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PHILADELPHIA, PA.

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

238

IMPRISONED CITIZENS UNION et al. : CIVIL ACTION
v. : No. 70-3054
MILTON SHAPP et al. : CLASS ACTION

Dec. 20, 1977

STIPULATION

It is agreed by and between Jack J. Levine, Esq., attorney for plaintiff's class and Benjamin Lerner, Esq., attorney for defendants, that the provision and maintenance of the following shall constitute a minimally adequate law library at each of the state correctional institutions maintained by defendants:

A. Federal Materials

- (1) U.S.C.A. - Constitution
- Titles 18, 28 §§2241-2255,
- 42 §§1981-1985
- Federal Rules of Appellate Procedure
- Rules of Supreme Court;

FILED

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JOHN J. HARDING, Clerk
By JK Seal Clerk

(2) U.S. Reports since 1960; *with*

- per fed.* (3) Federal Reporter 2d series since 1960;
- (4) Federal Supplement since 1960;
- (5) Shepard's U.S. Citations;
- (6) Shepard's Federal Citations; and
- per* (7) Rules of local federal district courts.

B. General Materials

- per* (1) Bailey and Rothblatt, Complete Manual of Criminal Forms (Lawyers Coop.);
- Bulletin* (2) Black's Law Dictionary (West);
- (3) Cohen, Legal Research in a Nutshell (West);
- per* (4) Criminal Law Reporter (Bureau of National Affairs);

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- ✓ (5) Israel and LaFave, Criminal Procedure in a Nutshell (West);
- ? (6) Prison Law Reporter (ABA); and
- ✓ (7) Sokal, Federal Habeas Corpus, 2d ed. (Michie).

C. Pennsylvania Materials

- ✓ (1) Pa. State Reports since 1960;
- ✓ (2) Pa. Superior Court Reports since 1960;
- N (3) Pa. Advance Reports;
- N (4) Pa. Constitution;
- ✓ (5) Purdon's Pa. Stat. Ann. - Titles 17, 18, 19, 60-61; 35, 42
- ✓ (6) Vale's Pa. Digest, Vols. 11, 11A, 11B, 44, 44A, Cumulative Supp. (West);
- ✓ (7) Shepard's Pa. Citations since 1956;
- N (8) Kessler, Law of Criminal Procedure in Pennsylvania (Bissel);
- N (9) Henry, Pennsylvania Evidence (West); and
- ✓ (10) Pa. Rules of Court (West).

~~It is further agreed by and between the parties that in determining the legal issue here present -- the obligation to provide and maintain adequate law libraries -- the Court shall be guided by Gilmore v. Lynch, 319 F. Supp. 105 (N.D. Cal. 1970) (three judge court), aff'd sub nom. Younger v. Gilmore, 404 U.S. 5 (1971) and Hooks v. Wainwright, 352 F. Supp. 163 (M.D. Fla. 1972). A copy of the final order in Gilmore is attached hereto.~~

Benjamin Lerner
Benjamin Lerner, Esq.

Jack J. Levine
Jack J. Levine, Esq.

Joseph S. Lord III

Joseph S. Lord III, C.J.

December 26, 1977