

MUMIA ABU-JAMAL, BRET  
GROTE, AND ROBERT BOYLE

**V.**

# GEISINGER MEDICAL CENTER

Case No.

**ELECTRONICALLY FILED**

Pursuant to 28 U.S.C. § 1746, I declare that the following is true and correct to the best of my knowledge, information, and belief:

1. My name is Bret Grote. I am an attorney for Mumia Abu-Jamal, as well as a plaintiff in this action.
2. The facts contained in the complaint in this action are incorporated herein.
3. Plaintiff attorneys Robert Boyle and myself require a Temporary Restraining Order and a Preliminary Injunction in order to fulfill our duty as counsel to plaintiff Abu-Jamal. We have not been permitted any communication with our client since his admittance to the Geisinger Medical Center.

4. There has been no explanation as to why counsel, as officers of the court, are not permitted to visit our client.

5. Without access to our client, we are unable to ascertain the care he is receiving, his health condition, or whether necessary diagnostic and treatment steps are being taken to address the myriad of serious health issues he has faced for since around August 2014.

6. Without access to our client we are unable to provide counsel as to the legal remedies he may use to protect his rights and his health.

7. I have been in frequent communication with my client in preparation of civil action to vindicate his constitutional and other rights. Counsel must have access to our client to advise him on these matters, as well as to learn what medical care he is or is not receiving, so that we can fulfill our obligations as plaintiff Abu-Jamal's attorney.

8. Upon information and belief, a phone call may be arranged between counsel and plaintiff Abu-Jamal, or Mrs. Abu-Jamal and plaintiff Abu-Jamal sometime Monday, May 18. Even if this comes to pass, it is no substitute for visitation, which is essential for an attorney to properly fulfill their professional obligations to a client.

9. Given that both defendants have a policy of prohibiting all communication between hospital patients in the custody of the Pennsylvania Department of Corrections (DOC) and their lawyers, family, friends, or

anybody who is not a DOC or hospital employee, an allowance of a phone call or a visit fails to address the constitutional violation caused by the policy prohibiting all communication.

10. Since defendants are asserting an arbitrary and absolute power to render incarcerated persons incommunicado if they are not on DOC property, plaintiffs require injunctive relief to protect our constitutional rights.

11. A Temporary Restraining Order is necessary because plaintiffs have suffered and continue to suffer violations of constitutional rights.

12. No prior application for the relief requested herein has been made before this or any other Court.

DATED: May 18, 2015

  
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Bret D. Grote, esquire