CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 291
Vol. 1

JAN 1992

PIRRELLO ENTEPRISES INC.
Scanned June 2017

1992

Phillips and Galanter
Donald L. Phillips

1.

A & J DISTRIBUTORS, INC.

vs.

BARBARA C. CORDARY i/and t/a
LITTLE HEARTS QUILT SHOP

COMPLAINT

= 1 copy (sheriff)

Jan. 16, 1992 SHERIFF'S RETURN filed. SERVED Barbara C. Cordary personally on Jan. 10, 1992 at 1:13 PM by handing her a copy of theComplaint at 410 East Spruce St., Titusville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Bob Stevens, Sheriff

Filed Jan. 2, 1992
@ 11:55 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	50.00
Plaintiffs costs	40.00
Pro Co Pd 2/13/92	9.00 ✓

And Now, Feb. 13, 1992 at 3:35 p.m. upon praecipe of plaintiff attorney, with verification of non military service plaintiff bill of cost, copy of default notice attached, JUDGMENT is hereby entered in favor of plaintiff and against the defendants in the sum of One thousand Eighty Six and 04/100 Dollars plus costs. (int. of 80.04 from 10/16/90 included)
Judgmententered
2/13/92
C - 24
L - 185

DEBT --- $1,086.04
JUDGMENT
Barbara H. King,
Prothonotary

Feb. 20, 1992, notice of entry of judgment mailed to defendants.

Feb. 18, 1992, Copy of Bankruptcy Order filed.

2

1992

Mason & Mason
M. Dan Mason

2.

MELANIE GARRETT

vs.

ANTHONY LINDSEY

Filed Jan. 2, 1992
@ 1:16 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	21.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 2nd day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for January 16, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 3, 1992 Sheriff's Return filed. SERVED Anthony Lindsey on January 2, 1992 at 2:55 PM by handing a copy of the Protection from Abuse to Marilyn Lindsey, his mother and adult in charge at residence, 1128 South Main Street, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy
Edgar D. Householder,

Jan. 21, 1992, AND NOW, Jan. 17, 1992 at the time fixed for hearing in this matter, the Defendant appeared but the Plaintiff did not, even though the Plaintiff was aware of the date of the hearing at the time she filed her petition.

Accordingly, this matter is dismissed and the temporary abuse order of Jan. 2, 1992 is dissolved.

A copy of this order shall be delivered to the Meadville City Police Department and to County Control.

A true and correct copy of this order shall be mailed by certified mail, delivery restricted to addressee only, to Melanie Garrett, 1187 Elm St., Meadville, PA. and the return receipt, when received by the Prothonotary, shall be filed of record in this case.

This dismissal is without prejudice, for it is made without a ruling on the merits, but rather is made because the Plaintiff did not appear as required. This dismissal shall not prejudice or limit the Plaintiff's ability and right to file another petition for relief under the Protection from Abuse Act for either temporary or permanent relief if she so desires.

In view of the fact that the Plaintiff is receiving public assistance, costs are waived and shall be paid by Crawford County.

By Order Of The Court,
Gordon R. Miller, P.J.

Jan. . 21, 1992 Copy of Order given to County Control. Jan. 22, 1992 Copy mailed to Meadville City Police Dept., plaintiff and defendant.

3

1992

3.

BONNIE ROSS, IND. & ON BEHALF OF
SHAWNEA MONTGOMERY

vs.

GEORGE D. MONTGOMERY

Filed Jan. 2, 1992
@ 3:10 p.m.

Tax & entry Pd 3-26-92 $10.50
state Pd 3-26-92 5.00
~~Sheriff's Costs~~ ~~274.50~~

PROTECTION FROM ABUSE
CERTIFIED FROM THE COURT OF COMMON PLEAS OF ERIE COUNTY - CIVIL DIVISION NO. 4377- A - 91

2 copies (plff)

Jan. 2, 1992 ORDER filed. ORDER: AND NOW, to-wit this 23rd day of Sept., 1991, George D. Montgomery is hereby ORDERED to pay costs in the above action as follows:

(A) $40.50 To the Prothonotary of Erie Co., 1st Floor, Erie County Court House.

(B) $21.50 To the Sheriff of Erie County, 1st Floor, Erie County Court House.

It is further ORDERED that said costs shall be paid by the 23rd day of Dec., 1991. Failure to pay by the said date shall result in the issuance of a bench warrant and your immediate arrest and incarceration. BY THE COURT;
Jess Jiuliante, Judge

ORDER: AND NOW, this 23rd day of Sept., 1991, upon consideration of the Petition for Protection From Abuse, and a final hearing upon said Petition having been heard on this 23rd day of Sept., 1991, at 9:15AM, in Courtroom No. 5, it is hereby ORDERED, ADJUDGED and DECREED that:

(1) Temporary custody is granted to the Petitioner of the parties' one children for a period of one year from the date of this Order. (NOTE: Prior to the expiraton of the one-year period, it is recommended that either party file a separate action requesting a hearing before the Custody Counsellor to obtain custodial rights of a more permanent nature.)

(2) Possession of Petitioner's present residence and any other residence that he/she may reside, is granted to the Petitioner for the exclusive occupancy by him/her and hisher children for a period of one year from date of this Order. Defendant, George D. Montgomery is completely excluded from said residence for the same one-year period and shall have no license to be present on the premises.

(3) Respondent is prohibited from striking, hitting, threatening, abusing or harassing Petitioner and the minor children at any location including but not limited to Petitioner's residence, his/her place of employment and the children's school.

(4) There shall be no personal contact between the parties, except that telephone contact will be permitted for the limited purpose of communication with the minor children or for arranging visitation with the minor children. The Respondent shall stay at least one hundred (100) yards away from the Petitioner.

(5) That the Sheriff's Department, or any other police agency within the area of the residence of the Petitioner, including the State Police, are instructed to enforce this Order.

(6) Should the Respondent violate this Order, he is to be arrested and then cited for indirect criminal contempt before a District Justice. An arrest for violation of this Order may be made without a wasrrant, based solely upon probable cause, whether or not the violation is committed in the presence of a police officer.

(7) Plaintiff (Petitioner) is ordered not to invite, entice or encourage the Respondent to violate this Order in any fashion, or he or she may be subject to sanctions of this Court which can include incarceration upo to six months.

(8) Consent to entry of this as an Order is not an admission to the allegations.

(10) This Order shall expire on Sept. 23, 1992 unless extended by the Court. Otherwise this case will be closed.

Jess Jiuliante, Judge

I consent to entry as an Order: George D. Montgomery, Respondent

4

1992

Knox McLaughlin
Gornall & Sennett PC
Donald E. Wright Jr.
Mark E. Mioduszewski

4.

KENNETH R. LANGDON AND MARIAN LANGDON, AS PARENTS AND NATURAL GUARDIAN FOR DANIEL LANGDON AND KENNETH R. LANGDON AND MARIAN LANGDON, INDIVIDUALLY

vs.

DAVID L. JONES AND JONES BROTHERS, INC.

Filed Jan. 2, 1992
@ 3:36 p.m.

Tax & entry paid	$50.50
State paid	5.00
Sheriff's Costs	42.50
Pro Co pd 10/21/92	5.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Jan. 24, 1992 SHERIFF'S RETURN. SERVED David L. Jones on Jan. 10, 1992 at 12:43 PM by handing copy of Summons to Sue Turner, Manager, at his place of business, 812 North Monroe St., Titusville, Crawford County, Pa.
SERVED Jones Brothers, Inc. on Jan. 10, 1992 at 12:45 PM by handing copy of Summons to Sue Turner, Manager and person in charge of the business, 812 North Monroe Street, Titusville, Crawford County, Pa. 16354.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 14, 1992 Petition For Court Approval Of settlement of Minor's Claims and Order filed. and now, to-wit, this 16 day of October, 1992, upon consideration of the foreoging petition for court approval of settlement of minor's claim, it is hereby ORDERED, ADJUDGED AND DECREED that the settlement be and hereby is approved.
Consisten with the foregoing, defendants and their liability insurance carrier and other representatives shall take all reasonable and prompt measures to forward to the pl aintiffs that sum of money which constitutes the up-front cash component of the structured settlement; to purchase all necessary annuities and enter into all necessary contracts as will afford the future benefits in the form of education funds and monthly income as are outlined int he petition; and to furnish the plaintiff with proof that such annuities have been procured. With respect to the up=front cash payment, said payment shall be distributed in accordance with the following schedule:

(a) to Knox, McLaughlin, Gornall & Sennett, P.C., as counsel fees	$141,525.00
(b) To Knox, McLaughlin, gornall & Sennett, P.C., in reinbursement of litigation expenses	$2,452.05
(c) To Kenneth R. Langdon and Marion Langdon in reinbursement of personal expenses incurred by them as a result of the accident and Daniel Langdon's injuries	$8,078.22
(d) To Kenneth R. Langdon and Marian Langdon, as parents and natural guardians of Daniel Langdon, for deposit in a federally insured savings account in accordance with Pennsylvania Rule of Civil Procedure 2039(b)	$22,944.73
TOTAL	$175,000.00

The petitioners shall take that portion of the up-front cash payment as is described in subparagraph (d) above and shall deposit it in one or more savings accounts in the name of the minor, Daniel Langdon, in banks, building and loan associations or savings and loan associations, deposits in which are insured by a federal government agency, which such account or accounts shall be marked restricted such that no withdrawal can be made from any such account until Daniel Langdon attains his majority on december 18, 1992 except as authorize dby a prior order of this court. Proof of the deposit shall be promptly filed of record.
The petitioners are her eby authorized and directed to execute and deliver all appropriate releases to the defendants and to discontinue this lawsuit of record. a

Anthony J. Vardaro, J

Oct. 21, 1992 Copies of order mailed to donald Wright

Oct. 16, 1992 Upon praecipe of Plaintiff Attorney the above action is marked settled and discontinued of record.

Dec. 7, 2005 - See computer for docket entries

5.

IN THE MATTER OF THE ADOPTION OF THE CRAWFORD COUNTY CIVIL RULES OF COURT

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY CIVIL RULES OF COURT- CIVIL

The Crawford CountyCivil Local Rules were adopted by order of this court on the 31st day of December, 1991 to be effective 30 days after publication in the Pa. Bulletin.

By the court,
Gordon R. Miller,
President Judge

Filed Jan. 2, 1992
@ 12:18 p.m.

Jan. 2, 1991 Order filed.
ORDER:
AND NOW, Dec. 31, 1991 it is ordered and directed that the following rules ofcivil procedure be and are hereby adopted and shall become effective thirty (30) days after publication in the Pennsylvania bulletin and shall apply to all civil proceddings pending at that time.

All presently existing local rules of civil procedure are hereby rescinded as of the effective date of these rules.

It is further ordered and directed that, in accordance with Pa. R.C.P. 239, seven (7) certif ied copies of these rules shall be filed with the Administrativ e Office of the Pennsylvania courts; two (20 certified copies shall be forwarded to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; and one (1) certified copy shall be filed with the Civil Procedural Rules Committee.

It is further ordered that these local rules shall be kept continuously available for public inspection and copying in the office of Prothonotary of Crawford County. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary of Crawford County sahll furnish to any person a copy of any local rule.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Jan. 27, 1992 Order filed. AND NOW, January 24, 1992, it is ordered and directed that even though the Crawford County Civil Rules of Court adopted December 31, 1991 shall become effective thirty (30) days after publication in the Pennsylvania Bulletin and shall apply to all civil proceedings pending at that time, Rule L302 entitled "Trial Lists and Pre-trial Procedures." shall not b ecome effective until July 1, 1992. Therefore Rule L302 shall not apply to civil cases scheduled for trial during the February, April and June terms of court. The first term of court that Rule L302 shall apply to shall be the October 1992 term of Civil Jury Trials.

In accordance with Pa.R.C.P. 239, seven (7) certified copies of this order shall be filed with the Administrataive Office of the Pennsylvania Court; two (2) certified copies shall be forwarded to the Legislative REference Bureau for publication in the Pennsylvania Bulletin; and one (1) certified copy shall be filed with the Civil Procedural Rules Committee. Furthermore, a copy of this Order shall be d istributed to each member ofthe Crawford County Bar Association who has already received a set of the new rules and a copy of this order shall be appended to the supply of Rules on hand in the Prothonotary's Office and shall be handed out with each set of Rules that are handed out until July 1, 1992.

BY THE COURT,
Gordon R. Miller, J

April 10, 1992 Order filed: AND NOW, April 7, 1992 is is ordered and directed that the following changes tot he Crawford County Civil Rules of Court are hereby adopted and shall become effective thirty (30) days after publication in the Pennsylvania Bulletin and shall apply to all civil proceedings pending at that time:

1. New rules or forms: L1920.33 and L1920.74.

2. Amendments to existing rules: L206D(2), L1902.1A, L1910.10(A), L1910.10(c), L1910.10(d), L1910.11, L1915.3, L1915.26A), L1915.26(d), L1915.26(E), L1915.26)F), L1920.51(A), L1920.51(C) L1920.53(A).

3. Deletions and renumbering: L1915.26(G), as it existed prior hereto is deleted, L1915(H) is now renumbered as (G), L1915.26(I) is renumbered as (H), and L1915.26(J) is renumbered as (I).

It is further ordered and directed that, in accordance with Pa. R.C.P., seven (7) certified copies of these rules shall be filed with the Administrative Office of the Pennsylvania Courts; two (2) certified copies shall be forwarded to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; and one (1) certified copy shall be filed with tge Civil Procedural Rules Committee.

**BY THE COURT,
Gordon R. Miller, P.J.**

April 10, 1992 Copies distributed by Court.

May 6, 1992 ORDER: AND NOW, April 29, 1992, in view of the fact that fees paid to arbitrators have not been increased for several years; due to the fact that arbitrators' fees are considerably lower than attorneys might charge private clients for services rendered; and in view of the fact that the arbitration limits have now been increased requiring additional burdens and responsibilities on arbitrators, the Court now sets new arbitration fees.

It is ordered and directed that effective this date the arbitration fees shall be as follows:

$80.00 for the Chairman
$70.00 for all other members.

In individual cases arbitrators' fees may be higher in accordance with the local rules.

These fees shall apply to all arbitrations where the arbitrators' hearing is held on or after this date.

BY THE COURT
Gordon R. Miller, P. J.

May 13, 1992 ORDER FILED. AND NOW, May 6, 1992 it is ordered and directed that the Crawford County Civil Rules of Court are hereby amended as set forth on the amendments attached hereto and made a part herof. By way of summary Rules L1902.2B, L1902.5 and Exhibit L1902.2B-1 are amended to delete the use of the term "verification" and to substitute therefore the term "affidavit." Furthermore Rule L1902.4 enumerating the information the District Justices must give to plaintiffs and defendants in protection from abuse actions is amended by the addition of a new paragraph A8.

These amendments shall become effective thirty (30) days after publication in the Pennsylvania Bulletin and shall apply to all civil proceedings pending at that time.

Continued to Page

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1992

Mark D. Prather Prather Prather & Pineo 6. Douglas Ferguson	FOUST EXCAVATING vs. KIM CURTIS AND PAM CURTIS, HIS WIFE Filed Jan. 3, 1992 @ 10:20 a.m. Tax & entry paid $50.25 ✓ state paid 1/7/92 5.00 In Error ~~Pro Co pd 1-25-93 6.00~~	APPEAL OF DEFENDANTS FROM JUDGMENT OF HUBERT VOGAN, DISTRICT MAGISTRATE - 30-3-02 Jan. 3, 1992, rule entered upon plaintiff to file complaint issued. Jan. 3, 1992 Proof of Service filed. Jan. 9, 1992, Complaint filed.

1992

7.

CHRISTINE L. SMITH

vs.

GARY L.ECK, JR.

Filed Jan. 3, 1992
@ 3:12 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	22.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 3rd day of January, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Custody of the children is awarded to Plaintiff. Defendant shall not contact or visit his children.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for January 17, 1992, at 3:30 M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon r. Miller, J

, Jan. 10, 1992 SHERIFF'S RETURN filed. SERVED Gary L. Eck, Jr. by Certified Mail addressed to his mother, Judith Kuhn, at 33 Market St., Columbus, Pa. 16405, on Jan. 8, 1992, Service was made to Mrs. Kuhn as we had no address of defendant who is currently residing in Florida but does visit his mother in Columbus, Pa.
So answers, Bob Stevens, Sheriff

Jan. 23, 1992 ORDER filed. AND NOW, this 17th day of January, 1992 after an informal hearing in which the Plaintiff testifies, and in which the Defendant is not in attendance, the Court finds that there is abuse within the meaning of the Act.

The Court notes that during the hearing, a note is presented that one Randy Eck, the brother of the Defendant, has called the Court Administrator's office indicating that the Defendant has not been served. The Court further notes that service was attempted by Certified Mail to the address of the mother of the Defendant, since the Defendant is believed to be living in Florida, but no: address is known for him.

The Court enters the following ORDER:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. The Defendant shall not contact the Plaintiff in any way, nor shall he go to the property of her aunt, Regina Howe, where the Plaintiff and the minor children are residing.
3. The Plaintiff shall have exclusive custody of the minor children, and the Defendant shall not be entitled to visit the minor children without further Order of Court.
4. This order may be enforced without a warrant of arrest by any law enforcement officer in the Commonwealth of Pennsylvania having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered to the Titusville City Police Dept. and to County Control, and the Prothonotary of Crawford Countyis directed to serve a copy by Certified Mail, return receipt requested, delivery restricted to addressee only, to the Defendnat Gary . Eck, Jr., c/o Judith Guhn, at 33 Market ST., Columbus, PA. 16405, which is the last known manner in which the Defendant can be contacted.
6. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine up to $1,000 and a jail sentence up to 6 months.
7. The Court is concerned that the Defendant may not have received notice of this hearing, and therefore the Defendant may at any time during the term of this order petition the Court for a further hearing with regard to the Court's order.
8. The Defendant is directed to pay the court costs in the amount of $86.50 to the Prothonotary of Crawford County on or before Feb. 7, 1992.
9. This order shall remain in full force and effect through Jan. 16, 1993.
10. The Defendant is advised that if he chooses to request a further hearing in this matter, he is entitled to have a lawyer to represent him if he desires, but he is not requried to do so.

By Order Of The Court,
Anthony J. Vardaro, J.

Jan. 24, 1992 Copy of Order given to Co. Control; Jan. 28, 1992 Copy mailed to Titusville Police Dept., plaintiff, defendant.

8

1992

Pepicelli, Youngs,
and Youngs PC
Christopher Youngs

8.

DAVID H. HOLLER

vs.

SHIRLEY H. HOLLER

Filed Jan. 3, 1992
@ 3:18 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co Pd 6-11-92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

April 21, 1992 Plaintiff's Affidavit of Consent filed.

June 4, 1992 Affidavit of Consent of Defendant, filed.

June 9, 1992 Acceptance of Service filed. I, Shirley H. Holler, acknowledge and accept service of the Complaint in Divorce which was received by me on January 4, 1992.

June 11, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to court.

D I V O R C E D E C R E E F I L E D

AND NOW June 17, 1992, it is hereby ordered and decreed that David H. Holler, Plaintiff, and Shirley H. Holler, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims reaised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

June 22, 1992 copy in box for C. Youngs.

1992

Barrett & Dratler
~~Bruce A. Barrett~~ Waldman
Brian J. Lindsay
Joan Mason
9.

~~Robert J. Felton~~
Kathleen R. Nelson

5-2-96 Refund Pltf Med Fee 75⁰⁰
5-15-96 Pd Co #10019 75⁰⁰

BRYAN SCOTT STEPHENS

vs.

REBECCA LYNN STEPHENS

Filed Jan. 3, 1992

Tax & entry paid $50.50 ✓
state paid 5.00
Bruce Smith, mediator

Sheriff's Costs 38.00
Sheriff's Costs 25.00

Sheriff's Costs 25.00
John Spataro, Mediator

PETITION FOR CUSTODY

2 copies (atty)
1 copy (mediator)

NOTICE AND ORDER TO APPEAR:

You, Rebecca Lynn Stephens, respondent, have been sued in court toobtain custody, partial custody or visitation of the children: Corey Scott Stephens and David Benjamin Stephens.

You are ordered to appear in person at such time and place as will be determined by the Mediator: Bruce SMith Esq. for a mediation conference.

If you fail to appear as provided by this roder or to bring the children, an order for custody partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Court Administrator - Crawford CountyCourthouse, Meadville Pa. 16335 814 336-1151 ext. 298

Jan. 3, 1992 BY THE COURT,
Gordon R. Miller, J.

Jan. 14, 1992 Verification of Service filed. I, Brian J. Lindsay, Esquire, do hereby verify that I am the attorney of record for the above named Petitioner, and that as such I am authorized to make this verification; that I did on the 8th day of January, 1992, send to the above named Respondent, by Certified Mail, Addressee Only, Return Receipt Requested, a true and correct copy of the petition for custody and Order for Mediator filed at the above term and number; and that I did on the 13th day of January, 1992, receive a duly executed return receipt dated January 11, 1992. Brian J. Lindsay

Feb. 19, 1992 Appearance of Robert J. Felton for Defendant filed.

March 18, 1992 TEMPORARY ORDER OF COURT filed. AND NOW, this 18th day of March, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Corey Scott Stephens, age three years, born Dec. 11, 1988, and David Benjamin Stephens, age three months, born Nov. 24, 1991, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to elective surgery.

2. Primary physical custody of the children shall remain with the natural mother, Rebecca Lynn Stephens. Regular visitation and temporary custody of the children shall be granted to the father, Bryan Scott Stephens. Physical custody for the petitioner father shall be as follows:

a. The younger child, David shall be available to be picked up at the mother's place of residence, preferably by the father's mother, every Saturday, at 10:00 a.m., prevailing time, to be returned to the mother's residence at 12:00 noon, prevailing time. The father shall also have the right to take the older child, Corey, into his temporary physical custody on Saturday between the hours of 10:00 a.m. and 6:00 p.m., prevailing time. These visitations are conditional on the father's providing transportation (both picking up and dropping off the children at the mother's place of residence). It is strongly recommended that the picking up and dropping off be handled by the maternal grandmother.

b. In addition to the above-mentioned visitation, the mother shall make a conscious effort to allow the father to see the children during the same hours on Father's Day and on the Children's birthdays. The mother is also encouraged to have the father have some contact with the children on recognized national holidays other than Thanksgiving and Christmas. On Thanksgiving and Christmas each year, the father shall have the opportunity to have both children with him for a minimum of two hours each of those days, presumably between 10:00 a.m. and noon, prevailing time. When the child, David, has been weaned from breastfeeding, visitation with him shall be the same as with the older child, Corey, from 10:00 a.m. to 6:00 p.m. on Saturday. Those hours will be the same for the mentioned holidays.

3. The parent having custody of the children at anytime shall notify the other parent as soon possible in the event of injury to or illness of the children requiring medical treatment.

4. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to his physical persons. Both of the parents shall refrain from any use of alcohol, other drugs, or chemicals while the children are in their physical custody. Neither parent shall remove the children from the Counties of Erie and Crawford, Pennsylvania, without the written permission of the other parent. Neither parent shall smoke cigarettes or other tobacco devices while the children are with them because the children have asthma.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents and any adult, including grandparents, coming into regular contact with the children, shall teach the children involved in this case to develop and demonstrate that natural love and respect due a parent from his or her children. Neither of the parents (nor any adult coming into regular contact with the children) will do or say anything to blacken the character of either parent in the eyes of the children.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or either of the children resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid entirely by the County of Crawford because neither parent is employed and the mother is on Public Assistance.

10. This Order shall be a Temporary Ordr, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

By The Court:
Gordon R. Miller, President Judge

March 23, 1992 Copy of Order to Attys. Brian Lindsay, Robert Felton, Bruce Smith.

CONTINUED ON PAGE 456

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1992

Watts and Pepicelli
Alan L. Pepicelli

10.

Thomas, Truax, Spadafore
and Walker
R. Charles Thomas

Culbertson,Weiss,
Schetroma & Schug
E. Max Weiss for
John Yalenty,Add'l Deft.

JOHN YALENTY AND JUDITH E. YALENTY, a/k/a JUDITH E. JACKSON, HIS WIFE

vs.

MARY LOUISE WISSLER

vs.

John Yalenty, Additional Deft.

Filed Jan. 3, 1992
@ 4:17 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	24.00
Pro Co Pd 7/5/95	6.00 ✓
	1.00 ✓

JURY TRIAL

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Jkan. 16, 1992 SHERIFF'S RETURN filed. SERVED Mary Louise Wissler personally on Jan. 9, 1992 at 3:20 PM at her residence, 49 East View Drive, Meadville, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Bob Stevens, Sheriff

Feb. 6, 1992 Complaint In Civil Action filed.

Mar. 3, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R.Charles Thomas for Defendant.

June 3, 1992 NOTICE OF SERVICE of Request for Production of Documents and Interrogatories filed.

Jan. 14, 1993 Answer and New Matter on behalf of Mary Louise Wissler filed.

Feb. 2, 1994 Appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss,Esquire, for John Yalenty, Additional Defendant, filed.

Oct. 12, 1994 Reply of Plaintiffs to Defendant's New Matter filed.

Oct. 12, 1994 Reply to New Matter Pursuant to Pa.R.C.P. 2252(d) Directed to Plaintiff, John Yalenty filed.

Oct. 13, 1994 Certificate of Service of Reply of Plaintiffs to Defendant's New Matter filed.

Oct. 13, 1994 Certificate of Service of Reply of John Yalenty to the New Matter Pursuant to Pa. R.C.P. 2252(d) filed.

June 28, 1995, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

1992

Northwestern Legal Services
Christopher Brode

11.

TINA RIVERA

vs.

