

# Supreme Judicial Court and Appeals Court of Massachusetts

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### SUPREME JUDICIAL COURT for the Commonwealth Case Docket

**CARL T. HOFFER vs. COMMISSIONER OF CORRECTION**  
SJC-05821

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CASE HEADER			
<b>Case Status</b>	Decided	<b>Status Date</b>	04/13/1992
<b>Nature</b>	Prisoner's rights	<b>Entry Date</b>	11/27/1991
<b>Appellant</b>	Defendant	<b>Case Type</b>	Civil
<b>Brief Status</b>		<b>Brief Due</b>	
<b>Quorum</b>	Wilkins, C.J., Abrams, Nolan, Lynch, O'Connor, JJ.		
<b>Argued Date</b>	03/03/1992	<b>Decision Date</b>	04/13/1992
<b>AC/SJ Number</b>	<a href="#">1991-P-0766</a>	<b>Citation</b>	
<b>DAR/FAR Number</b>		<b>Lower Ct Number</b>	62295
<b>Lower Court</b>	Suffolk Superior Court	<b>Lower Ct Judge</b>	Julian T. Houston, J.
<b>Route to SJC</b>	Sua Sponte Transfer from Appeals Court		

**ADDITIONAL INFORMATION**

Add'l Trial Court judges: Add'l trial court judge: Rouse, J.

INVOLVED PARTY	ATTORNEY APPEARANCE
<b>Carl T. Hoffer</b> Plaintiff/Appellee Red brief transferred w case	<a href="#">Daniel M. Lewis</a> , Esquire <a href="#">Charles G. Murphy</a> , Esquire
<b>Commissioner of Correction</b> Defendant/Appellant Blue br & appendix transf w/case	<a href="#">Charles M. Wyzanski</a> , Esquire

DOCKET ENTRIES		
Entry Date	Paper	Entry Text
01/30/1992	#1	Entered.
01/30/1992		Transferred from Appeals Court: Brief and separate Appendix for defendant/appellant by Charles M. Wyzanski; Brief and separate Supplemental Appendix for plaintiff/appellee by Daniel M. Lewis and Charles G. Murphy.
03/03/1992		Oral argument held. (Quorum: W A N Ly O; CJL recused)

**DOCKET ENTRIES**

04/13/1992 #2 RESCRIPT: The judgment is affirmed as modified. Reasons as on file. Notice to counsel.

04/29/1992 #3 PETITION for counsel fees, filed for Carl T. Hoffer by Daniel M. Lewis, Esquire. (See Order of May 27, 1992)

05/27/1992 #4 ORDER: Upon consideration of the affidavits of plaintiff's attorney and their petition for appellate attorney's fees pursuant to 42 U. S. C. section 1988 and G. L. c. 12, s. 3, the petition is hereby granted in the amount of \$14,418.00 plus \$349.78 costs and expenses. By the Court.

05/07/1992 #5 MOTION of the parties for award of attorneys' fees filed by Charles M. Wyzanski, Esquire., and Daniel M. Lewis, Esquire.

06/05/1992 #6 AMENDED ORDER: "Upon consideration of the affidavits of plaintiff's attorneys and their petition for appellate attorney's fees pursuant to 42 U. S. C. section 1988 and G. L. c. 12, section 3, and upon consideration of the Agreement for Award of Appellate Attorneys' Fees submitted by the parties, the petition is hereby granted in the agreed amount of \$13,747.78 including costs and expenses. By the Court. Notice to counsel.

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