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Attorneys for Petitioners

**IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT**

**THE PHILADELPHIA
COMMUNITY BAIL FUND**, by and
through its Trustees, Candace McKinley
and Lauren Taylor,

**THE YOUTH ART & SELF-
EMPOWERMENT PROJECT**, by
and through its Trustees, Sarah Morris
and Joshua Glenn,

M.W., an individual being held on bail
he cannot afford,

P.R., an individual being held on bail he
cannot afford,

G.T., an individual being held on bail
he cannot afford,

T.J., an individual being held on bail he
cannot afford,

S.T., an individual being held on bail he

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cannot afford,

D.M., an individual being held on bail
he cannot afford,

K.B., an individual being held on bail
she cannot afford,

J.H., an individual being held on bail he
cannot afford, and

H.J., an individual being held on bail he
cannot afford,

Z.L., a minor being held on bail he
cannot afford, by and through his
mother **A.B.**,

Petitioners,

v.

**ARRAIGNMENT COURT
MAGISTRATE FRANCIS
BERNARD** of the
COMMONWEALTH OF
PENNSYLVANIA,

**ARRAIGNMENT COURT
MAGISTRATE JANE RICE** of the
COMMONWEALTH OF
PENNSYLVANIA,

**ARRAIGNMENT COURT
MAGISTRATE SHELIA BEDFORD**
of the COMMONWEALTH OF
PENNSYLVANIA,

**ARRAIGNMENT COURT
MAGISTRATE KEVIN DEVLIN** of
the COMMONWEALTH OF

PENNSYLVANIA,

**ARRAIGNMENT COURT
MAGISTRATE JAMES O'BRIEN** of
the COMMONWEALTH OF
PENNSYLVANIA,

**ARRAIGNMENT COURT
MAGISTRATE ROBERT STACK** of
the COMMONWEALTH OF
PENNSYLVANIA,

Respondents.

APPLICATION FOR LEAVE TO PROCEED ANONYMOUSLY

1. Individual Petitioners M.W., P.R., G.T., T.J., S.T., D.M., K.B., J.H., H.J., and A.B.,¹ hereby file this Application for Leave to Proceed Anonymously and ask the Court to enter an order allowing them to be identified in this matter solely by their initials.

2. Pennsylvania courts analyze requests by a party to proceed pseudonymously or anonymously as analogous to requests for partial closure of judicial proceedings. *See, e.g., R.W. v. Hampe*, 626 A.2d 1218, 1220-21 (Pa. Super. 1993).

3. In light of the common law presumption of openness, a party must demonstrate good cause to obtain closure of certain aspects of judicial proceedings.

¹ A.B. is the legal guardian of Z.L. Z.L. is a minor. Rule 2028(a) of the Pennsylvania Rules of Civil Procedure mandates that he must be designated in this case by the initials of his first and last name.

R.W., 626 A.2d at 1221. Good cause requires a showing that closure is “necessary in order to prevent a clearly defined and serious injury to the party seeking” it. *Id.* at 1221-22 (quoting *Goodrich Amram* 2d § 223(a):7).

4. Good cause exists to allow the Individual Petitioners to proceed with this case identified by their initials as opposed to their full names.

5. Each of the Individual Petitioners was assigned monetary bail during a preliminary arraignment at which Respondents, judicial officers of the First Judicial District, failed to comply with the mandates of the Pennsylvania Rules of Criminal Procedure. As a result of Respondents’ unlawful conduct, Individual Petitioners, P.R., G.T., T.J., S.T., D.M., K.B., and H.J. remain incarcerated while they await resolution of their underlying criminal cases.

6. During the pendency of the instant matter before the Court, Individual Petitioners will appear before other First Judicial District judicial officers, including Respondents’ colleagues and their supervisor. Individual Petitioners will likely ask these other First Judicial District judicial officers to modify the monetary bail imposed by Respondents.

7. Allowing Individual Petitioners to proceed by their initials is necessary to eliminate any risk that their participation in this suit may influence subsequent bail modification decisions or other decisions in their ongoing criminal

cases. The importance of Individual Petitioners' pretrial liberty further strengthens this showing of good cause.

8. A.B. is not a litigant before the First Judicial District, but appears as the legal guardian for Z.L. Because Z.L. must remain unidentified in these proceedings pursuant to Rule 2028(a), it is also appropriate to protect A.B.'s identity so as to, by extension, safeguard Z.L.'s anonymity.

Relief Sought

For the above-stated reasons, Individual Petitioners respectfully request that the Court grant this application and enter an order allowing the Individual Petitioners to be identified in this case by their initials.

Respectfully submitted,

Dated: April 8, 2019



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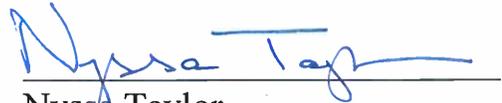
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CERTIFICATE OF COMPLIANCE WITH Pa.R.A.P. 127

I hereby certify, pursuant to Pa.R.A.P. 127, that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Dated: April 8, 2019


Nyssa Taylor