

Timothy J. Muise, pro se
MCI Norfolk
PO Box 43
Norfolk, MA
02056-0043

May 26, 2017

Michael Joseph Donovan
Clerk/Magistrate
Suffolk Superior Court
Civil Division
Courthouse, 12th Floor
Three Pemberton Square
Boston, MA 02108

LEGAL MAIL

Re: TIMOTHY J. MUISE, pro se, Vs. KELLY RYAN & KAREN DINARDO,
No. 2014-03452

Dear Clerk/Magistrate:

Enclosed please find for filing in your usual and timely manner
the following:

1. Plaintiff's Motion to Schedule Final Pre-Trial
Conference, with Certificate of Service, and
2. Plaintiff's Motion To Hold Defendants in Contempt of
Court, with Certificate of Service.

Please file these matters at your earliest possible convenience while
providing for me notice of docketing as well as an updated copy of
docket entry sheet(s) from this matter which reflect the addition
of these most recent filings.

Thank you for your time and anticipated prompt attention. I will be
very anxiously awaiting your reply.

Respectfully Submitted,


Timothy J. Muise, pro se

Cc: file
defendants

enclosures

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT
CIVIL DIVISION
No. 14-03452

TIMOTHY J. MUISE, pro se,
plaintiff,

Vs.

KELLY RYAN & KAREN DINARDO,
defendants,

PLAINTIFF'S MOTION TO
SCHEDULE FINAL PRE-TRIAL CONFERENCE

NOW COMES THE PLAINTIFF, Timothy J. Muise, acting pro se, who does herein respectfully move that the Honorable Court issue an ORDER calling for the scheduling of the final pre-trial conference in this matter. As compelling grounds for this motion the plaintiff offers the following;

1. The Court has recently ruled that this case will proceed to trial on the civil rights claims raised.

2. The defendants have failed to respond to the plaintiff's diligent efforts to engage in settlement negotiations.

3. A final pre-trial conference needs to be held for the benefit of the plaintiff, defendant, and the Court's docket and it's expediency.

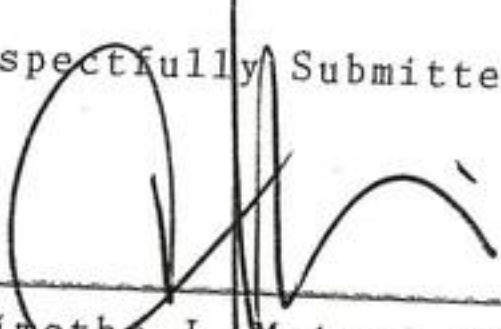
WHEREFORE, the pro se plaintiff prays that the Honorable Court allow the instant motion in its entirety and schedule a final

pre-trial conference as soon as the court's docket will allow.

May 26, 2017

Respectfully Submitted,

X



Timothy J. Muise, pro se
MCI Norfolk
PO Box 43
Norfolk, MA
02056-0043

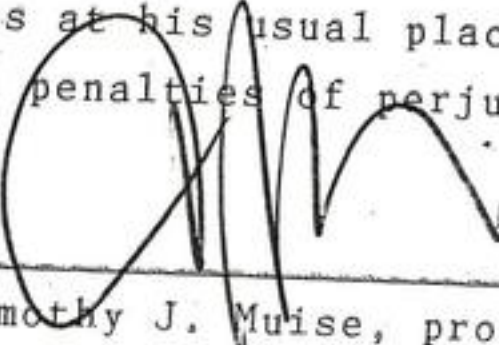
CERTIFICATE OF SERVICE

I, Timothy J. Muise, do hereby swear and certify that I did cause to be served a true and accurate copy of the instant motion upon counsel for the defendants at his usual place of business.

Signed under the pains and penalties of perjury.

May 26, 2017

X



Timothy J. Muise, pro se

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT
CIVIL DIVISION
No. 14-03452

TIMOTHY J. MUISE, pro se,
plaintiff,

Vs.

