

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN DOE I, <u>et al.</u> ,	:	CIVIL ACTION
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
COLONEL TYREE V. BLOCKER	:	
	:	
Defendant.	:	NO. 16-6039

DEFENDANT'S ANSWER TO THE COMPLAINT

Defendant Blocker, by the undersigned counsel, hereby answers Plaintiff's Complaint as follows:

INTRODUCTION

1. Denied as written. The Mental Health Procedures Act speaks for itself.
2. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.
3. Denied as written. The cited statute speaks for itself.
4. Denied as written. The cited statute speaks for itself.
5. These allegations constitute conclusions of law to which no response is required.
6. These allegations constitute conclusions of law to which no response is required.
7. Denied as written. The cited case speaks for itself.
8. Denied as written. The cited case speaks for itself.
9. Denied as written. The cited case speaks for itself.
10. These allegations constitute conclusions of law to which no response is required.
11. No response is required.

JURISDICTION AND VENUE

- 12. These allegations constitute conclusions of law to which no response is required.
- 13. These allegations constitute conclusions of law to which no response is required.
- 14. These allegations constitute conclusions of law to which no response is required.

PARTIES

15. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

16. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

17. No response is required.

18. No response is required.

19. Admitted that Defendant is the Commissioner of the Pennsylvania State Police.

The remaining allegations are denied as worded.

20. No response is required.

FACTS

Mr. Doe I

21. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

22. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

23. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

24. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

25. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

26. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

27. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

28. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

29. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

30. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

31. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

32. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

33. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

34. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

35. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

36. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

37. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

Mr. Doe II

38. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

39. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

40. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

41. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

42. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

43. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

44. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

45. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

46. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

47. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

48. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

49. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

50. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

51. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

52. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these allegations, they are therefore denied.

Temporary Emergency Commitment Under Section 302

53. Denied as written. The cited statute speaks for itself.

54. Denied as written. The cited statute speaks for itself.

55. Denied as written. The cited statute speaks for itself.

56. Denied as written. The cited statute speaks for itself.

57. Denied as written. The cited statute speaks for itself.

58. Denied as written. The cited statute speaks for itself.

- 59. Denied as written. The cited statute speaks for itself.
- 60. Denied as written. The cited statute speaks for itself.
- 61. Denied as written. The cited statute speaks for itself.
- 62. Denied as written. The cited statute speaks for itself.
- 63. Denied as written. The cited statute speaks for itself.
- 64. Denied as written. The cited statute speaks for itself.
- 65. Denied as written. The cited statute speaks for itself.
- 66. Denied as written. The cited statute speaks for itself.
- 67. Denied as written. The cited statute speaks for itself.
- 68. Denied as written. The cited statute speaks for itself.
- 69. Denied as written. The cited statute speaks for itself.

Divestment of Second Amendment Rights

- 70. Denied as written. The cited statute speaks for itself.
- 71. Denied as written. The cited statute speaks for itself.
- 72. Admitted that PSP maintains certain information. The remaining allegations are denied as written.
- 73. These allegations constitute conclusions of law to which no response is required.
- 74. These allegations constitute conclusions of law to which no response is required.
- 75. These allegations constitute conclusions of law to which no response is required.

CAUSE OF ACTION

**THE FIREARMS DISQUALIFICATION STATUE DEPRIVES PLAINTIFFS OF
FUNDAMENTAL INDIVIDUAL RIGHTS WITHOUT DUE PROCESS OF LAW IN
VIOLATION OF THE FOURTEENTH AMENDMENT**

- 76. No response is required.

77. These allegations constitute conclusions of law to which no response is required.
78. These allegations constitute conclusions of law to which no response is required.
79. These allegations constitute conclusions of law to which no response is required.
80. These allegations constitute conclusions of law to which no response is required.
81. These allegations constitute conclusions of law to which no response is required.
82. These allegations constitute conclusions of law to which no response is required.
83. These allegations constitute conclusions of law to which no response is required.
84. These allegations constitute conclusions of law to which no response is required.
85. These allegations constitute conclusions of law to which no response is required.
86. These allegations constitute conclusions of law to which no response is required.
87. These allegations constitute conclusions of law to which no response is required.

AFFIRMATIVE DEFENSES

1. Defendant Blocker is entitled to qualified immunity.

JOSH SHAPIRO
ATTORNEY GENERAL

BY: /s/ Kathy A. Le
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COLONEL TYREE V. BLOCKER	:	
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Defendant.	:	NO. 16-6039

CERTIFICATE OF SERVICE

I, Kathy A. Le, hereby certify that on September 17, 2017 Defendant's Answer to the Complaint has been filed electronically and is available for viewing and downloading from the Court's Electronic Case Filing System ("ECF"). The ECF System's electronic service of the Notice of Electronic Case Filing constitutes service on all parties who have consented to electronic service.

BY: /s/ Kathy A. Le
KATHY A. LE
Deputy Attorney General