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

**RICHARD VIETH, NORMA JEAN
VIETH, and SUSAN FUREY,**

Plaintiffs,

v.

**THE COMMONWEALTH OF
PENNSYLVANIA; MARK S.
SCHWEIKER, et al**

Defendants.

**No. 1: CV 01-2439
Judge Rambo, Judge
Yohn, Judge Nygaard**

FILED
HARRISBURG, PA

FEB 24 2003

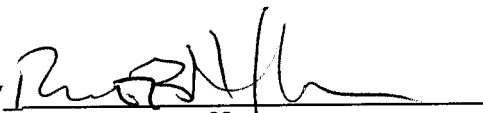
MARY E. D'ANDREA, CLERK
Per

**NOTICE OF APPEAL OF PLAINTIFFS RICHARD
VIETH, NORMA JEAN VIETH, and SUSAN FUREY**

Plaintiffs Richard Vieth, Norma Jean Vieth, and Susan Furey hereby appeal to the Supreme Court of the United States from the Order and Judgement entered in this matter on January 24, 2003. The appeal is taken pursuant to 28 U.S.C. §1253.

Respectfully submitted,

REED SMITH LLP

By 

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Attorneys for Plaintiffs Richard
Vieth, Norma Jean Vieth, and
Susan Furey

Dated: February 24, 2003



UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF PENNSYLVANIA
William J. Nealon Federal Bldg & U.S. Courthouse
235 North Washington Avenue
P.O. Box 1148
Scranton, PA 18501-1148

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Office of the Clerk
United States Court of Appeals
for the Third Circuit
21400 United States Courthouse
601 Market Street
Philadelphia, PA 19106-1790

RE: VIETH, et al. v. COMMONWEALTH OF PA
USDC NO: 1:01-cv-2439
USCA NO:
E-mail Account: All correspondence should be sent to the e-mail account:
PAMDAPPEAL1

Dear Ms. Waldron:

A *Notice of Appeal* was filed in the above-referenced case.

_____ **Civil Prisoner Case: Case file and docket sheet available through RACER.**

_____ **Non-Prisoner *Pro Se* Civil Case: Notice of Appeal and Docket Sheet available through RACER.**

 X **Non-Prisoner Civil Case or Criminal Case: Notice of Appeal and Docket Sheet available through RACER.**

_____ **Civil Prisoner Case: ___ Supplemental Record filed. Documents and docket sheet available through RACER.**

_____ **Non-Prisoner Civil Case or Criminal Case:
___ Supplemental Record filed. Docket Sheet available through RACER.**

The Clerk's Office hereby certifies the record and the docket sheet available through RACER to be the certified list in lieu of the record and/or the certified copy of the docket entries.

Very truly yours,

s/ Shawna L. Cihak
Deputy Clerk

Date: February 25, 2003

INFORMATION STATEMENT TO BE COMPLETED BY U.S. DISTRICT COURT

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HARRISBURG, PA

CAPTION:

DISTRICT COURT NO. 1:01-cv-2439

RICHARD VIETH, et al.

CT. OF APPEALS NO. _____

Vs

THE COMMONWEALTH OF PA, et al.

NOTICE OF APPEAL FILED

2/24/03

COURT REPORTER(S) Vicki L. Fox

FILING FEE:

NOTICE OF APPEAL PAID NOT PAID SEAMAN

DOCKET FEE PAID NOT PAID USA

CJA APPOINTMENT: (Attach Copy of Order)

PRIVATE ATTORNEY

DEFENDER ASSOCIATION OR FEDERAL PUBLIC DEFENDER

MOTION PENDING

LEAVE TO PROCEED IN FORMA PAUPERIS STATUS, IF APPLICABLE:

(Attach Copy of Order)

MOTION GRANTED (IN FIRST INSTANCE)

MOTION DENIED (IN FIRST INSTANCE)

MOTION PENDING BEFORE DISTRICT JUDGE

CERTIFICATE OF PROBABLE CAUSE (STATE HABEAS CORPUS):

(Attach copy of Order)

GRANTED

DENIED

PENDING

COPIES TO:

Judge Sylvia H. Rambo

Judge Yohn

Judge Nygaard

Daniel T. Brier, Esquire

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PREPARED BY Shawna L. Cihak
Deputy Clerk

Date: February 25, 2003