KELLY RYAN & KAREN DINARDO,
defendants,

PLAINTIFF'S MOTION TO
HOLD DEFENDANTS
IN CONTEMPT OF COURT

NOW COMES THE PLAINTIFF, Timothy J. Muise, who acts pro se, who moves this Honorable Court to issue an ORDER holding the defendants in contempt of court for failing to engage in negotiations to settle the case. As compelling grounds for the instant motion the pro se plaintiff offers the following;

1. The Court recently denied the defendant's motion for reconsideration of its denial of the civil rights aspect of the defendant's summary judgment motion.
2. Upon denial of that motion the plaintiff immediately sent counsel for the defendants a settlement offer.
3. The Court had previously ordered that the defendants engage in settlement negotiations with the plaintiff prior to trial.
4. The defendants have failed to respond, in any manner, to the plaintiff's settlement offer; they have violated the court's order to negotiate and attempt to settle without a trial.

5. The plaintiff has previously experienced failures of counsel for the defendant's to properly adhere to the court's instructions and thus must move herein for contempt.

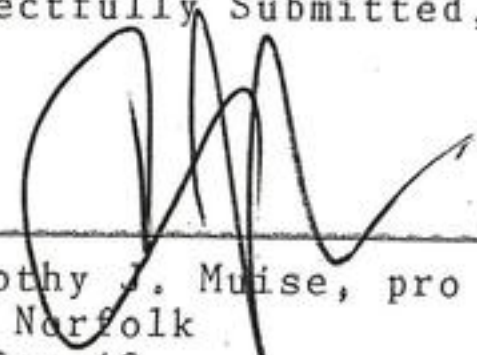
6. A copy of the plaintiff's settlement offer letter is attached. (See Exhibit "A")

WHEREFORE, the pro se plaintiff prays that the Honorable Court ALLOW the instant motion and ISSUE an ORDER holding the defendants in contempt of court.

Respectfully Submitted,

May 26, 2017

X



Timothy J. Muise, pro se
MCI Norfolk
PO Box 43
Norfolk, MA
02056-0043

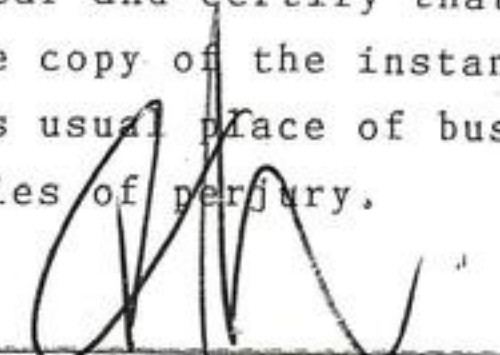
CERTIFICATE OF SERVICE

I, Timothy J. Muise, do hereby swear and certify that I did cause to be served a true and accurate copy of the instant motion upon counsel for the defendants at his usual place of business.

Signed under the pains and penalties of perjury.

May 26, 2017

X



Timothy J. Muise

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MCI Norfolk
PO Box 43
Norfolk, MA
02056-0043

May 26, 2017

Michael Joseph Donovan
Clerk/Magistrate
Suffolk Superior Court
Civil Division
Courthouse, 12th Floor
Three Pemberton Square
Boston, MA 02108

LEGAL MAIL

Re: TIMOTHY J. MUISE, pro se, Vs. KELLY RYAN, et al,
No. 2017-1784-01505

Dear Clerk/Magistrate:

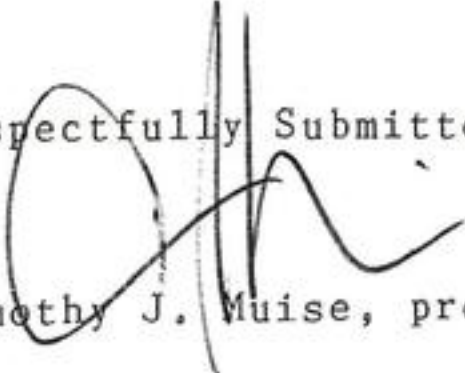
Enclosed please find for filing in your usual and timely manner the following;

- Plaintiff's Motion to Modify Service of Process Order, with Certificate of Service.

Please file this matter at your earliest possible convenience while providing for me notice of docketing as well as an updated copy of the docket entry sheet(s) from this matter which reflect the addition of this most recent filing.

