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September 14, 2010

The Times-Tribune

Scranton, Pa

State: Lackawanna County Prison review almost complete

The state Department of Corrections is in the process of completing an investigation into the policies and procedures at Lackawanna County Prison, department spokeswoman Susan Bensinger said Monday.

The Lackawanna County Prison Board sent a formal request to investigate to the department last month after the Aug. 8 assault of inmate Nicholas Pinto, who police said had his head stomped on at least 15 times by another inmate, Michael Simonson, who should not have had access to him.

No date has been set for completing the review, Ms. Bensinger said.

In the meantime, Mr. Pinto has been moved out of Northeast Pennsylvania. The federal inmate was moved by the U.S. Marshals Service to Columbia Regional Care Center, a South Carolina detention facility that offers long-term medical care for federal inmates, said his attorney, Patrick M. Rogan, who confirmed Mr. Pinto remains in a coma.

The sentencing for Mr. Pinto, who pleaded guilty to child pornography, has been postponed by federal Judge Edwin M. Kosik until Mr. Pinto's medical care provider indicates the inmate is suitable for transportation back to the region, said Marty Pane, the chief deputy U.S. marshal for the Middle District of Pennsylvania.

Mr. Rogan has previously said he intends to file a federal civil lawsuit against Lackawanna County Prison as a result of the beating. He said Monday that a major Philadelphia law firm, Kline & Specter, has agreed to take the lead on filing the lawsuit on Mr. Pinto's behalf.

Kline & Specter has won some of the largest compensatory verdicts in the state, including a 2004 Luzerne County verdict awarding \$19.1 million to a woman struck by a van working at a roadside construction site. Attorney Dominic Guerrini, who will handle Mr. Pinto's case, litigated another prison assault case, negotiating a \$4 million settlement after a man was raped and beaten to death in a mental health ward of the Camden County Correctional Facility in Camden, N.J.

Mr. Guerrini said it could be several months until a lawsuit is filed.

Meanwhile, county prison Warden Janine Donate said a separate investigation for the Rev. William Pickard, who allegedly pushed a correctional officer while trying to visit Mr. Pinto at the hospital, is still under review. Father Pickard has been "temporarily" banned since the investigation began, though the incident took place more than a month ago.

The Diocese of Scranton declined to comment on the prison investigation and ban.