

1988 WL 52099

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United States District Court, E.D. Pennsylvania.

UNITED STATES of America ex rel
PARA-PROFESSIONAL LAW CLINIC, et al.
v.
Robert P. KANE, et al.

CIV. A. No. 78-538. | May 19, 1988.

Attorneys and Law Firms

Charles Lang Duncan, Jr., Philadelphia, Pa., for plaintiffs.

Opinion

MEMORANDUM

JOSEPH S. LORD, III, Senior District Judge.

*1 The Para-Professional Law Clinic (“Clinic”) is an inmate-run organization that provides legal assistance to prisoners at the State Correctional Institute at Graterford. In March 1987, I permanently enjoined defendants from closing any Clinic office or facility. *United States of America ex rel Para-Profesional Law Clinic v. Kane*, 656 F.Supp. 1099 (E.D.Pa. 1987), *aff’d*, 835 F.2d 285 (3d Cir.1987), *cert. denied, sub nom. Zimmerman v.*

Para-Professional Law Clinic, 56 U.S.L.W. 3683 (U.S. Apr. 4, 1988). Plaintiffs now move for an assessment of damages hearing and restoration of property. For the reasons that follow, plaintiffs’ motion will be denied.

Plaintiffs allege that defendants’ actions caused members to leave the Clinic and the loss of Clinic property. Plaintiffs seek a return of lost property, compensatory damages, punitive damages and “exemplary and speculative” damages totalling several million dollars. Plaintiffs do not allege that defendants have closed any Clinic office or facility, or have otherwise disobeyed my order. Thus, there are no allegations necessitating a contempt hearing. Moreover, plaintiffs’ opportunity to alter or amend the judgment has long passed. *See* Fed.R.Civ.Pro. 59. Federal law provides plaintiffs a mechanism to redress any violation of their federal rights. *See* 42 U.S.C. § 1983.

An appropriate order follows.

ORDER

AND NOW, this 19th day of May, 1988, it is ORDERED that plaintiffs’ motion for a hearing for assessment of damages and restoration or reimbursement of property is DENIED.