

Section 6301 (a)(1) of PA Crimes Code

11/13/00
WJD

A F F I D A V I T

I, Ellis Ramos, Do here by state the following:

I first met Glyn Holder in A Holding Cell
At The Time of my trial in march of 2002
I Never met Him or saw Him Before Then
Any Accusations Made By Anyone Regarding
me Ellis Ramos Knowing Him Before That
Time are false and I Am willing To Testify
To That in Court. I Am saying This of my own
Free Will and No Body has Threatend me or forced
me To say This. This is The TRUTH.

I HEREBY VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE TRUE AND
CORRECT. I UNDERSTAND THAT FALSE STATEMENTS MADE HEREIN ARE MADE SUBJECT TO
THE PENALTIES OF 18 PA. C.S. §4904, RELATING TO UNSWORN FALSIFICATION TO
AUTHORITIES.

DATE: 8/7, 2008

ID-FB2826

SIGNED Ellis Ramos

N*O*T*A*R*Y*

Joseph B. Yodis

NOTARIAL SEAL
JOSEPH B. YODIS, Notary Public
Skippack Twp., Montgomery County
My Commission Expires August 1, 2011

GLYNN A. HOLDER

v.

COMMONWEALTH OF PENNSYLVANIA

Case No. 4275-CA-1998

AFFIDAVIT OF ELLIS ELLIOT RAMOS

My name is Ellis Elliot Ramos. I was convicted of the rape of Victoria Abramson, which happened at 338 East Princess Street, York Pennsylvania on March of 1998.

In review of legal documentation of my case, and the testimony of Victoria Abramson, from Mr. Holders trial transcripts; which I obtained from my attorney, I find that Testimony given by Victoria is that, I said to her that Mr. Holder told me that she would have sex with me, in exchange for two [2] twenty-dollar bags of crack cocaine. N.T. 154 Lines 1-3. And that Mr. Holder raped her in March of 1998, at the same date, time and location I have been convicted.

UNDER THE PENALITIES OF PERJURY AND THE STATUES THEREOF 18 Pa. C.S. §4904, I AM MAKING THE FOLLOWING TRUE AND CORRECT STATEMENTS:

1. March 1998 I DID NOT know Mr. Holder, and DID NOT come to know or meet him until he was brought to my trial March 2002.
2. I have NEVER had a conversation with Victoria Abramson concerning anything Mr. Holder said at ANYTIME.

In my review I find that Mr. Holder was charged and sentenced due to this heresay testimony, being sentenced consecutively with Crim. Sol. to Rape 6-12; Crim. Sol to IDSI 6-12 and Crim. Sol. 6-12.

3. I was not present at Mr. Holders Trial, Had I been, I would have testified, and made these facts known to the jury.
4. There was NOTHING set-up or pre-arranged through or by Mr. Holder, Nor did he have any involvement in this particular matter.

5. At the time of the offense at 338 East Princess Street Mr. Holder was NOT PRESENT in the house.

6. The sexual acts between Victoria and I were of our own consentual mind-set, having NOTHING to do with Mr. Holder.

7. I am making these statements of my own free will and am willing to testify to these facts above in court.

DATE: 8-9 2012

SIGNED: Ellis Ramos

NOTARY

EXHIBIT

C



COMMONWEALTH OF
PENNSYLVANIA

COUNTY OF YORK

To any authorized person:

In the name of the Commonwealth of Pennsylvania, you are commanded to take into custody **DOB: 3/13/59 M BLACK**

(Name): **HOLDER, GLYNN A.**
(Address): **338 E. PRINCESS ST.
2ND FL.
YORK, PA 17403**

If the defendant be found in said Commonwealth, and bring the defendant before us at **WILLIAM J. FARRELL
204 EAST KING STREET
YORK, PA 17403**

to answer the Commonwealth of **YORK CITY POLICE**
(Political Subdivision)

upon the complaint or citation of **WARD, JR., DANA 133 C**
charging the defendant with **18 S3121 SS1
RAPE**

and further to be dealt with according to law, and for such purposes this shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this

day of **7/30/98**, 19 **98**.

SEAL **7/1/98**

(Signature)

Magisterial District No.: **19-1-01** Amount required to satisfy sentence:

Fine: \$

Costs: \$

Other: \$

Total: \$

Amount needed to satisfy collateral: \$

Reason for warrant: **FELONY**

RETURN WHERE DEFENDANT
IS FOUND

By authority of this warrant

19

I took into custody the within named

He is now at liberty on bail posted before _____

In the _____ jail.

before you for disposition.

I accepted a guilty plea and collected

\$ _____

for fine and costs.

I accepted a not guilty plea and collected \$ _____

for collateral.

I accepted the fine and costs due in the amount of

\$ _____

(Signature of Officer - Name & Title)

RETURN WHERE DEFENDANT
IS NOT FOUND

After careful search, I cannot find the within named defendant

SIGNATURE

NAME

TITLE

WARRANT OF ARREST

WARRANT CONTROL NO.:

1916642

DOCKET NUMBER:

CR-0000243-98

COMMONWEALTH
OF
PENNSYLVANIA

VS.
HOLDER, GLYNN A.

OFFENSE DATE **12/01/97**

CHARGE

18 S3121 SS1

I acknowledge that I am voluntarily and knowingly pleading guilty. I paid to the officer the fine and costs stated in the warrant in the amount of

\$ _____

(Defendant's Signature)

I acknowledge that I am voluntarily and knowingly pleading not guilty. I paid to the officer the collateral for my appearance at trial stated in the warrant in the amount of

\$ _____

(Defendant's Signature)

Officer's costs:

Warrant

Miles @ **C** _____

Commitments

Miles @ **C** _____

Conveying to hearing

Miles @ **C** _____

ROXBURY

2

12/19/00

To Whom It May Concern:

Glynn Holder was admitted to Roxbury Treatment Center on 11/29/97 and he successfully completed treatment on 12/04/97.

Sincerely,

Claire Beckwith 

Claire Beckwith
CEO

ROXBURY

(X) 3

12/08/00

To Whom It May Concern:

Glynn Holder was admitted to Roxbury Treatment Center on 11/29/97 and the successfully completed treatment on 12/04/97. If you have any questions please give me a call.

Sincerely,

Dr. John Ramirez (mm)

Dr. John Ramirez,
Clinical Director

ROXBURY

To whom it may concern:

Roxbury is an inpatient/outpatient drug and alcohol rehabilitation center, licensed by the Pennsylvania Department of Health, Office of Drug and Alcohol Programs and accredited by the Joint Commission on Accreditation of Healthcare Organizations.

Please be advised that Glynn Holder was admitted to our program on 11-29-97. Ms./Mr. Holder

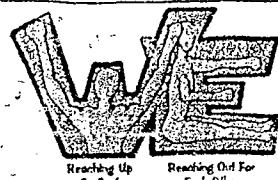
successfully completed all treatment goals and was discharged on 12-4-97

If you have any questions, please feel free to contact me at 1-800-648-4673.

Sincerely,



Rhonda Bridenstine
Medical Records



WE Center Ministries Inc.

Wwecenter@aol.com 1841 Market Street Harrisburg Pa 17103 (717)238-2034

Drug and Alcohol Counseling-Housing-Education-Referral Services

445-5112
443-9866

DEAR SIRS,

THIS IS TO VERIFY THAT MR. GLYNN HOLDER
DID RESIDE AT THE WE CENTER ON 1841 MARKET ST.
HARRISBURG, PA FROM 4 DEC 97 TO 29 JAN 98.

DURING HIS STAY AT THAT TIME HE DID
COMPLY WITH ALL RULES AND REGULATIONS AND DID
STAY GAINFULLY EMPLOYED.

ANY QUESTIONS PLEASE FEEL FREE TO
CALL OR WRITE. TODAY'S DATE IS 7 FEB 01

GLYNN,

I HOPE THIS HELPS,
HANG IN THERE, ANY WAY
I CAN HELP, LET ME
KNOW!

