



2001 Decisions

Opinions of the United
States Court of Appeals
for the Third Circuit

5-21-2001

Appel v. Horn

Follow this and additional works at: https://digitalcommons.law.villanova.edu/thirdcircuit_2001

Recommended Citation

"Appel v. Horn" (2001). *2001 Decisions*. 109.

https://digitalcommons.law.villanova.edu/thirdcircuit_2001/109

This decision is brought to you for free and open access by the Opinions of the United States Court of Appeals for the Third Circuit at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in 2001 Decisions by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

Filed May 21, 2001

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 99-9003

MARTIN DANIEL APPEL

v.

MARTIN HORN, COMMISSIONER PENNSYLVANIA
DEPARTMENT OF CORRECTIONS; JAMES S. PRICE,
SUPERINTENDENT OF THE STATE CORRECTIONAL
INSTITUTION AT GREENE AND JOSEPH MAZURKIEWICZ,
SUPERINTENDENT OF THE STATE CORRECTIONAL
INSTITUTION AT ROCKVIEW,
Appellants

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civ. No. 97-cv-02809)
District Judge: Hon. William H. Yohn, Jr.

Argued October 5, 2000

Before: BECKER, Chief Judge, SLOVITER and
GREENBERG, Circuit Judges

ORDER AMENDING OPINION

IT IS ORDERED that the slip opinion in the above case,
filed May 3, 2001, be amended as follows:

The second sentence of footnote 5 on page 16 should be
deleted and the following substituted in its stead:

However, the District Court declined to reach that argument when granting Appel's habeas petition, and we see no reason to consider it here.

BY THE COURT:

/s/Dolores K. Sloviter

Circuit Judge

DATED: May 21, 2001

A True Copy:

Teste:

Clerk of the United States Court of Appeals
for the Third Circuit