GINORIO P. RIVERA

Filed Jan. 6, 1992
@ 11:48 a.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	33.50
Pro Co.	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 6th day of January, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Possessionof the residence is given to Plaintiff. Defendant shall not out. Defendant shall not contact Plaintiff or the children. Temporary custody of the children is awarded to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for January 17, 1992, at 3:30 p M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 7, 1992 SHERIFF'S RETURN filed. SERVED Ginorio Rivera personally on Jan. 6, 1992 at approximately 1:15 PM by handing him a copy of the Protection from Abuse at the residence, 8 Meade Place, Titusville, Crawford County, Pa. Defendant left the residence. So answers, Dale Beach, Titusville Police Dept.
Robert M. Stevens, Sheriff

Jan. 22, 1992 ORDER filed. AND NOW, this 17th day of January, 1992 after an informal hearing where the Plaintiff was present and the Defendant did not appear, the Court finds that the Plaintiff has proven abuse within the meaning of the Act, and enters the following ORDER:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. Possession of the residence is given exclusively to the Plaintiff.
3. Temporary custody of each of the minor children is awarded to the Plaintiff, with no visitation rights to the Defendant. The Defendant is instructed that he may file an appropriate petition for custody or visitation to obtain visitation rights if he so chooses.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered to the police department in the City of Titusville, and to County Control, and counsel for the Plaintiff is directed to serve a copy by certified mail, return receipt requested, delivery restricted to addressee only, upon the Defendant at his last known address, at 1613 Myrtle Street, Erie, Pa.
6. The Defendant is reminded that this si an Order of Court and violation of this order may be punishable by a fine up to $1,000.00 and a jail sentence of up to 6 months.
7. Costs in the amount of $98.00 shall be paid on or before Feb 5, 1992 by the Defendatn to the Prothonotary of Crawford County.
8. This Order shall remain in full force and effect through Jan. 16, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Jan. 23, 1992 copy in box for C. Brode; mailed copy to Dft. and Titusville Police Dept.
Jan. 22, 1992 copy given to County Control

Feb 4, 1992 PROOF OF SERVICE filed. I hereby certify that a copy of the foregoing Protectionfrom Abuse Order was served upon Respondent Ginorio Rivera at 1613 Mertal St., ERie, Pa., by Certified U.S. Mail, Return Receipt Requested on Jan. 29, 1992. R. Christopher Brode

12

1992

William J. Gregg
Kathleen R.Nelson
12.

MARY A. CINAMON

vs.

MICHAEL E. CINAMON

Filed Jan. 6, 1992
@ 11:59 a.m.

Tax & entry paid	$50.50 ✓
1 count paid	15.00 ✓
state paid	10.00
state paid	10.00
Pro.Co.	9.00
Pro.Co.Pd 5/26/92	9.00

COMPLAINT IN DIVORCE, AND CUSTODY

1 copy (atty)

Jan. 21, 1992 AFFIDAVIT OF SERVICE filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Michael E. Cinamon, on Jan. 13, 1992.

3. The registered mail was sent to Michael E. Cinamon, at 5433 LaPinta Drive, Indianapolis, IN 46236. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on Jan. 15, 1992. Said Return Receipt care P 848 678 429 is attached hereto, signed by Michael E. Cinamon and made a part hereof.

May 6, 1992 Affidavit of Consent by Michael E. Cinamon, Defendant filed.

May 13, 1992 AFFIDAVIT of Consent by Mary A. Cinamon, Plaintiff, filed.

May 19, 1992 STIPULATION AND CONSENT CUSTODY ORDER FILED. AND NOW, this 15th day of May 1992, upon agreement of the parties to this action,the following order is hereby entered:

1. Legal custody of Jacob M. Cinamon and Joshua D. Cinamon shall be shared between the parties hereto, with each parent entitled to records relating to the children held by a third party, including, but not limited to school and medical records and shall also entitle both parents to equal input with regard to the children's health, education, religious instruction, and other important decisions.

2. Physical custody of Jacob M.Cinamon and Joshua D. Cinamon shall be with their mother, Mary A. Cinamon, subject to the following conditions:

a) Father shall be entitled to reasonable visitation rights, including overnight visits, holiday visits, weekend visits, and extended Summer visits, as agreed upon from time to time between the mother and the father.

b) This order is entered without prejudice to the right of either party to request a mediation conference at some time in the future for the purpose of obtaining a more specific visitation schedule between the children and the children's father.

c) The father shall be responsible for providing all transportation in regard to the exercise of his visitation rights herein.

3. Neither of the parents shall do or say anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude onthe part of the children towards both parents.

4. Neither father nor mother shall expose the children to any person or situation which may be harmful to the chidren's health or well being.

5. Both parents agree to inform the other immediately of any serious illness or injury affecting the children.

By the Court:
Gordon R. Miller, J.

May 19, 1992 Copy of the Order to:Kathleen R. Nelson, Esq.

May 26, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 2, 1992 AND NOW, June 1, 1992, it is hereby ordered and decreed that Mary A. Cinamon, and Michael E. Cinamon, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

13.

TINA M. ARMSTRONG

vs.

MARK E. ARMSTRONG

Filed Jan. 6, 1992
@ 12:11 p.m.

Tax & entry	Pd 1/17/92	$50.50 ✓
state	Pd 1/17/92	5.00
Sheriff's Costs		22.00
Pa. Co.	Pd 1/17/92	9.00 ✓

1/17/92
$22.00 Sheriff costs paid

1-17-92
Paid Sheriff
Ck #6596
22.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 6 day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: None

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for January 16, 1992, at 3:30 p. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro

Jan. 16, 1992 Sheriff's Return filed. SERVED Mark E. Armstrong on January 15, 1992 at 7:00 AM Plaintiff, Tina M. Armstrong served Mark E. Armstrong at his residence, Woodland Heights, Apartment A-102, Arthur Street, Meadville, Crawford County, PA.
So answers,

Tina M. Armstrong, Plaintiff
Bob Stevens, Sheriff

Jan. 21, 1992 ORDER filed. AND NOW, Jan. 16, 1992 after an informal hearing where the Plaintiff was sworn and testified about matters that are set forth in her complaint, and where the Defendant, even though he was properly served, did not appear, the Court is satisfied that the Plaintiff has been abused as defined by the Act, and accordingly, ORDERS as follows:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff in any manner whatsoever, nor will he procure or encourage others to do so.
2. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
3. A copy of this order shall be delivered by the Prothonotary to the Pennsylvania State Police and to the Meadville City Police Dept., as well as to County Control.
4. This order shall remain in full force and effect until Jan. 15, 1993 unless modified or terminated by further order of Court.
5. The record court costs of $86.50 shall be paid by the Defendant no later than Friday, Jan. 31, 1992 by making payment to the Prothonotary of Crawford County.
6. A true and correct copy of this order shall be served on the Defendant either personally or by certified mail, delivery restricted to the Defendant only, by counsel for the Plaintiff, and an appropriate return of service shall be filed of record with the Prothonotary. In lieu thereof, service may be made upon the Defendant in any manner in which original process may take place under the Rules of Civil Procedure, with the Plaintiff paying the cost of that type of service.
7. The Defendant is reminded that this is an Order of Court and violation of this order may be punishable by a find up to $1,000.00 and a jail sentence of up to 6 months.

By Order Of The Court,
Gordon R. Miller, P.J.

Jan. 21, 1992 Copy of Order given to County Control, copy to Atty. Barbara Walton; copy mailed to Pa. State Police, Meadville Police Dept., defendant.

Feb 7, 1992 AFFIDAVIT OF SERVICE filed. 1. A true and correct copy of the Protection from Abuse Order filed in the above -captioned matter was served upon the Defendant, MARK ARMSTRONG, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on Jan. 25, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899090627) attached hereto as Ex. A.

I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.
Dated: Feb. 5, 1992 Barbara J. Walton, Esq.

14

1992

Federman and Phelan
Frank Federman

14.

STANDARD FEDERAL SAVINGS BANK f/k/a STANDARD FEDERAL SAVINGS AND LOAN ASSOCIATION
Gaithersburg, Md. 20898
vs.

RAYMOND L. HUFF, JR. AND BARBARA L. HUFF
R. D. #2, box 627

Filed Jan. 6, 1992
@ 1:33 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
sheriff's costs	24.05
Sheriff's Costs	33.00
Sheriff's Costs	33.00
Pro Co. pd 9-16-92	9.00 ✓

MORTGAGE FORECLOSURE COMPLAINT

2 copies (sheriff)

Jan. 14, 1992 Sheriff's Return filed. NOT FOUND as to Defendants Raymond L. Huff, Jr. and Barbara L. Huff at the address given of R.D.#2, Box 627, Conneaut Lake, Crawford County, PA. The residence is vacant.
So answers, Bob Stevens, Sheriff

Apr. 9, 1992 Complaint Reinstated.

April 16, 1992 SHERIFF's RETURN FILED. NOT FOUND as to Defendants Raymond L. Huff, Jr. and Barbara L. Huff at address given of R.D.#3, North Watson Run Road,Conneaut Lake, Crawford County, PA. They have moved and left no forwarding address.

So Answers,
Robert M. Stevens, Sheriff

June 5, 1992 Motion for Alternative Service and Order filed. AND NOW, 5th this date of June, 1992, upon consideration of Plaintiff's Motion and the Affidavit of Reasonable Investigation attached thereto, it is hereby:

ORDERED that Plaintiff may obtain service of the Complaint on the above captioned Defendant, RAYMOND L. HUFF AND BARBARA HUFF,by mailing a true and correct copy of the Complaint by Certified Mail and Regular Mail and by posting of the premises R.D.#3, N. WATSON, CONNEAUT LAKE, PA 16316, by the Sheriff.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's office an Affidavit as to the mailing.

In the event that Notice of Sheriff Sale cannot be made in the manner provided in Pa. R.C.P. 402 (a) or Pa. R.C.P. 403, service shall be made by regular and certified mail to Defendants last known address and by posting of the premises by the Sheriff.

BY THE COURT:
Gordon R. Miller, J.

June 5, 1992 Copy of the order to Frank Federman,Atty.

July 6, 1992, Complaint Reinstated.

July 15, 1992 Sheriff's Return filed. POSTED the property of Raymond L. Huff, Jr. and Barbara L. Huff on July 8, 1992 at 9:05 AM. The property being located at R.D. #3, North Watson Run Road, Conneaut Lake, Crawford County, PA 16316.
So answers,
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Aug. 31, 1992 Verification filed. I hereby certify that a true and correct copy of the Civil Action in the above captioned matter was sent by regular and certfied mail, return receipt requested, to the following person RAYMOND L. and BARBARA HUFF, R.D.#2, Box 627, Conneaut Lake, PA 16316, on July 15, 1992 in accordance with the Order of Court dated June 5, 1992.

The undersigned understands that this statment is made subject to the penalties of 18 Pa.C.S. Sec. 4904 relating to unsworn falsification to authorities.
Dated: July 15, 1992 Marcia A. White, Paralegal

Sept. 16, 1992, 11:23 a.m., AND NOW upon Praecipe of Plaintiff Attorney, to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an Answer and for Foreclosure and Sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint		$44,541.71
Interest - 11/1/91 to 9/15/92		5,273.60
	TOTAL	$49,815.31

H-146,26
Judgment entered 9/16/92
9-17-92 Notice of judgment mailed defendant.

Debt $49,815.31
Judgment
Barbara H. King, Pro.

EXECUTION NO. 1992 - 9

1992

William B. Moore

15.

IN THE MATTER OF:

UNCLAIMED FUNDS IN DIVORCE

Filed Jan. 6, 1992
@ 4:05 p.m.

PETITION TO RETURN FUNDS TO DEPOSITORS

ORDER:

AND NOW, January 3, 1992, the prayer of the within petition is granted and James F. Simmons is ordered and directed to refund to any depositor funds deposited with the Prothonotary in divorce actions to the extent that the funds are on deposit for oen year or more and have not been claimed by any persons.

BY THE COURT,
Gordon R. Miller,
P.J.

Feb. 21, 1992 Writ return filed. SERVED Integra Bank (N), Garnishee on Feb. 20, 1992 at 2:20 PM by handing three true and attested copies of the within WRit of Execution and Interrogatories at 127 West Spring St., Titusville, Crawford Co., State of PA. place of business, to Ron Wig, person in charge.

SERVED Northwest Savings Bank, Garnishee on FEb. 20, 1992 at 2:23 PM by handing three true and attested copies of the within Writ of Execution and Interrogatories at Spring & Franklin St., Titusville, Crawford Co., State of PA., place of business, to Robert G. Holquist, person in charge.

SERVED Marine Bank, Garnishee on FEb. 20, 1992 at 2:25 PM by handing three true and attested copies of the within WRit of Ex. and Interrogatories at 123 Diamond St., Titusville, Crawford Co., State of PA., place of business, to Keith Morrison, person in charge.

So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

1992

Ferguson & Spataro
Douglas W. Ferguson

16.

THOMAS J. HENDERSHOTT

vs.

SUSAN J. HENDERSHOTT

Filed Jan. 6, 1992
@ 4:27 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	10.00
1 count paid	15.00 ✓
Pro.Co. pd 11/2/92	9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Jan. 29, 1992 AFFIDAVIT OF SERVICE filed. I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certified mail, addressee only, return receipot requested,dated Jan. 13, 1992. The Defendant acknowledged service on Jan. 21, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt. Douglas W. Ferguson

Nov. 2, 1992 Affidavit of Consent by Susan J. Hendershott, Defendant, filed.

Nov. 2, 1992 Affidavit of Consent by Thomas J. Hendershott, Plaintiff, filed.

Nov. 2, 1992 Upon Praecipe of Plaintiff Attorney to transmit record - Section 3301 (c) of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

Nov. 10, 1992 Stipulation and Final Decree filed. AND NOW, this 9th day of November, 1992, it is Ordered and Decreed that **T H O M A S J . H E N D E R S H O T T ,** plaintiff, and **S U S A N J . H E N D E R S H O T T ,** defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION

1. The plaintiff is awarded all right, title and interest in certain real estate known as the parties' marital residence located in Sadsbury Township, Crawford Co., PA. For source of title, see Crawford Co. Record Book 26, Page 643. The plaintiff and defendant shall execute a certain quitclaim deed transfering all right, title and interest in the aforesaid marital residence to the plaintiff, Thomas J. Hendershott, simultaneously with the entry of this Decree in Divorce.

2. The plaintiff, Thomas J. Hendershott shall be solely responsible for any monies due and owing to PNC Corporation or its successor with regard to a certain mortgage on the marital residence which has a current balance of approximately $40,000.00. The plaintiff shall indemnify and hold harmless the defendant with regard to any and all payments due on said mortgage.

3. The plaintiff is awarded all right, title and interest in a certain business known as Otter's Pub including all personal property, inventory, fixtures and the liquor license in connection with the operation of Otter's Pub. The plaintiff shall also be solely responsible for any and all debts in connection with Otter's Pub including but not limited to a certain lease to one John Parise and certain busienss loan to Integra Bank with a current balance of approximately $10,000.00, any and all loans to the plaintiff's parents, Thorndike Hendershott and Mary M. Hendershott of Olney, Illinois and shall indemnify and hold the defendant harmless with regard to any and all payments due thereon.

4. The plaintiff shall also be solely and exclusively responsible for any and all monies owed to the Internal Revenue Service and any other taxing agency for back taxes incurred by the paraties prior to their separation on Jan. 15, 1991. The plaintiff shall also be solely responsibleble for a certain balance on an Express Credit Loan at Integra Bank having an approximate balance of $4,000.00. The plaintiff shall further indemnify and hold the defendant harmless with regard to the payment of any and all monies due on said accounts.

5. The defendant is awarded all the proceeds received as a result of a certain personal injury to the defendant as a result of a certain automobile accident prior to the parties separation but with said monies being received by the defendant post-separation and prior to the entry of this Decree in Divorce.

6. The plaintiff is awarded all right, title and interest in a certain 1979 Ford titled in the husband's name alone.

7. The defendant is awarded all right, title and interest in a certain 1986 Subaru currently in wife's possession and titled in wife's name.

8. The plaintiff shall pay to the defendant the total sum of $5,000.00 in equal monthly installmetns of $250.00 per month commencing May 15, 1993, and each and every month thereafter on the 15th day of the month without interest for a period of twenty (20) months. Said $5,000.00 shall be secured by the plaintiff executing a certain note in favor of the defendnat in the sum of $5,000.00 providing for installment payments of $250.00 per month as set forth herein.

9. All personal property currently in the plaintiff's possession shall be his sole and exclusive property.

10. All personal property currently in the defendant's possession shall be her sole and exclusive property.

11. This Decree shall be effective immediately.

BY THE COURT:
Gordon R. Miller, J.

1992

William Taggart
Taggart, Moran &
Moorehouse

17.

Reed Smith Shaw &
McClay
James r. Haggerty

GLENN A. DAVIS

vs.

CYTEMP SPECIALTY STEEL
DIVISION, THE CYCLOPS
CORPORATION

Filed Jan. 7, 1992
@ 9:02 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	33.50

COMPLAINT

1 copy (sheriff)

Jan. 14, 1992 Sheriff's Return filed. SERVED Cytempt specialty STeel Division, The Cyclops Corporation on January 10, 1992 at 12:54 PM by handing a copy of the Complaint to Steven Kantor, Receptionist and person in charge, at 701 East Springs Street, Titusville, Crawford County, PA.
So answers, Dale A. collins, Deputy Sheriff
Bob Stevens, Sheriff

Feb. 7, 1992, Notice of Filing Petition for Removal and Petition for Removal filed.

Oct. 19, 1992 Memorandum Opinion and Order filed. AND NOW, to wit, this 14th day of October, 1992, it is hereby Ordered, Adjudged and Decreed that pursuant to 28 U.S.C. 1446(c)(4), after determining that this case was improperly removed, the defendant's Petition for Removal is Dismissed andthis case is Remanded to the Court of Common Pleas of Crawford County, Pennsylvan It is further Ordered that the Clerk of Court shall provide to the Prothonotary of said court a certified copy of this Opinion and Order. Maurice B. Cohill, Jr. Judge

Oct. 18, 1993 Notice of Completion of Discovery filed.

March 13, 1995 Defendant Cytemp Specialty Steel Division of Cyclops Corporation's Motion For Summary Judgment filed.

March 13, 1995 Upon Praecipe of defendant Cytemp Specialty Steel Division, attorney, the above case placed on next Argument List.

ON APRIL 1995 ARGUMENT LIST

Apr. 7, 1995 ORDER REGARDIDNG SCHEDULING OF ARGUMENT ON MOTION FOR SUMMALRY JUDGMENT, filed. AND NOW, April 3, 1995, the defendant having filed on March 13,1995 a motion for summary judgment, praecipe for argumetn and brief in support thereof, the Court declines to set argument thereon for the following reasons:

1) Defendant has not complied with our Local Rule L1035, which requires the filing of a "separate, short and concise statement of the material facts...as to which the moving party contends there is no genuine issue to be tried...", and the opportunity for the other party to respond to the same; and

2) It appears that some substantial and/or substantive portion of the record in this case (pleadings, discovery, etc.) would have beendeveloped between the time this case was removed to federal court and the time the federal court remanded it to Crawford County. In any case, the only item which has been filed of record here is Judge Cohill's opinion andorder dated October 14, 1992. To the extent the defendant intends to rely on matters which were developed of record in the federal court, we believe it must file certified copies in this court at this term and number.

At such time as the defendant has complied with this sorder, it may again praecipe the Court to set argument on its motion for summary judgment in accordance with local rules.

BY THE COURT,
Gordon r. Miller,P.J.

Apr. 10, 1995 Faxed Haggerty & Taggart

Apr. 21, 1995 Defendant Cytemp Specialty Steel Division of Cyclops Corporation's Statement of Material Facts, filed.

Apr. 21, 1995 Upon Praecipe of Robert F. Prorok, Esquire, Attorneys for Defendant, the Defendant's Motion for summary Judgment is placed on the next available argument list.

ON MAY, 1995 ARGUMENT LIST

May 19, 1995, Defendant's Uncontested Motion to Reschedule Case for ARgument Court and Order filed. ORDER: AND NOW, this 15 day of May 1995, in consideration of dft's uncontested Motion to Reschedule case for Argt. Ct., it is hereby ORDERED that this case shall be removed from Argument Court for Tues. May 30 1995 at 2:15 p.m. and shall be continued to the next available argt. list to be scheduled by the Ct. Adm. with other matters included therein.

Gordon R. Miller, J.

1 copy (atty)

ON ARGUMENT LIST FOR JUNE 1995

Jun. 22, 1995 Affidavit of MICHAEL J. CARRERA filed in Support of Plaintiff, filed.

Jun. 22, 1995 Affidavit of RICHARD CRISMAN, filed in Support of Plaintiff, filed.

Jun. 22, 1995 Affidavit of JOHN MILLER, Filed in Support of Plaintiff, filed.

Jun.22, 1995 Affidavit of JAMES E. PIPER, filed in Support of Plaintiff, filed.

Jun.22, 1995 Affidavit of KENNETH WEBER, filed in Support of Plaintiff,filed.

Jun. 22, 1995 Plaintiff's Statement Regarding Material Facts, filed.

Jun. 22, 1995 Certification of Service filed. The undersigned hereby certifies that a true and correct copy of the Plaintiff's Statement Regarding Material Facts was sent by Fax to No. (412) 288-3247 and mailed to James R.Haggerty,Esquire and Robert F. Prorok,Esquire,

Continued to Page 506

1992

Ferguson and Spataro
John F. Spataro

17A.

IN RE:

NAMED CHANGE PETITION OF
SHAWN PAUL JOHNSTON
FOR CHANGE OF NAME TO
SHAWN PAUL SMITH

Filed Jan. 8, 1992
@ 11:50 a.m.

Tax & entry Paid 1-14-92 $50.50 ✓
state Paid 1-14-92 5.00

PETITION FOR CHANGE OF NAME

ORDER:

AND NOW, this 8th day of Jan. 1992, upon motion of JOhn F. Spataro, attorney for the petitioner above named, it is ORDERED AND DECREED that the within petition be heard onthe 20th day of Jan. 1992 at 3:30 p.m. in Room 1 or 2 and that notice of the filing of the within Petition and of the aforesaid date of hearing be published in the Meadville Tribune and Crawford County Legal Journal.

The Petitioner is further ordered to give to the non petitioning parent, George Paul Johnston, notice of these proceedings, including a true and correct copy fo the petition for change of anme and this order for publication.

BY THE COURT,
Gordon R. Miller, J.

Jan. 13, 1991, copy of order to Atty. Spataro.

Jan. 29, 1992 Attorney's Certificate of Lien Search filed.

Jan. 29, 1992 Consent of natural father for Petition of Name Change filed.

Jan. 29, 1992 Certificate of Service and DECREE FOR CHANGE OF NAME filed. AND NOW, this 29th day of January, 1992, upon hearing of the within Petition and upon motion of John F. Spataro, Attorney for the petitioner, and upon presentation of proof of publication of notice as required by law together with proof that there are no judgments or decrees of record or any other matter of like effect against the petitioner, and it appearing that there is no legal objection to the granting of the prayer of the petition,

IT IS ORDERED AND DECREED that the name of the petitioner be and is hereby changed to SHAWN PAUL SMITH.

BY THE COURT,
Robert L. Walker, J.

17B

1992

18.

1992

Halliday & Halliday
Michael Halliday

18.

Emil M. Spadafore Jr.
for orig. dft.

DAVID L. CONFER

vs.

GAIL A. COULTER, ADMINISTRATRIX OF THE ESTATE OF LOIS A. COULTER, DECEASED,

John Raymond McGee,
add'l dft.

Filed Jan. 8, 1992
@ 4:10 p.m.

Tax & entry paid	$50.50 ✓
state apid	5.00
sheriff's costs	34.00
Sheriff's Costs	60.00
Pro Co Pd 3/25/92	6.00 ✓

COMPLAINT IN CIVIL ACTION

2 copies (atty)

Feb. 12, 1992, Complaint of Original Defendant Against Additional Defendant, John Raymond McGee filed. 1 copy (sheriff)

Feb. 12, 1992, Answer filed. 1 copy (atty)

Feb. 21, 1992 SERVED John Raymond McGee on Feb. 12, 1992 at 1:25 PM by handing a copy of the Complaint of Original Defendant Against Additional Defendant to Raymond C. McGee, his father, in the Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Servcie is attached.
So answers,

Robert M. Stevens, Sheriff

Mar. 19, 1992 SHERIFF'S RETURN filed: I hereby deputize the Sheriff of Venango Co., Pa. to serve the within Complaint according to law. The Defendants alleged address is R.D. 1, Pleasantville, Venango Co. Pa.

Robert M. Stevens, Sheriff, Cr. Co.

AFFIDAVIT OF SERVICE. SERVED the within Complaint on Jan. 21, 1992, at 3:15 PM, upon Gail A. Coulter at R.D 1, Pleasantville, PA. by handing to Dennis C. Coulter, Adult in Charge (husband) a true and correct copy thereof and made known to him the contents therein. Gene Price, Sheriff, Venango, Co.

Mar. 24, 1992, Upon praecipe of plaintiff attorney, the above captioned matter is hereby settled and discontinued of record.

1992

7

Stokes, Lurie & Cole
James B. Cole

19.

JOSEPH VEARNON

vs.

SHARON ANTHONY

Filed Jan. 9, 1992
@ 10:03 a.m.

Tax & entry Paid	$50.50
state paid	5.00
Sheriff's Costs	23.00
Pro Co Pd 6-2-92	6.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Mar. 5, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Venango Co., Pa. to serve the within Summons according to law. The defendants alleged address is R.D. 1, Utica, Pa. 16362. Robert M. Stevens, Sheriff, Cr. Co.

AFFIDAVIT OF SERVICE filed. SERVED the within Summons on Jan. 16, 1992, at 9:50 a.m. upon Sharon Anthony at R.D. 1, Utica, Pa. 16362 by handing to Ellis Rhoades Adult in Charge (Father in Law) a true and correct copy thereof and made known to him the contents therein. Gene Price, Sheriff, Venango Co.

May 26, 1992 Upon praecipe of Plaintiff attorney the above captioned action is settled and discontinue of record.

1992

Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin

20.

Joan D. Mason,
Atty.for Defendant

SHEILA LOUISE WELLMON

vs.

KEVIN ERLE WELLMON

Filed Jan. 9, 1992
@ 11:17 a.m.

Tax & entry paid	$50.50 ✓
4 counts paid	60.00 ✓
state paid	10.00
state paid	25.00
Pro.Co.pd 7/29/94	9.00

John Fuller, Esq.
Custody mediator

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS AND EXPENSES, CHILD CUSTODY, ALIMONY, ALIMONY PENDENTE LITE

2 copies (atty)

Mar. 3, 1992 Complaint reinstated.

Mar. 18, 1992, Affidavit of Servcie filed. I, James R. Irwin, Esq. being duly sworn according to law, depose and say that I am the atty. of record, and as such say that I served a true and correct copy fo the complaint in divorce certified by Prothonotary of Crawford County, Pa. on the above named dft., by cert. mail, addressee only, ret. rec. req. dated Mar. 4, 1992. The defendant acknowledged service on Mar. 10, 1992 by accepting delivery on that date as evidenced by the attached signed ret. rec.

James R. Irwin, Esq.

April 15, 1992 MOTION FOR APPOINTMENT OF CUSTODY MEDIATOR and order filed. And Now, April 15, 1992, John Fuller is appointed custody mediator in the above matter.

FOR THE COURT,
Anthony J. Vardaro, J.

April 22, 1992 distributed copies to John Fuller, Esq., Joan D. Mason, Esq. for Defendant and James R. Irwin, Esq. for Plaintiff.

Jun. 21, 1994 Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code, filed.

July 12, 1994, Motion to Withdraw Counts in Divorce filed. ORDER: AND NOW, this 12 dayof July 1994, upon presentation and consideration of the within Motion, Counts 2,3,4, and 5 of Plaintiff's Complaint in divorce are hereby withdrawn.