W. Eisenberg
Wayne Eisenberg
Executive Director
WE Center Ministries Inc.

WE.
WAYNE

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

GLYNN A. HOLDER

Petitioner

v.

CIVIL ACTION NO: 1:CV-03-1779

(Judge Conner)

(Magistrate Judge Blewitt)

GEORGE PATRICK et. Al.,

AFFIDAVIT OF WAYNE EISENBERG

I DECLARE UNDER PENALTY OF PERJURY THE STATEMENTS MADE HEREIN
ARE TRUE
AND CORRECT:

1. Please state your full name and address. WAYNE EISENBERG 1417 TRINITY RD. CARLISLE, PA. 17013
2. Please state your occupation. EXECUTIVE DIRECTOR / WE CENTER MINISTRIES
3. Was this your occupation/ place of employment Dec. 1997 thru Feb. 1998? YES
4. How did you become acquainted with Glynn A. Holder/Here after the petitioner? WAS REFERRED BY ROXBURY REHAB
5. When did the petitioner move into the We Center Ministries at 1841 Market Street, Harrisburg, Pa. 17103? 4 DEC 97
6. During the month of December 1997, was the petitioner allowed to stay out over night? If not why. NO, UNDER WE CENTER ~~REHAB~~ GUIDELINES FOR RESIDENTS #11 PROHIBITS
This is page 2 of the affidavit.

W.E.

IT

1. Did the petitioner abide by all of the rules and regulations at the Center? and if not what rules did the petitioner break, during his stay at the center. YES

How long did the petitioner live at the We Center Ministries? 4 DEC 97 to 29 JAN 98

9. During the petitioners residency at the Center, Was he clean and sober? If so how would you know? YES, DAILY CONTACT + RANDOM URINE CHECKS.

10. Was the We Center Ministries Inc. the petitioners place of residency the month of December 1997 thru January 1998? YES - 4 DEC 97 to 29 JAN 98

11. What background do you have that would give you knowledge or authority on Behaviors and Drug/Alcohol Addiction? M.S. IN CHEMICAL DEPENDENCE FROM LASALLE UNIV. NATIONALLY CERTIFIED ADDICTIONS COUNSELOR, CERTIFIED CRIMINAL JUSTICE SPECIALIST, MEMBER OF ASSOC. OF CHEM. COUN.

12. Was the petitioner living at 338 E. Princess Street in York, PA. Dec. 1997 thru Jan. 1998? HE RESIDES AT THE WE CENTER NO KNOWLEDGE

From 4 DEC 97 to 29 JAN 98 of ANY OTHER RESIDENCE

NO OTHER QUESTIONS FOLLOW.

THE ABOVE STATEMENTS ARE TRUE AND CORRECT, PUNISHABLE UNDER
THE PENALTY
OF PERJURY. C.S.A. PA 42; §4909 Duly Sworn

DATE: May 29 2004

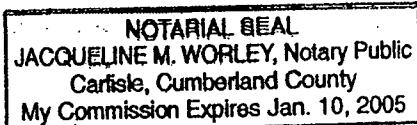
Signed

Address

N*O*T*A*R*Y

Witness

Jacqueline M. Worley



A F F I D A V I T

Had I been Subpeonaed, I would have made the proper Arrangements, in order for my Testimony to be heard, March 1, 1999 at Trial and /or the P.C.R.A. Hearing March 28, 2001 or April 6, 2001.

Had I been Subpeonaed, I would have been and/or made myself available to Testify at Trial, March 1st, 2nd, or 3rd, 1999.

Had I been Subpeonaed, I would have been, and/or made myself available to testify at the March 28, 2001 or April 6, 2001 P.C.R.A. Hearing.

I would have Testified, as to the information Contained in my files on Mr. Holder and my knowlege of him.

A representitive of the facility would have appeared with information of Record of Mr. Glynn A. Holder; (work Record, Drug testing if taken, Dates of employment and Character.

If subpeonaed, I would not have Testified.

Date: 10/24/01
(UNSWORN AUTHORITIES)
18 PA. C.S. § 4909

Respectfully,

Wayne Eisenberg

Notary _____

Witness

Heath I. Hibshman

Heath I. Hibshman

NOTE: PLEASE PLACE YOUR INITIALS IN THE SPACE PROVIDED, NEXT TO THE STATEMENT WHICH IS TRUE, SIGN, DATE, NOTARIZE OR HAVE WITNESSED BY (2) AND RETURN.

A*P*P*I*D*4*V*Y*9

WB
WC

I DO NOT KNOW DEBORAH HARGETT-ROBINSON ESQUIRE.

WE

I HAVE NOT, DURING THE TIME FRAME OF JANUARY 2002 THRU MARCH 2002, RECEIVED A NOTICE OF QUESTIONS FROM OR BEEN INTERVIEWED BY DEBORAH HARGETT-ROBINSON ESQ. IN REGARDS TO MR. GLYNN A. HOLDER.

WJ

I HAVE PROVIDED DEBORAH HARGETT-ROBINSON ESQ. WITH INFORMATION OF MR. GLYNN A. HOLDER, AS IT REFERS TO COMMONWEALTH V. HOLDER.

WJ

I HAVE NEVER BEEN INTERVIEWED BY ANY COUNSEL REPRESENTING MR. GLYNN A. HOLDER.

DATE: 4 JUNE 02
(UNKNOWN AUTHORITIES)
18 PA. C.S. 4909

SIGNED: WJ

WATINE RISENBURG
WE CENTER MINISTRIES

NOTARY:

WITNESS: Heath L. Hirschman
Heath L. Hirschman

S E A L

WITNESS: Dale L. Casman
Dale L. Casman



COMMONWEALTH OF
PENNSYLVANIA

COUNTY OF YORK

To any authorized person:

In the name of the Commonwealth of Pennsylvania, you are commanded to take into custody DOB: 3/13/59 M BLACK

(Name): HOLDER, GLYNN ANTHONY
(Address): 3400 CONCORD RD.
C/O YORK COUNTY PRISON
YORK, PA 17402

If the defendant be found in said Commonwealth, and bring the defendant before us at WILLIAM J. FARRELL
(Address): 204 EAST KING STREET
YORK, PA 17403

to answer the Commonwealth or YORK CITY POLICE

(Political Subdivision)

upon the complaint or citation of WARD, JR., DANA 133 C
charging the defendant with 18 S902 SSA
CR. SOL. TO COMMIT STATUTORY SEXUAL ASSAULT
and further to be dealt with according to law, and for such purposes this shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this

5 day of Sept, 1998.

SEAL

(Signature)

Magisterial District No.: 19-1-01

Amount required to satisfy sentence:

Fine: \$

Costs: \$

Other: \$

Total: \$

Citation No.: FILED: 9/08/98

Docket No.: CR-0000295-98

OTN: F 172996-5

Amount needed to satisfy collateral: \$

Reason for warrant: FELONY

COPY : SHERIFF/CONSTABLE

RETURN WHERE DEFENDANT
IS FOUND

By authority of this warrant
9-8, 1998

I took into custody the within named
GLYNN HOLDER.

He is now at liberty on bail posted
before _____.

In the _____ jail.

before you for disposition.

I accepted a guilty plea and
collected

\$ _____
for fine and costs.

I accepted a not guilty plea and
collected \$ _____
for collateral.

I accepted the fine and costs due
in the amount of

\$ _____

DET. D.C. Wren
(Signature of Officer - Name & Title)

RETURN WHERE DEFENDANT
IS NOT FOUND

After careful search, I cannot find
the within named defendant

SIGNATURE

NAME

TITLE

WARRANT

WARRANT CONTROL NO.:
1923947

DOCKET NUMBER:

CR-0000295-98

COMMONWEALTH

OF

PENNSYLVANIA

VS.

