

CLOSED,DIRECTMJ,PRISNR

**United States District Court
Middle District of Pennsylvania (Harrisburg)
CIVIL DOCKET FOR CASE #: 1:20-cv-02401-CCC**

Busbee v. Pennsylvania Department of Corrections et al	Date Filed: 12/22/2020
Assigned to: Honorable Christopher C. Conner	Date Terminated: 10/18/2021
Cause: 42:1983 Prisoner Civil Rights	Jury Demand: Defendant
	Nature of Suit: 550 Prisoner: Civil Rights
	Jurisdiction: Federal Question

Plaintiff

Shaleda Busbee
*Administrator of the Estate of
Tyrone Briggs*

represented by **Bret D. Grote**
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V.

Defendant

**Pennsylvania Department of
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Defendant

Theresa Delbalso

Superintendent

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Defendant

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Deputy Superintendent

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Defendant

John Does 1-11

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Date Filed	#	Docket Text
12/22/2020	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$402, Receipt Number 5398468), filed by Shaleda Busbee. (Attachment: # <u>1</u> Civil Cover Sheet)(lg) (Entered: 12/22/2020)
12/22/2020	<u>2</u>	Summons Issued as to All Defendants and provided TO ATTORNEY ELECTRONICALLY VIA ECF for service on Defendant(s)in the manner prescribed by Rule 4 of the Federal Rules of Civil Procedure. (NOTICE TO ATTORNEYS RECEIVING THE SUMMONS ELECTRONICALLY: You must print the summons and the attachment when you receive it in your e-mail and serve them with the complaint on all defendants in the manner prescribed by Rule 4 of the Federal Rules of Civil Procedure). (Attachments: # <u>1</u> Summons Packet) (lg) (Entered: 12/22/2020)
12/26/2020	<u>3</u>	NOTICE of Appearance by Chase M. DeFelice on behalf of Theresa Delbalso, Pennsylvania Department of Corrections, Charles Stetler. (DeFelice, Chase) (Entered: 12/26/2020)
12/26/2020	<u>4</u>	DEMAND for Trial by Jury by Theresa Delbalso, Pennsylvania Department of Corrections, Charles Stetler. (DeFelice, Chase) (Entered: 12/26/2020)

12/26/2020	<u>5</u>	WAIVER OF SERVICE Returned by Charles Stetler, Pennsylvania Department of Corrections, Theresa Delbalso. Charles Stetler waiver sent on 12/22/2020, answer due 2/22/2021; Pennsylvania Department of Corrections waiver sent on 12/22/2020, answer due 2/22/2021; Theresa Delbalso waiver sent on 12/22/2020, answer due 2/22/2021. (DeFelice, Chase) (Entered: 12/26/2020)
12/31/2020	<u>6</u>	NOTICE of Appearance by Kelly J Hoke on behalf of Theresa Delbalso, Pennsylvania Department of Corrections, Charles Stetler (Hoke, Kelly) (Entered: 12/31/2020)
12/31/2020	<u>7</u>	NOTICE of Appearance by Tara J Wikhian on behalf of Theresa Delbalso, Pennsylvania Department of Corrections, Charles Stetler (Wikhian, Tara) (Entered: 12/31/2020)
02/12/2021	<u>8</u>	MOTION to Stay by Theresa Delbalso, Pennsylvania Department of Corrections, Charles Stetler. (Attachments: # <u>1</u> Proposed Order)(Hoke, Kelly) (Entered: 02/12/2021)
02/12/2021	<u>9</u>	ORDER granting joint motion <u>8</u> to stay proceedings & directing parties to update the court via joint status report by 3/22/21 w/ parties to contact the court if they wish the court's assistance in appt'ng a mediator or settlement officer. (See order for complete details.) Signed by Magistrate Judge Susan E. Schwab on 2/12/21. (ki) (Entered: 02/12/2021)
03/18/2021	<u>10</u>	STATUS REPORT by Theresa Delbalso, Pennsylvania Department of Corrections, Charles Stetler. (Hoke, Kelly) (Entered: 03/18/2021)
03/18/2021	<u>11</u>	ORDER re: status report <u>10</u> , granting request to continue the stay & directing cnsl to file another joint status report by 4/19/2021. (See order for complete details.) Signed by Magistrate Judge Susan E. Schwab on 3/18/21. (ki) (Entered: 03/18/2021)
03/19/2021	<u>12</u>	CONSENT FORM SENT (For Direct Assignment Cases to Magistrate Judges) to Shaleda Busbee, Theresa Delbalso, Pennsylvania Department of Corrections, Charles Stetler <i>YOU MUST SAVE THIS FORM TO YOUR DESKTOP. THEN OPEN THE SAVED FORM AND COMPLETE THE REQUIRED SECTIONS. DO NOT FILE THIS FORM IN THE CLERKS OFFICE. THE FORM MUST BE E-MAILED TO consents@pamd.uscourts.gov OR IF YOU ARE NOT AN ECF REGISTERED USER, THEN MAIL THE FORM TO Clerks Administrative Assistant, Clerks Office, P.O. Box 1148, Scranton, PA 18501-1148. Consent Form due by 4/19/2021 (ki) (Entered: 03/19/2021)</i>
03/24/2021		VERBAL ORDER REASSIGNING CASE - Case reassigned to Honorable Christopher C. Conner and referred to Magistrate Judge