P. Richard Thomas, S.J.

July 12, 1994, copies faxed to Irwin and Mason.

Jul. 29, 1994 Upon Praecipe of James R. Irwin, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 9, 1994 AND NOW, August 5, 1994, it is hereby ordered and decreed that SHEILA L. WELLMON, Plaintiff, and KEVIN E. WELLMON, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Gordon R. Miller, P.J.

1992

Shafer, Swick, Bailey Bailey & Stack James R. Irwin 21. Terry Toomey Bukac and Toomey	LESLIE TAR, M.D. vs. ROBERT ATROZSKIN Filed Jan, 9, 1992 Tax & entry paid $50.25 ✓ state paid 5.00		APPEAL OF DEFENDANT FROM JUDGMENT OF DIST. 30-2-01 Jan. 9, 1992, Rule entered upon plaintiff to file complaint issued. Jan. 13, 1992 Proof of Service filed. Jan. 29, 1992, Complaint filed. 2 copies (atty)

22

1992

Thomas, Truax, Spada=
fore and Walker
R. Charles Thomas

22.

Culbertson,Weiss,
Schetroma & Schug,P.C.
E. Max Weiss

MICHELE REUTER AND WILLIAM
J. REUTER

vs.

JAMES RICHARD BRECHT

Filed Jan. 9, 1992
@ 3:59 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's costs	24.00
Pro.Co. pd 1/14/93	6.00 ✓

JURY TRIAL DEMANDED

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Jan. 20, 1992 Writ return filed. SERVED James Richard Brecht personally on Jan. 13, 1992 at 11:55 AM in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

June 24, 1992 Appearance of Culbertson, Weiss, Schetroma and Schug,P.C.by E. Max Weiss, ESquire for James Richard Brecht, defendant, filed.

Sept. 9, 1992 Complaint by Plaintiff's Attorney filed.

Oct 2, 1992 ANSWER AND NEW MATTER OF JAMES RICHARD BRECHT TO PLAINTIFFS' COMPLAINT, filed.

Oct 29, 1992 NOTICE OF SERVICE OF INTERROGATORIES TO DEFENDANT, filed.

Nov. 12, 1992 Certificate of Service of Answers to Interrogatories on behalf of defendant filed.

Nov. 18, 1992 Request For Production Of Documents To Defendant filed.

Jan. 14, 1993 Upon Praecipe of Plaintiffs' Attorney, R. Charles Thomas, Esquire, this case is marked settled and discontinued of record.

James R. Irwin
Shafer, Swick, Bailey, Irwin and Stack

23.

Brian Lindsay

DAVID P. JOHNSON

vs.

SANDRA L. JOHNSON

Filed Jan. 10, 1992
@ 10:18 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
William Pineo, mediator	152.00
Pro Co 3-26-92	9.00 ✓

3-13-92 Recd 26.00 from dft. Mediation Costs

3-26-92 Received 26.00 from Plff. Mediation

Pd 4-16-92 mediation fees Crawford Co Comm Ck #6776 Pd 52.00

PETITION FOR CUSTODY (UCCJA)

1 copy (atty)
1 copy (mediator)

ORDER:

AND NOW, this 10 day of Jan. 1992 it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the mediator, William Pineo, at a time to be set by the mediator in the Crawford County Courthouse with the child custody mediator as required by Rule 31 (e) of the Court of Common Pleas of Crawford County, Pa.

It is further ordered and decreed that pending final determination by the court, the aforesaid minor children shall not be removed fromthe jurisdiction of the court by either party hereunder, under possible punishment for ocntempt of court.

BY THE COURT,
P. Richard Thomas, J.

1 copy (atty)
1 copy (mediator)

Jan. 24, 1992 AFFIDAVIT OF ACCEPTANCE OF SERVICE filed. I, Brian J. Lindsay, Attorney for the Defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted service of a true and correct cooy of the Petition for Custody, on January 17, 1992 by First Class Mail addressed to me at my office at 311 Walnut Street, Meadville, Pennsylvania 16335.

Feb. 28, 1992 TEMPORARY ORDER filed. AND NOW, this 28th day of February, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The mother shall have primary physical custody of the subject minor children, Sean Michael Johnson and Sherri Michelle Johnson.

b. The father shall have visitation and temporary physical custody of the subject minor children each weekend from Friday at 6:00 p.m. through Sunday at 6:00 p.m. In addition, he shall have visitation and temporary physical custody on Tuesday and Wednesday of each week from the close of the children's school until 8:00 p.m. The mother shall have visitation and temporary physical custody each Saturday morning from 9:00 a.m. to 1:00 p.m.

The father shall also have visitation and temporary physical custody for two weeks each summer to be taken during his vacation from work and for one week during the rest of the year, also to be taken during his vacation from work. The father shall notify the mother one week in advance of the vacation periods he wishes to select.

c. The subject minor children shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. The father shall have visitation and temporary physical custody of the subject minor children each Christmas Eve from noon to 9:00 p.m. and from Christmas Day at 4:00 p.m. to December 29, at 6:00 p.m. The mother shall have visitation from Christmas Eve at 9:00 p.m. to Christmas Day at 4:00 p.m.

b. There shall be two Thnaksgiving holiday periods, the first beginning on the Wednesday preceding Thanksgiving after the close of the children's school session and endingThanksgiving Day at 2:00 p.m. and the second beginning Thanksgiving Day at 2:00 p.m. land ending Thanksgiving Day at 8:00 p.m. For Thandsgiving 1992, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

c. There shall be two Easter vacation visitation periods, the first beginning on Holy Saturday at noon and ending on Holy Saturday at 8:00 p.m. and the second beginning on Holy Saturday at 8:00 p.m. and ending Easter Sunday at 6:00 p.m. For Easter, 1992, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shall have visitation and temporary physical custody for Memorial Day, 1992, and the parties shall thereafter alternate the holiday periods.

e. The children shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and Mother's Day with their mother, during the same hours.

f. The provisions of this paragraph shall tafke precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necssary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The father will provide all transportation necessary for the exercise of this order. The father shall also continue to provide all transportation necessary for the children to participate in their after school and other extracurricular activities.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or alcohol at any time when said party has the care and custody or the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

Continued on Page 454

1992

Jorden and White
William T. Jorden

24.

Thomas, Truax, Spadfore
and Walker
R. Charles Thomas

CAROL WINANS AND CLARK WINANS

vs.

LARRY LEONARD

Filed Jan. 10, 1992
@ 2:16 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	25.00
Pro. pd. 11-20-96	6.00

JURY TRIAL

COMPLAINT

1 copy (sheriff)

Jan. 16, 1992 SHERIFF'S RETURN filed. SERVED Larry Leonard personally on Jan. 13, 1992 at 12:56 PM by handing him a copy of the Complaint at his residence, 1091 Morgan St., Meadville, Crawford County,Pa
So answers, Dale A. Collins, Deputy Sheriff
Bob Stevens, Sheriff

Jan. 20, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendant.

Feb. 11, 1992, First Amended Complaint filed.

Feb. 18, 1992 Upon praecipe of plaintiff attorney Verification of First Amended Complaint filed.

Mar. 25, 1992 Preliminary Objections, Motion to Strike, filed.

May 15, 1992 NOTICE OF SERVICE OF INTERROGATORIES AND REQUESTS FOR PRODUCTION TO DEFENDANT, LARRY LEONARD, filed.

July 16, 1993 Notice of Filing Answers To Defendant's Interrogatories filed.

July 16, 1993 Answer and New Matter of Larry Leonard to Plaintiffs' Second Amended Complaint, filed.

May 23,1995 Notice for Completion of Discovery filed.

Feb 9, 1996 Certificate of Readiness, filed.

ON TRIAL LIST FOR April 1996

Feb 21, 1996 Motion to Strike Certificat of Readiness and Order. AND NOW, this 21st day of February, 1996, upon consideration of the foregoing Motion, a Rule to Show Cause argumetn shall be scheduled for the 7th day of March, 1996, at 4:00 p.m. courtroom 1.
Feb 21, 1996 Faxed Jorden & Thomas

Feb. 26, 1996 Motion to Consolidate and ORDER OF COURT filed. Rule returnable for hearing and Argument March 27, 1996 at 9:15 A.M. in Courtroom 1 or 2. (see papers filed).

Gordon R. Miller, J.
Feb. 26, 1996 Order FAXED Atty. Thomas; given Jorden.

Feb. 29, 1996 Notice of Video Deposition of Carol and Clark Winans, filed.

March 15, 1996 ORDER filed. AND NOW, March 7, 1996, after oral argument on the Plaintiffs' Motion to Strike Certificate of Readiness, it is ORDERED as follows:
1. The Motion to Strike the Certificate of Readiness is DENIED as the Certificate of Readiness was properly filed, and there are no impediments to that filing.
2. Since after the Certificate of Readiness was filed, the plaintiff filed a Motion to Consolidate this case for trial with the case of Carol Winans and Clark Winans, her husband, versus Greta Lee Rodgers at 1992-174, and the argument on that Motion to Consolidate has been set for March 27, 1996. THEREFORE, decision on the Motion to Consolidate will not be decided until March 27, 1996, or possibly thereafter, and therefore, the parties may nto be in a proper posture to try this case in April. THEREFORE, the Court is treating the current Motion to Strike the Certificate of Readiness as a Motion to Continue filed on behalf of the plaintiffs and hereby grants said motion and continues the case to the next term of civil court.

BY THE COURT,
Gordon R. Miller, President Judge
March 15, 1996 Copy to Attys. Thomas and Jorden.

March 29, 1996 ORDER filed. AND NOW, March 27, 1996, it is hereby ORDERED, ADJUDGED and DECREED that the Motion to Consolidate by William T. Jorden on behalf of the plaintiffs is hereby sustained.

BY THE COURT,
George Levin, Senior Judge
March 29, 1996 Order to Attys. Jorden, Thomas and Brautigam.

Apr. 2, 1996 Notice of Video Deposition of W.Keith Petrella, D. O. filed.

Apr.8, 1996 Notice of Service of Request for Production of Documents (Second) filed.

Apr. 8, 1996 Notice of Deposition of Greta (Rodgers) English, filed.

May 10, 1996 Notice of Deposition of Larry Leonard filed.

May 14, 1996 Amended Notice of Deposition filed. (Original filed at A.D. 1992- 174)

March 12, 1996 Brief in Support of Motion to Consolidate filed.

June 20, 1996, Notice of Service of Request for Production filed.

July 9, 1996, Amended Notice of Video Deposition filed.

Aug. 8, 1996 Notice of Deposition by Plaintiffs filed.

Continued on Page 488

1992

Jorden and White
William T. Jorden

25.

Knox McLaughlin Gornall & Sennett PC withdrawn
~~Mark E. Mioduszewski~~
for Tri- County Dev. and Craw. Co Ind. Devl Auth.

Plate, Shapira, Hutzelman, Berlin, May Walsh and Brabender
Joseph J. May

H. RUSSELL HUDSON AND ROBERTA HUDSON, HIS WIFE

vs.

CRAWFORD COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY AND TRI-COUNTY DEVELOPERS

Filed Jan. 10, 1992
@ 2:40 p.m.

Tax & entry paid	$50.50 ✓
State paid	5.00
Sheriff's Costs	51.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Jan 28, 1992 SHERIFF'S RETURN filed. SERVED Crawford County Industrial Development Authority on Jan. 21, 1992, at 10:35 am by handing a copy of the Summons to Marjorie B. Smith, Chairman, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

SERVED Tri-County Developers on Jan. 16, 1992 at 2:17 PM by handing a copy of the Summons to Joe Mazzone, Mall Manager, at P.O. Box 6, Conneaut Lake, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 5, 1992, Appearanc eof Knox, McLaughlin, Gornall & Sennett, PC by Mark E. Mioduszewski, attorneys for defendant Tri=County Developers, filed.

Mar. 27, 1992, Appearance of Knox McLaughlin Gornall & Sennett PC by Mark E. Mioduszewski, attorneys for defendants Crawford County Industrial Development Authority and Tri-County Developers, filed.

June 29, 1992 Appearance of Knox McLaughlin Gornall & Sennette P.C. by Mark E. Mioduszewski is withdrawn.

July 6, 1992, Appearance of Plate, shapira, Hutzelman, Berlin, May, Walsh and Brabender, by Joseph J. May, Esq., attorneys for defendants, filed.

Jan. 22, 1997 Request for Production filed.

1992

William T. Jorden
Jorden and White

26.

Plate, Shapira,
Hutzelman, Berlin, May
walsh and Brabender
~~Joseph J. May~~ Withdrawn

Balph,Nicolls,
Mitsos,Flannery
& Clark
Phillip L.Clark,Jr.

H. RUSSELL HUDSON AND
ROBERTA HUDSON, HIS WIFE

vs.

RIVERSIDE MARKETS

Filed Jan. 10, 1992
@ 2:40 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	25.00
jPro Co pd 4-21-97	6.00 ✓

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Jan. 23, 1992 SHERIFF'S RETURN filed. SERVED Riverside Markets on Jan. 17, 1992 at 1:48 PM by handing a copy of the Summons to Judy Mullen, Cashier and Adult in Charge, at Riverside Markets, Center and Water Streets, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 18, 1992, Complaint filed.

Mar. 2, 1992, Upon praecipe of Plate, Shapira, Hutzelman, Berlin, May, Walsh and Brabender, appearance for defendant entered.

Apr. 3, 1992 Answer of Defendant, filed.

Apr. 16, 1992 Notice of Service of Interrogatories to Defendant, filed.
April 30, 1992 NOTICE OF SERVICE OF RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS FILED.

May 14, 1992 NOTICE OF SERVICE OF REQUESTS FOR PRODUCTION TO Defendant filed.

May 15, 1992 Notice, filed.

Nov. 9, 1992 Notice of Deposition of H. Russell Hudson will be taken on Monday,NOvember 16, 1992 at 10:30 A.M. filed.

Dec 14, 1992 Plaintiffs' Answers to Defendant's Interrogatories and Request for Production, filed.

Mar. 30, 1993 Notice of Filing Answers to Interrogatories, filed.

Apr. 28, 1994 Notice of Sreving Interrogatories and Request For Production of Documents filed.

Jun.7, 1994 Notice of Service of Plaintiff's Answers to Defendant's Second Set of Interrogatories, filed.

Jan. 16, 1995 Notice to Complete Discovery to Complete Discovery filed.

May 9,1995 Notice of Deposition of Barry Hudson and Mark Villars,filed.

Jun. 19, 1995 Notice of Deposition of H.Russell Hudson and Roberta Hudson, filed.

Jun. 28, 1995 Amended Notice of Deposition of Dr. Mark Foster, filed.

Jul. 7, 1995 Appearance of Balph,Nicolls,Mitsos, Flannery & Clark by Phillip L.Clark, Jr., Esq. for Defendant Riverside Market and Praecipe to withdraw appearance of Joseph J.May, Esquire, Attorney for Defendant, Riverside Market, filed.

Aug. 4, 1995 Notice of Video Deposition H. Russell Hudson and Roberta Hudson filed.

Oct. 13, 1995, Amended Notice of Video Deposition filed.

Mar. 3, 1997 Certificate of Readiness filed.

1997 APRIL CIVIL TRIAL LIST

April 9, 1997 Upon praecipe of plaintiff attorney the above captioned action is hereby settled and discontinued of record.

Northwest Legal services
R. Christopher Brode

27.

Culbertson, Weiss,
Schetroma & Schug, PC
John B. Brautigam

5-18-94 Rec from dft
Med fee 75.00
6-9-94 Pd Cs #8355
Crawford. 75.00

ROGER A. WILLIAMS

vs.

JUDITH BAKER

Filed Jan. 10, 1992
@ 4:09 p.m.

Indigent filing
John Fuller, mediator

Mediation Cost 150.00
Pro Bono Pd 5-18-94 900

COMPLAINT FOR PARTIAL CUSTODY

1 copy (mediator)
2 copies (atty)

Jan. 10, 1992, Affidavit to Proceed In Forma Pauperis filed.

Jan.10, 1992, Praecipe to Proceed In Forma Pauperis filed.

Jan. 10, 1992, ORDER OF COURT filed. You, Judith Baker, dft have been sued in court to obtain custody of the minor children, Roger A. Williams, Jr. and Jessica A. williams.

You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR. You are further ordered to bring with you the children named in this order.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

The Crawford County Sheriff's Department is directed to serve a cert. copy of this complaint and order upon the defendant. In the alternative this petition and order may be served by any competent adult or by cert. mail.

Plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Court Administrator, crawford Countycourthouse, Meadville, Pa. 16335 814 336-1151 ext. 298

BY THE COURT,
P. R. Thomas, S. J.

Jan. 16, 1992 AFFIDAVIT OF SERVICE filed. I hereby certify that I have served, by U.S. Certified Mail, a true and exact copy of the complaint that has been filed in the above matter to Judith Baker on Jan. 15, 1992 at R.D. 1, Townline Rd., Meadville, Pa.

Proof of service is evidenced by the attached return receipt signed by Judith Baker. R. Christopher Brode

Jan. 20, 1992 Appearance of Culbertson, Weiss, Schetroma & Schug, PC by John B. Brautigam for Defendant filed.

Mar. 31, 1992 Order filed. AND NOW, March 30, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Roger A. Williams, Jr. and Jessica A. Williams shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each par ent shall be entitled to full access to school records, medical records and othe rimportant records an dthat each parent shall be entitled to take part fully in important decisions affecting the chidlren such as the education, medical treatment and religiou instruction of the subject children.

II. Physical custody of Roger A. Williams, Jr and Jessica A. Williams shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit the childme at the home of his mother, in Meadville, Pennsylvania, the second and fourth Sundays of each month for a period of three months, from 10:00 a.m. until 3:00 p.m., beginning April 12, 1992 and continuing through June of 1992.

B. Beginning with the month of july, 1992, and for a three month period, the father shall be entitled to visit and take the children into his custoyd on the second weekend of eachmonth from Friday evening at 7:00 p.m. until Sunday evening at 7:00 p.m. (the second weekend shall be the weekend in which the second Friday of the month falls). Also, during this three month period (July, August andSeptember, 1992), the father shall be entitled to visit the children the fourth Sunday of each of the three months form 10:00 a.m. Sunday morning until 3:00 p.m. Sunday afternoon. These Sunday visits shall generally take place at the father's mother's home in Meadville, Pennsylvania, but the father shall be able to take the childrenother places as well.

C. Beginning withthe month of October of 1992, the father shall be entitled to visit and take the children into his custody two weekends a month, those two weekends beginning the weekends on which the second and fourth Friday of each month fall, from 7:00 p.m. Friday evening until 7:00 p.m. Sunday evening.

D. This order is entered without prejudice to the right of either party to request a further mediation conference or hearing.

E. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the afore-said holidays and in the absence of an agreement to the contrary, the chidlren shall be in the custody of the mother on the aforesaid holidays until 1;00 p.m. and in the custoyd of the fathe ron the aforesaid holidays from 1:00 p.m. until 8:00 p.m., provided that the visits at Easter shall not tak eplac euntil 1993.

F. Beginning with the Summer of 1993 and each summer thereafter, the children shall be in the custody of the father for a period of one (1) week in June, one (1) week in July and one (1) week in August. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visit.

H. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, bu ton the other hand shall do everything in the power of each to foster a favorable andloving attitude onthe part of the children towards both parents.

I. Neither mother nor father shall expose the children to any peros or situation which may be harmful to the children's health or well being.

J. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number and the children shall be entitled to have reasonable telephone contact with both parents.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are file dby either par ty within thirty (30) days of the date hereof.

IV. Cost of the mediation conference will be equally divided with the mother paying one-half of the cost thereof and the remaining one-half to be paid by Crawford County. Gordon R. Miller, J

April 3, 1992 Copies to Atty's. Brode, Brautigam & Fuller and copy mailed to defendant

Apr. 25, 1994 Petition for Contempt of Court and Modification of Custody Order filed. RULE TO SHOW CAUSE. AND NOW, this 25 day of April, 1994,uponpresentation and consideration of the fore-going Petition, a Rule is entered upon the Respondent to show cause, if any she has, why the prayer of the Petitioner for special relief and the imposition of sanctions for contempt should not be granted. Additionally,the Court will address tye issue of custody modification at the Show Cause hearing. You are further ordered to bring your minor children over the age of 5 years. Failure to appear or to bring the children as ordered may impact upon your primary custody, partial custody, or visitation rights. Additionally, a warrant may be issued for your arrest.

THIS RULE IS RETURNABLE on the 1 day of June, 1994, at 2:30 o'clock p.m., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, PA.

BY THE COURT,
Anthony J.Vardaro, J.

4-27-94 Copy of Order to Attys. Brode, Brautigam & Fuller

1992

Bruce A. Barrett

28.

CLAAS OF AMERICA, INC.

vs.

RON HART, INDIVIDUALLY, AND
d/b/a HART'S MACHINERY AND
d/b/a HART'S FARM EQUIPMENT

Filed Jan. 10, 1992
@ 4:09 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	37.00
Pro.Co. Pd 10/6/92	5.00 ✓

COMPLAINT

3 copies (sheriff)

Jan. 23, 1992 SHERIFF'S RETURN filed. SERVED Ron Hart d/b/a Hart's Machinery personally on Jan. 17, 1992 at 2:21 PM at the residence, R.D. 2, Custards Rd., Cochranton, Crawford Co., Pa.

SERVED Ron Hart d/b/a Hart's Farm Equipment personally on Jan. 17, 1992 at 2:22 PM at the residence, RD 2, Custards Rd., Cochranton, Cr. Co., Pa.

SERVED Ron Hart personally on Jan. 17, 1992 at 2:23 PM at his residence, R.D. 2, Custards Rd., Cochranton, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 6, 1992 Upon Praecipe of Plaintiff Attorney, the action filed at the above number and term is marked satisfied.

29.

LINDA CLAYPOOLE

vs.

THOMAS SCULLY

Filed Jan. 10, 1992
@ 4:22 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	29.10

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 10th day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to plaintiff'sresidence.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for January 20, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 17, 1992 Sheriff's Return filed. SERVED Thomas Scully personally on January 16, 1992 at 3:29 PM by handing him a copy of the Protection from Abuse at his residence, Box 508, Oakridge Road, Conneaut Lake, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 17, 1992 Motion To Continue and Order Order filed. AND NOW, this 16th day of January, 1992, upon Petitioner's Motion for Continuance, it is hereby Ordered that the hearing presently scheduled for January 20, 1992 at 3:30 p.m. is continued to January 30, 1992, at 3:30 o'clock, p.m. All provisions of original order shall remain in force pending hearing.

Anthony J. Vardaro, J

Jan. 21, 1992 Copies of order to Atty. Brode and Defendant

Jan. 30, 1992 MOTION FOR DISMISSAL filed.

1992

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Stephen E. Hall

30.

JOANNE L. LAVERY

vs.

MICHAEL A. LAVERY

Filed Jan. 10, 1992
@ 4:22 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 5/21/92	9.00

COMPLAINT UNDER SECTION 3301(c) OF DIVORCE CODE

1 copy (atty)

May 14, 1992 AFFIDAVIT OF CONSENT By Joanne L. Lavery, Plaintiff, filed.

May 21, 1992 Acceptance of Service filed. I, the undersigned Defendant in the above captioned action, hereby accept service ofthe Complaint in Divorce.
Date: 1/10/92 Michael A. Lavery

May 21, 1992 Affidavit of Consent of Defendant filed.

May 21, 1992 Upon praecipe of Plaintiff Attorney For Review Under Section 3301(c) ofthe Divorce Code, this case moved to Court.

D I V O R C E D E C R E E F I L E D .

AND NOW, May 22, 1992, it is ordered and decreed that Joanne L. Lavery, plaintiff, and Michael A. Lavery, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

William J. Gregg

31.

JAYAPRAHDA HONORE'

vs.

ELGHIN HONORE'

Filed Jan. 13, 1992
@ 9:43 a.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co Pd 3-24-92	9.00 ✓

COMPLAINT UNDER SECTION 3301(d) OF DIVORCE CODE

1 copy (atty)

Jan. 13, 1992, Plaintiff's affidavit Under Section 3301(d) of the Divorce Code filed. 1 copy (atty)

Jan. 29, 1992 AFFIDAVIT OF SERVICE filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Plaintiff's Affidavit were sent by registered mail to the Defendant, Elghin Honore' on Jan. 20, 1992.

3. The registered mail was sent to Elghin Honore' at 4928 El Campo. #203, Forth Worth, Tx. 76107. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on Jan. 24, 1992. Said Return Receipt card P 848 678 428 is attached hereto, signed by Elghin Honore' and made a part hereof.

Mar. 12, 1992 AFFIDAVIT OF SERVICE filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Notice of Intention and Defendant's Counter Affidavit were sent by regular mail with certificate of mailing to the Defendant, Elghin Honore' on Feb. 14, 1992.

3. The mail was sent to Elghin Honore' at 4928 El Campo #203, Fort Worth, Texas 76107. The certificate of mailing is attached hereto.

Mar. 24, 1992 Praecipe for Review Under 3301(d) of the Divorce Code with Notice of Intention to Request Entry of Divorce Decree and Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

March 26, 1992 **DIVORCE DECREE FILED.**

And Now, March 25, 1992, it is hereby ordered and decreed that Jayapradha Honore', Plaintiff and Elghin Honore', Defendant, are divorced from the bonds of matrimony.

By The Court:
Anthony J. Vardaro, J.

32

1992

Jorden & White
Harry F. White, II
~~pro se~~

32.

JOHN E. WISE

vs.

ANDREW BALLOG

Filed Jan. 13, 1992
@ 10:15 a.m.

Tax & entry paid $50.25 ✓
state paid 5.00
Pro.Co. Pd 12/19/95 6.00 ✓

APPEAL OF PLAINTIFF FROM JUDGMENT OF DISTRICT 30-3-03

Jan. 13, 1992, Proof of Service filed.

FEb. 3, 1992, Complaint in Action in Ejectment filed.

May 6, 1992 Answer To Complaint In Ejectment filed.(5 copies Atty.)

June 4, 1992 Reply to New Matter and Counterclaim filed.

June 4, 1992 Affidavit of Service filed. Before me, the undersigned Notary Public, personally appeared David R. Devine, Esquire, of 201 Erie Street, Edinboro, Pennsylvania, Attorney for defendant, ANDREW BALOG, in the above captioned case. Attorney Devine deposes and states that he mailed a true and certified copy of an Answer To Complaint In Ejectment with New Matter and a Counterclaim in the above captioned case to Plaintiff, John E. Wise, certified mail, return receipt requested, pursuant to Rule 1920.4 (a)(ii). The original of the return receipt is attached to this Affidavit and made a part hereof.