HOLDER, GLYNN ANTH

OFFENSE DATE 2/01/9

CHARGE

18 S902 SSA

I acknowledge that I am voluntarily and knowingly pleading guilty. I paid to the officer the fine and costs stated in the warrant in the amount of
\$ _____

(Defendant's Signature)

I acknowledge that I am voluntarily and knowingly pleading not guilty. I paid to the officer the collateral for my appearance at trial stated in the warrant in the amount of
\$ _____

(Defendant's Signature)

Officer's costs:

Warrant

Miles @ \$

Commitments

Miles @ \$

Conveying to hearing

Miles @ \$

Total

July 5, 2001

To: Whom It May Concern

From: Nancy C Holder

This is to verify that on January 30, 1998 my son Gleean A Holder was present in my home. He arrived here around 5:30 pm. We visited until 12:30 am at which time he left to return home in Pennsylvania. He returned the next morning saying he had car trouble just miles out of Wilson city limits and was unable to complete the trip home. He was here until the following weekend when his friend (Dot) from PA came down, spent the night and they left on Sunday to return back to PA.

Sincerely,

Nancy C Holder

Nancy C. Holder

Kathy D. Faucette

Kathy D. Faucette, Notary Public

My commission expires: May 18, 2003

A F I D A V I T

I Glancy C Holder of 444 Thanksgiving Rd
Selma NC 27576:

HAD been contacted by Mr. Eugene Campbell ESQ. either by means of telephone or subpoena, including written correspondence in regards to information on the defendant, GLYNN A. HOLDER.

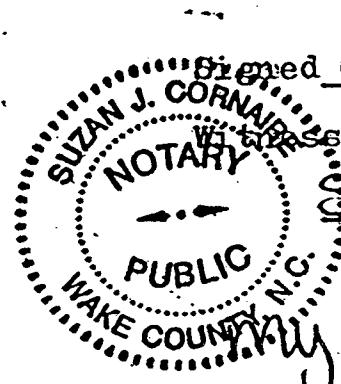
during the months of July 1998 thru March 1999.

HAVE NEVER BEEN CONTACTED by Mr. Eugene Campbell ESQ. peroid.

THIS STATEMENT IS CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE UNDERSTANDING AND BELIEF AS TO 18 PA. C.S.A. sec 4904.

Date: 6-11-2001

STATED:



Suzan J. Cornarre

Notary Public

My commission expires 9/5/200

A F F I D A V I D T

Had I been Subpeonaed, I would have made the proper Arrangements, in order for my Testimony to be heard, March 1, 1999 at Trial and/or the P.C.R.A. Hearing March 28, 2001 or April 6, 2001.

Had I been Subpeonaed, I would have been and/or made myself Available to Testify at Trial, March 1st, 2nd, or 3rd, 1999.

Had I been Subpeonaed, I would have been, and/or made myself Available to Testify at the March 28, 2001 or April 6, 2001 P.C.R.A. Hearing.

I would have Testified, as to the Information Contained in my Files on Mr. Glynn A. Holder and my knowledge of Him.

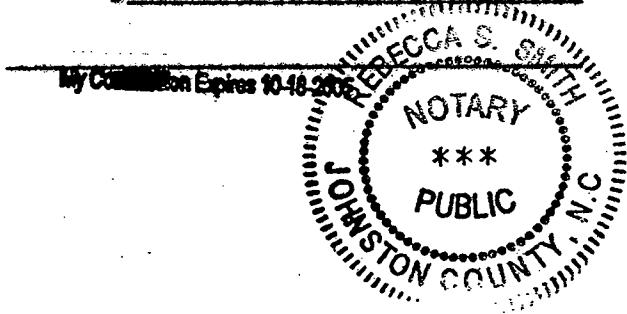
A representative of the Facility would have Appeared with information of Record of Mr. Glynn A. Holder: (Work Record, Drug Testing if taken, Dates of employment and character while employed here.

If Subpeonaed, I would not have testified.

Date: 10-15-01
(UNSWORN AUTHORITIES)
18 Pa. C.S. § 4904

Respectfully,
Nancy C Holder

Notary Rebecca S. Smith



Witness:
Kathy D. Faurette

NOTE: PLEASE PLACE YOUR INITIALS IN THE SPACE PROVIDED, KEEP TO THE STATEMENT WHICH IS TRUE, SIGN, DATE, NOTARIZE OR HAVE WITNESSED BY (2) AND RETURN.

APPEALED/ACCEPTED

NCH I DO NOT KNOW DEBORAH-HARGETT-ROBINSON ESQ/RE.

NCH I HAVE NOT, DURING THE TIME FRAME OF JANUARY 2002 THRU MARCH 2002, RECEIVED A NOTICE OF QUESTIONS FROM OR BEEN INTERVIEWED BY DEBORAH HARGETT-ROBINSON ESQ. IN REGARDS TO MR. GLENN A. HOLDER.

NA I HAVE PROVIDED DEBORAH HARGETT-ROBINSON ESQ. WITH INFORMATION OF MR. GLENN A. HOLDER, AS IT BEFERS TO COMMONWEALTH V. HOLDER.

NCH I HAVE NEVER BEEN INTERVIEWED BY ANY COUNSEL REPRESENTING MR. GLENN A. HOLDER.

DATED: June 6, 2002

(UNIFORM AUTOCERTIFICATE)
16 PA. C.R. 6999

SIGNED: Mary C Holder

NOTARY:

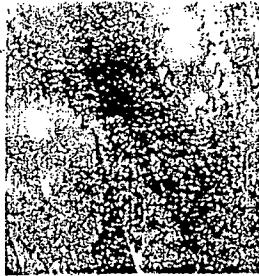
Rebecca Smith

commission expires
10-18-05

S E A L

ADDRESS: Kathy Held
201 Traperswood Dr
Goldsboro NC 27530

ADDRESS: Paisleyton
302 Hinmont St
Microm NC 27555



Nursefinders
The Professional Choice.

November 7, 2000

Glynn A. Holder
EA 7173
P.O. Box 1000
Houtzdale PA 16698-1000

Dear Glynn,

I have received your letter requesting information regarding your employment with Nursefinders. I have enclosed 4 invoices that we billed for services you provided to our clients. I high-lighted your name, dates that you worked and the times that you worked those shifts. Your date of hire with us was February 25, 1998.

I hope that this information will be of help to you. If I can be of further assistance, please let me know.

Sincerely,

Anna M. Garczynski
Office Manager



Ed in March of 1998

NOV 06 2000 16:31 FR NURSEFINDERS INC. 817 462 9148 TO HARRISBURG

P.02/10

COMPANY 027
NUMBER

DUPLICATE ORIGINAL

INVOICE 160582
NUMBER

nursefinders
The Professional Choice.