Thank you for your time and anticipated prompt attention. I will be very anxiously awaiting your reply.

Respectfully Submitted,


Timothy J. Muise, pro se

Cc: file
defendants

enclosure

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT
CIVIL ACTION
No. 1784-01505

TIMOTHY J. MUISE, pro se,
plaintiff,

Vs.

KELLY RYAN, et al,
defendants,

PLAINTIFF'S MOTION TO
MODIFY SERVICE OF PROCESS ORDER

NOW COMES THE PLAINTIFF, Timothy J. Muise, acting pro se, who does herein respectfully move that the Honorable Court ISSUE an ORDER allowing the plaintiff to modify the Court's service of process order as a measure toward expedience and due to the plaintiff's indigency status. As compelling grounds for the instant motion the pro se plaintiff offers the following;

1. The Honorable Court issued an order allowing the indigent pro se plaintiff to serve the seven (7) named defendants via "certified first class mail, return receipt." (See Exhibit "A")
2. All seven defendants in this matter are employees of the Massachusetts Department of Correction. (DOC)
3. Once served all seven (7) defendants would be represented by counsel from the DOC Legal Division in Boston, Massachusetts.
4. All seven (7) defendants are also supervised by the DOC Central Headquarters in Milford, Massachusetts.
5. The plaintiff is an indigent Massachusetts resident who

is not able to afford the costs of seven (7) separate certified mail, return receipt mailings (approximately \$65.00).

6. The plaintiff's inability to serve, due to costs, would deny him his access to the court.

7. The plaintiff could though afford to serve all seven (7) defendants at either the DOC Legal Division or the DOC Headquarters in one (1) certified mail package containing the seven (7) summonses and seven (7) copies of the complaint. (An extra copy of the complaint would be included for the DOC)

8. The plaintiff cannot see any type of harm which could be caused the defendants, all DOC employees, through this type of alternate/modified service, and further offers that it would serve the expediency of justice through such consolidation.

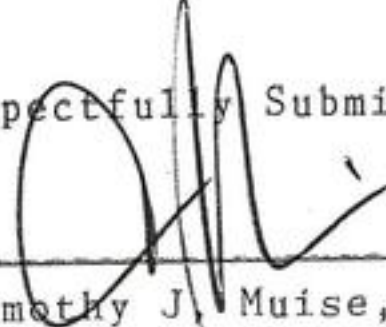
9. The plaintiff would ask that the Honorable Court determine which address, either DOC Legal or DOC Headquarters, it would desire the seven (7) summonses and seven (7) complaints to be delivered to.

WHEREFORE, the pro se plaintiff prays that the Honorable Court ALLOW the instant motion in its entirety and ISSUE an ORDER allowing for the requested alternative/modified service.

Respectfully Submitted,

May 26, 2017

X



Timothy J. Muise, pro se
MCI Norfolk
PO Box 43
Norfolk, MA 02056-0043

CERTIFICATE OF SERVICE

I, Timothy J. Muise, do hereby swear and certify that I did cause to be served a true and accurate copy of the instant motion upon counsel for the defendants.

Signed under the pains and penalties of perjury.

May 26, 2017

X



Timothy J. Muise

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

Civil Docket#: SUCV2017-01505-A

RE: Timothy J. Muise, W66927 vs Kelly Ryan, et al

TO: Mr. Timothy J. Muise, W66927
MCI Norfolk
PO Box 43
Norfolk, Ma. 02056

* * * * *
EXHIBIT
"A"
* * * * *

ORDER

ORDER: After a review of your petition and correspondence, the Court has instructed the Clerk's Office to take the following action: Service is to be made upon defendant(s) by means of certified mail at the plaintiff's expense, and you must return to the court the original summons with the green return receipt card for each defendant. A copy of the complaint is to be sent to the Office of the Attorney General or the Department of Corrections by the plaintiff(s). Notice Sent 05/17/2017

Dated at Boston, Massachusetts this 17th day of May, 2017

By the Court, (Robert N. Tochka, Justice)

NOTICE SENT: 05/17/2017

T.J.M. N.A.W.
(Pro Se) D.O.C.

By: 
Assistant Clerk