Attorney Devine further states that he sent a second true and attested copy of the above stated documents in the above-captioned case to the Plaintiff by ordinary mail.

David R. Devine

Oct 29, 1992 NOTICE TO COMPLETE DISCOVERY, filed.

Nov. 13, 1992 Notice of Service of Interrogatories filed.

Mar. 5, 1993 Certificate Of Service filed.

Aug. 28, 1995, Certificate of Readiness filed.

ON TRIAL LIST FOR OCTOBER 1995

Filed Sept. 28, 1995, Order Filed, And now, September 25, 1995 at the call of the trial list, counsel indicated this case was settled but that a number of preliminary matters had to take place before the settlement could be consummated.

Accordingly, this case is continued to the February 1996 trial list.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

9-28-95 White & Devine

Dec. 18, 1995 Upon Praecipe of Harry Faber White, II, Esquire, Attorney for Plaintiff, the above captioned matter is marked Settled and Discontinued of Record.

1992

Pro Se

Barrett & Dratler
Bruce A. Barrett

33.

Mason & Mason
Joan Mason

STEVEN JOHN HAYLETT

vs.

DARLENE MARIE HAYLETT

William Pineo, Mediator
William Pineo, Mediator 77.00
Pro Co 9.00

Filed Jan. 13, 1992
@ 1:46 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00
William Pineo, mediator 152.00
Pro Co. Pd 3-2-92 9.00 ✓
William Pineo, Mediator 202.00
Pro Co Pd 8-17-92 Ch#7730 9.00
William Pineo, mediator 162.00
Pro Co Pd 10-13-92 9.00 ✓

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (mediator)

ORDER OF COURT:

You, Darlene Marie Haylett, Defendant, have been sued in court to obtain custody and or visitation of the minor child Jason Allen Haylett.

You are ordered to appear in person for a conference at such time and place as may be set by WILLIAM PINEO, CHILD CUSTODY mediator.

If you fail to appear as provided by this order, an order of custody and or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, goto or telephone the office set forth below to find out where you can get legal help.

Court Administrator Courthouse, Meadville, Pa. 16335
814 336-1151 Ext. 298

Date: Jan. 10, 1992

BY THE COURT,
Gordon R. MIller, J.

Received 3-2-92 from Pltf $6.00

Pd 3-11-92 Crawford County Clerk #6700 76.00 mediation

4-27-93 Received from dfft 150.00 deposit mediation

8-17-93 Pd Co Com 102.00
8-12-93 Pd Co Com 39.00 Ch# 7729
10-15-93 Rec. from dfft 37.00 med fee

Feb. 5, 1993 Affidavit of Service, filed. Bruce A. Barrett, Esq., being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are ture and correct.

1. That the affiant is the Attorney for the Plaintiff.

2. That a true and correct copy of a Complaint for Custody was sent.

3. The registered mail was sent to Dft. at 590½ Randolph St, Mdvl. on Jan. 27, 1992. Receipt attached.

4. The Dft. received said registered mail on Jan. 28, 1992. Said receipt card number 320 791 351 is attached.

3-22-94 Pd Co 8179 37.00

11-25-96 Rec'd from Pltf med fee 150.00

$91.00

Feb. 19, 1992 TEMPORARY ORDER filed. AND NOW, this 18th day of Debruary, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. The parties shall tell each other about upcoming hockey games, sports events, conferences at school, visits to the doctor, and so forth. The party getting report cards shall send the other photocopies. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3a. The mother shall have primary physical custody of the subject minor child. The father shall have temporary physical custody and visitation with the child every weekend, except for the last weekend in which Friday and Saturday occur within the month. Weekend visitation shall begin Friday after the close of Jason's school and last until Sunday at 7:00 p.m. Father will also have visitation and temporary physical custody each Wednesday from the close of Jason's school until 7:00 p.m.

In addition, the father shall have temporary physical custody with Jason each summer from June 15 to August 15. During the summertime visitation, the mother shall have visitation and temporary physical custody each Wednesday from 3:00 p.m. to 7:00 p.m. and each weekend, except for the last weekend in June and July in which Saturday and Sunday occur within the same month. Her weekend visitation shall begin Friday at 3:00 p.m. and end Sunday at 7:00 p.m.

b. The subject minor child shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. There shall be two Christmas visitation periods, the first beginning on Christmas Eve at 3:00 p.m. and ending Christmas Day at 11:00 a.m. and the second beginning Christmas Day at 11:00 a.m. and ending on Dec. 26 at 11:00 a.m. FornChristmas 1992, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate the periods. The father shall also have visitation and temporary physical custody from 11:00 a.m. of Dec. 26 through 6:00 p.m. New Years Day.

b. There shall be two Thanksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving after the close of school and ending Thanksgiving Day at 2:00 p.m. and the second beginning on Thanksgiving Day at 2:00 p.m. and ending Thanksgiving Day at 7:00 p.m. For Thanksgiving 1992, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

c. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the hokiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation for Memorial Day 1992, and the parties shall thereafter alternate the holiday periods.

d. The child shall spend Father's Day with his father from 9:00 a.m. to 7:00 p.m., and Mother's Day with his mother, during the same hours.

e. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

CONTINUED ON PAGE 452

34

1992

Joseph F. Kulwicki

34.

PATRICIA J. KNOWLTON

vs.

JOHN W. KNOWLTON

Filed Jan. 13, 1992
@ 2:54 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co Pd 4-21-92	9.00 ✓

COMPLAINT UNDER 201(c) OF THE DIVORCE CODE

1 copy (atty)

Jan. 28, 1992 Certificate Of Service filed. Stephanie Loper, being duly sworn according to law, deposes and syas that she is employed by Joseph F. Kulwicki, esq., attorney for the plaintiff, and as such on January 13, 1992, she placed a certified copy of the above Divorce Complaint in the U.S. mail, addressed to the defendant, as follows: John W. Knowlton, 141 North 13th Street, Olean, NY 14760.

Said Divorce Complaint was mailed certified mail, restricted delivery, being certified mail item number P 724 954 546. The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, Esq., bearing the signature of the defendant as having received same on January 17, 1992. Said signature card is attached hereto and made a part her eof.

FURTHER DEPONENT SAITH NOT. Stephanie Loper

Apr. 21, 1992 Affidavit of Consent of Defendant, filed.

Apr. 21,1992 Affidavit of Consent of Plaintiff, filed.

Apr. 21,1992 Upon praecipe of Plaintiff attorney to transmit record, case is moved to Court.

DIVORCE DECREE FILED

April 29, 1992 AND NOW, April 28, 1992, it is hereby ordered and decreed that Patricia J. Knowlton, Plaintif, and John W. Knowlton, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Joseph F. Kulwicki

35.

Thomas, Truax, Spadafore and Walker
R. Charles Thomas

TERRY THOMPSON AND M. LAURA THOMPSON, HIS WIFE

vs.

MARTHA HANNA

Filed Jan. 13, 1992
@ 2:54 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	37.00
Pro Co pd 5/28/92	6.00

SUMMON IN A CIVIL ACTION

Issued (sheriff)

Jan. 23, 1992 SHERIFF'S RETURN filed. SERVED Martha Hanna personally on Jan. 21, 1992 at 9:06 AM by handing her a copy of the Summons in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 13, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendant.

May 27, 1992 Upon praecipe of Plaintiff Attorney the above captioned matter is marked settled and discontinued of record.

1992

Mason and Mason
Joan D. Mason

36.

Barbara J. Walton

DANIEL A. MONNIN

vs.

DENISE L. MONNIN

Filed Jan. 13, 1992
@ 3:15 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
1 count paid	15.00 ✓
4/1/92 state	5.00
Pro.Co. pd 3/17/93	9.00 ✓

COMPLAINT IN DIVORCE

3 copies (atty)

Jan. 28, 1992 Affidavit of Service filed. I, Joan D. Mason, Esquire, attorney for the Plaintiff int he above entitled case, and being duly sworn according to law, depose and say that I did on January 14, 1992 mail to the above defendant, denise L. Monnin by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on January 16, 1992, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto. Joan D. Mason

Mar. 27, 1992, Petition for Additional Remedies (Custody) filed.

Aug. 21, 1992, Affidavit of Consent of plaintiff filed.

Oct. 1, 1992 Affidavit of Consent of Denise Monnin, Defendant, filed.

Feb. 24, 1993 Motion For Withdrawal ofCount II, Custody and Order filed. And now, March 5, 1993 The Court allows Defendant Denise Monnin to withdraw her claim for custody, count two of the divorce complaint at this time so the divorce may proceed to completion. Gordon R. Miller, J

Mar. 11, 1993 Copies of order to Atty's Mason and Walton

Mar. 17, 1993 Upon Praecipe of Joan D. Mason, Esquire, Plaintiff Attorney, for Review under §201 (c) of theDivorce Code this case moved to Court.

Mar. 22, 1993 **DIVORCE DECREE FILED.**

AND NOW, March 19, 1993, it is ordered and decreed that Daniel A. Monnin, plaintiff and Denise L. Monnin, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the parjty making the claim.

BY THE COURT,
Gordon R. Miller, J

1992

Brian J. Lindsay

37.

TIMOTHY K. SMITH

vs.

PATRICIA V. SMITH
a/k/a PATRICIA S. SMITH

Filed Jan. 13, 1992
@ 3:44 p.m.

Tax & entry paid	$50.50 ✓
2 counts paid	30.00 ✓
state paid	10.00
state paid	15.00
Pro Co pd 3-15-93	9.00 ✓

COMPLAINT IN DIVORCE, CUSTODY & VISITATION, EQUITABLE DISTRIBUTION

2 copies (atty)

Feb. 18, 1992 CERTIFICATE OF SERVICE filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 14th day of January, 1992, send to the above named Defendant, by Certified Mail, Addressee Only, Return Receipt Requested, a true and correct copy of the divorce complaint filed at the above term and number; and that I did non the 18th day of February, 1992, receive a duly executed return receipt dated Jan. 17, 1992.

Dec. 29, 1992 Affidavit of Consent of plaintiff filed.

Mar. 15, 1993 Affidavit of Consent of Defendant, filed.

Mar. 15, 1993 Upon praecipe of Plaintiff attorney to transmit reocrd, case moved to Court.

Mar. 22, 1993 **STIPULATION AND DECREE IN DIVORCE FILED.**

AND NOW, this 17th day of March, 1993, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that:

1. The Plaintiff shall have sole and exclusive possession of any and all furnishing, appliances, musical instruments and personalty currently in his possession and Defendant shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in her possession.

2. The Defendant shall have sole and exclusive possessionof the marital residence located at 535 Diehl court, Meadville, Pennsylvania and Defendant shall be responsible for any and all outstanding obligations due on the said residence including, but not limited to, the outstanding mortgage to FMHA that is due and owing on said residence, insurance, utilities , maintance. An exception to the Defendant's responsibililty for utilities is the past due National Fuel Gas bill which went into collection and for which Plaintiff is now paying $30.00 monthly and for which he will continue to amke payments until the amount is paid in full, said amount being in excess of $600.00.

a) The Defendant shall cooperate in and shall execute any and all documents necessary for the release of Plaintiff form the outstanding mortgage due to the mortgagee, Farmers Home Addministration within Twenty (20) days of the date of this Decree. Defendant's obligation to cooperate and to execute documents shall be continuing until Plaintiff is released.

b) Plaintiff shall execute and deliver a Quitclaim Deed to the marital property to Brian J. Lindsay, Attorney to be held in escrow by Mr. Lindsay until such time as the Farmers Home Administration requests that the Quitclaim Deed by recorded to accomplish the release of the Plantiff, Timothy K. Smith from the outstanding mortgage oblication.

3. Legal custodyof theminor children: Roan M. Smith and Kelly C. Smith shall be shared between the parties with primary physical custody being with Defendant.

Plaintiff shall be entitled to visitation with the minor chidlren as follows:

a) Plaintiff shall have visitation with the children for the duration of any period of time that Plantiff spends in Meadville, Crawford County, Pennsyvlania provided that he gives Defendant at least three (3) days advance notice ofhis intention to excercise said vistiation. Said visitation shall not exceed a period of one (1) week unless otherwise agreed by the parties If the vistiation period exceeds one week of time then Plaintiff must give defendant two (2) weeks advance notice.

b) Plaintiff shall be entitled to have both children in his Custody during the summer period, said period beginning June 12 of each summer and ending August 23 of each summer.

c) The parties are free to mutually agree to other visitation periods but the above schedule shall be the minimum to which the Plaintiff is entitled.

4. The bonds of matirmony that have existed between the parties is hereby dissolved.

BY THE COURT
Gordon R. Miller, J

Gregory Keenan
Northwest Legal Services
R. Christopher Brode

38.

Barbara J.Walton

JAMES D. HARMON

vs.

JULIA HOGAN/WOODS

Filed Jan.13, 1992
@ 4:03 p.m.

Indigent filing
William Pineo, mediator 202.00
William Pineo, Mediator 202.00
3-22-94 Pro Co Pd #8180 9.00
Pro Co 9.00
William Pineo, Mediator 182.00
Pro Co Pro Co Pd 8-16-95 9.00

10-20-93 Rec from plff. med. Deposit $150.00
1-14-94 Pd Plff Refund ck# 8031 77.50 (Keenan)
3-22-94 Pd Co. #8079 63.50
4-11-95 Rec from plff med dep 150.00
6-5-95 Pd Plff #9241 med Refund 50.00
8-15-95 Pd Co #9358 91.00
10-30-95 Rec from deft 20.00
7-28-95 Rec from deft 20.00 Bal due 51.00
4/
8-23-96 Rec from Plff med dep 150.00
9-19-96 Pd Co #10244 40.00
Bal 150.00 deposit made by plff

COMPLAINT FOR PARTIAL CUSTODY

1 copy (mediator)
1 copy (atty)

ORDER OF COURT:

You, Julia Hogan/Woods, dft, have been sued in court to obtain custody of the minor children, Katana R. Hogan, Tyler C. Hogan and Samuel T. Hogan.

You are ordered to appear in person at the time and place selected by WILLIAM PINEO, CUSTODY MEDIATOR. You are further ordered to bring with you the children named in this order.

If you fail to appear asprovided by this order, an order for custody, partial custody, or visitation may be entered against you or the court may issue a warrant for your arrest.

The Crawford County sheriffs dept,. is directed to serve a cert. copy of this complaint and order upon the dft. In the alternative, this petition and order may be served by any competent adult or by cert. mail.

Plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs.

You should take this ppaper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Court Administrator, Courthouse, Meadville Pa. 15635 841 336-1151 ext. 298.

Date: Jan. 10, 1992 BY THE COURT,
Gordon R. Miller, J.

Jan. 13, 1992, Praecipe to Proceed in Forma Pauperis filed.

Jan. 13, 1992, Affidavit to Proceed in Forma Pauperis filed.

Jan. 29, 1992, PROOF OF SERVICE filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Respondent Julia Hogan-Woods, at R.D. 1, Box 113, Guys Mills, Pa. 16327, by Certified U.S. Mail, Return Receipt Requested, on Jan. 17, 1992. R. Christopher Brode

Feb. 24, 1992 TEMPORARY ORDER filed. AND NOW, this 21st day of February, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody of the subject minor children is hereby awarded to their mother, the defendant.
2. The father shall have the right of visitation each Tuesday afternoon from 4:00 p.m. to 7:00 p.m. at the home of the children's maternal grandmother.
3. The mediator notes for the court that further investigation should be done in this matter. The mediator is authorized to proceed and to m ake further report to the court when his investigation has been completed.
4. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.
5. The father will continue to assume responsibility for transportation necessitated by the exercise of his visitation rights. However, should he be unable to obtain transportation, the mother will do what she can to help him arrange transportation and supply it herself, if possible.
6. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.
7. Neither par;ty shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.
8. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
9. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party sahll treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relative sand friends to do likewise and also not to disparage the other party in the children's estimation.
10. Costs and fees of this Mediation, which are fixed at $202.00. The mediator notes for the court that both parties are onpublic assistance or are unable to work and, therefore, costs are assessed to Crawford county.
11. Either party may move the Court for a hearing de novo for thirty days from date hereof. If neither party so moves, this Order shall be considered permanent. By the Court,
Anthony J. Vardaro, J.

Feb. 27, 1992 copy in box for W. Pineo, C. Brode, T. Toomey, mailed copy to Plf. & Dft.

June 26, 1992 Temporary Order filed. AND NOW, this June 22 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody of the subject minor children is hereby awarded to thier mother, the defendant.
2a. Starting with the first Tuesday after the entry of this order, the father shall have the right of visitation each Tuesday evening from 5:30 pm to 7:00 pm. Starting with the first Saturday after the Tuesday visit, the father shall have visitation each Saturday form 9:00 a.m. to noon. After two such Saturday visits, the Saturday visitation shall be from 9:00 a.m. to 3:00 p.m.
b. Starting with the second friday in July, the Saturday visits set out in the last paragraph shall terminate and the father instead shall have visitaitonon alternate weekends from frliday at 6:00 p.m. through Saturday at 4:00 p.m. The Tuesday visits shall continue.
c. Starting with the second weekend visitation in August 1992, said weekend visitations shall be lengthened beginning on Friday at 6:00 p.m. and ending Sunday at 6:00 p.m. The Tuesday visits will cease.
3. The parties shall hsare with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care school personnel, and other care providers are her eby authrozied to release to either party any

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and all confidential information which they may have regarding the subject minor children.
Beginning in the summer of 1993, the father shallhave temporary physical custody and visitation for 2 one-week periods, the first occurring in the month of June and the seocnd occurring in the month of August. The father shall designate the week visitation periods one onth in advance of when he wishes to exercise them. At that time, the mother shall also designate a six hour period furing the father's visitation period during which she can visit with the children.
4. Holiday visitation:
a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning on Christmas Eve at 6:00 p.m. and ending Christmas Day at noon and the second beginning Christmas Day at noon and ending December 26 at noon. The father shallhave the first period for Christmas, 1992, and the mother, the second, and the parties shall thereafter alternate.
b. Thanksgiving: the father shall have visitation and temporary physical custody each Thanksgiving from 3:00 p.m. to 8:00 p.m.
c. Easter: The father shallhave visitation and temporary physical custody each Easter from 9:00 a.m. to 2:00 p.m.
d. Should the father's weekend fall on Labor Day or Memorail Day weekend, his visitation shall be extende dfrom Sunday at 6;00 p.m. through 6:00 p.m. on Memorial Day, or Labor Day, as the case may be. For Independence Day, 1992, and in even numbered years thereafter, the father shallhave visitati from 9:00 a.m. to 11:00 p.m.
e. The children shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and Mother's Day with their mother, during the same hours.
f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.
5. Should either party plan to move his or her permanent residence form Crawford County, Pennsylvania, he or she will give the other party 30 day snotice of said intended move and shall also move for a modification of this order.
6. During the father's exercise of his vistiation and custodial right sunder this order, he shall keep all firearms and ammunition locked up an dout of sight of the children.
7. Neither party shall expose the children to situations which would be physically dangerous or morally improper, given their ages and intelligence.
8. The parties shall arrange to provide the children with counseling through the Community Mental Health Center.
9. Should it be necessary for either party to cancel or modify the visitation as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other par ty as soon as he or she knows of the necessity which impels the cancellaiton of modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessray, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.
10. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her irght picking up the children at the home of the other.
11. Each party shall teach said children to give to the mother pa rty that love and respect which is due a parent form his or her children.
12. Neither party shal luse illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subjec tminor children. The par ties are cuationed that recent medical research ahs indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in whlich the children are b eing transported or in the bedroom of the children.
13. Any person transporting the childrne shall make sure that the seat belts or other restraints are use din accordance with the law of Pennsylvania.
14. Neither party shall do or say anything to blacken the character of the other in the children's estimation. each party shall treat the mother in a polite and respectful manner when in the children presence and each par ty shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the childrne's estimation.
15. The parties are free to make additional or laternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.
16. Costs and fees of this Mediation, which are fixed at $202.00. The mediator notes for the court that both parties are indigent and, threfore, costs are assessed to Crawford County.
17. Either party may move the Court for a hearing de novo for thirty (30) days form date hereof. If neither party so moves, this Order shall be ocnsidered permanent.

By the Court,
Anthony J. Vardaro, J

June 29, 1992 Copies of order put in box for Atty's Pineo, Brode and Toomey

Oct. 20, 1993 Motion To Modify Custody Order and Order filed. AND NOW, this 19 day of October, 1993, upon consideration of Plaintiff's Motion to MOdify Custody Order, said Motion is Granted and this matter is her eby referred back to Wililam PIneo, Esquire, Mediator, for further hearing.

By the Court:
Anthony J. Vardaro, J

Oct. 27, 1993 Copies of order to Atty's Pineo, Brode, Toomey and Keenan

Dec. 22, 1993 Appearance of Barbara J. Walton, Esquire for Julia HOgan/Woods, Defendant,filed.

Jan. 11, 1994 Request For Hearing de Novo and Order filed. AND NOW, this 7th day of January, 1994 motion allowed. Motion for de novo Hearing is scheduled for February 3, 1994, at 2:00 p.m. o'clock in Courtroom 2 of the Crawford County Courthouse, Meadville, Pennsylvania 16335.

By The Court:
Gordon R. Miller, J

Jan. 13, 1994 Copies of order to Atty's Brode, Walton and Pineo

Dec.14, 1993 Temporary Order filed. AND NOW, this 14 day of December, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.
IT IS HEREBY ORDERED AND DECREED THAT:
1. Custody of the subject minor children is hereby awarded to their father, the plaintiff.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to release to either party any and all confidential information which they may have regarding the subject minor children.
3 a. The mother shall have temporary physical custody and visitation for the first three weekends of each month from Friday at 6:00 p.m. througfh Sunday at 6:00 p.m.
b. The mother will have phyical custody of the subject minor children each summer from 5:00 pm of June 15 until 5:00 p.m. of August 15. During the mother's summer visitation period, the father

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shall have the right of visitation and temporary physical custody on alternate weekends from Friday at 6:00 p.m. through Sunday at 6:00 p.m., starting with the first full weekend After June 15.

4. Holiday visitation:

a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning on Christmas Eve at 6:00 p.m. and ending Christmas Day at noon and the second beginning Christmas Day at noon and ending December 26 at noon. The mother shall have the first period for Christmas, 1993, and the father the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving Holiday visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 5:00 p.m. and ending Thanksgiving Day at 3:00 p.m., and the second beginning on Thanksgiving Day at 3:00 p.m. and ending on the Friday after Thanksgiving at 5:00 p.m. For Thanksgiving, 1994, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate.

c.Easter: There shall be two Easter visitation and custodial periods. The first will begin on Holy Saturday at 5:00 p.m. and end Easter Sunday at 2:00 p.m. and the second shall begin Easter Sunday at 2:00 p.m. and end Sunday at 6:00 p.m. For East er, 1994, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

d.The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The mother shall have visitation and temporary physical custody for Memorial Day, 1994, and the parties shall thereafter alternate.

e. The children shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and Mother's Day with their mother, during the same hours,

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellationor modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up t he children at the home of the ot her. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends todo likewise and also not to disparage the other party in the children's estimation.

10. The fat her will arrange with Dr. Qureshi to monitor his condition on a monthly basis. Dr. Qureshi is authorized to divulge to the court or the mediator any condition which he finds may be dangerous to the children.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

12. Costs and fees of this Mediation, which are fixed at $127.00, are divided equally between the parties with a share of each being assessed to himor her as costs in this case.

13. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the fat her's share of costs and the remainder, if any,shall be remitted to him. The mother shall pay her share of costs to the Prothonotary of Crawford County with thirty (30) days of the date of this order.

14. Either party may move the Court for a hearing de novo for ten (10) days from date here of. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

1-17-94 Copy of Order toAttys.Pineo, Keenan & Deft.,Brode, Walton.

Dec. 21, 1993 ORDER filed. AND NOW, December 17, 1993, at the time of Motion Court, counsel for the above Plaintiff and the parties appear in Motion Court, requesting a chambers conference seeking some type of modification to the Temporary Order entered December 14, 1993 regarding custody of the children. The Court declines a chambers conference and the mother Julia Woods advises she intends to retain counsel to apparently ascertain whether they will request a de novo hearing and for further advice in this matter.

Since the change of prior custody dictated by the Temporary Order requires a change of school district for the child, there is a dispute about the mother producing the necessary birth certificates,et cetera, to accord the children admission to their new school.

This matter is amicable resolved as the mother has all the necessary documents with her in court today and has surrendered them to the father.

The father's position apparently is that one or all of the children are not happy with the Order and he is fearful that the mother will abscond with the children. The mother, her mot her and her brother appear in court today and assure the Court there is no intention ofmoving the children from the jurisdiction and no intention of Julia Harmon changing her place of residence. The Court accepts this, and accordingly, directs that the mother strictly comply with the Temporary Order already entered and not change her residence or remove the children from Court jurisdiction without written consent of the father or until said move is approved after de novo hearing on the custody issue.

The mother assures the Court that in spite of previous difficulties between the parents, the father may come to her residence to pick up the children and redeliver them if so required in accordance with the Temporary Order.

BY THE COURT,
P. Richard Thomas, S. J.

12-22-93 Copies of Order dist. to Keenan, Brode, Toomey & Pineo.

Feb. 7, 1994 Motion to Continue De Novo Custody Hearing and ORDER filed. AND NOW, this 3rd day of February, 1994, upon consideration of Plaintiff's Motion to Continue the de novo custody hearing currently set for FEbruary 3rd at 2:00 p.m., the Court finds that counsel fo r the Plaintiff did not receive timely notice of said hearing and therefore Plaintiff's Motion to Continue this matter is granted.

The de novo custody hearing is hereby rescheduled for the 3rd day of March, 1994, at 1:00 p.m.inCourtroom No. 3.

By the Court:
P. Richard Thomas, J.

Feb. 7, 1994 Copy of Order dist. by Court to Attys. Keenan & Walton

Feb. 17, 1994 Motion for continuance and ORDER OF COURT filed. AND NOW, this ____ day of February, 1994, upon presentation of the Motion for Continuance and upon confirmation by the Defendant and upon confirmation by the Court Administrator that opposing counsel does not oppos the motion, the same is hereby granted and the hearing is rescheduled for the 31st dya of March, 1994 at 1:30 p.m. in Courtroom Number 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania 16335.

By the Court:
Anthony J.Vardaro, J.

2-18-94 Copies dist. to Walton & Keenan

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Apr. 25, 1994 ORDER filed. AND NOW, March 31, 1994, the hearing is this case is continued to, and shall be completed on, May 24, 1994 at 9:30 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.
BY ORDER OF COURT
Gordon R. Miller, P. J.

4-27-94 Copy of Order to Attys. Keenan, Walton, Brode & Pineo.