P.O. BOX 910477
DALLAS, TEXAS 75391

PATIENT: YORK HOSPITAL MED SURG

101958
YORK HOSPITAL
ATTN: ROBIN STUMP
1001 SOUTH GEORGE ST
YORK, PA 17403

WEEK
ENDING 3/08/98

AMOUNT ENCLOSED

TERMS: NET UPON RECEIPT

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

Federal ID 75-1473273

DATE		DESCRIPTION OF SERVICES OR SUPPLIES	UNIT	RATE	AMOUNT
3/03/98	RN	DILLOW, NANCY 07:00A-03:00P MS	8.00	34.25	274.0
		SUB-TOTAL	8.00		274.0
3/02/98	LPN	DORSEY, JR., BERNA 11:00P-07:10A MS	8.00	30.65	245.2
3/08/98	LPN	DORSEY, JR., BERNA 11:00P-07:00A MS	8.00	49.20	393.6
		SUB-TOTAL	16.00		638.8
3/03/98	LPN	FUENTES, VICTORIA 02:45P-11:15P MS	8.00	30.65	245.2
3/08/98	LPN	FUENTES, VICTORIA 02:45P-11:15P MS	8.00	32.80	262.4
		SUB-TOTAL	16.00		507.6
3/07/98	LPN	GILMORE, CHARLES 02:45P-11:00P MS	8.00	32.80	262.4
3/07/98	LPN	GILMORE, CHARLES 11:00P-12:00A MS	1.00	49.20	49.2
		SUB-TOTAL	9.00		311.6
3/04/98	LPN	GUYNN, MICHELLE 02:45P-11:15P MS	8.00	30.65	245.2
3/05/98	LPN	GUYNN, MICHELLE 02:45P-11:15P MS	8.00	30.65	245.2
3/07/98	LPN	GUYNN, MICHELLE 06:45A-03:15P MS	8.00	32.80	262.4
3/08/98	LPN	GUYNN, MICHELLE 06:45A-03:15P MS	8.00	32.80	262.4
		SUB-TOTAL	32.00		1,015.2
3/03/98	CNA	HOLDER, GLYNN 03:00P-11:00P MS	8.00	16.95	135.6
3/04/98	CNA	HOLDER, GLYNN 03:00P-11:00P MS	8.00	16.95	135.6
3/04/98	CNA	HOLDER, GLYNN 11:00P-07:00A MS	8.00	16.95	135.6
3/05/98	CNA	HOLDER, GLYNN 03:00P-11:00P MS	8.00	16.95	135.6
3/05/98	CNA	HOLDER, GLYNN 11:00P-07:00A MS	8.00	16.95	135.6
3/06/98	CNA	HOLDER, GLYNN 03:00P-11:00P MS	8.00	16.95	135.6
3/07/98	CNA	HOLDER, GLYNN 07:00A-03:00P MS	8.00	27.00	216.0
3/07/98	CNA	HOLDER, GLYNN 03:00P-11:00P MS	8.00	27.00	216.0
3/08/98	CNA	HOLDER, GLYNN 07:00A-03:00P MS	8.00	27.00	216.0
3/08/98	CNA	HOLDER, GLYNN 03:00P-11:00P MS	8.00	27.00	216.0
		SUB-TOTAL	80.00		1,758.0
3/02/98	CNA	KILGORE, VIRGINIA 07:00A-03:00P MS	8.00	16.95	135.6
3/03/98	CNA	KILGORE, VIRGINIA 06:45A-03:15P MS	8.00	16.95	135.6
3/04/98	CNA	KILGORE, VIRGINIA 06:45A-03:15P MS	8.00	16.95	135.6
3/05/98	CNA	KILGORE, VIRGINIA 06:45A-03:15P MS	8.00	16.95	135.6
3/06/98	CNA	KILGORE, VIRGINIA 06:45A-03:15P MS	8.00	16.95	135.6
		SUB-TOTAL	40.00		678.00
2/98	LPN	LEISEY, DIANNA 06:45A-03:15P MS	8.00	28.65	229.20

NOV 06 2000 16:32 FR NURSEFINDERS INC 817 462 9148 TO HARRISBURG

P. 04/10

COMPANY 027
NUMBER

DUPLICATE ORIGINAL

INVOICE
NUMBER 164321**nursefinders**
The Professional Choice.P.O. BOX 910477
DALLAS, TEXAS 75391101958
YORK HOSPITAL
ATTN: ROBIN STUMP
1001 SOUTH GEORGE ST
YORK, PA 17403

WEEK ENDING 3/15/98

AMOUNT ENCLOSED

TERMS: NET UPON RECEIPI

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

Federal ID 75-1473273

DATE	DESCRIPTION OF SERVICES OR SUPPLIES			UNIT	RATE	AMOUNT
3/09/98	CNA	COLLINS, ROBIN	11:00P-07:00A MS	8.00	16.95	135.60
3/10/98	CNA	COLLINS, ROBIN	11:00P-07:00A MS	8.00	16.95	135.60
3/12/98	CNA	COLLINS, ROBIN	11:00P-07:00A MS	8.00	16.95	135.60
3/13/98	CNA	COLLINS, ROBIN	11:00P-07:00A MS	8.00	18.00	144.00
			SUB-TOTAL	32.00		550.80
3/09/98	LPN	DORSEY, JR., BERNARD	11:05P-07:20A MS	8.00	30.65	245.20
15/98	LPN	DORSEY, JR., BERNARD	11:00P-07:25A MS	8.00	32.80	262.40
			SUB-TOTAL	16.00		507.60
3/14/98	LPN	FILLMORE, CORINNE	06:45A-03:15P MS	8.00	32.80	262.40
			SUB-TOTAL	8.00		262.40
3/09/98	LPN	FUENTES, VICTORIA	02:45P-11:15P MS	8.00	30.65	245.20
3/11/98	LPN	FUENTES, VICTORIA	02:45P-11:15P MS	8.00	30.65	245.20
3/12/98	LPN	FUENTES, VICTORIA	02:45P-11:15P MS	8.00	30.65	245.20
			SUB-TOTAL	24.00		735.60
3/13/98	LPN	GUYNNE, MICHELLE	02:45P-11:15P MS	8.00	30.65	245.20
3/15/98	LPN	GUYNNE, MICHELLE	06:45A-03:15P MS	8.00	32.80	262.40
			SUB-TOTAL	16.00		262.40
3/14/98	LPN	HENDRICKS, ALVIN	03:00P-11:00P MS	8.00	32.80	262.40
3/15/98	LPN	HENDRICKS, ALVIN	03:00P-11:00P MS	8.00	32.80	262.40
			SUB-TOTAL	16.00		524.80
3/09/98	CNA	HOLDER, GLYNN	03:00P-11:00P MS	8.00	16.95	135.60
3/10/98	CNA	HOLDER, GLYNN	01:00P-09:00P MS	8.00	16.95	135.60
3/10/98	CNA	HOLDER, GLYNN	02:00P-11:00P MS	2.00	25.43	50.86
3/11/98	CNA	HOLDER, GLYNN	03:00P-11:00P MS	8.00	16.95	135.60
3/12/98	CNA	HOLDER, GLYNN	03:00P-11:00P MS	8.00	16.95	135.60
3/14/98	CNA	HOLDER, GLYNN	03:00P-11:00P MS	8.00	18.00	144.00
3/14/98	CNA	HOLDER, GLYNN	11:00P-07:00A MS	8.00	27.00	216.00
3/15/98	CNA	HOLDER, GLYNN	03:00P-11:00P MS	8.00	27.00	216.00
			SUB-TOTAL	58.00		1,169.26
3/09/98	CNA	KILGORE, VIRGINIA	06:45A-03:15P MS	8.00	16.95	135.60
3/10/98	CNA	KILGORE, VIRGINIA	06:45A-03:15P MS	8.00	16.95	135.60
3/11/98	CNA	KILGORE, VIRGINIA	06:45A-03:15P MS	8.00	16.95	135.60
12/98	CNA	KILGORE, VIRGINIA	06:45A-03:15P MS	8.00	16.95	135.60
15/98	CNA	KILGORE, VIRGINIA	06:45A-03:15P MS	8.00	18.00	144.00
			SUB-TOTAL	40.00		686.40

NOV 06 2000 16:33 FR NURSEFINDERS INC

817 462 9148 TO HARRISBURG

P.07/10

COMPANY 027
NUMBER

DUPLICATE ORIGINAL

INVOICE 168033
NUMBER

PATIENT: YORK HOSPITAL MED SURG

nursefinders
The Professional Choice.P.O. BOX 910477
DALLAS, TEXAS 75391101958
YORK HOSPITAL
ATTN: ROBIN STUMP
1001 SOUTH GEORGE ST
YORK, PA 17403WEEK 3/22/98
ENDING

