

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

AMERICAN FEDERATION OF STATE, : No. 65 MAP 2005
COUNTY AND MUNICIPAL :
EMPLOYEES, COUNCIL 13, AFL-CIO, :
THROUGH ITS TRUSTEE AD LITEM, : Appeal from the Order of the
DAVID FILLMAN; BRUCE FACER, : Commonwealth Court
LEROY ROBINSON, AND GABE WHITE, :
IN THEIR OWN BEHALF AND IN :
BEHALF OF A CLASS OF EMPLOYEES :
OF THE COMMONWEALTH OF :
PENNSYLVANIA DEPARTMENT OF :
CORRECTIONS; AND PHIL FORMICOLA :
AND PHILIP CARROLL, IN THEIR OWN :
BEHALF AND IN BEHALF OF A CLASS :
OF EMPLOYEES OF THE :
COMMONWEALTH OF PENNSYLVANIA :
BOARD OF PROBATION AND PAROLE :

v. :

COMMONWEALTH OF PENNSYLVANIA; :
EDWARD G. RENDELL, GOVERNOR OF :
THE COMMONWEALTH OF :
PENNSYLVANIA; JEFFREY A. BEARD, :
SECRETARY, DEPARTMENT OF :
CORRECTIONS; BENJAMIN A. :
MARTINEZ, CHAIRMAN, BOARD OF :
PROBATION AND PAROLE; VICKI L. :
PHILLIPS, SECRETARY, DEPARTMENT :
OF EDUCATION; MICHAEL J. MASCH, :
SECRETARY, OFFICE OF THE :
BUDGET; ROBERT P. CASEY, JR., :
AUDITOR GENERAL; BARBARA HAFER, :
TREASURER; AND SANDRA FEIGLEY, :
IN HER PERSONAL CAPACITY AND IN :
HER CAPACITY AS CHIEF EXECUTIVE :
OFFICER AND PUBLISHER OF :
WWW.PRISONERS.COM; AND :
WWW.PRISONERS.COM :

APPEAL OF: AMERICAN FEDERATION :
OF STATE, COUNTY AND MUNICIPAL :
EMPLOYEES, COUNCIL 13, AFL-CIO :
:

ORDER

PER CURIAM

DECIDED: August 22, 2006

The Order of the Commonwealth Court is hereby AFFIRMED.

Madame Justice Newman and Mr. Justice Baer dissent.