May 25, 1994, Motion for Continuance and Order filed. ORDER: AND NOW, this 24 day of May 1994, upon consideration of Plaintiffs Motion for continuance, said motion is granted and the above matter is continued generally. The parties shall notify the court when and if it is necessary for the hearing to be rescheduled.
By the court,
Gordon R. Miller, J.
May 25, 1994, copies faxed to Kennan and Walton.

Dec. 20, 1994 Motion To Reschedule Hearing and Order, filed. AND NOW, this 16 day of December, 1994, upon presentation of the Motion to Reschedule De Novo Hearing, it is hereby Ordered that the Hearing shall be rescheduled for the 3rd day of January, 1994 at 2:30 o'clock p.m. in Courtroom Number 1, at the Crawford County Courthouse, Meadville, Pennsylvania 16335.
By the Court:
Anthony J. Vardaro, J.

Dec. 20, 1994 Faxed Keenan given Walton.

Dec. 30, 1994 Motion to Continue and ORDER filed. AND NOW, this 30thday of December, 1994, upon consideration of Plaintiff's Motion to Continue the de novo custody hearing currently set for January 3, 1995, at 2:30 p.m., said Motion is Granted.
This matter is hereby rescheduled for the 2nd day of February, 1995, at 9:15 A.M. in Courtroom No. 1, 2 or 3.
By the Court;
Gordon R. Miller,J.

1-3-95 Faxed Attys. Keenan & Walton.

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Aug. 14, 1996 ORDER filed. AND NOW, August 7, 1996 the Plaintiff has filed a petition for special relief, asking that his sons Tyler and Samuel remain with the father until the Court is Able to resolve a forthcoming modification petition and further asking that the mother comply with the August 3, 1995 order with respect to Katana.
The mother objects to all of this. The father's allegations are set forth under oath. The mother's allegations were presented orally by her attorney. There obviously is a great dispute about most or all of the relevant facts that have been presented.
The Court cannot hold a contempt hearing now. Two things should occur. First of all, we should enter some order until there can be a hearing, and secondly, there should be a hearing soon before a mediator or the Court.
As to the second matter, father's counsel represents that a petition for modification will be filed very soon and therefore, this will get before a mediator or the Court.
As to the second matter, father's counsel represents that a petition for modification will be filed very soon and therefore, this will get before the Court or a mediator soon.
In the meantime, we find and order as follows:
1. That the order with respect to Katana is modified. She may remain with her mother until further order of Court.
2. The father's request for sole custody of Samuel and Tyler shall have visitations with their mother as ordered in the order of August 3, 1995; however we modify that order as follows:
During the visitations that Samuel and Tyler have with their mother, the mother's boyfriend James Moyer shall not be present at any time. He shall not be at the mother's home. The mother shall not take the children to James Moyer's home. Furthermore, the mother shall not have the boys in James Moyer's presence publicly or anywhere else.
3. This order is entered as a result of oral representations made in Motions Court and a petition under oath of the father and is not intended to be a final determination or a final finding on the conduct of either parent and does not bind or prejudice either party or a mediator or the Court.
4. Katana has some reservations about being with her father, and we are honoring that request now, even though it ultimately may not have merit. Tyler is concerned about James Moyer, and therefore we do not think Tyler or Samuel should be in the company of James Moyer until further order of Court.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
8-15-96 DISTRIBUTED Keenan & Walton

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Apr. 25, 1994 ORDER filed. AND NOW, March 31, 1994,thehearing is this case is continued to, and shall be completed on, May 24, 1994 at 9:30 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.

BY ORDER OF COURT
Gordon R.Miller, P. J.

4-27-94 Copy of Order toAttys.Keenan, Walton,Brode & Pineo

May 25, 1994 Motion for Continuance and ORDER filed. AND NOW, this 24th day of May, 1994,upon consideration of Plaintiff's Motion for Continuance, said motion is granted and the above matter is continued generally. The parties shall notify the Court when and if it is necessary for the hearing to be rescheduled.

By the Court:
Gordon H. Gordon, J.

5-25-94 Faxed Keenan & Thomas

Dec.20, 1994 Motion toReschedule Hearing and order filed. AND NOW, this 16 day of December, 1994,upon presentation of the Motion toReschedule De Novo Hearing, it is hereby Ordered that the Hearing shall be rescheduled for the 3rd dayof January,1994 at 2:30 o'clock p.m.in Courtroom Number 1, at the Crawford County Courthouse, Meadville, Pennsylvania 16335.

By the Court:
Anthony J. Vardaro, J.

12-20-94 Faxed Keenan, given Walton

Dec. 30, 1994 Motion to Continue and ORDER filed. AND NOW, this 30th day of December, 1994, upon consideration of Plaintiff's Motion to Continue the de novo custody hearing currently set for January 3, 1995, at 2:30 p.m., said Motion is Granted.

This matter is hereby rescheduled for the 2nd day of February, 1995, at 9:15 A.M. in Courtroom No. 1, 2 or 3.

By the Court:
Gordon R. Miller,J.

1-3-95 Faxed Keenan & Walton

Feb. 2, 1995 Motionto Cancel Hearing de Novo and ORDER filed. AND NOW, this 2 day of February,1995, uponpresentation of the Motion to Cancel Hearing DeNovo currently scheduled for February 2, 1995 at 9:15 a.m. said hearing is cancelled. The custody agreement shall be filed within 10 days from the date of this order.

By the court:
P.Richard Thomas, S.J.

2-2-95 Faxed to Atty. Keenan, given Atty.Walton

Feb 17, 1995 Petition For Entry of Agreement and Order, filed. AND NOW, this 17 day of February, 1995, upon stipulation of the parties to this action, the following Order is hereby entered.

1. The parties shall share legal and physical custody of the subject minor children, Katana Harmon, Tyler Harmon, and Samuel Harmon, with each parent entitled to full access to medical records, educational records, and other important records and each parenrt shall be entitled to take part in important decisions affecting the children including those decisions involving the children's education, medical treatment and religious instruction.

2. Physical custody of the subject minor children shall be shared equally between the parties hereto with exchanges of custody occurring on a weekly basis. Effective Friday, March 3, 1995, the Defendant-Mother shall be entitle to take all three of the subject minor children into her custody between the hours of 6:00 p.m. and 7:00 p.m. at the Plaintiff-Father's residence and have them remain in her custody until after school on Friday, March 10, 1995. The subject minor children shall be in the custody of the Plaintiff-Father from after school on Friday, March 10, 1995, through Friday, March 17, 1995, at 6:00 p.m. to 7:00 p.m. The weekly schedule will thereafter continue in the same fashion.

3. During the weekdays when the subject minor children are in the custody of the Defendant-Mother, the children will be dropped off after school by the school bus at the Plaintiff-Father's residence where they will remain until the Defendant-Mother is able to pick them up after her work day responsibilities have been bompleted, this being estimated at approximately 6:30 p.m. Futhermore, in that the minor child Samuel attends only 1/2 day of school each weekday, Plaintiff-Father will be responsible for picking up Samuel each weekday morning that Samuel is in the custody of the Defendant-Mother for purposes of transporting Samuel to school. This is to be accomplished at a time mutually agreed upon between the parties hereto. Once Samuel attends school on a full time basis, he will be subject to the exact same schedule as his siblings.

HOLIDAY VISITATION: A. CHRISTMAS There shall be 2 Christmas holiday visitation periods, the first beginning on Christmas Eve at 5:00 p.m. and ending Christmas Day at noon and the second beginning Christmas Day at noon and ending December 26th at noon. For the Christmas holiday in 1995, Mother shall have the first period of visitation and Father will have the second.

B. THANKSGIVING: There shall be 2 Thanksgiving holiday visitation periods. The Mother shall have physical custody of the children from 5:30 p.m. of the Wednesday preceding Thanksgiving Day until 2:30 p.m. on Thanksgiving Day. The Father shall have the children from 5:30 p.m. of the Wednesday preceding Thanksgiving Day until 2:30 p.m. on Thanksgiving Day. The Father shall have the children from 2:30 p.m. Thanksgiving Day until 12:00 noon of the Friday following Thaksgiving Day.

C. EASTER: There shall be two Easter holiday visitation periods. The Father shall have the children from 5:30 p.m. of the Saturday preceding Easter until 2:00 p.m. Easter Sunday. The Mother shall have physical custody of the childen from 2:00 p.m. Easter Sunday until 8:00 p.m. that evening.

D. The aforereferenced provisions pertaining to Christmas, Thanksgiving and Easter are applicable for the year 1995. Thereafter, the parties will alternate the aforereferenced schedules.

5. On Mother's sDay, the children shall be in the custody of their father from 10:00 a.m. until 7:00 p.m.

6. CHILDREN'S BIRTHDAYS: The parties hereto agree that they will share custody on the children's birthdays with the time frames to be mutually agreed upon between the parties.

7. MINOR HOLIDAYS: The parties hereto agree that on Memorial Day, Lbor Day, and Independence Day, the custody of the minor children shall be shared as mutually agreed upon.

8. The provisions of the paragraphs addressing Holiday Visitation, Thanksgiving Visitation, Easter Visitation, Mother's and Father's Day, Birthdays and Minor Holidays, shall take precedence over the other provisions of this Order relating to the custodial or visitation periods.

9. The parties hereto agree that should either party make arrangements to move their residence outside of Crawford County, Pennsylvania, he or she will give the other party 45 days notice of any such intended move.

10. Neither party shall be under the influence of alcohol or other drugs while that party has custody of the subject minor children and, furthermore, neither party shall expose the children to situations which would be physically dangerous or morally improper given the age and intelligence of the minor children.

11. Should it be necessary for either party to cancel or modify the visitations as set out in this Order, or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which compels the cancellation or modification. Said modification or cancellation shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

12. Each party shall teach the minor children to give to the other party that love and respect which is due a parent from his or her children.

13. Any party transporting the children shall make sure that seat belts or other restraints are used in accordance with the laws of Pennsylvania.

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14. Neither shall do or say anything to blacken the character of teh other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to likewise and not to disparage the other party in the children's estimation.

15. The parties hereby acknowledge their intention not to seek child support from the other party during the period of time this Order is in effect with both parties recognizing that while this understanding reflects their intention, neither party is legally bound by this understanding.

16. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

BY THE COURT
Anthony J. Vardaro, J.

Feb. 21, 1995 Faxed to Keenan & Walton
Mar. 1, 1995 Faxed to Pineo, sent to Plf. & Dft.

Apr. 11, 1995, Motion to Refer Back to Custody Mediation and Order filed. ORDER: AND NOW, this 11 day of April 1995, upon consideration of plaintiff's Motion to refer this matter back for further custody mediation before William Pineo, Esq., said Motion is hereby granted and Atty. Pineo is hereby appointed Mediator for further custody proceedings.

BY THE COURT,
Anthony J. Vardaro J.

4/12/95 gave to Walton, Keenan and Pineo.

June 2, 1995 TEMPORARY ORDER, filed. AND NOW, this 1st day of June, 1995, after Mediation in the above referenced matter and upon the recommendations of the Child Cusotdy Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The Order of February 17, 1995, shall remain in full force and effect.

2. Costs and fees of this Mediation, which are fixed at $182.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

3. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any, shall be remitted to him. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

4. Either party maymove the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

5. The Mediataor advises the Court that the last Temporary Order entered in this case should have provided that the mother's share of cost be born by Crawford County. The Court therefore orders that the outstanding share of the mother's cost occuring from the last mediation should be born by Crawford County.

By the Court,
Anthony J. Vardaro, J.

June 8, 1995 Faxed to Pineo, Keenan & Walton, also, sent to Plf. & Dft.

Jun. 14, 1995 Request for De Novo Custody Hearing and ORDER filed. AND NOW, this 14 day of June, 1995, upon consideration of Plaintiff's Request for a de novo custody hearing, said request is granted.

This matter will be heard on the 3rd day of August, 1995, at 9:15 A.M. in Courtroom No. 2.

BY THE COURT:
Anthony J.Vardaro, J.

6-14-95 Faxed Keenan, Walton & Pineo

Aug 9, 1995 ORDER filed. AND NOW, August 3, 1995, after a De Novo Hearing, it is ordered and directed as follows:

1. The parties shall share legal and physical custody of the subject minor children Katana R. Harmon, Tyler Harmon, and Samuel Harmon which each parent is entitled to medical records, educational records, and other important records and each parent shall be entitled to take part in the important decisions effecting the children including those decisions involving the children's education, medical treatment, and religious instructiion. The Court expects teh parties to communicate at least to the extent necessary to keep the other party notified as to all of those matters with respect to the children.

2. Physical custody of the minor children shall be primarily with the natural mother, Defendant. She shall have custody of the three minor children commencing on August 20 at 6:00 p.m. each year with custody to remain with her through June 10 of the following year at 6:00 p.m. The Plaintiff, father shall have custody from June 10 at 6:00 p.m. until August 20 at 6:00 p.m. of each year.

3. When the parent who does not have primary custody of the children, shall be entitled to temporary physical custody of all three children every other weekend. For the purpose of starting this order, the Defendant, mother shall have her first weekend commencing August 11, 1995 at 6:00 p.m. A weekend shall go from 6:00 p.m. on Friday until 6:00 p.m. the following Sunday.

4. The holiday visitations schedule and the birthday visitation schedule set forth in paragraph 4 and 6 of the temporary mediators order shall continue in effect as shall paragaraph 5 with respect to Mother's Day and Father's Day.

5. With respect to minor holidays, it is ordered and directed that those holidays being Memorial Day, Labor Day, and Independence Day shall be alternated between the parties with the father to have Labor Day in 1995.

6. The parties shall not call the residence of the other party accept as is necessary to discuss the welfare of the children subsequent with paragraph 1 of this order. Notwithstanding this provision, the parent who is not in custody of the children may call the home of the other parent for the purpose of talking to the children each Wednesday evening at or about 7:00 p.m.; and the telephone conversation with the children shall not exceed 20 minutes. In the event the children for some reason are not availaable or not all of the children are available on Wednesday at the designated time, the parent not in custody may then call on Thursday at 7:00 p.m. for the same purpose. The parent that is in custody shall make every effort to make sure however that the children are available to talk to the parent not in custody on Wednesday evenign or if not then on Thursday evening.

In all other respects that are contained within this order, the consent custody order of Feb. 17, 1995 is affirmed and continues as an order of court.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Aug 9, 1995 dist to Walton & Keenan
Aug. 16, 1995 Faxed to Pineo

Nov.14, 1995 Exhibits filed.

Aug. 7, 1996 Petition for Special Relief Pursuant to Pa.R.C.P. 1915.13 filed.

Aug. 22, 1996 Petition for Modification of Custody Order, ORDER, and Order and Notice filed. AND NOW, August 3, 1995, after a De Novo Hearing, it is ordered and directed as follows:

1. The parties shall share legal and physical custody of the subject minor children Katana R. Harmon, Tyler Harmon, and Samuel Harmon which each parent is entitled to medical records, educational records, and other important records and each parent shall be entitled to take part in the important decisions effecting the children including those decisions involving the children's education, medical treatment, and religious instruction. The Court expects the parties to communicate at least to the extent necessary to keep the other party notified as to all of those matters with respect to the children.

2. Physical custody of the minor children shall be primarily with the natural mother, Defendant.

(FOR REMAINDER OF ORDER, PLEASE SEE FILE FOLDER)

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Continued on page 508

1992

Mary Ann Kirkpatrick

39.

TAMARA L. WILCOX

vs.

BRIAN M. SHAW

Filed Jan. 14, 1992
@ 9:40 a.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro.Co. pd 7/15/93	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Jan. 31, 1992 AFFIDAVIT OF SERVICE filed. And Now, Jan. 31, 1992, comes Constance L. Deitman being duly sworn according to law,deposes and sets forth as follows:

1. That she is the legal secretary of Atty. for Tamara L. Wilcox, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff,she caused a certified copy of the Complaint in Divorce tobe forwarded by Certified Mail, P 899 085 250 postmarked Jan. 14, 1992, to the last known address of the Defendant, Brian M. Sahw, 600 West 113th St., New York, NY 10025.

3. That the Defendant, Brian M. Shaw, on or before Jan. 25, 1992, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto.

4. Service of teh Complaint against Defendant is therefore effected in accordance with Pa. Rules of Civil Procedure.

Mar. 18, 1993 Affidavit of Consent of Plaintiff, filed.

July 1, 1993 Affidavit of Consent of DEfendant filed.

July 1, 1993 Acceptance of Service filed. I certify that I received the Divorce Complaint on or before January 25, 1992.
Date: June 18, 1993 Brian M. Shaw

July 15, 1993 Upon Praecipe of Mary Ann Kirkpatrick,Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 23, 1993 AND NOW, July 21, 1993, it is hereby ordered and decreed that TAMARA L. WILCOX, Plaintiff, and Brian M. Shaw, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has nto yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Pepicelli, Youngs and Youngs, PC
Christopher J. Youngs

40.

Ruthanne Beighley

CINDY J. THOMPSON
R. D. #3, Box 365
Conneaut Lake, Pa. 16316

vs.

MARK K. THOMPSON
R. D. #2, Rt. 18
Hartstown, Pa. 16131

Filed Jan. 14, 1992
@ 11:15 a.m.

Tax & entry paid	$50.50 ✓
1 count paid	15.00 ✓
state paid	10.00
state paid	10.00
Pro Co pd 12-3-92	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

2 copies (atty)

Jan. 23, 1992 PROOF OF SERVICE filed. I hereby certify that a true, correct, certified copy of the Complaint in Divorce in the above action was served upon the Defendant, Mark K.Thompson, by Certified Mail No.: P966 070 236, restricted delivery, addressee only, return receipt required, on January 18, 1992. Said receipt being attached hereto as Exhibit "A". Christopher J. Youngs

Mar. 9, 1992 PETITION FOR EXCLUSIVE POSSESSION OF MARITAL RESIDENCE and ORDER filed. ORDER: AND NOW, March 5, 1992, upon presentation of the foregoing Petition for Exclusive Possession of Marital Residence, it is ORDERED AND DECREED that a hearing on said Petition shall be held April 8, 1992, at 9:00 a.m., in Courtroom No. 1 or 2.

BY THE COURT
Gordon R. Miller, P.J.

Mar. 11, 1992 copy in box for C. Youngs, mailed copy to Dft.

April 3, 1992 Motion For Continuance and ORDER filed. AND NOW, this 3rd day of April, 1992, upon consideration of the within Motion for Continuance, it is hereby ORDERED AND DECREED that hearing in the above-captioned matter is continued until the 14th day of April 1992, at 1:30 o'clock, P.M., Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, PA.

BY THE COURT:
Gordon R. Miller, J.

April 9, 1992 Copy of Order to Attys. Christopher Youngs and Ruthanne Beighley.

April 15, 1992 AFFIDAVIT OF CONSENT filed by Plaintiff.

April 23, 1992 MEMORANDUM AND ORDER FILED.AND NOW, April 23, 1992, upon petition of the Plaintiff and after hearing, it is ordered and decreed that the Plaintiff, Cindy J. Thompson, is awarded exclusive possession of the parties' marital home located at R. D. #3, Box 365, Conneaut Lake, Crawford County, Pennsylvania, for a period of six months from the date of this order or until a divorce decree is entered whichever shall occur first.

The Defendant shall vacate the marital residence by 6:00 P.M. on April 27, 1992 and shall remove any clothing, incidental personal belongings and tools located at the premises prior to that time.

The Defendant shall not enter the marital home thereafter without express invitation of the Plaintiff unless by further order of Court or unless it becomes appropriate by expiration of this order as set forth above or by order distributing the marital home to him.

This order shall not be deemed a child custody order and shall not be considered by the Court or Court-appointed mediator as any evidence of an expression or finding of this Court in any custody proceeding between the parties. Likewise, the possession of the marital home by the Plaintiff shall not be considered as any evidence of an expression or intention of the Court that she shall be entitled to such property in any equitable distribution by a Court-appointed Master.

BY THE COURT:
Anthony J.Vardaro, J.

April 29, 1992 copies of Order to Attys. Christopher Youngs & Ruthanne Beighley.

Dec 3, 1992 Affidavit of Consent of Defendant, filed.

Dec 3, 1992 Upon praecipe of plaintiff attorney to transmit record, case moved to court.

D I V O R C E D E C R E E F I L E D

December 10, 1992 AND NOW, this 9 day of December, 1992, the Court orders and decrees as follows:

1. DIVORCE:

Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce form the bodns of matrimony to the above-named paraties, on the grounds that the marriage is irretrievably broken and the parties have each filed affidavits of consent.

2. REAL ESTATE:

Defendant shall transfer to the Plaintiff by General Warranty Deed, all his right, title and interest in the jointly owned real estate located at RD #3, Box 365, Conneaut Lake, PA. 16316, consisting of house, land and outbuildings, subject to the following conditions:

(A) Plaintiff shall obtain and record from the holders of the first mortgage, Arthur and Kathryn Keppel, a release of Defendant from all personal liability associated with the mortgage executed Oct. 14, 1986 and recorded Oct. 15, 1986 in Crawford Co. Mortgage Book 454, Page 218;

(B) Plaintiff shall pay off and obtain satisfaction of a second mortgage on the aforesaid real estate, executed in favor of The First National Bank of PA. on Aug. 2, 1990, recorded Aug. 10, 1990, in Crawford Co. Record Book 99, Page 654;

(C) Plaintiff shall pay to Defendant the sum of $2,500.00 in full satisfaction and payment of Defendant's marital share of the equity in the aforesaid real estate.

The parties acknowledge that the Plaintiff intends to obtain new second mortgage financing for the purpose of meeting her obligations under this Paragraph 2. Defendant shall execute all documents required by Plaintiff's lender in order to transfer the aforesaid real estate to Plaintiff and to enable Plaintiff to obtain financing in her name alone. Plaintiff shall assume full responsibility for any taxes or costs incident to the transfer or mortgaging of the real estate, including all bank charges, recording charges and document preparation charges.

RECORD CONTINUED ON PAGE 40 (a)

CINDY J. THOMPSON

VS.

MARK K. THOMPSON

RECORD CONTINUED FROM PAGE 40

OF

AD 1992 - 40

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3. VEHICLES:

Plaintiff shall retain the 1984 Toyota Camry automobile subject to the condition precedent that Plaintiff shall fully pay off and satisfy all liability on and for the existing loan owed to Integra Bank which is secured by said vehicle. Defendant shall retain the 1978 Chevrolet pickup truck, one antique truck and one Honda motorcycle, which are unencumbered. Each party shall fully cooperate with the other party in executing all documents necessary to transfer ownership of the vehicles. Each party shall assume full responsibility for any taxes or costs incident to the transfer of the vehicle or vehicles being retained by him or her, including all bank charges, notary fees, title transfer charges and document preparation. The parties shall accomplish vehicle title transfers through an agent of their mutual selection, and in the event the parties unable to agree, through the Allegheny Automobile Association located in Park Avenue Plaza, Meadville, Pennsylvania.

4. PERSONAL PROPERTY:

A. Plaintiff hereby transfers to the Defendant, all right, title and interest she may otherwise have in the following items of personal property and household goods:

1) Defendant's business tools;
2) Miscellaneous items in outbuildings at marital residence, said items having been mutually agreed upon by identification;
3) Defendant's dressers;
4) Kitchen table and chairs set;
5) Refrigerator;
6) One-half(½) of all pots, pans, dishes and miscellaneous household items, the same having been mutually
7) Fuel oil tank in outbuilding.

B. Defendant hereby transfers to the Plaintiff all right, title and interest she may otherwise have in the following items of personal property and household goods:

1) Dining room set;
2) Living room set;
3) Bedroom set;
4) Refrigerator;
5) Stove;
6) Washer and dryer;
7) One-half(½) of all pots, pans, dishes and miscellaneous household items, the same having been mutually identified and agreed upon by the parties;
8) All remaining items in outbuildings;
9) Any and all tangible personal property located at the marital residence not specifically allocated to Defendant.

5) EMPLOYMENT AND PENSION BENEFITS:

It is the agreement of the parties that Plaintiff shall retain all employment benefits to which she may be entitled by reason of her employment by Moody & Associates, Inc., including without limitation her 401(k) Plan benefit. It is the agreement of the parties that Defendant shall retain all employment benefits to which he may be entitled by reason of any employment. Each party shall execute all documents necessary to release his or her interest in or claim to said benefits of the other. Specifically, Defendant shall execute any documents required by the 401(k) Plan trustee to release to Plaintiff any claim he may have in said benefit.

6) LIFE INSURANCE:

Each party has disclosed to the othr full information on all life insurance policies insuring his or life. Each party shall become and remain the sole owner of all policies insuring his or her life and shall have all rights to receive dividends, designate beneficiaries and any other rights and shall have full responsibility for payment of all premiums.

7) LIABILITIES:

A. Plaintiff shall fully pay off and satisfy and shall defend, indemnify and hold Defendant harmless for liability on the residential mortgages more particularly described in Paragraph 2 above, the same having been recorded at Crawford County Mortgage Book 454, Page 218 and Crawford Co. REcord Book 99, 654, and on the following unsecured liabilities of the parties:

1. Water Street Urgent Care;
2. McQuiston Fuel;
3. Page's Tire and Auto;
4. Penelec;
5. Dr. Kellogg;
6. Dr. Reimold;
7. Meadville Medical Center;
8. Visa card.

The Plaintiff agrees to pay off all of the aforesaid unsecured liabilities through a personal loan which she has secured.

B. Defendant shall fully pay off and satisfy and shall defend, indemnify and hold Plaintiff harmless for any liability on a medical bill owed to ENT Associates for treatment rendered to Defendant.

8. TIME FOR PERFORMANCE OF OBLIGATIONS:

All obligations of each party set forth in this Decree shall be fully performed and/or satisfied by the party responsible therefor no later than ten (10) days after the entry of this Decree.

9. WAIVER OF OTHER RIGHTS AND CLAIMS:

In light of the property distribution made herein, each party waives any claims she or he may have for alimony, alimony pendente lite, counsel fees, costs or expenses.

10. SPOUSAL AND CHILD SUPPORT:

The parties have made claims against each other for spousal and child support at Crawford Co. Nos. DRS 1992-44 and DRS 1992-373. The parties have heretofore, by letter signed by both parties, requested the Crawford Co. Domestic Relations Section to withdraw said actions and have released each other of any liability for spousal or child support arrearages and have requested the discontinuance of both cases. In the event any additional documents are required to accomplish the discontinuance of both actions and the forgiveness of any arrearages, the parties shall execute any such documents within ten (10) days of request to do so.

RECORD CONTINUED ON PAGE 40(b).....

40
(b)

1992

CINDY J. THOMPSON
VS.
MARK K. THOMPSON

RECORD CONTINUED FROM PAGE 40(a)
of
AD 1992 - 40

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10. MISCELLANEOUS RIGHTS AND CLAIMS:

Except as set forth herein neither party shall make any claim to any property acquired by the other party hereto before they were married, during the marriage or after they separated, and neither shall make any further claim to any other assets of the other paraty hereto, except as set forth in this Decree.