AMOUNT ENCLOSED

TERMS: NET UPON RECEI

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

Federal ID 75-1473273

DATE	DESCRIPTION OF SERVICES OR SUPPLIES	UNIT	RATE	AMOUNT
3/16/98	CNA COLLINS, ROBIN 11:00P-07:00A MS	8.00	16.95	135.
3/17/98	CNA COLLINS, ROBIN 11:00P-07:00A MS	8.00	16.95	135.
3/19/98	CNA COLLINS, ROBIN 11:00P-07:00A MS	8.00	16.95	135.
	SUB-TOTAL	24.00		406.
3/16/98	LPN DORSEY, JR., BERNNA 10:45P-07:00A MS	8.00	30.65	245.
3/22/98	LPN DORSEY, JR., BERNNA 11:00P-07:00A MS	8.00	32.80	262.
	SUB-TOTAL	16.00		507.
3/17/98	LPN FILLMORE, CORINNE 02:45P-11:15P MS	8.00	30.65	245.
3/22/98	LPN FILLMORE, CORINNE 02:45P-11:15P MS	8.00	32.80	262.
	SUB-TOTAL	16.00		507.
3/16/98	LPN FUENTES, VICTORIA 02:45P-11:15P MS	8.00	30.65	245.
3/18/98	LPN FUENTES, VICTORIA 02:45P-11:15P MS	8.00	30.65	245.
3/20/98	LPN FUENTES, VICTORIA 02:45P-11:15P MS	8.00	30.65	245.
	SUB-TOTAL	24.00		735.
3/19/98	LPN GUYNN, MICHELLE 06:45A-03:15P MS	8.00	28.65	229.
3/21/98	LPN GUYNN, MICHELLE 06:45A-03:15P MS	8.00	32.80	262.
3/22/98	LPN GUYNN, MICHELLE 06:45A-03:15P MS	8.00	32.80	262.
	SUB-TOTAL	24.00		754.
3/16/98	CNA HOLDER, GLYNN 03:00P-11:00P MS	8.00	16.95	135.
3/17/98	CNA HOLDER, GLYNN 03:00P-11:00P MS	8.00	16.95	135.
3/18/98	CNA HOLDER, GLYNN 03:00P-11:00P MS	8.00	25.43	203.
3/19/98	CNA HOLDER, GLYNN 03:00P-11:00P MS	8.00	25.43	203.
3/20/98	CNA HOLDER, GLYNN 03:00P-11:00P MS	8.00	27.00	216.
3/21/98	CNA HOLDER, GLYNN 11:00P-03:00A MS	4.00	27.00	108.
	TIME AND TROUBLE			
3/22/98	CNA HOLDER, GLYNN 03:00P-11:00P MS	8.00	27.00	216.
	SUB-TOTAL	52.00		1,218.
3/17/98	CNA KILGORE, VIRGINIA 10:45A-03:15P MS	4.50	16.95	76.
3/18/98	CNA KILGORE, VIRGINIA 06:45A-03:15P MS	8.00	16.95	135..
3/19/98	CNA KILGORE, VIRGINIA 06:45A-03:15P MS	8.00	16.95	135..
3/20/98	CNA KILGORE, VIRGINIA 02:45P-11:15P MS	8.00	16.95	135..
	SUB-TOTAL	28.50		483..
6/98	LPN LEISEY, DIANNA 06:45A-03:30P MS	8.25	28.65	236..
7/98	LPN LEISEY, DIANNA 06:45A-03:15P MS	8.00	28.65	229..

NOV 06 2000 16:34 FR NURSEFINDERS INC 817 462 9148 TO HARRISBURG P. 09/10

COMPANY NUMBER 027

DUPLICATE ORIGINAL

INVOICE NUMBER 168071

Nursefinders

The Professional Choice.

P.O. BOX 910477
DALLAS, TEXAS 75391

115815
DOROTHY ILGENFRITZ
2151 FINE VIEW CIRCLE
DOVER, PA 17315

WEEK ENDING 3/22/98

AMOUNT ENCLOSED

TERMS: NET UPON RECEIPT

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

Federal ID 75-1473273

DATE	DESCRIPTION OF SERVICES OR SUPPLIES	UNIT	RATE	AMOUNT
3/18/98	CNA HOLDER, GLYNN 11:00P-07:00A	8.00	14.75	118.
3/19/98	CNA HOLDER, GLYNN 11:00P-07:00A	8.00	14.75	118.
3/20/98	CNA SMITH, TAMMY 11:00P-07:00A	8.00	15.50	124.
3/21/98	LPN STONE, DEBRA 11:00P-07:00A	8.00	22.55	220.
3/22/98	CNA HOLDER, GLYNN 11:00P-07:00A	8.00	15.50	124.
		40.00		704.

RE: Commonwealth of Pennsylvania

v.

Glenn A. Holder

Case Numbers: 4274 CA 1998 / 4275 CA 1998

AFFIDAVIT OF ANNA M. SEVERINO

I Anna Marie Severino <sup>maiden: Garczynski
married 5/18/02</sup> hereby Declare Under the Penalty of Perjury and Pursuant to C.S.A. Pa. 4904, UNSWORN AUTHORITIES, that the following statements are True and Correct:

1). Name and Current Location:

Anna Severino 1626 Lowell Lane New Cumberland Pa 17070

2). Have you ever been interviewed, in contact with or subpoenaed by any attorney representing Mr. Holder? No

3). Are you willing to testify on court, as to your knowledge of the above matter:

Yes

4). Please state any other information you personally know of where Mr. Holder was during the month of March 1998, and how you personally know:

I worked for Nursefinders from 1/1997 to 12/2008. In November 2000 I provided Glenn invoices that show we billed our client for dates / times listed on the invoice. If I billed these charges, I had a timesheet from Glenn, signed by the client for all dates / times listed on the invoice. Our client never disputed the charges, so I am sure Glenn was there. *AS*

Date: 11/12, 2020

SIGNED: Anna M. Severino

1051

A F F I D A V I D T

Had I been Subpeonaed, I would have made the proper Arrangements, in order for my Testimony to be heard, March 1, 1999 at Trial and/or the P.C.R.A. Hearing March 28, 2001 or April 6, 2001.

Had I been Subpeonaed, I would have been and/or made myself Available to Testify at Trial, March 1st, 2nd, or 3rd, 1999.

Had I been Subpeonaed, I would have been, and/or made myself Available to Testify at the March 28, 2001 or April 6, 2001 P.C.R.A. Hearing.

I would have Testified, as to the Information Contained in my Files on Mr. Glynn A. Holder and my knowledge of Him.

A representative of the Facility would have Appeared with information of Record of Mr. Glynn A. Holder; (Work Record, Drug Testing if taken, Dates of employment and character while employed here.

If Subpeonaed, I would not have testified.

Date: _____
(UNSKORN AUTHORITIES)
18 Pa. C.S. § 4904

Notary _____

Respectfully,

James Haller

10/4/01

Witness.

James Haller

10/4/01

NOTE: PLEASE PLACE YOUR INITIALS IN THE SPACE PROVIDED, NEXT TO THE STATEMENT WHICH IS TRUE, SIGN, DATE, NOTARIES OR HAVE WITNESSED BY (2) AND RETURN.

~~A P P E A R A N C E~~

Off

I DO NOT KNOW DEBORAH-HARGETT-ROBINSON ESQUIRE.

Off

I HAVE NOT, DURING THE TIME FRAME OF JANUARY 2002 THRU MARCH 2002, RECEIVED A NOTICE OF QUESTIONS FROM OR BEEN INTERVIEWED BY DEBORAH HARGETT-ROBINSON ESO. IN REGARDS TO MR. GLYN A. HOLDER.

Off

I HAVE PROVIDED DEBORAH HARGETT-ROBINSON ESO, WITH INFORMATION OF MR. GLYN A. HOLDER, AS IT REVERS TO COMMONWEALTH V. HOLDER.

Off

I HAVE NEVER BEEN INTERVIEWED BY ANY COUNSEL REPRESENTING MR. GLYN A. HOLDER.