		Susan E. Schwab as one or more parties have not consented to the jurisdiction of a U.S. Magistrate Judge. (jkc) (Entered: 03/24/2021)
04/16/2021	<u>13</u>	STATUS REPORT <i>Joint</i> by Shaleda Busbee. (Grote, Bret) (Entered: 04/16/2021)
04/20/2021	<u>14</u>	ORDER re: joint status report <u>13</u> granting parties' request to continue stay & directing parties to file joint status report by 6/1/2021. (See order for complete details.) Signed by Magistrate Judge Susan E. Schwab on 4/20/21. (ki) (Entered: 04/20/2021)
05/28/2021	<u>15</u>	STATUS REPORT by Shaleda Busbee. (Grote, Bret) (Entered: 05/28/2021)
06/01/2021	<u>16</u>	ORDER directing parties to continue their settlement negotiations & file a joint status report on 7/1/2021. (See order for complete details.) Signed by Magistrate Judge Susan E. Schwab on 6/1/21. (ki) (Entered: 06/01/2021)
07/01/2021	<u>17</u>	STATUS REPORT by Shaleda Busbee. (Grote, Bret) (Entered: 07/01/2021)
07/01/2021	<u>18</u>	ORDER directing parties to cont settlement negotiations & file jt status rpt by 9/1/2021 & deeming all communications btwn parties from now until submission of jt status rpt settlement discussions. (See order for complete details.) Signed by Magistrate Judge Susan E. Schwab on 7/1/21. (ki) (Entered: 07/01/2021)
09/01/2021	<u>19</u>	STATUS REPORT by Shaleda Busbee. (Feinberg, Jonathan) (Entered: 09/01/2021)
09/07/2021	<u>20</u>	ORDER re: status report <u>19</u> , granting request to continue stay & directing cnsl to file another joint status report by 9/15/2021. (See order for complete details.) Signed by Magistrate Judge Susan E. Schwab on 9/7/21. (ki) (Entered: 09/07/2021)
09/07/2021	<u>21</u>	MOTION for Settlement of <i>Wrongful Death and Survival Action</i> by Shaleda Busbee. (Attachments: # <u>1</u> Proposed Order)(Feinberg, Jonathan) (Entered: 09/07/2021)
10/18/2021	<u>22</u>	ORDER - is hereby ORDERED that Busbees petition (Doc. <u>21</u>) to settle wrongful death and survival action is GRANTED. The proposed settlement of the instant matter and the proposed allocation of funds are APPROVED. Payment of attorneys fees and costs, as set forth in paragraph 2, is AUTHORIZED to be made from the total settlement payout. The petition (Doc. 21) is also construed as a motion to voluntarily dismiss this case in accordance with Federal Rule of Civil

		Procedure 41(a) and is GRANTED as so construed. The Clerk of Court shall CLOSE this case. Signed by Honorable Christopher C. Conner on 10/18/2021 (mw) (Entered: 10/18/2021)
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