

# Supreme Judicial Court and Appeals Court of Massachusetts

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### SUPREME JUDICIAL COURT for the Commonwealth Case Docket

**WILLIAM HAVERTY vs. COMMISSIONER OF CORRECTION**  
SJC-08951

CASE HEADER			
<b>Case Status</b>	Decided (Full Opinion)	<b>Status Date</b>	08/08/2003
<b>Nature</b>	Superintendence, c211, s3	<b>Entry Date</b>	02/03/2003
<b>Appellant</b>		<b>Case Type</b>	Civil
<b>Brief Status</b>		<b>Brief Due</b>	
<b>Quorum</b>	Marshall, C.J., Greaney, Ireland, Spina, Cowin, Sosman, Cordy, JJ.		
<b>Argued Date</b>	04/08/2003	<b>Decision Date</b>	08/08/2003
<b>AC/SJ Number</b>	<a href="#">SJ-2003-0026</a>	<b>Citation</b>	440 Mass. 1
<b>DAR/FAR Number</b>		<b>Lower Ct Number</b>	SJ-2003-0026
<b>Lower Court</b>	SJC for Suffolk County	<b>Lower Ct Judge</b>	Robert J. Cordy, J.
<b>Route to SJC</b>	Direct Entry: Single Justice Reservation & Report		

INVOLVED PARTY	ATTORNEY APPEARANCE
<p><b>Commissioner of Correction</b> Petitioner/Appellant Blue brief &amp; appendix filed 18 Main Br., 18 App.</p> <p><b>William Haverty</b> Respondent/Appellee Red brief filed 18 Main Br.</p> <p><b>William Englefart</b> Other interested party</p>	<p><a href="#">William D. Saltzman</a>, Esquire <a href="#">Joel J. Berner</a>, Esquire Inactive <a href="#">Nancy Ankers White</a>, Special A.A.G.</p> <p><a href="#">Phillip Kassel</a>, Esquire <a href="#">James R. Pingeon</a>, Esquire</p>

DOCKET ENTRIES		
Entry Date	Paper	Entry Text
02/03/2003	#1	Entered. Notice to counsel.

**DOCKET ENTRIES**

02/03/2003 #2 MOTION to Waive Filing Fee with proposed briefing schedule (Appellants' Brief: 2/21/03. Appellees' Brief: 3/14/03. Appellants' Reply Brief: 3/21/03), filed for Commissioner of Correction by Joel Berner, Esquire. (Briefing schedule approved) Notice to counsel.

02/13/2003 #3 NOTICE of April argument sent.

02/14/2003 #4 APPEARANCE of William D. Saltzman, Esquire for Commissioner of Correction.

02/14/2003 #5 Assented Motion to amend briefing schedule (Appellant = 2/28/03, Appellee = 3/21/03, Appellant's Reply = 3/28/03.), filed for Commissioner Correction by William D. Saltzman, Esquire. (2/19/03: Approved.) Notice to counsel.

03/03/2003 #6 SERVICE of brief for Petitioner/Appellant Commissioner of Correction by William D. Saltzman, Esquire.

03/11/2003 #7 ORDERED for argument on April 8. Notice sent.

03/21/2003 #8 SERVICE of brief for Respondent/Appellee William Haverty by Phillip Kassel, Esquire, James R. Pingeon, Esquire.

03/28/2003 #9 SERVICE of Record Appendix Volumes I, II, and III for Commissioner of Correction by William D. Saltzman, Esquire.

04/08/2003 Oral argument held. (CJM G I S C SN CY).

04/11/2003 #10 SUPPLEMENTAL CITATION filed for Commissioner of Correction by William D. Saltzman, Esquire.

04/14/2003 #11 POST-ARGUMENT LETTER from Atty. Kassel: Stipulated addition to the record appendix, consisting of a letter that responds to a letter appellants sent on November 9, 2001. \*Distributed to quorum.

04/15/2003 #12 RESPONSE of Commissioner of Correction to William Haverty's post argument letter. (Dist'd to quorum)

05/19/2003 #13 MOTION for estoppel of defendants' appeal, filed by William Englefart. To author

08/08/2003 #14 RESCRIPT (Full Opinion): Question no. 1 is answered in the negative. We need not answer question no. 2. The case is remanded to the single justice for further proceedings consistent with the opinion.

09/10/2003 RESCRIPT ISSUED to trial court.

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As of 08/18/2005 13:15