

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

THOMAS S. ABRAHAM,	:	47 W.D. Appeal Dkt. 1998
	:	
Appellant	:	
	:	Appeal from the Order of the
	:	Commonwealth Court entered on May 18,
v.	:	1998 at No. 439 M.D. 1997, granting
	:	Appellees' Motion for Judgment on the
	:	Pleadings.
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF GENERAL	:	
SERVICES, GARY W. CROWELL,	:	
SECRETARY OF THE	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF GENERAL	:	
SERVICES, AND MERLE H. RYAN,	:	
DEPUTY SECRETARY OF THE PUBLIC	:	
WORKS OF THE COMMONWEALTH OF	:	
PENNSYLVANIA, DEPARTMENT OF	:	
GENERAL SERVICES,	:	
	:	
Appellees.	:	

ORDER

PER CURIAM:

AND NOW, this 17th day of August, 1999, the Order of the Commonwealth Court is **REVERSED**, appellant's complaint is **REINSTATED** and this matter is **REMANDED** to the Commonwealth Court for further proceedings. The Commonwealth Court misapplied the governing legal standard. Under the Whistleblower Act, 43 Pa.C.S. §§ 1421 et seq., assuming the truth of all the allegations in appellant's Complaint and drawing all inferences reasonably deducible therefrom, appellant has pled facts sufficient to sustain a cause of

action. Accordingly, the Commonwealth Court erred by granting appellees' Motion for Judgment on the Pleadings. Jurisdiction is relinquished.

Mr. Justice Cappy dissents.