Off

DATE: 6/3/02

SIGNED:

(COUNSEL AUTHORITIES)
LG PA. C.G. 4609

Anna Grizzell

NOTARY:

WITNESS: Jamie Haller

S E A L

WITNESS: Kim Treadwell

APPENDIX

A

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

GLYNN ANTHONY HOLDER,	:	CIVIL ACTION NO. 1:03-CV-1779
Petitioner	:	(Judge Conner)
v.	:	
GEORGE PATRICK and ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA,	:	
Respondents	:	

ORDER

AND NOW, this 1st day of December, 2004, upon consideration of the report of the magistrate judge (Doc. 31), recommending denial of the petition for writ of habeas corpus (Doc. 1) under 28 U.S.C. § 2254, and petitioner's motion for an evidentiary hearing (Docs. 35, 37), and it appearing that petitioner has not established a violation of his constitutional rights to an impartial jury,¹ see U.S. CONST. amend. VI; Miller-El v. Cockrell, 537 U.S. 322, 345-47 (2003); Batson v. Kentucky, 476 U.S. 79, 96-99 (1986); Swain v. Alabama, 380 U.S. 202, 226-27 (1965), to

¹ Petitioner alleges only that the jury empaneled in his case did not include an African-American individual. But see Batson v. Kentucky, 476 U.S. 79, 85 (1986) ("[A] defendant has no right to a 'petit jury composed in whole or in part of persons of his own race.'") (quoting Strauder v. West Virginia, 100 U.S. 303, 305 (1880)). Petitioner does not assert, and nothing in the record suggests, that the prosecutor used peremptory challenges to strike members of a protected class, see id. at 96-99, or that the county in which trial was held has a history of excluding racial minorities, see Swain v. Alabama, 380 U.S. 202, 226-27 (1965).

effective assistance of counsel,² see U.S. CONST. amend. VI; Strickland v. Washington, 466 U.S. 668, 694 (1984), or against cruel and unusual punishment,³ see U.S. CONST. amend. VIII; Lockyer v. Andrade, 538 U.S. 63, 64 (2003), and that petitioner has not offered cause for his failure to develop the factual predicate of his claims during state court proceedings or demonstrated that evidence to be submitted would support a finding of a constitutional violation, see 28 U.S.C. § 2254(e) (restricting availability of evidentiary hearing to when the “factual predicate [of the claim] could not have been previously discovered through the exercise of due diligence” and “the facts underlying the claim would be sufficient to establish . . . constitutional error”); L.R. 72.3 (stating that district judge has

² With the petition for writ of habeas corpus, petitioner submitted affidavits from several individuals who petitioner asserts would have offered exculpatory testimony if called as witnesses at trial. (Doc. 1, Ex. 2). These affidavits were not presented to the state courts during post-conviction proceedings on petitioner’s ineffectiveness claim (Doc. 1, Ex. 9 at 5-6) and will not be accepted now. See 28 U.S.C. § 2254(e)(2) (permitting introduction of evidence with respect to a claim for which petitioner “failed to develop the factual basis . . . in State court proceedings” only when the “factual predicate [of the claim] could not have been previously discovered through the exercise of due diligence”). The court notes that, even if these affidavits were considered, nothing in the record suggests a reasonable probability that the introduction of this testimony—or the correction of the other alleged errors by trial and appellate counsel—would have altered the result of the trial or appeal. See Strickland v. Washington, 466 U.S. 668, 694 (1984); see also 28 U.S.C. § 2254(i) (“The ineffectiveness or incompetence of counsel during Federal or State collateral post-conviction proceedings shall not be a ground for relief in a proceeding arising under section 2254.”).

³ Petitioner was convicted of rape, endangering the welfare of a child, and several other offenses related to his assault of a twelve-year-old girl. Combined with his history of violence and drug abuse and his refusal to acknowledge the criminality of his behavior, these convictions amply support the 31½ to 63 year term of imprisonment to which he was sentenced. See Harmelin v. Michigan, 501 U.S. 957, 1004-05 (1991) (Kennedy, J., concurring), cited with approval in Ewing v. California, 538 U.S. 11, 23-24 (2003); Hutto v. Davis, 454 U.S. 370, 375 (1982).

discretion to conduct a new hearing or to rule on report of magistrate judge on "the record developed before the magistrate judge"), it is hereby ORDERED that:

1. The report and recommendation of the magistrate judge (Doc. 31) is ADOPTED.
2. The petition for writ of habeas corpus (Doc. 1) is DENIED. See 28 U.S.C. § 2254.
3. The motion for an evidentiary hearing (Doc. 35) is DENIED. See 28 U.S.C. § 2254(e).
4. A certificate of appealability is DENIED. See 28 U.S.C. § 2253.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

APPENDIX

B

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

GLYNN ANTHONY HOLDER, : CIVIL ACTION NO. 1:03-CV-1779

Petitioner : (Judge Conner)

v.

GEORGE PATRICK and
ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,

Respondents :

ORDER

AND NOW, this 13th day of December, 2004, upon consideration of petitioner's "motion seeking extraordinary relief" (Doc. 53), in which petitioner requests reconsideration of the prior order of court (Doc. 52) denying the petition for writ of habeas corpus and the motion for an evidentiary hearing, see FED. R. Civ. P. 59(e); see also R. GOVERNING § 2254 CASES R. 11, and it appearing that the motion (Doc. 53) merely repeats arguments previously presented to the court in the petition for writ of habeas corpus (Doc. 1), motion for an evidentiary hearing (Docs. 35, 37), and supporting briefs and materials (Docs. 34, 40, 47, 48, 50), see Waye v. First Citizen's Nat'l Bank, 846 F. Supp. 310, 314 (M.D. Pa. 1994) ("A motion for reconsideration is not to be used as a means to reargue matters already argued and disposed of."), it is hereby ORDERED that the motion (Doc. 53) is DENIED. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

APPENDIX

C

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUITC.A. No. 04-4697

GLYNN A. HOLDER

v.

GEORGE PATRICK, et al.

(M.D. Pa. Civ. No. 03-cv-1779)

Present: SLOVITER, NYGAARD and FUENTES, Circuit Judges

Submitted is Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1),

in the above-captioned case.

Respectfully,

Clerk

MMW/BNB/clc

ORDER

The foregoing request for a certificate of appealability is denied as Appellant has not made a "substantial showing of the denial of a constitutional right." See 28 U.S.C. 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000). Jurists of reason could not debate that the District Court properly rejected the merits of Appellant's ineffective assistance of counsel claims, as it is clear that the state court's disposition of these claims was neither contrary to nor an unreasonable application of clearly established federal law. See Strickland v. Washington, 466 U.S. 668 (1984).

By the Court,

/s/ Julio M. Fuentes
Circuit Judge

Dated: July 28, 2005

CLC\cc: Mr. Glynn A. Holder

Timothy J. Barker, Esq.