11. WAIVER OF FILING OF DOCUMENTS:

Neither party shall require the other party to file an inventory and appraisement or to update income and expense statements prior to entry of this Decree as each party is satisfied with the knowledge he or she now has.

12. DECREE NOT TO BE CONSTRUED AGAINST DRAFTING PARTY:

This Decree is the product of extended negotiation between the parties, through respective counsel. No provision herein shall be construed against or in favor of either party by reason of the identity of the scrivener.

BY THE COURT,
Anthony J. Vardaro, J.

1992

John F. Spataro
Ferguson & Spataro

41.

AVCO FINANCIAL SERVICES
CONSUMER DISCOUNT COMPANY ONE

vs.

ROBERT E. SMITH AND DOROTHY E. SMITH

Filed Jan. 14, 1992
@ 1:25 p.m.

Tax & entry paid	$50.50 ✓
STATE paid	5.00
Sheriff Costs	67.50
Pro Co Pd 2/27/92	9.00 ✓
Pro.Co. pd 7/28/94	5.00 ✓

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE

1 copy (sheriff)

Jan. 31, 1992 SHERIFF' S RETURN filed. I hereby deputize the Sheriff of Erie Co., Pa. to serve the within Complaint according to law. The defendants alleged address is Edinboro Manor, 419 Waterford Rd., Edinboro, Pa.

Robert M. Stevens, Sheriff, Cr. Co.

AFFIDAVIT OF SERVICE filed. SERVED the within Complaint on Jan. 21, 1992, at 1245 hrs. upon Dorohty E. Smith at her residence, Edinboro Manor, 419 Waterford Rd., ERie Co., Edinboro, Pa. by handing to Dorothy E. Smith, in the presence of Georgeann Gornall, Administrator a true and correct copy therof and made known to Dorothy E. Smith the contents therein. Robert N. Michel, Sheriff,Erie Co.

sheriff'S RETURN filed. SERVED Robert E. Smith personally on Jan. 20, 1992 at 10:20 AM by handing him a copy of the Complaint at his residence, 617 Maxwell St., Titusville, Crawford Co., Pa.

SERVED Dorothy E. Smith by deputizing the Sheriff of Erie Co., Pa. as per his Affidavit of Service attached. Served on Jan. 21, 1992.

So answers, Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

And nOw, feb. 27, 1992, at 3;14 p.m., upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of plain tiff and against the defendants in the sum of Ten Thousand NIne Hundred Thirteen and 00/100 Dollars includ. costs of suit.

Judgment entered
2/27/92
S - 201, 217

Debt - $10,913.00

Barbara H. King,
Prothonotary

Jul. 28, 1994 Upon Praecipe of John F. Spataro, Esquire, Attorney for Plaintiff, the above-captioned judgment is marked satisfied of record.

42

1992

Bettie Peterson-Muth 42.	DOUGLAS S. GORDON AND ROSE A. GORDON vs. ROBERT J. BOWLER AND JOHN D. SHECKLER Filed Jan. 14, 1992 @ 1:30 p.m. Tax & entry paid $50.50 ✓ sheriff paid 5.00 Sheriff's Costs 36.00	COMPLAINT 2 copies (sheriff) Mar. 4, 1992, Complaint reinstated.. Mar. 17, 1992 SHERIFF'S RETURN filed. SERVED Robert J. Bowler on March 12, 1992 at 3:45 PM by handing copy of Complaint ot Laura Bowler, adult in charge of residence, R.D. 1, Meadville, Crawford County, Pa. 16335. SERVED John D. Sheckler personally on March 13, 1992 at 9:13 AM at Sheriff's Office, Crawford County Courthouse, Meadville, Pa. 16335 So answers, Carole Stefanucci, Deputy Sheriff Dale A. Collins, Deputy, Sheriff Robert M. Stevens, Sheriff June 10, 1992 Answer and New Matter filed.

1992

John P. Gagliotti

William F. Peters

43.

~~Shafer, Swick, Bailey, Irwin & Stack~~
~~Paul D. Shafer, Jr.~~
~~Jeffrey K. Millin~~
withdrew

WALLY SCHULTZ

vs.

DAVID L. LONGO AND DORIS LONGO, HIS WIFE, d/b/a D & R EXCAVATING

Filed Jan. 14, 1992
@ 1:48 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	47.00

COMPLAINT

1 copy (sheriff)

Feb. 4, 1992, Default notice filed.

Feb. 14, 1992, Complaint reinstated.

Mar. 6, 1992 SHERIFF'S RETURN filed. SERVED Doris Longo personally on Feb. 21, 1992 at 2:20 PM by handing her a copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

SERVED David L. Longo on Feb. 21, 1992 at 2:21 PM by handing a copy of the Complaint to Doris Longo, his Authorized Agent, in the sheriff's office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

SERVED D & R Excavating on Feb. 21, 1992 at 2:22 PM by handing a copy of the Complaint to Doris Longo, Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached. So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 18, 1992 Amended Compalint filed.

Aug. 18, 1992 Motion to Amend Complaint and Order filed. AND NOW, August 18, 1992, upon presentation and consideration of the foregoing, this Motion is granted. BY THE COURT,
Anthony J. ardaro, J

Aug. 19, 1992 Copy of order to atty Peters

sept. 16, 1992 Answer, New Matter & Counterclaim filed.

Oct 7, 1992 Reply to New Matter and Answer to Counterclaim, filed.

Oct. 9, 1992 Verification of Service filed. I, John P. Gagliotti, Esquire, attorney for the Plaintiff in the above-captioned action, verify that I did mail a certified copy of the Reply to New Matter and Answer to Counterclaim by United States first Class Mail, postage prepaid, dated October 9, 1992, as evidenced by the attached Certificate of Mailing, to Paul D. Shafer, Jr., Esquire, and Jeffrey K. Millin, Esquire, attorneys of record for D&R Excavating and Construction, Inc. I make this verification with notice that willful false statements made herein are subject to the penalties of perjury under Pennsylvania Crime Code, relating to unsworn falsification to authoorities. John P. Gagliotti

Oct. 15, 1992 Amended Reply to New Matter and Answer to Counterclaim filed.

July 26, 1993 Motion For Sanctions and Order filed. AND NOW, this 22nd day of July, 1993, upon presentation and consideration of the foregoing Motion for Sanctions, a Rule is entered upon the Respondent to show cause, if any they have, why the prayer of the Plaintiff should not be granted.

THIS RULE IS RETURNABLE ON the 10th day of August, 1993, in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pennsylvania at 2:15 o'clock p.m.

BY THE COURT,
Gordon R. Miller, J

July 28, 1993 Copies of order to Atty's Gagliotti and Shafer

Aug. 16, 1993, Motion to Withdraw Motion for Sanctions and order filed. 2 copies (atty) And Now, this 13 day of Aug. 1993, upon presentation and consideration of the foregoing Motion, it is ordered that the plaintiffs Motion for Sanctions be withdrawn and the hearing scheduled for Aug. 10, 1993, at 2:15 p.m. is hereby cancelled.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 23, 1993, copies of order to Attys. Gagliotti adn Shafer.

Mar. 31, 1995 Motion For Leave To Withdraw Appearance and Order filed. AND NOW, this 31 day of March, 1995, upon consideration at the Motion for Leave to Withdraw Appearance, said Motion is granted and the law firm of Shafer, Swick, Bailey, Irwin, STack & Millin shall be permitted to withdraw their appearance in this matter. A copy of this Order shall be served upon the Defendant by regular mail at its last known address.

By the Court:
Anthony J. Vardaro, J

Mar. 31, 1995 Faxed Shafer & Gagliotti

44

1992

Halliday & Halliday PC
MIchael Halliday

44.

HELEN S. RANKIN

vs.

KENNETH A. MAZE

Filed Jan. 15, 1992
@ 11:30 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Shriff's Costs	26.00
Sheriff's Costs	26.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Jan. 31, 1992 SHERIFF'S RETURN filed. On Jan. 17, 1992 Summons was mailed by Certified Mail to Kenneth A. Maze at his last known address, 185 Minyoung Rd., Ravenna, OH 44266.

Mail was returned marked, "Forward Expired, return to sender, no forward order on file". Returned letter attached.

So answers, Robert M. Stevens, Sheriff

Apr. 1, 1992, Writ Reissued.

May 5, 1992 Sheriff's Return filed. SERVED Kenneth A. Maze by Certified Mail at his last known address of 1035 Arlington Avenue North, St,Petersburg, Florida 33705. Served onApril 20, 1992.

So answers, Robert M.Stevens, Sheriff

1992

Ann Hansen Gamble

Fuller, Kinnunen, Petruso, Gamble, Fabian and Hall

45.

STACY J. PROPER

vs.

BRIAN L. PROPER

Filed Jan. 15, 1992
@ 11:57 a.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co. pd 8-10-92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Jan. 23, 1992 AFFIDAVIT OF MAILING filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney of Law, duly authorized to practice law in the Commonwealth of Pennsylvania and that on January 16, 1992, she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Brian L. Proper, c/o Dowling Hotel, 306 W. Spring St., Titusville, Pa. 16354, the Defendant's last known address. The said receipt being attached hereto.

Juen 11, 1992 Affidavit of Consent of Plaintiff, filed.

Aug. 10, 1992 Affidavit of Consent of Defendant filed.

Aug. 10, 1992 Upon Praecipe of plaintiff attorney for review under Section 3301(c) (1) of Divorce Code this case moved to Court.

DIVORCE DECREE FILED

August 18, 1992 AND NOW, August 17, 1992, it is hereby ordered and decreed that S T A C Y J. P R O P E R, plaintiff and B R I A N L. P R O P E R, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

46

1992

James R. Apple
Apple and Apple

46.

AMERICAN INSULATED
WIRE CORPORATION

vs.

ADVANCED WAVEFORM SCIENCES
INC.

Filed Jan. 15, 1992
@ 1:55 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	25.00
Sheriff's Costs	23.00
Pro.Co. pd 7/20/92	9.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Jan. 23, 1992 SHERIFF'S RETURN filed. NOT FOUND as to defendant Advanced Waveform Sciences, Inc. Company is no longer in business in this area and reportedly moved to West Virginia with their address being unknown.
So answers, Robert M. stevens, Sheriff

Feb. 24, 1992, Complaint Reinstated.

Mar. 10, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Advanced Waveform Sciences, Inc. According to the Meadville Post Office, there is no such address of 965 East Street, Meadville, Crawford County, PA.
So answers Robert M. Stevens, Sheriff

June 8, 1992 Petition For Leave To Serve Defendant Pursuant To Pa. R.P.C. 430 Code and Order filed. AND NOW, to-wit, this 8 day of June, 1992, it is hereby ORDERED, that Plaintiff may serve Defendant ADVANCED WAVEFORM SCIENCES, INC. by mailing within twenty (20) days to Defendant a copy of the Complaint filed in this action, by regular U.S. Mail, postage prepaid, and by certified mai, return receipt requested, to the following address: ADVANCED WAVEFORM SCIENCES, INC., 965 E. Street, Meadville, PA 16335
Service shall be deemed to have been made onthe date of the mailings made in accordance with this Court Order.

BY THE COURT:
Anthony J. Vardaro, J

June 12, 1992 Copy mailed to James Apple

July 6, 1992, Affidavit of Mailing filed. Before me, the undersigned authority personally appeared M.B.Danielson, who, upon being sworn according to law deposes and says that she caused copies of the complaint in this matter to be mailed by reg. first class mail and by cert. mail, to the defendant on June 12, 1992 in accordance with the order of court dated June 8, 1992.
Further that copies of the senders receitps are attached hereto marked Exhibit "A" and made a part hereof. Michelle Bernard danielson.

July 20, 1992 And Now, July 20, 1992 at 11:48 A.M.upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant in Default of an answer and the same is liquidated at the sum of Two thousand Five hundred Sixty and 42/100 Dollars, plus interest and cost of suit.

A-183
Entered July 21, 1992
Sent Notice to Defendant
and Atty. Apple

Debt	$2,560.42
Int.from 4/22/91 to 7/22/92	178.63
Judgment	
Barbara H. King	
Prothonotary	

1992

47.

REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE

vs.

DOROTHY BLACK
JUNE MURRAY

Filed Jan. 16, 1992
@ 11:15 a.m.

Pro King paid	$9.00 ✓
plff on orig	9.50
Sat. Pd 10/6/95	5.00 ✓

AGREEMENT TO REVIVE

of

DSB 1987 - 155

The udnersigned hereby agrees that judgment entered on Mar. 5, 1987 BE REVIVED AND LIEN CONTINUED: Judgment of revival indexed in favor of palintiff and against the defendants in the sum of One Thousand Five Hundred Seventy Three and 00/100 Dollars plus costs.

Debt -------$1,573.00
Dated ----12/18/91
B - 41
M - 94--REVIVAL OF JUDGMENT
Barbara H. King
Prothonotary

Oct. 6, 1995 This Judgment Satisfied. (See paper filed.)

1992

48.

REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE

vs.

JOAN HANK

Filed Jan. 16, 1992
@ 11:15 a.m.

Pro King paid $9.00 ✓
plff on orig. 9.50

AGREEMENT TO REVIVE

of

DSB 1987 - 117

The udersigned hereby agrees that the judgment entered on Feb. 23, 1987 be revived and lien continued, Judgment indexed in favor of plaintiff and against the defendant in the sum of Twelve Thousand Six Hundred Ninety Three and 00/100 Dollars plus costs.

Debt ------$12,693.00
dated -------12/18/91
H - 93 REVIVAL OF JUDGMENT
Barbara H. King
Prothonotary

Revived to AD 1997-366

1992

49.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

WILLIAM L WEIR
JANET L. WEIR

Filed Jan. 16, 1992
@ 11:15 a.m.

Pro King paid	$9.00 ✓
plff on orig	9.50

AGREEMENT TO REVIVE

of

DSB 1987 - 116

The undersigned hereby agrees that the judgment entered on Feb. 23, 1987 be revived and the lien continued and authorizes the prothonotary to enter revival of judgment; judgment is indexed in favor of plaintiff and against the defendants in the sum of Seven thousand dollars plus costs.

Debt -----$7,000.00
Dated ----12/18/91
W - 174, 94 JUDGMENT REVIVAL

Barbara H. King
Prothonotary

Revived & ADI997-268

1992

50.

REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE

vs.

ARDRIENNE WINDAHL

Filed Jan. 16, 1992
@ 11:15 a.m.

Pro King paid $9.00 ✓
plff on orig 9.50

Satisfaction Pd. 10/6/92 $5.00

AGREEMENT TO REVIVE

of

DSB 1987 - 352

The udnersigned hereby agrees that the judgment entered on June 9, 1987 be revived; Judgment indexed in favor of plaintiff and against the defendant in the sum of One Thousand Fifty and 00/100 Dollars plus costs.

Debt -----$1,050.00
dated---- 12/18/92
W - 13 ----JUDGMENT REVIVAL
Barbara H. King,
Prothonotary

Oct. 6, 1992 This judgment Satisfied.
(See paper filed.)

1992

R. Charles Thomas
Thomas, Truax, Spada-
fore, Vardaro & Walker

51.

GEORGE GISEWHITE AND
PATRICIA ANN GISEWHITE

vs.

GARY CARLSON

Filed Jan 16, 1992
@ 1:25 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	43.00

COMPLAINT

1 copy (sheriff)

Mar 2, 1992 SHERIFF'S RETURN filed. NOT FOUND as to Defendant Gary Carlson as per Affidavit of Service returned from Venango Co., Pa, hereto attached.
So answers, Robert M. Stevens, Sheriff

Apr. 21, 1992 Complaint Reinstated.

Sept. 15, 1992 SHERIFF'S RETURN filed. Complaint returned to Prothonotary Office 9-15-92. No instructions or advance check received by Sheriff's Office.
So answers, Robert M. Stevens, Sheriff

52

1992

Ferguson & Spataro
JOhn F. Spataro

52.

Shafer, Swick, Bailey,
Irwin & Stack
James R. Irwin

SCOTT R. LAIRD

vs.

BOBBIEJO MARIE LAIRD

Filed Jan. 16, 1992
@ 1:31 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro.Co. pd. 10/15/92	9.00 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Jan. 20, 1992 Acceptance of Service filed. The undersigned, James R. Irwin, Esq., Attorney for the defendant in the above case, do hereby accept service of the certified copy of the Complaint in Divorce file din the above captioned matter on behalf of the Defendant, BobbieJo Marie Laird, and certify that I am authorized to do so by the defendant.

James R. Irwin

Oct 8, 1992 Affidavit of Consent of Defendant, filed.

Oct 8, 1992 Affidavit of Consent of Plaintiff, filed.

Oct. 15, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to court.

D I V O R C E D E C R E E F I L E D

Oct. 26, 1992 AND NOW, Oct. 22, 1992, it is ordered and decreed that **S C O T T R . L A I R D ,** plaintiff, and **B O B B I E J O M A R I E L A I R D ,** defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

53.

THE FIRST NATIONAL BANK
OF PENNSYLVANIA

vs.

EDWARD Y. ASHBAUGH
DEBORAH A. ASHBAUGH

Filed Jan 16, 1992
@ 2:50 p.m.

Pro King paid	$9.00
plff on orig.	9.50
SAT paid	5.00

AGREEMENT TO REVIVE

of

DSB 1987 - 54

The undersigned hereby agrees that the judgment entered on Jan. 30, 1987 be revived and lien continued; judgment revival indexed in favor of plaintiff and against he defendants in the sum of $75,075.00 plus costs.

Debt ----$75,075.00
A - 56, 46 JUDGMENT REVIVAL
Dated 1/15/92 Barbara H. King
Prothonotary

Jan. 17, 1992, copy of above mailed to defendants.

May 3, 1996 This Judgment Satisfied.
(See paper filed)

54

1992

Richard A. Levick

Knox McLaughlin
Gornall & Sennett Inc.

54.

John F. Spataro
Ferguson & Spataro

IN RE:
TAX ASSESSMENT APPEAL OF TALON INC. FROM THE DETERMINATION OF THE CRAWFORD COUNTY BOARD OF ASSESSMENT APPEAL

Filed Jan. 16, 1992
@ 3:05 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Pro Co. Pd 6-8-92	5.00

ASSESSMENT APPEAL PETITION

1 copy (atty)

Feb. 20, 1992, Answer to Assessment Appeal Petition filed.

Mar. 2, 1992, Certificate of Readiness filed.

ON APRIL 1992 TRIAL LIST

Apr. 7, 1992 ASSIGNMENT OF DATE FOR NONJURY TRIAL filed. April 3, 1992, nonjury trial in the above case is hereby set for June 8, 1992, at 1:30 p.m., in Courtroom No. 1 before Gordon R. Miller, P.J. FOR THE COURT,
Imogene Yetman, Crt. Adm.
Apr. 13, 1992 copy in box for J. Spataro, mailed copy to R. Levick

June 8, 1992 DISCONTINUANCE: On the 5th, day of June, 1992, all claims and causes of action which were, or could have been, asserted in this action having been settled, adjusted and compromised, this action is hereby discontinued of record.

Brian J. Lindsay

55.

Received from Plff 9-9-92 Mediation fees 7874

Received 9-23-92 Mediation Deposit from grandparents $150.00

10-12-92 Pd Comm. Mediator Fee Ck# 7104 $ 7874

11-1992 Refunded to Plffs Atty Medl Deposit 55.58 Ck# 7184

12-15-92 Pd Comm. Ck# 7222 Med Fee 85.42

10-25-93 Rec from Plff Med Costs 121.19

10-26-93 Pd Co Med Fee Ck# 7874 121.19

12-12-94 Rec from Plff med dep 150.00

Glaser R. Burkhardt, Jr. and
Dorothy E. Burkhardt, intervenors
vs.
DAVID PAUL BURKHARDT

vs.

AMY JEAN BURKHARDT

Filed Jan 16, 1992.
@ 3:57 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00
Bruce L. Smith mediator
Pd 9-9-92 Pro Co. 9.00 ✓
Pro Co Pd 12-15-92 Ck# 7223 900
Bruce Smith, Mediator 242.38
Pro Co 9.00
John Spataro, Mediator

PETITION FOR CUSTODY/VISITATION

1 copy (mediator)
2 copies (atty)

NOTICE AND ORDER TO APPEAR:

You, Amy Jean Burkhardt, respondent, have been sued in court to obtain custody, partial custody or visitation of the child: Cortnie Marie Burkhardt.

You are ordered to appear in person at such time and place as will be determined by the mediator BRUCE L. SMITH, for a mediation conference.

If you fail to appear asprovided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephonethe office set forth below to find out where you can get legal help.

Court Administrator, Crawford county Courthouse, Meadville, Pa 16335, 814-336-1151, ext. 298.

Date: Jan 16, 1992 BY THE COURT,
Gordon R. MIller, J.

Jan. 28, 1992 VERIFICATION OF SERVICE filed. I, Brian J. Lindsay, Esq., do hereby verify that I am the attorney of record for the above named Petitioner, and that as such I am authorized to make this verification; that I did on the 22nd day of January, 1992, send to the above named Respondent, by Certified Mail, Addressee Only, Return Receipt Requested, a true and correct copy of the Petition for Custody/Visitation and Order appointing Mediator filed at the above term and number; and that I did on the 27th day of January, 1992, receive a duly executed return receipt dated Jan. 24, 1992.

March 13, 1992 TEMPORARY ORDER OF COURT filed. AND NOW, this 10th day of March, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Cortnie Marie Burkhardt, age two, born Dec. 2, 1989, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing and training of the child, as well as to elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Amy Jean Burkhardt. Regular visitation and temporary custody of the child shall be granted to the petitioner father, David Paul Burkhardt. Physical custody for the father shall be as follows:

a. The child shall be in the temporary custody of the father during the third full week of each, beginning with the month of March, 1992, from noon on Sunday, through the following Sunday at noon, at which time the child shall be returned to the mother. The father shall pick up and drop off the child at the mother's residence on Walker Drive. During those weeks when the father does not have temporary custody of the child, h shall have the right to take the child into his temporary physical custody very Wednesday from 4:00 p.m. through 8:00 p.m., prevailing time. During the week the father has temporary custody of the child, the motehr shall have a like right to have the child in her temporary custody that Wednesday from 4:00 p.m. through 9:00 p.m., prevailing time.

b. The same schedule as indicated in a. above shall prevail during June and July of each year, beginning in 1992; however, upon a written notice of thirty days by the father to the mother, a right to a second full week of temporary custody fo teh child in August shall be available to the father. During that week, the mother shall again have the right to have the child in her temporary custody on Wednesday from 4:00 p.m. through 8:00 p.m., prevailing time.

c. Holiday visitation shall take priority over other scheduled visitation and period of custody. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, during even-numbered years, beginning in 1992, the mother shall have the right to have the child on Memorial Day and Labor DAy from 9:00 a.m. through 7:00 p.m. prevailing time. In odd-numbered years, the father shall have temporary custody of the child during those hours on those holidays. Beginning in 1992, the father shall have the right to have temporary custody of the child on the 4th of July from 9:00 a.m. through 11:00 p.m., prevailing time; and, in odd-numbered years, the mother shall have the right to have custody of the child during those hours on that holiday. Additionally,beginning in 1992, the child shall spend Mother's Day with the mother and Father's Day with the father. The time periods for those days shall be from 9:00 a.m. through 7:00p.m., prevailing time. In even numbered years, the child shall be with the father from 8:00 a.m. through 2:00 p.m., prevailing time, on Thanksgiving and Easter. In odd-numbered years, the child shall spend those periods of time as indicated above on Thanksgiving and Easter with the mother. The parent not having the child during the times indicated on Thanksgiving and Easter shall be permitted to have the child for the balance of the day from 2:00 p.m. through 9:00 p.m., prevailing time. Beginning in 1992, the father shall be permitted to have the child in his temporary custody from Dec. 24 at 3:00 p.m., prevailing time, through Dec. 25 at noon. During odd-numbered years, the mother shall have the right to have the child from Dec. 24, 3:00 p.m., prevailing time, through Dec. 25 at noon. The parent not having the child during the above-mentioned periods shall ahve the child from noon on Christmas Day through 10:00 p.m., prevailing time, on Christmas Day.

d. As mentioned previously, the father shall be responsible for picking up and returning the child at the mother's house. Anytime the father is more than two hours late for a scheduled transfer of custody, shall be postponed for one full day, meaning until Monday at noon.

3. The parent having custody of the child at anytime shall notify the other parent as soon possible in the event of injury to or illness of the child requiring medical treatment.

4. Neither parent shall take the child into any environment which might be commonly thought of as detrimental to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Eac of the parents and the grandparents will teach the child to develop and demonstrate that natural love and respect due a parent or a grandparent from his or her child. Neither of the parents (nor any grandparents) will do or say anything to blacken the character of either parent or any grandparent in the eyes of the child.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child or in the event that the best interest of the child would be served by further Mediation.

RECORD CONTINUED ON
PAGE 493.....

1992

R. Charles ThomaS

56.

GARY L. NORR

vs.

JEANETTE M. NORR

Filed Jan. 16, 1992
@ 3:57 p.m.

Ta x & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 1/16/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1992

R. Charles Thomas
Thomas, Truax, Spadafore, Vardaro and Walker

57.

~~Barbara J. Walton~~ Withdrawn

Michael Halliday

~~Edward J. Hatheway~~ Withdrawn

9-17-93 Rec from Pltf med fee 51.00
10-26-93 Pd to med fees ck # 7814 51.00

9-12-94 Rec'd from dft Masters dep 700.00

5-22-95 Rec'd from dft Mediation $51.00

8-15-95 Pd to Dft med fee # 9368 51.00

10-23-95 Recvd from Peff. Mediation $ 140.50

12-15-95 Pd to #9625 140.50

7-22-97 Pd Bonslee for Dept Refund master Fee # 11172 700.00

BETH A. BRUNOT

vs.

JOHN A. BRUNOT

William Pineo, ESq.
Custody Mediator

Filed Jan. 16, 1992
@ 4:05 p.m.

Tax & entry paid	$50.50 ✓
2 counts paid	30.00 ✓
state paid	10.00
state paid	15.00
one count pd 2-7-92	15.00 ✓
state paid 2-7-92	5.00
Bettie Peterson Muth, Master	
Mediation Costs	$102.00
Pro Co Pd 9-17-93	9.00
Pro.Co. pd 5/8/95	9.00
Pro Co Pd 12-15-95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS, PERMANENT ALIMONY

1 copy (atty)

Feb. 7, 1992 Appearance of Barbara J. Walton for defendant filed.

Feb. 7, 1992 PETITION FOR RELATED CLAIMS UNDER THE DIVORCE CODE AND SHARED CUSTODY filed.

