

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

FRANK J. STECKEL,	:	
Plaintiff	:	
	:	
v.	:	No. 05-00,203
	:	CIVIL ACTION
WILLIAMSPORT SUN GAZETTE	:	
and	:	
OGDEN NEWSPAPERS, INC., t/d/b/a	:	
WILLIAMSPORT SUN GAZETTE	:	
and	:	
SUN GAZETTE COMPANY	:	
and	:	
LOCK HAVEN EXPRESS	:	
and	:	
OGDEN NEWSPAPERS, INC., t/d/b/a	:	
LOCK HAVEN EXPRESS,	:	
and	:	
THE OGDEN NEWSPAPERS OF	:	
PENNSYLVANIA, INC.,	:	
Defendants	:	SUMMARY JUDGMENT

MEMORANDUM OPINION AND ORDER

Before this Honorable Court, is the Defendants' July 21, 2006 Motion for Summary Judgment. The Defendants' Motion cites five distinct grounds in support of its Motion: the Plaintiff's Complaint, as to Counts I and II, is barred by the applicable statute of limitations; the "fair report privilege" provides the Defendants an absolute defense to the Plaintiff's Complaint; the Plaintiff failed to establish the necessary elements of his defamation cause of action; the Plaintiff's admissions preclude him from proving his defamation, invasion of privacy, infliction of emotional distress, and negligence causes of action; and, because the "fair report privilege" bars the Plaintiff's defamation cause of action, he cannot seek recovery under the same claims relabeled as "infliction of emotional distress" and "negligence." The gist of the Plaintiff's

response was that the Defendants' printed statements about him were not true and that he was at a disadvantage because he was proceeding with the instant action *pro se*.

The facts of the instant matter are not complicated. Throughout 2004, the Defendants published information about the Plaintiff's arrest, plea, and sentence regarding several drug related offenses; however, one such article erroneously reported a corrupt organizations charge as a corruption of minors charge. This error is the sole basis for the Plaintiff's complaint.

It is the Plaintiff's burden, in a civil matter, to establish sufficient grounds for relief and, unlike most situations in the criminal system, the Plaintiff is not entitled to have an attorney proceed on his/her behalf. It is clear to the Court, that in the case *sub judice*, the Plaintiff would have benefited from the assistance of counsel; *inter alia*, his complaint fails to establish the elements of his asserted grounds for relief, he failed to follow the local and state rules of civil procedure, he failed to respond to the Defendants' discovery request, and he failed to, as ordered by this Court, to file a brief regarding the Defendants' Motion for Summary Judgment. Despite the Plaintiff's aforementioned misconduct, this Court permitted him to make oral arguments at the September 7, 2006 hearing on the Defendants' instant motion and, at times, directed him to respond to particular information; unfortunately, his arguments were without merit and the Court, based on the merits of the Defendants' argument, with only slight regard to the Plaintiff's actions or inactions, will grant the Defendants' Motion.

ORDER

AND NOW, this _____ day of September 2005, the Court hereby GRANTS the Defendants' July 21, 2006 Motion for Summary Judgment; accordingly, the Plaintiff's Complaint is hereby DISMISSED.

By the Court,

Nancy L. Butts, Judge

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Judges
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Gary L. Weber, Esq. (Law Clerk)
Eileen A. Dgien, DCA