H. Stanley Rebert, Esq.

APPENDIX

D

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

GLYNN A. HOLDER,	:	CIVIL ACTION NO. 1:10-CV-2236
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
BARRY SMITH, S.C.I. Houtzdale Superintendent, <i>et al.</i> ,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 25th day of July, 2018, upon consideration of the motion (Doc. 16) for relief from judgment under Federal Rule of Civil Procedure 60(b)(6) filed by *pro se* petitioner Glynn A. Holder (“Holder”), wherein Holder moves the court to set aside its order denying his petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254,¹ and the court *first* observing that when a Rule 60(b) motion collaterally attacks the petitioner’s underlying conviction, “the motion should be treated as a successive habeas petition,” *Pridgen v. Shannon*, 380 F.3d 721, 727 (3d Cir. 2004), and the court noting that Holder has already sought and been denied Section 2254 relief before this court, *see Holder I*, No. 1:03-CV-1779, Docs. 1, 31, 52, and that to the extent Holder’s motion to vacate challenges the circumstances

¹ The court denied Holder’s initial petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on the merits. *Holder v. Patrick*, No. 1:03-CV-1779, Doc. 52 (M.D. Pa. Dec. 1, 2004) (“*Holder I*”). Holder’s second habeas petition was procedurally barred as a successive Section 2254 petition and therefore dismissed. *Holder v. Curley*, No. 1:10-CV-2236, Doc. 13 (M.D. Pa. Jan. 5, 2011) (“*Holder II*”). Holder’s Rule 60 motion does not specify which of these two rulings he seeks to have vacated. We construe his motion as seeking *vacatur* of the court’s order (Doc. 13) in the instant matter.

underlying his state sentence and can therefore be construed as a new motion under 28 U.S.C. § 2254, such motion is an unauthorized third or successive motion for habeas relief, see 28 U.S.C. § 2244(a), and must be dismissed for lack of jurisdiction, see Robinson v. Johnson, 313 F.3d 128, 140 (3d Cir. 2002); and *second*, construing Holder's motion under Rule 60 as styled, it appearing that Rule 60(b)(6) permits a court to "relieve a party . . . from a final judgment, order, or proceeding for . . . any . . . reason that justifies relief," FED. R. CIV. P. 60(b)(6), and that the party seeking such relief must demonstrate that he or she filed the motion within a "reasonable time," FED. R. CIV. P. 60(c), and "extraordinary circumstances" exist such that without the requested relief, "an extreme and unexpected hardship would occur," Satterfield v. Dist. Attorney Phila., 872 F.3d 152, 158 (3d Cir. 2017) (citations omitted), and it further appearing that a change in decisional law, "when paired with certain circumstances," may justify Rule 60(b)(6) relief, id. at 155 (citing Cox v. Horn, 757 F.3d 113 (3d. Cir. 2014)), and the court noting that the Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") established a one-year statute of limitations for the filing of a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, see id. § 2254(d)(1), and the court further noting that the Supreme Court's decision in McQuiggin v. Perkins, 569 U.S. 383 (2013)—holding that a petitioner who can make a credible showing of actual innocence may pursue constitutional claims even despite the AEDPA's statute of limitations—is a change in decisional law constituting an exceptional circumstance, Satterfield, 872 F.3d at 162-63 (quoting McQuiggin, 569 U.S. at 392-93), and therefore, an adequate showing of actual innocence merits Rule 60(b)(6) relief notwithstanding an earlier procedural bar

“unless the totality of equitable circumstances ultimately weigh heavily in the other direction,” id. at 163, and turning to Holder’s motion, wherein Holder invokes Satterfield and McQuiggin for the proposition that this court should revive his habeas petition because he can make a credible showing of actual innocence, (Doc. 16 at 1-2), the court observing that Holder’s first habeas petition was timely filed, adjudicated on the merits, and denied, see Holder I, No. 1:03-CV-1779, Docs. 1, 31, 52, and the court concluding that Holder cannot benefit from the change in decisional law effected by McQuiggin because the AEDPA did not procedurally bar this court from adjudicating his initial habeas petition on the merits and determining Holder’s evidence of actual innocence to be without merit,² it is hereby ORDERED that Holder’s motion (Doc. 60) pursuant to Federal Rule of Civil Procedure 60(b)(6) is DENIED.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania

² The evidence and arguments set forth in Holder’s Rule 60(b)(6) motion are virtually identical to those presented in his first and second habeas petitions. Compare Holder II, No. 1:10-CV-2236, Doc. 16 with id. at Doc. 1 and Holder I, No. 1:03-CV-1779, Doc. 1.

APPENDIX

E

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

GLYNN A. HOLDER, : CIVIL ACTION NO. 1:10-CV-2236
Plaintiff : (Chief Judge Conner)
v. :
BARRY SMITH, S.C.I. Houtzdale :
Superintendent, et al., :
Defendant :
:

ORDER

AND NOW, this 27th day of March, 2019, upon consideration of the motion (Doc. 19) for rehearing filed by *pro se* petitioner Glynn A. Holder ("Holder"), wherein Holder seeks reconsideration of the court's order (Doc. 18) dated July 25, 2018, denying his motion for relief from judgment under Federal Rule of Civil Procedure 60(b)(6), and the court emphasizing that a motion for reconsideration must rely on one of the following three grounds: "(1) an intervening change in controlling law; (2) the availability of new evidence; or (3) the need to correct clear error of law or prevent manifest injustice," Wiest v. Lynch, 710 F.3d 121, 128 (3d Cir. 2013) (quoting Lazaridis v. Wehmer, 591 F.3d 666, 669 (3d Cir. 2010)); see Max's Seafood Café v. Quinteros, 176 F.3d 669, 677-78 (3d Cir. 1999); Harsco Corp. v. Zlotnicki, 779 F.2d 906, 909 (3d Cir. 1985), and noting that the court possesses an inherent power to reconsider its orders "when it is consonant with justice to do so," United States v. Jerry, 487 F.2d 600, 605 (3d Cir. 1973); Alea N. Am. Ins. Co. v. Salem Masonry Co., 301 F. App'x 119, 121 (3d Cir. 2008), but that a party may not invoke a motion for reconsideration as a means to "relitigate old matters" or

present previously available arguments or evidence, see Exxon Shipping Co. v. Baker, 554 U.S. 471, 485 n.5 (2008) (citation omitted), and it appearing that Holder bases his motion on arguments identical to or expanding upon those previously raised before—and rejected by—the undersigned,¹ and neither identifies nor substantiates a clear error of law in the court’s prior decision,² and accordingly fails to satisfy the exacting standard of review applied to motions for reconsideration, it is hereby ORDERED that:

1. Holder’s motion (Doc. 19) for rehearing is DENIED.
2. Holder’s motion (Doc. 20) for appointment of counsel is DENIED as moot.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania

¹ Holder objects to our decision to construe his Rule 60(b)(6) motion (Doc. 16) as seeking *vacatur* of our ruling (Doc. 13) on his second habeas petition. (Doc. 19 at 1; see Doc. 18 at 1 n.1). Holder clarifies that he sought to reopen his original habeas petition, Holder v. Patrick, No. 1:03-CV-1779, Doc. 1 (M.D. Pa. Dec. 1, 2004). (Id.) Holder’s original habeas petition was timely filed, adjudicated on the merits, and denied, see Holder, No. 1:03-CV-1779, Docs. 1, 31, 52, and we reiterate that the evidence and arguments Holder presents in the instant matter are virtually identical to those he presented in his first habeas petition, compare (Doc. 16) with Holder, No. 1:03-CV-1779, Docs. 1, 26, 34, 40, 48.

² In support of his request, Holder directs our attention to the recent decision in Reeves v. Fayette SCI, 897 F.3d 154 (3d Cir. 2018), as amended (July 25, 2018), petition for cert. filed (U.S. Oct. 25, 2018) (No. 18-543). Reeves addressed when a state prisoner may seek habeas relief despite a failure to file a timely petition. Reeves, 897 F.3d at 160-61. Because Holder’s original habeas petition was timely filed, Reeves is inapplicable to the instant matter.

APPENDIX

F

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT OP 65.37

COMMONWEALTH OF PENNSYLVANIA : IN THE SUPERIOR COURT OF
: PENNSYLVANIA

v.

GLENN ANTHONY HOLDER

Appellant : No. 1219 MDA 2022

Appeal from the PCRA Order Entered August 9, 2022

In the Court of Common Pleas of York County Criminal Division at No(s):

CP-67-CR-0004274-1998,

CP-67-CR-0004275-1998

COMMONWEALTH OF PENNSYLVANIA : IN THE SUPERIOR COURT OF
: PENNSYLVANIA

v.

GLENN A. HOLDER

Appellant : No. 1220 MDA 2022

Appeal from the PCRA Order Entered August 9, 2022

In the Court of Common Pleas of York County Criminal Division at No(s):

CP-67-CR-0004274-1998,

CP-67-CR-0004275-1998

BEFORE: OLSON, J., McCAFFERY, J., and COLINS, J.*

MEMORANDUM BY OLSON, J.:

FILED JUNE 21, 2023

Appellant, Glenn Anthony Holder, appeals *pro se* from the order entered on August 9, 2022, which dismissed his eighth petition filed under the Post Conviction Relief Act (PCRA), 42 Pa.C.S.A. §§ 9541-9546. We affirm.