Feb. 7, 1992 ANSWER TO COMPLAINT IN DIVORCE filed.

Feb. 19, 1992 Motion For Appointment of Custody Mediator and NOTICE AND ORDER TO APPEAR. YOU, Beth A. Brunot, have been sued in Court to obtain custody of Carleigh, Kaylan, and Charris Brunot.

You are ORDERED to appear for a hearing before William Pineo, Child Custody Mediator, at such time and such place as he shall designate.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Plaintiff's Attorney	Court Administrator
Barbara J. Walton, Esq.	Crawford County Courthouse
1111½ Park Ave.	Meadville, PA 16335
Meadville, Pa 16335	Telephone 814-336-1151, ext. 298
Telephone 814-336-4132	

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 19, 1992 Copy of Order to Attys. William Pineo, Barbara J. Walton; Feb. 24, 1992 Copy of Order to Atty. R. Charles Thomas.

April 28, 1992 TEMPORARY ORDER FILED. AND NOW, this 28 day of April 28, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.
3. The mediator advises the court that the parties appear able to arrange the details of physical custody between themselves without the necessity of an imposed schedule. Therefore, no schedule is now imposed.
4. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.
5. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.
6. Any person transporting the children shall make ksure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
7. Neither party shall do or sany anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.
8. Either party may request a review of this Order should a schedule of physical custody and visitation be necessary or should there be a substantial change in the circumstances of either party or of the children.
9. Costs and fees of this Mediation, which are fixed at $102.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
10. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J.Vardaro, J.

April 28, 1992 Copy of order to: William Pineo, Esq., R. Charles Thomas, ESq. and Barbara J. Walton, Esq.

Feb. 22, 1994 Appearance of Michael Halliday, Esquire for Defendant, John A. Brunot, filed.

Feb. 22,1994 Defendant's Affidavit of Consent, filed.

Feb. 22, 1994 Answer, New Matter and Counterclaim, Notice To Plead, filed.

Aug. 26, 1994 ORDER APPOINTING MASTER, filed. AND NOW, this 24 day of August, 1994, Bettie Peterson Muth, Esquire is appointed Master in respect to the following claims: Divorce, Equitable Distribution, Alimony Pendente Lite, Alimony, Counsel Fees, Costs and Expenses.

Depost required: Plaintiff $200.00 Defendant $700.00

If not filed already, the parties are Ordered to file their Pretrial Statements within thirty (30) days from this date. Plaintiff shall file her Inventory within 30 days of the date. Both parties shall file Income & Expense Statements presently filed at Domestic Relations at this number and term and otherwise comply with 1920.31(a)(1) within 30 days of this date.

PER CURIAM,
Anthony J. Vardaro, J.

Aug. 30, 1994 Faxed Halliday, Thomas & Walton

Aug. 26, 1994 Inventory of Defendant, John A. Brunot, filed.

Continued to Page 517

AS OF MAY 9, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

1992

Thomas, Truax, Spadafore, Vardaro & Walker

R. Charles Thomas

58.

RICHARD A. OFFI

vs.

SHIRLEY MARIE OFFI

Filed Jan. 16, 1992
@ 4:17 p.m.

Tax & entry paid	$50.50 ✓
statepaid	10.00
state paid	5.00
Pro Co Pd 9-18-92	9.00 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 17, 1992 Affidavit of Consent of Defendant filed.

Sep 18, 1992 AFFIDAVIT OF SERVICE OF COMPLAINT IN DIVORCE, filed. R.Charles Thomas, Esq., being duly sworn according to law, deposes and says that on Jan. 29, 1992, he sent a true and correct copy of the Complaint in Divorce, properly endorsed with the Notice to Defend, filed in the above action to the Defendant, Shirley Marie Offi, at Defendant's last known address of 1810 Grand Circle, Rock Hill, South Carolina 29730, by Certified Mail NO. P899 088 155, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as 1-31-92.

Sep. 18, 1992 Affidavit of Consent of Plaintiff, filed.

Sep 18, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 25, 1992 AND NOW, Sept. 22, 1992, it is ordered and decreed that **RICHARD A. OFFI**, plaintiff, and **SHIRLEY MARIE OFFI**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

59.

Watts and Pepicelli PC
Alan L. Pepicelli

COMMONWEALTH OF PENNYSLVANIA

vs.

GARY SCOTT DEETER

Filed Jan. 16, 1992
@ 4:20 p.m.

Ta x & entry paid $50.50 ✓
state paid 5.00

APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES

2 copies (atty)

ORDER:
AND NOW, this 15 day of Jan. 1992, upon presentation and consideration of the within petition, it is hereby ordered, adjudged and decreed that a hearing onthe withinAppeal shall be held on the 28 day of April 1992, at 10:00 a.m. in C. R. No. 1 or 2, crawford County Courthouse, Meadville, Pa. It is further ordered that thirty (30) days written notice shall be given by counsel for the dft. to the Dept. of Trans., Bur. of Driver Licensing, citation Processing division, Rm. 103, Trans. and Safety Building, Harrisburg, Pa. 17120, by cert. mail, ret. rec. req. with an appropriate Cert. of Service to thereafter be filed with Prothonotary.

BY THE COURT,
P.Richard Thomas, S. J.

Feb. 10, 1992 CERTIFICATE OF SERVICE filed. I, Alan L. Pepicelli, Esq., am an attorney duly authorized to practice law in the Commonwealth of Pa., and on Jan. 20, 1992, I sent a copy of Appeal From Suspension of Operating Privileges filed at the above number, properly endorsed, to Dept. of Transportation, Bureau of Driver Licensing, Citation Processing Division, Rm. 103, Transportation and Safety Bldg., Harrisburg, Pa. 17120, by Certified Mail No. P 228 802 962, return receipt requested and that I received a return receipt for said certified mail signed by Harold K. Oberholtzer and dated Jan. 23, 1992, a copy of which is attached hereto as Ex. "A".

I verify that the statements made in this Certificate are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Sec. 4904, relating to unsworn falsification to authorities.
Date: Feb. 6, 1992

Apr. 27, 1992 STIPULATION and ORDER filed. ORDER: AND NOW, to -wit: this 24 day of April, 1992, upon agreement of the parties, the above-captioned matter is remanded to the Department of Transportation for the purpose of rescinding the appealed operating privilege revocation and removing the charge of violating Section 3734 of the Vehicle Code, 75 Pa.C.S. Section 3734, on April 7, 1991 from the defendant's driving record BY THE COURT:
Anthony J. Vardaro, J.

Apr. 27, 1992 3 copies (atty)

1992

60.

IN THE MATTER OF THE APPOINTMENT OF RALPH SILVA

AS JURY COMMISSIONER OF CRAWFORD COUNTY

Filed Jan. 16, 1992 @ 4:20 p.m.

APPOINTMENT OF JURY COMMISSIONER

ORDER:

AND NOW, January 14, 1992, upon the written resignation of Nancy L. Hanes as Jury Commissioner of Crawford County effective January 3, 1992 and evidenced by resignation hereto attahced, the Court hereby appoints Ralph Silva of Springboro, Pennsylvania as Democratic Jury Commissioner of Crawford Countyto fill the unexpired term of Nancy L. Hanes.

BY THE COURT,
Gordon R. Miller, P.J.

Jan. 17, 1992, copies to Commissioners Office, Registrars Office and Ralph Silva.

1992

Kathleen R. Nelson
William J. Gregg Esq

61.

DIANE E. MINMAN

vs.

SCOTT A. MINMAN

Filed Jan. 17, 1992
@ 1:23 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
Pro Co pd 2-3-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
CUSTODY

1 copy (atty)

Jan . 29, 1992 AFFIDAVIT OF SERVICE filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Scott A. Minman, on Jan. 22, 1992.

3. The registered mail was sent to Scott A. Minman, at R.D. 6, Box 469, Meadville, Pa. 16335. The sender's receipt is attached. hereto.

4. That the Defendant received said registered mail on Jan. 24, 1992. Said Return Receipt card P 269 402 215 is attached hereto, signed by Scott A. Minman and made a part hereof.

Dec. 2, 1992 Affidavit of Consent of Scott A.Minman, Defendant, filed.

Jan. 26, 1993 Affidavit of Consent of Plaintiff, filed.

Feb. 3, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

Feb. 10, 1993 STIPULATION AND DECREE FILED.

AND NOW, this 8th day of February, 1993, the Court Orders and Decrees as follows:

1. Divorce: Upon consideration of the pleadings and Affidavits file din the above captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the aboave named parties upon the grounds that the marriage is irretrievably broken and ninety days have elapsed from the date of filing ofthe Complaint, and an Affidavit has been filed by each of the parties evidencing that each consents to the divorce pursuant to Sec. 3301 of the Divorce Code.

2. Real Property: The parties are owners as tenants by the entireties of real property situate in West Mead Township, Crawford County, Pennsylvania. Defendant shall pay as his sole obligation all past, present and future costs, expenses, or liabilities attributable to or resulting fromthe ownership ofthe premises, including, but not imited to all mortgage payments (interest and principal) repairs and maintenance, taxes and utilities, and insurance. Defendant shall hold Planitiff harmless in regard to said liabilities and shallhave the right to exlcusive use of the property. Plaintiff shall deliver to the Defendant's attorney within five days ofthe entry of this Decree, a Quit-claim deed conveying to the Defendant all of her right, title, claim and interest in the premises which deed shall be in recordable form.

3. Personal Property: a) Household Goods and Furnishing - Plaintiff shall transfer to Defendant all of her right, title and interest in the following household items: refrigerator, dishwasher, range, microwave, table and four chairs, television, VRC, living room set, king size waterbed, freezer, bunkbeds, White garden tractor, Speedex garden tractor, weedeater, gun collection, camping equipment, canoe and patio furniture. Defendant shall transfer to Planitiff all of his right, title and interest in and to all other household goods and furnishings not set forth herein.

b) Vehicles - Defendant shall transfer to Plaintiff all of his right, title and interest inthe Ford Aerostar automobile currently in Plaintiff's possession. Defendant shall continue to make the monthly payments on the vehicle in the amount of $225.00 to the Meadville Area Federal Credit Union until the balance of the loan on said vehicle is paid in full.

c) Bank Accounts - All bank accounts currently titled in the name of the Plaintiff shall remain Planitiffs sole and separate property, and all bank accounts currently titled inthe name of the Defendant shall be his property.

d) Pension and Profit sharing accounts - Plaintiff shall rtain as her sole and separate property all right, title andinterest in and to the profit sharing and retirement account with Sherwin Willims Company, and Defendant shall retain as his sole and separate property all right, title and interest in and to the profit sharing and retirement account with Sipco, Inc.

4. Child Custody and Visitation: Legal custody of the minor children, Brad Allen Minman and Bryan Michael Minman, shall be shared between the parties with primary physical custody with the Plaintiff. Defendant shall be permitted to have visitation withthe minor children every other weekend from 5:00 p.m. Friday until 8:00 p.m., Sunday, and every Wednesday evening from 5:00 p.m. until 8:00 p.m., and at all other times as shall be mutually agreeable between the parties.

5. Consideration: In consideration therefore, andin full settlement of the claims and liabilities and each party hereto, Defendant shall pay to Plaintiff the sum of $1,400.00, with said payment to be made within ten days of the date of this decree.

6. Alimony and Alimony Pendente Lite: Both parties acknowledge that each has property which is sufficient to meet the reasonable needs of each; therefore, each waive any claims for Alimony and Alimony Pendente Lite pursuant to the Pennsylvania Divorce Code.

BY THE COURT,

Gordon R. Miller, J

62

1992

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

62.

KIMBERLY D. CRAMER

vs.

CHARLES R. CRAMER

Filed Jan. 17, 1992
@ 1:44 p.m.

Tax & entry paid	$50.50 ✓
2 counts paid	30.00 ✓
state paid	10.00
state paid	15.00
Pro Co. Feb 14, 1992 Pd	9.00 ✓
Pro.Co. pd 6/14/93	9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
CUSTODY

1 copy (atty)

Jan. 27, 1992 AFFIDAVIT OF MAILING filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of Pennsylvania and that on January 21, 1992, she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postate prepaid, receipt requested, to Charles R. Cramer, 413 1/2 N. M onroe St., Titusville, Pa. 16354, the Defendant's last known address. The said receipt being attached hereto.

Feb. 3, 1992 STIPULATION and ORDER FOR CUSTODY filed. ORDER: AND NOW, this 31st day of January 1992, the parties hereto having previously stipulated and agree, it is hereby ordered and decreed as follows:

1. The primary physical and legal custody of the children, Sadie Rae Cramer, date of birth, April 5, 1988, age 3; and Hannah Nicole Cramer, date of birth, May 4, 1990, age 1; is and shall be placed with the mother, Kimberly D. Cramer, subject however to the right of the father, Charles R. Cramer, to reasonable partial custody, as the parties may find mutually agreeable. In the event either party hereto desires a specific schedule of partial custody, said party may petition this court to modify this order for that purpose.

2. In the event the parties cannot agree on holiday visitation the following schedule shall determine the rights of the parties. The father shall have the children on Thanksgiving from noon until 8:00 p.m. in 1992 and ineven numbered years thereafter. The father shall have the children from 3:00 p.m. to 10:00 p.m.on Dec. 24th, of every year. On Dec. 25, 1993, and in odd numbered years thereafter the father shall have the children from 1:00 p.m. to 8:00 p.m. For the holiday of Easter the father shall have the children from 11:00 a.m. to 8:00 p.m. in 1992 and in even numbered years thereafter.

3. In addition to periods of partial physical custody the father shall be entitled to any information regarding the children maintaifned by third party providers of care and service, including buy not limited to schools, teachers, doctors, hospitals, dentists, psychiatrists, psychologists, counselors,and any and all other persons who may provide services to the said children or any one of them.

BY THE COURT,
Gordon R. Miller, P.J.

Feb. 7, 1992 mailed copy to A. Hansen Gamble

April 15, 1992 ORDER FOR EQUITABLE DISTRIBUTION FILED. AND NOW, this 15th day of April, 1992 the parties hereto having previously stipulated and agreed, it is hereby ordered and directed as follows:

1. The real estate acquired during the marriage which has now been conveyed to wife alone, the said real estate being located at the common address of 413 North Monroe Street, Titusville, Pennsylvania, is and shall continue to be the sole and separate property of the wife. The wife's ownership of this real estate is subject to a certain mortgage in favor of Titusville Cyclops Federal Credit Uion and she shall assume that obligation.

2. The pension titled to the husband at Cyclops Specialty Steel is and shall continue to be the sole and separate property of the husband.

3. The parties have previously distributed between themselves all of the household goods and furnishings and the possession which each has is andshall be deemed to be the ownership of all of those items.

4. The tools and equipment used by the husband are allocated and awarded to him. The equipment and furnishings used by the wife in the operation of her beauty shop are allocated to her and are hers alone.

5. The 1987 Toyota Van is titled to the husband and is hereby allocated to him subject however to his assumption of the debt encumbering the said vehicle.

6. It is noted for the record that the credit card obligations of the couple have been paid by the husband. The husband has also paid an obligation in his name alone at Titusville Cyclops Federal Credit Union.

7. This Court retains jurisdiction of this matter for the purpose of enforcement and for no other purpose.

BY THE COURT:
Anthony J. Vardaro, J.

April 22, 1992 copy distributed to Ann Hansen Gamble, Atty.

Nov. 4, 1992 Affidavit of Consent by Kimberly D.Cramer, Plaintiff, filed.

Apr. 5, 1993, Affidavit of consent of plaintiff filed.

Apr. 5, 1993, Affidavit of Consent of defendant filed.

Apr. 8, 1993 Stipulation and ModificationTo Order For Custody and Order filed. AND NOW, this 7 day of April, 1993, the parties hereto having previously stipulated and agreed, the order of January 31, 1992, is hereby amended inthe following particulars:

1. The mother agree that she shall provide half of the transportation necessary for the father to exercise his rights of share physical custody.

2. On December 24th of 1993 and all odd numbered years thereafter, the husband will have the custody of the children from 6:00 p.m. on December 24th, until 2:00 p.m.on December 25th. In 1994 and in all even numbered years thereafter, the husband shallhave the custody of the children from 6:00 p.m. to 9:00 p.m. on December 24th and form 2:00 p.m. to 8:00 p.m. on December 25th.

3. The parties are encouraged to take in to account the needs and scheduled of the children and are permitted and encouraged to make such modifications as the parties deem mutually desirable and acceptable.

4. In all other respects the order of January 31, 1992, is hereby ratified and confirmed.

BY THE COURT,
Anthony J. Vardaro,

Apr. 8, 1993 Copy mailed to Atty. Gamble

June 14, 1993 Upon praecipe of Plaintiffy Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 30, 1993, AND NOW, June 22, 1993, it is hereby ordered and decreed that KIMBERLY D. CRAMER, Plf., and CHARLES R. CRAMER, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT,
Anthony J. Vardaro,J.

1992

Shafer, Swick, Bailey,
Irwin & Stack ,
James R. Irwin

63.

VIKKI E. WYANT

vs.

SCOTT A. WYANT

Filed Jan. 17, 1992
@ 1:48 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co pd 5/8/92	9.00
Pro.Co.pd 6/22/92	5.00

COMPLAINT IN DIVORCE

2 copies (atty)

May 1, 1992 Affidavit of Consent of Plaintiff, filed.

May 8, 1992 Affidavit of Service filed. I, JAMES R. IRWIN, Esquire, being duly sworn according to law, deposes and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated January 17, 1992. The Defendant acknowledged service on January 24, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin

May 8, 1992 Affidavit of Consent of Defendant filed.

May 8, 1992 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

DIVORCE DECREE FILED.

AND NOW, May 18, 1992, it is hereby ordered and decreed that Vikki E. Wyant, Plaintiff, and Scott A. Wyant, Defendnat, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

June 22, 1992 Notice of Election to Retake Maiden Name filed, to be known as VIKKI E. LORE.

1992

Jorden and White

64.

SAMUEL T. PEES

vs.

RICHARD M. HAWLEY

Filed Jan. 17, 1992
@ 2:59 p.m.

Pro King paid $9.00 ✓
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1987 - 270

The undersigned hereby agrees that the judgment entered on Apr. 29, 1987 be revived and the lien continued and authorizes the prothonotary to enter and index judgment; Judgment indexed in the sum of Ten Thousand Dollars plus costs.

Debt ----$10,000.00
Dated----Jan. 14, 1992
H - 141 REVIVAL OF JUDGMENT
Barbara H. King
Prothonotary

1992

Jorden and White

65.

SAMUEL T. PEES

vs.

RICHARD M. HAWLEY

Filed Jan. 17, 1992
@ 2:59 p.m.

Pro King paid $9.00 ✓
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1987 - 743

The undersigned hereby agrees that the judgment entered on Dec. 9, 1987 be revived and the lien continued; Judgment is indexed inthe amount of Ten thousand Dollars plus costs.

Debt ----$10,000.00
Dated----Jan. 14, 1992
H - 141 JUDGMENT REVIVAL

Barbara H. King
Prothonotary

1992

Northwest Legal Services
R. Christopher Brode

66.

Thomas, Truax, Spadafore and Walker
R.Charles Thomas

9-17-93 Rec from Dept Med dep fee 75.00

10-26-93 Pd CO. Med Fee Ck#7814 75.00

MARK DOMHOFF

vs.

KATHRYN DOMHOFF

Filed Jan. 17, 1992
@ 3:54 p.m.

Indigent filing 150.00
JOhn Fuller, mediator
Pro Co. 9.00

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (mediator)

Jan. 17, 1992, Praecipe to Proceed In Forma Pauperis filed.

Jan. 17, 1992, ORDER OF COURT filed. You, kathryn Domhoff, dft. have been sued in court to obtain custody/partial custody of the minor children. Mark Domhoff and Michael Domhoff.

You are ordered to appear in person t the time and place selected by JOHN FULLER, CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody, partial custody, or visitation may be entered against you or the court may issue a warrant for your arrest.

The Crawford CountySheriff's Dept. is directed to serve a cert. copy of this complaint and order upn the dft. IN the alternative, this petition and order may be served by any competent adult or by cert. mail.

Plaintiff is allowed to proceed without payment of court costs. reserving to the court the ritht to impose costs.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford CountyBar Assoc. Ser.to the Pub. Committee, c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 814 724-46-36
Date: Jan. 10, 1992

BY THE COURT,
Gordon R. Miller, J.

Jan. 29, 1992, PROOF OF SERVICE filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Respondent Kathryn Domhoff, at 133 W. Adams St., Cochranton, Pa. 16314, by Certified U.S. Mail, Return Receipt Requested, on Jan. 23, 1992. R. Christopher Borde

Feb. 12, 1992 ORDER filed. AND NOW, Feb. 10, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Mark Domhoff and Michael Domhoff shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting child such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Mark Domhoff and Michael Domhoff shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit and take the children into his custody every other weekend from 5:30 p.m. on Friday to 8:00 p.m. on Sunday, beginning Feb. 14, 1992.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of their mother on the aforesaid holidays until 1:00 p.m. and in the custody of their father on the aforesaid holidays from 1:00 p.m. until 8:00 p.m.

C. Beginnign with theSummer of 1992, the children shall be in the custody of the father for two non-consecutive periods of two (2) weeks, each. The father shall give the mother at least twenty days notice of the dtes of the Summer visits.

D. Transportation of the children on weekends, holidays and Summer visits shall be provided as follows: The parties shall equally divide transportation with the parent receiving custody of the children providing transportation (that is, the father picks up the children on Friday evening and the mother picks up the children on Sunday evening).

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may beharmful to the children's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty days of the date hereof.

IV. Cost of the mediation conference will be equally divided with the father paying one-half of the cost thereof and the remaining one-half being paid by the mother. Anthony J. Vardaro, J.

Feb. 19, 1992 copy in box for R. C. Thomas, R. C. Brode & J. Fuller, mailed copy to Plf. & Dft.

Feb. 25, 1992 SUPPLEMENTAL ORDER filed. AND NOW, February 21, 1992, it is brought to the attention of the Court that in the proposed order regarding custodyin the above captioned matter which was prepared by the Custody Mediator and signed by the Court on Feb. 10, 1992 Paragraph IV allocated the costs of the mediation conference equally not taking into consideration the fact that the Plaintiff was proceeding in forma pauperis.

The Court has now reviewed the record and sees no apparent significant change in the income of the Plaintiff and accordingly Paragraph IV of the order of Feb. 10, 1992 is amended as follows:

IV. The mother will pay one-half of the cost of the mediation conference and the county will pay the other one-half.

By The Court:
Anthony J. Vardaro, J.

Feb. 25, 1992 Copy of Order to Attys. R. Christopher Brode, R. Charles Thomas and John Fuller.

1992

Blystone & Blystone
Peter E. Blystone

67.

IN RE:

CHANGE OF NAME OF
MARK ALLEN

Filed Jan. 20, 1992
@ 10:02 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00

PETITION FOR CHANGE OF NAME

ORDER:

AND NOW, to wit this 20 day of Jan. 1992, upon consideration of the within Petition, it is ORDERED AND DECREED that a hearing be held on the 6 day of March 1992 at 9 a.m. in Court Room No. 1 or 2, of the Crawford CountyCourt House, Meadville Pa. that notice of the filing of the within Petition and of the aforesaid date and time of hearing shall be published in the Titusville Herald newspaper and the Crawford County Legal Journal. one time.

Anthony J. Vardaro, Judge
Jan. 21, 1992 copy of order to Atty. P. Blystone

Mar. 6, 1992, AFFIDAVIT of Petitioner filed.

Mar. 6, 1992, Proof of Publication filed.

Mar. 6, 1992, Proof of Publication filed.

Mar. 6, 1992, ORDER filed. AND NOW, Mar. 6, 1992, upon Petition and hearing thereon, and after presentation of proof of publication as required by law together with proof of publication as required by law together with proof that there are no judgments or decrees of record or any other matters of like effect against the petitioner, and it appearing that there are no legal objections to the granting of the prayer of the petition,

IT IS ORDERED AND DECREED that the name of the petitioner be and hereby is changed from MARK Allen Dovak to MARK ALLEN MARENDO.

Anthony J. vardaro, Judge

Aug. 28, 1992 Sheriff's determination of Lena M. Miller, filed.

1992

Gary A. Fabian
Fuller, Kinnunen,
Petruso, Gamble
Fabian & Hall

68.

PATRICIA L. UNGER

vs.

EDWIN L. UNGER

Filed Jan. 20, 1992
@ 10:31 a.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
1 count paid	15.00 ✓
state paid	10.00
Pro Co pd 9-16-92	9.00 ✓
Pro Co 7-22-94	5.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

2 copies (atty)

Jan 31, 1992 AFFIDAVIT OF SERVICE filed. Gary A. Fabian, being duly sworn according to law, deposes and says that:

1. He is an attorney authorized to practice law within the Commonwealth of Pennsylvania.

2. He is the attorney for the plaintiff in the above-captioned matter.

3. On Jan. 20,1992, he had deposited in the U.S. Mail by certified mail, return receiot requested, Certified Mail No. P 899 084 844 as evidenced by Certified Mail Receipt No. P 899 084 844 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Edwin L. Unger said Complaint naming Edwin L. Unger as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, Edwin L. Unger on Jan. 24, 1992, as evidenced by Return Receipt for Certified Mail No. P 899 084 044 attached hereto and made a part hereof, soad receipt being signed by Edwin L. Unger.

Sept. 15, 1992 Affidavit of Consent of Plaintiff filed.

Sept. 15, 1992 Affidavit of Consent of defendant filed.

Sept. 16, 1992 Upon Praecipe of Plaintiff attorney for Review Under Section §3301(c) of Divorce Code, this case is moved to Court.

Sept. 21, 1992 Marital Settlement Agreement filed.

DIVORCE DECREE FILED

Sept. 21, 1992 DECREE filed. 1. Divorce: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named paraties on the groudns that the marriage is irretrievably broken and ninety (90) days has elapsed since the date of the filing of the complaint and an affidavit has been field by each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 3301(c) of the Pennsylvania Divorce Code.

2. Equitable Property Determination and Distribution:

This decree provides that the marital and non-marital property of the above-named parties shall be divided in accordance with a Marital Settlement Agreement executed by the parties, the effective date of said agreement being September 10, 1992, and said agreement being filed in the Court of Common Pleas of Crawford County, Pa., at the above-captioned number.

The agreement, in part, provides that:

A. Real Estate. Plaintiff Wife is the owner of certain real estae, said real estate being the former marital domicile and being located in the Borough of Conneautville, Crawford Co., PA., and being more particularly described in a deed dated June 12, 1979, and recorded in Crawford County Deed Book 523, page 880. Said real estate shall be retained by Plaintiff Wife, and said premises are hereby awarded to Plaintiff Wife.