* Retired Senior Judge assigned to the Superior Court.

We previously summarized the procedural posture that led to the dismissal of Appellant's sixth PCRA petition:

[Appellant] was convicted on March 3, 1999, of rape, involuntary deviate sexual intercourse ("IDSI"), indecent assault, criminal solicitation to commit rape, criminal solicitation to commit IDSI, criminal solicitation to commit statutory sexual assault, four counts of corruption of minors, and two counts of endangering the welfare of children. On May 24, 1999, the trial court sentenced [Appellant] to an aggregate term of 31 ½ to 63 years' imprisonment. This Court affirmed [Appellant's] judgment of sentence on September 22, 2000. [Appellant] did not file a petition for allowance of appeal with the Pennsylvania Supreme Court.

On January 10, 2001, [Appellant] filed a PCRA petition, which the PCRA court dismissed on April 6, 2001. This Court affirmed the dismissal on September 10, 2002, and the Supreme Court denied *allocator*. Thereafter, on September 15, 2005, [Appellant] filed his second PCRA petition, which was again dismissed by the PCRA court. This Court affirmed the dismissal on February 16, 2007, and the Supreme Court denied the petition for allowance of appeal. [Appellant] filed a third PCRA petition on October 16, 2008, which the PCRA court dismissed as untimely on October 23, 2008. This Court affirmed the dismissal on November 13, 2009, and the Supreme Court denied review on July 19, 2010.

On July 16, 2012, [Appellant] filed his fourth PCRA petition. The PCRA court dismissed [Appellant's] petition as untimely on July 30, 2012. This Court affirmed the dismissal on April 8, 2013. [Appellant's] fifth petition, filed on October 3, 2014, was dismissed as untimely. This Court affirmed the dismissal on May 15, 2015.

Less than two months later, [Appellant] filed a document entitled "Petition of Actual Innocence." The PCRA court treated the document as [Appellant's] sixth PCRA petition, and once again dismissed the petition as untimely.

Commonwealth v. Holder, 159 A.3d 579 (unpublished memorandum), at 1-2.

On November 7, 2016, we affirmed the PCRA court's order, which dismissed Appellant's sixth PCRA petition. ***Id.***

Appellant filed his seventh PCRA petition on August 30, 2019. **See** Appellant's Seventh PCRA Petition, 8/30/19, at 1-10. The PCRA court dismissed the petition on September 5, 2019 and Appellant did not file a notice of appeal. PCRA Court Order, 9/5/19, at 1-2.

On August 3, 2022, Appellant filed the current PCRA petition, which constitutes his eighth petition for post-conviction collateral relief under the PCRA. **See** Appellant's Eighth PCRA Petition, 8/3/22, at 1-9. The PCRA court dismissed this petition on August 9, 2022 and Appellant filed a timely notice of appeal. We now affirm the dismissal of Appellant's patently untimely, serial petition.

We "review an order granting or denying PCRA relief to determine whether the PCRA court's decision is supported by evidence of record and whether its decision is free from legal error." **Commonwealth v. Liebel**, 825 A.2d 630, 632 (Pa. 2003).

The PCRA contains a jurisdictional time-bar, which is subject to limited statutory exceptions. This time-bar demands that "any PCRA petition, including a second or subsequent petition, [] be filed within one year of the date that the petitioner's judgment of sentence becomes final, unless [the] petitioner pleads [and] proves that one of the [three] exceptions to the

timeliness requirement . . . is applicable." **Commonwealth v. McKeever**, 947 A.2d 782, 785 (Pa. Super. 2008); 42 Pa.C.S.A. § 9545(b). Further, since the time-bar implicates the subject matter jurisdiction of our courts, we are required to first determine the timeliness of a petition before we are able to consider any of the underlying claims. **Commonwealth v. Yarris**, 731 A.2d 581, 586 (Pa. 1999). Our Supreme Court has explained:

All PCRA petitions including a second or subsequent petition, shall be filed within one year of the date the judgment becomes final. The PCRA's time restrictions are jurisdictional in nature. Thus, if a PCRA petition is untimely, neither this Court nor the trial court has jurisdiction over the petition. Without jurisdiction, we simply do not have the legal authority to address the substantive claims.

Commonwealth v. Albrecht, 994 A.2d 1091, 1093 (Pa. 2010) (quotation marks, citations, and brackets omitted). "Because the timeliness [of a PCRA petition] implicates our jurisdiction, we may consider the matter *sua sponte*."

Yarris, 731 A.2d at 587.

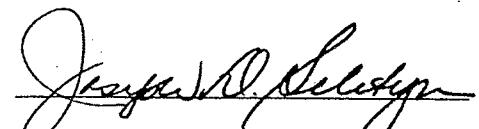
This Court affirmed Appellant's judgment of sentence on September 22, 2000 and Appellant did not file a petition for allowance of appeal with the Pennsylvania Supreme Court. Therefore, Appellant's judgment of sentence became final for purposes of the PCRA at the end of the day on Monday, October 23, 2000. **See, e.g.**, Pa.R.A.P. 903(a); **see also** 1 Pa.C.S.A. § 1908 (computation of time); 42 Pa.C.S.A. § 9545(b)(3) ("A judgment becomes final at the conclusion of direct review, including discretionary review in the Supreme Court of the United States . . . , or at the expiration of time for

seeking the review"). Under the terms of the PCRA, Appellant thus had until October 23, 2001 to file a timely PCRA petition. 42 Pa.C.S.A. § 9545(b)(1). As Appellant did not file his current petition until August 3, 2022, the current petition is manifestly untimely and the burden thus fell upon Appellant to plead and prove that one of the enumerated exceptions to the one-year time-bar applied to his case. **See** 42 Pa.C.S.A. § 9545(b)(1); **Commonwealth v. Perrin**, 947 A.2d 1284, 1286 (Pa. Super. 2008) (to properly invoke a statutory exception to the one-year time-bar, the PCRA demands that the petitioner properly plead and prove all required elements of the relied-upon exception).

Here, Appellant did not attempt to plead a valid statutory exception to the PCRA's one-year time-bar. **See** Appellant's Eighth PCRA Petition, 8/3/22, at 1-9. Thus, since Appellant's PCRA petition is manifestly untimely and Appellant did not plead any of the statutory exceptions to the one-year time-bar, our "courts are without jurisdiction to offer [Appellant] any form of relief." **Commonwealth v. Jackson**, 30 A.3d 516, 523 (Pa. Super. 2011). We, therefore, affirm the PCRA court's order, which dismissed Appellant's eighth PCRA petition without a hearing.

Order affirmed.

Judgment Entered.



Joseph D. Seletyn, Esq.
Prothonotary

Date: 07/21/2023

TRUE COPY FROM RECORD
Attest:

Jean A. Hege

Deputy Prothonotary
Superior Court of PA - Middle District

APPENDIX

G

IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 413 MAL 2023
Respondent	:	Petition for Allowance of Appeal from the Order of the Superior Court
v.	:	
GLENN ANTHONY HOLDER,	:	
Petitioner	:	
COMMONWEALTH OF PENNSYLVANIA,	:	No. 414 MAL 2023
Respondent	:	Petition for Allowance of Appeal from the Order of the Superior Court
v.	:	
GLENN A. HOLDER,	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 9th day of January, 2024, the Petition for Allowance of Appeal is
DENIED.

Justice McCaffery did not participate in the consideration or decision of this matter.

A True Copy Elizabeth E. Zisk
As Of 01/09/2024

Attest: *Elizabeth E. Zisk*
Chief Clerk
Supreme Court of Pennsylvania