B. Bank Accounts.

(i) The parties shall each retain and are each hereby awarded that portion of the joint checking account with Marine Bank, Conneautville, PA. office that each party retained at the time of separation of the parties.

(ii) Plaintiff Wife shall retain and is hereby awarded the savings account at Marine Bank Conneautville, PA. office with an approximate balance of $11,200.00 together with all interest and accumulations thereon.

C. Miscellaneous Personal Property. The parties shall retain and each is hereby awarded those items of miscellaneous personal property, including but not limited to, all household furnishings and personalty, which he or she presently has in his or her possession, excepting that Defendant Husband shall also receive from Plaintiff Wife the following:

(i) A Matching bedroom set consisting of a double bed (with corner bed posts on the head-board and on the foot board) and a dresser (with two large drawers, two small drawers and a mirror).

(ii) A one-drawer library table (dark color).

(iii) A one-drawer china cupboard with glass doors and curved top.

D. Motor Vehicles. Plaintiff Wife shall retain and is hereby awarded the 1988 Astro Van. The Defendant Husband shall retain and is hereby awarded the 1989 Franklin Travel Trailer and the 1981 Ford Truck.

E. Stock. Plaintiff Wife shall retain and is hereby awarded all the shares of stock of Master Feed and Grain, Inc., which re titled solely in her name.

F. Pension and Other Retirement Benefits or Accounts. Plaintiff Wife shall retain and is hereby awarded her I.R.A. with Erie Family Life Insurance Company. Defendant Husband shall retain and is hereby awarded the following:

(i) His pension through Massachusetts General by virtue of his employment at Master Feed and Grain, Inc., and

(ii) His I.R.A. with Erie Family Life Insurance Company.

G. Life Insurance. Plaintiff Wife shall retain and is hereby awarded the policy of life insurance issued by Metropolitan Life insurance Co., Policy No. 571 209 115 MP.

H. Further, the division of all other marital property and non-marital property, and the payment of all debts of the parties shall be made in accordance with the terms of the Marital Settlement Agreement, which said Agreement was effective Sept. 10, 1992.

3. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective Sept. 10, 1992, which sets out in further detail the agreement of the parties concerning the matters herein, shall be filed with this decree in the Prothonotary's Office at the above-number.

This order shall be effective as of the 17th day of September, 1992.

BY THE COURT
Gordon R. Miller, J.

July 19, 1994 Notice Of Intent To Retake Prior Name: PATRICIA L. UNGER to be known as PATRICIA L. JOHNS.

1992

James R. Irwin
Shafer, Swick Bailey
Irwin & stack

69.

RENA M. WHITE

vs.

JON H. WHITE

Filed Jan. 20, 1992
@ 3:14 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro pd 2/11/92	9.00 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Jan. 20, 1992, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed. 1 copy (atty)

Feb. 11, 1992, Affidavit of Service filed. I, James R. Irwin, esq. being duly sworn according to law, depose and say that I served a true and correct copy of the complaint in Div. certified by Prothonotary of crawford County, pa. on the above named defendant by cert. mail, addressee only, ret. rec. req. dated Feb. 1, 1992, by accepting delivery on that date as evidenced by the attached signed ret. rec. James R. Irwin, Esq.

Feb. 11, 1992, Upon praecipe of plaintiff attorney, to transmit the record, with notice of intention to request entry of divorce attached, this case moved to court.

Feb. 19, 1992 Memorandum filed. copy given Atty.

Feb. 21, 1992 AFFIDAVIT OF SERVICE filed. I, JAMES R. IRWIN, Esq., being duly sworn accordifdng to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Plaintiff's Affidavit under Section 3301(d), Notice of Intention to Request Entry of Divorce Decree and Defendant's Counter-Affidavit on the above named Defendatn by certified mail, addressee only, return receipt requested, dated Jan. 20, 1992. The Defendant acknowledged service on Feb. 1, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

Feb. 21, 1992 PRAECIPE TO TRANSMIT RECORD filed, along with, Notice of Intention to Request Entry of Divorce Decree, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code and Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code.

feb. 28, 1992 **D I V O R C E D E C R E E F I L E D .**

AND NOW, February 28, 1992, it is hereby ordered and decreed that Rena M. White, Plaintiff, and Jon H. White, Defendant, are divorced form the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a fin order ha snot yet been entered.

BY THE COURT,
Anthony J. Vardaro, J

70

1992

Mazzotta, McCague
& Associates, P.C.
Donald S. Mazzotta
William T. Molczan

70.

GENERAL MOTORS
ACCEPTANCE CORPORATION

vs.

KENNETH I. FOSS

Filed Jan. 21, 1992
@ 11:45 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	27.00
Pro Co. Pd 3/6/92	9.00 ✓

COMPLAINT IN CIVIL ACTION- ASSUMPSIT

1 copy (sheriff)

Jan. 31, 1992 SHERIFF'S RETURN filed. SERVED Kenneth T.Foss on Jan. 27, 1992 at 11:05 AM by handing a copy of the Complaint to NancyFoss, his wife, at the residence, Foreman St., Conneaut Lake, Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

March 6, 1992 at 1:23 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Amount claimed in Complaint	$9,189.76
Interest from 3/15/91 to 3/3/92	$1,047.84
Costs of suit	
TOTAL	$10,237.60

With interest accruing on total balance of $10,237.60 at the rate of 6% from date of Judgment.

F-106
Judgment entered 3/6/92

Debt $10,237.60
Judgment
Barbara H. King, Pro.

1992

Murray A. Felder

71.

PNC NATIONAL BANK
ASSIGNEE OF MARINE BANK

vs.

MICHAEL H. O'BRIEN

Filed Jan. 21, 1992
@ 11:56 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	37.00
Pro. Co. Pd. 7-13-93	$9.00 ✓

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Feb. 5, 1992 SHERIFF' S RETURN filed. SERVED Michael H.O'Brien personally on Jan. 27, 1992 at 2:28 PM at h is residence, 757 Rockwood Dr., A308, Titusville, Crawford Co., Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 18, 1992 Defendant's Response To Complaint filed.

Feb. 21, 1992 Motion For Judgment On the Pleadings and ORDER OF COURT filed. AND NOW, this 20th day of February, 1992, upon consideration of Plaintiff's Motion For Judgment On the Pleadings, it is hereby ordered that the Motion is granted and judgment is entered in favor of Plaintiff and against defendant, Michael H. O'Brien, in the amount of $7,334.84 plus costs and interest.

Gordon R. Miller, J.

Feb. 27, 1992 Copy of Order to Atty. Murray Felder.

O-114 - Judgment entered.

EX1995-43

72

1992

Fuller, Kinnunen,
Petruso, Gamble
Fabian and HaLL
Ann Hansen Gamble

72.

Joseph C. Barnhart

JASON A. CLICKETT

vs.

CHERI L. CLICKETT

Filed Jan. 21, 1992
@ 1:16 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Sheriff's Costs	37.00
Pro.Co. Pd 5/11/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (sheriff)

Jan. 31, 1992 SHERIFF'S RETURN filed. SERVED Cheri L. Clickett personally on Jan. 27, 1992 at 2:05 PM at her residence, 824 West Oak St., Titusville, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Feb. 7, 1992 Appearance of Joseph C. Barnhart for Defendant filed

Apr. 12, 1994 Affidavit Under Section 3301(d) of Divorce Code of Plaintiff filed.

Apr. 15, 1994 Motion to Withdraw Count II - Equitable Distribution Claim and ORDER filed. AND NOW, this 15 day of April, 1994, plaintiff's claim for equitable distribution is hereby dismissed.
Anthony J. Vardaro, J.
4-19-94 Copy of Order to Attys. Gamble & Barnhart

May 11, 1994 Notice of Int ention to Request Entry of Divorce Decree filed.

May 11, 1994 Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of Pennsylvania and that on April 11, 1994, she sent a Counter-Affidavit Under Section 3301 (d) of the Divorce Code, Notice of Intention to Request Entry of Divorce Decree and Praecipe to Transmit Record to the Defendant by First Class Mail, to the Defendant's last known address, 901 Joy Road, Apt. 3-7, Columbus, GA 31906, and to attorney of record, Joseph Barnhart, Esq., P. O.Box 373, Titusville, and to John S.Kookogey, Esq., P.O.Box 346,Titusville, PA 16354.
May 6, 1994 Ann Hansen Gamble

May 11, 1994 Upon Praecipe of Ann Hansen Gamble, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 17, 1994 AND NOW, May 16, 1994, it is ordered and decreed that JASON A. CLOCKETT, plaintiff, and CHERI L. CLICKETT, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order ahs not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

Mazzotta, McCague
& Associates PC

Donald S. Mazzotta
William T. Molczan

73.

pro se

GENERAL MOTORS ACCEPTANCE
CORPORATION

vs.

WADE SLIDE AND
MARY ANN SLIDE

Filed Jan. 21, 1992
@ 1:47 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	38.00
Sheriff's Costs	31.00

COMPLAINT IN CIVIL ACTION - ASSUMPSIT

2 copies (sheriff)

Jan. 28, 1992 SHERIFF'S RETURN filed. NOT FOUND as to Defendants Wade Slide and Mary Ann Slide. As per Post Office, Defendants have moved and left no forwarding address. So answers, Robert M. Stevens, Sheriff

Mar. 3, 1992 Complaint Reinstated.

Mar. 13, 1992, Answer of Defendants filed.
1 copy (dfts)

Mar. 16, 1992 SHERIFF'S RETURN filed. SERVED Wade Slide on March 4, 1992 at 3:10 PM by handing copy of Complaint to Kate Slide, his Mother, at residence, 669 Graff Ave., Meadville, Crawford County, Pa.

SERVED Mary Ann Slide on March 4, 1992 at 3:11 PM by handing copy of Complaint to Kate Slide, her Mother-in-law, at residence, 669 Graff Ave., Meadville, Crawfsord County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 27, 1992 PLAINTIFF'S MOTION FOR JUDGMENT ON THE PLEADINGS PURSUANT TO PA R.C.P. Rule 1034, filed.

74

1992

Hayt, Hayt & Landau
Arthur Lashin

74.

FORD MOTOR CREDIT COMPANY
One American Road
Dearborn, Michigan 48122

vs.

CHARLES L. HENRY
R. R. 1 Box 81
Conneautville, Pa. 16406

Filed Jan 21, 1992
@ 2:00 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	32.00
Pro Co pd 3/2/92	9.00 ✓

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Jan. 28, 1992 AFFIDAVIT OF CONSENT OF PLAINTIFF filed.

Feb. 6, 1992 Sheriff's Return filed. SERVED Charles L. Henry on January 28, 1992 at 3:54 PM by handing a copy of the Complaint to Debra Hanson, Adult in Charge, at the residence, R.D. #1, Box 81, Conneautville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Mar. 2, 1992, at 1:09 p.m. upon praecipe of plaintiff attorney, with affidavit of plaintiff counsel and copy of default notice attached, Judgment is hereby entered in favor of plaintiff and against the defendant in the sum of Nine Thousand Five Hundred Eighty Three and 88/100 Dollars.(includes int. & atty fees)
Judgment entered -3/2/92
H - 288 Debt -----$9,583.88
JUDGMENT
Barbara H. King,
Prothonotary

Mar. 6, 1992, notice of entry of judgment mailed to dft.

EX1992-25

AS OF SEPTEMBER 15, 2000 SEE COMPUTER FOR FUTURE FILINGS

1992

75. (Christopher Brode) Legal Services	REALTY GROWTH CORP. vs. ROBERT MILLER SUSIE MILLER Filed Jan. 21, 1992 @ 2:29 p.m. Indigent filing	APPEAL OF DEFENDANTS FROM JUDGMENT OF DIST. 30-2-01 Jan. 21, 1992 Affidavit and Praecipe to Proceed Informa Pauperis filed. Jan. 22, 1992 Petition For Reduced/Waiver Of Bond and Order filed. Now, January 22, 1992 this motion and petition are denied. Gordon R. Miller, J Jan. 23, 1992 Copy of order to Christopher Brode Jan. 28, 1992 Proof of Service, filed.

1992

Kathleen R. Nelson

76.

JO ELLEN FEDCZAK

vs.

HARRY M. FEDCZAK

Filed Jan. 22, 1992
@ 10:40 a.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co. pd 5/8/92	9.00
Pro Co. pd 1/16/96	5.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE

1 copy (atty)

Jan. 29, 1992 AFFIDAVIT OF SERVICE filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Harry M. Fedczak, on Jan. 26, 1992.

3. The registered mail was sent to Scott A. Minman, at P.O. Box 507, Conneaut Lake, Pa. 16316. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on Jan. 27, 1992. Said Return Receipt card P 269 402 213 is attached hereto, signed by Harry M. Fedczak and made a part hereof.

May 6, 1992 Affidavit of Consent by Harry M. Fedczak, Defendant filed.

May 6, 1992 Affidavit of Consent by Jo Ellen Fedczak, Plaintiff filed.

May 8, 1992 Upon Praecipe of Plaintiff attorney for Review Under §3301(c) of The Divorce Code this case moved to Court.

DIVORCE DECREE FILED.

AND NOW, May 18, 1992, it is hereby ordered and decreed that Jo Ellen Fedczak, Plaintiff, and Harry M. Fedczak, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 16, 1996 Notice of Election to Retake Maiden name filed, to be known as Jo Ellen Smith.

1992

Donald S. Mazzotta
William T. Molczan

Mazzotta, McCague & Associates

77.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

MICHAEL J. HUYA, III

Filed Jan. 22, 1992
@ 11:53 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	27.00
Pro Co Pd 3/6/92	9.00 ✓

COMPLAINT IN CIVIL ACTION - ASSUMPSIT

1 copy (sheriff)

Feb. 6, 1992 Sheriff's Return filed. SERVED Michael J. Huya, III on January 28, 1992 at 11:54 AM by handing a copy of the Complaint to Michael J. Huya II, his father and adult in charge at the residence, R.D.#3, Saegertown, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sher.
Robert M. Stevens, Sheriff

And Now, Mar. 6, 1992, at 1:20 p.m., upon praecipe of plaintiff attorney, with affidavit of non military service and Certification of Mailing of Notice of Intent to Take Default Judgment and Default Notice attached, Judgment is hereby entered in favor of plaintiff and against the defendant in the amount of Five Thousand Five Hundred Eighty Sevena nd 63/100 Dollars. (includes int. form 3/19/91 to 3/3/92 of $693.00) with int. at rate of 6% from date of judgment/

Judgment entered
3/6/92
H - 116

Debt ------$5,587.63
Int. at 6%
JUDGMENT
Barbara H. King,
Prothonotary

Mar. 10, 1992 notice of entry of judg. mailed to dft.

78

1992

Stephen E. Hall

78.

William Walker
for Averill

IN THE MATTER OF
DONALD AVERILL

Filed January 22, 1992

PETITION FOR INVOLUNTARY INTERVENTION BY EMERGENCY COURT ORDER
3 copies (acting aging)
1 copy (Atty. Hall)
1 copy (Atty W. Walker)

EMERGENCY ORDER FOR INVOLUNTARY INTERVENTION:
AND NOW, Jan. 22, 1992, upon consideration of the foregoing Petition, it is hereby ordered that Acti ve Aging, Inc. shall provide the following protective services to Donald Averill and that such servcies shall be provided without his consent: He shal taken to Springs Manor and plan he signed be implemented.

The State or local police accompanied by a representative of Active Aging Inc are hereby authorized to forcibly enter the premises of the aforesaid older adult to enforce the terms of this order.

The terms of this order shall expire at 3:30 p.m. Jan. 27, 1992. The court hereby sets Jan. 27, 1992 at 3:30 p.m. as the time and place for a review hearing in the event of need for an additional emergency court order or continued court and protective services involvement or both. The court hereby appoints William L. Walker, Eaq. to represent the aforesaid older adult at said hearing.

BY ORDER OF THE COURT,
Gordon R. Miller, j.

Jan. 28, 1992 Order filed. AND NOW, January 27, 1992, after an informal hearing at which time all parties are represented by counsel, it appears that the older adult, who is the subject of this petition, now wishes to remain at Springs Manor; and it is further determined that the older adult has consented to and agrees to the provisions of a service plan with Active Aging Inc.

It is further determined at the informal hearing, that all parties are in agreement with the aforesaid decision of the older adult with the exception that parties wish to have an order with regard to a couple of issues.

Accordingly, the Court, by agreement of the parties, directs Active Aging Inc. to provide a written summary of the allegations, which brought about the original petition, to the counsel for Jeannette Averill on or before february 4, 1992.

The Court directs that when the February, 1992 Veterans Administration check comes to Jeannette Averill for the benefit of Donald Averill, the same shall be returned over forthwith to Donald Averill.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

Jan. 31, 1992 Copies of order given to Atty's Hall, Walker and Malc

1992

John D. Petruso
Fuller, Kinnunen,
Petruso, Gamble
Fabian & Hall

79.

STEVEN L. OATES

vs.

KIMBERLY ANN OATES

Filed Jan. 22, 1992
@ 2:45 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
state paid	10.00
Pro Co Pd 6-2-92	9.00 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Feb. 14, 1992, Acceptance of Complant in Divorce filed. AND NOW, this 3 dayof Feb. 1992, and in accordance with Rule of Civil Procedure 1920.4(e), I hereby accept service of a true and correct copy of the complaint in divorce.
Kimberly Ann Oates.

May 15, 1992 Affidavit of Consent of Plaintiff, filed.

May 15, 1992 Affidavit of Consent of Defendant,filed.

June 2, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED
June 12, 1992 AND NOW, June 10, 1992, it is hereby ordered and decreed that STEVEN L. OATES, Plaintiff, and KIMBERLY ANN OATES, Defendnat, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

80

1992

Culbertson, Weiss,
Schetroma and Schug PC
John B. Brautigam

80.

JAMES W. BEASON II

vs.

GLORIA F. BEASON

Filed Jan. 22, 1992
@ 3:17 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co. pd 2-24-92	6.00

COMPLAINT IN DIVORCE

1 copy (atty)

Jan. 29, 1992 Affidavit of Service filed. And Now, Jan. 28, 1992, comes John B. Brautigam, Esq., who being duly sworn according to law, deposes and sets forth as follows:

1. That he is the Attorney for James W. Beason, II, Plaintiff, in the above-captioned matter.

2. That on information furnished to him by the Plaintiff, he caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No. P899 082 654, postmarked Jan.22, 1992, to the last known address of the Defendant, Gloria F. Beason, at RD # 4, Box 342, Meadville, PA 16335.

3. That the Defendant, Gloria F. Beason, on Jan. 24, 1992 personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".

4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

John B. Brautigam, Esq.

Feb. 12, 1992 Upon Praecipe of Plaintiff attorney the above captioned case marked settled and discontinued of record.

1992

James R. Irwin
Shafer, Swick, Bailey,
Irwin & Stack

81.

Ferguson & Spataro
John F. Spataro

IN RE:

APPEAL OF MSL ACQUISITION CORPORATION, a/k/a CYTEMP SPECIALTY STEEL, A DIVISION OF CYCLOPS CORPORATION, FROM THE ACTION OF THE BOARD OF ASSESSMENT APPEALS OF CRAWFORD COUNTY, PENNSYLVANIA, ON PROPERTY SITUATE IN THE CITY OF TITUSVILLE, PARCEL NO. 59-1-2-1

vs.

BOARD OF ASSESSMENT APPEAL OF CRAWFORD COUNTY, PENNSYLVANIA

Filed Jan. 22, 1992
@ 4:24 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00

PETITION FOR ALLOWANCE OF APPEAL FROM ACTION OF THE BOARD OF ASSESSMENT APPEALS

4 copies (atty)

Feb. 26, 1992, Answer to Assessment Appeal Petition filed.

Sept. 25, 1992, Notice of Intent to Complete DIscovery Pursuant to Rule L302A(2) filed.

Nov. 12, 1992 Motion For Mutual Discovery of Expert Testimony Pursuant To Rules 4003.5 and 4007.3 filed.

Nov. 12, 1992 Appellant's Answer To the Board of Assessment Appeal's Motion filed.

Nov. 12, 1992 Motion Under Pa. R.C.P. 4019 filed.

Nov. 12, 1992 Memorandum and ORDER filed. AND NOW, Nov. 9, 1992, it is ordered as follows:

1. The appellant's motion for mutual discovery of expert testimony is denied.
2. The appellee is ordered and directed to provide a more complete answer to Interrogatory 4 of the Interrogatories issued to it on April 20, 1992 and supplement its answers from time to time as required by the Pennsylvania Rules of Civil Procedure.
3. The appellee's motion for sanction under Pa. R.C.P. 4019 is denied.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Nov. 12, 1992 Copies given to ATtys. Lou Stack and John Spataro.

Dec. 22, 1992, Certificate of Readiness for NOn Jury Trial filed.

ON FEBRUARY 1993 TRIAL LIST

Jan. 28, 1993 Assignment Of Nonjury Trial Date filed. January 27, 1993, nonjury trial in the above matter is set for April 27, 1993, at 9:15 A.M., in Courtroom 1.

FOR THE COURT,
Imogene Yetman

Jan. 28, 1993 Copies givento Spataro & Irwin

Apr. 26, 1993, Motion to Continue and Order filed. ORDER: AND NOW, this 23 day of Apr. 1993, upon consideration of the foregoing motion, the trial int he above case is hereby rescheduled for the 9 day of July 1993 at 9:15 a.m. in C. R. No., 1, Crawford County Courthouse, Meadville Pa. 16335.

FOR THE COURT,
Ann Walker, Ct. Adm.

APR. 29, 1993, copies of order to J. Irwin and J. Spataro.
4/26/93 - copy of order to Fred Wagner, Treas.

July 9, 1993 Stipulation and Consent Order filed. AND NOW, this 9th day of July, 1993, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor,Joseph J. Galbo, III is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order.

BY THE COURT,
Gordon R. Miller, J.

7-13-93 Copy of Order to Attys. Irwin, Spataro, Fred Wagner, Treas. & Chief Assessor, Joseph Galbo

July 20, 1993 Amended Stipulationand Consent Order filed. ORDER. AND NOW, this 16th day of July, 1993, uponconsideration of the within Amended Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order.

BY THE COURT,
Gordon R.Miller, J.

7-23-93 Copy of Order to Attys.Irwin, Spataro, Galbo, & Wagner

82

1992

James R. Irwin
Shafer, swick, Bailey,
Irwin & Stack

82.

Ferguson & Spataro
John F. SpaTARO

IN RE:

APPEAL OF MSL ACQUISITION CORPORATION, a/k/a CYTEMP SPECIALTY STEEL, A DIVISION OF CYCLOPS CORPORATION, FROM THE ACTION OF THE BOARD OF ASSESSMENT APPEALS OF CRAWFORD COUNTY, PENNSYLVANIA ON PROPERTY SITUATE IN THE CITY OF TITUSVILLE, PARCEL NO. 59-E-2-3-2-1PT

vs.

BOARD OF ASSESSMENT APPEAL OF CRAWFORD COUNTY, PENNSYLVANIA

Filed Jan. 22, 1992
@ 4:24 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00

PETITION FOR ALLOWANCE OF APPEAL FROM ACTION OF THE BOARD OF ASSESSMENT APPEALS

4 copies (atty)

Feb. 26, 1992, Answer to Assessment Appeal Petition filed.

Sept. 25, 1992, Notice of Intent to Complete Discovery Pursuant to Rule L302(2) filed.

Nov. 12, 1992 Motion For Mutual Discovery Of Expert Testimony Pursuant To Rules 4003.5 and 4007.3 filed.

Nov. 12, 1992 Appellant's Answer To The Board Of Assessment Appeal's Motion filed.

Nov. 12, 1992 Motion Under Pa. R.C.P. 4019 filed.

Nov. 12, 1992 Memorandum and ORDER filed. AND NOW, November 9, 1992, it is ordered as follows:

1. The appellant's motion for mutual discovery of expert testimony is denied.
2. The appellee is ordered and directed to provide a more complete answer to Interrogatory 4 of the Interrogatories issued to it on April 20, 1992 and supplement its answers from time to time as required by the Pennsylvania Rules of Civil Procedure.
3. The appellee's motion for sanction under Pa. R.C.P. 4019 is denied.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Nov. 12, 1992 Copies given to Attys. Lou Stack and John Spataro.

Dec. 22, 1992, Certificate of Readiness for Non Jury Trial filed.

ON FEBRUARY 1993 TRIAL LIST

Jan. 28, 1993 Assignment Of Nonjury Trial Date filed. January 27, 1993, nonjury trial in the above matter is set for April 27, 1993, at 9:15 a.m., in Courtroom 1.

For The Court,
Imogene Yetman, C.A.

Jan. 28, 1993 Copies givento Spataro & Irwin

Apr. 26, 1993, Motion for Continuance and Order filed. ORDER: AND NOW, this 23 day of April 1993 upon consideration of the foregoing Motion the trial in the above case is hereby rescheduled for the 9 day of July 1993, at 9:15 a.m. in C. R. No. 1, Crawford County Courthouse, Meadville, Pa. 16335. FOR THE COURT,
Ann Walker, CT. Adm.

Apr. 29, 1993, copies of order to J. Spataro and J. Irwin.
Apr. 26, 1993, copy of order to Treas. Fred Wagner. (see paper filed at AD 1992 - 81.

July 9, 1992 Stipulation and Consent Order filed. AND NOW, this 9th day of July, 1993, upon consideration of the within Stipulation,the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J.Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order.

BY THE COURT,
Gordon R. Miller, J.

7-13-93 Copy of Order to Attys. Irwin, Spataro, F.Wagner,Treas. & J.Galbo,Chief Assess.

July 20, 1993 Amended Stipulation and Consent Order filed. ORDER. AND NOW, this 16th day of July, 1993, upon consideration of the within Amended Stipulation,the same is hereby entered as n Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order.

BY THE COURT,
Gordon R. Miller, J.

7-23-93 Copy of Order to Attys. Irwin & Spataro. F. Wagner & J. Galbo.

James R. Irwin
Shafer, Swick, Bailey, & Irwin & Stack

83.

Ferguson & Spataro
John F. Spataro

IN RE:

APPEAL OF MSL ACQUISITION CORPORATION, a/k/a CYTEMP SPECIALTY STEEL, A DIVISION OF CYCLOPS CORPORATION, FROM THE ACTION OF THE BOARD OF ASSESSMENT APPEALS OF CRAWFORD COUNTY, PENNSYLVANIA ON PROPERTY SITUATE IN THE CITY OF TITUSVILLE, PARCEL NO. 59-E-2-4-

vs.

BOARD OF ASSESSMENT APPEAL OF CRAWFORD COUNTY, PENNSYLVANIA

Interested Parties:
CITY OF TITUSVILLE
SCHOOL DISTRICT

Filed Jan. 22, 1992
@ 4:24 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00

PETITION FOR ALLOWANCE OF APPEAL FROM ACTION OF THE BOARD OF ASSESSMENT APPEALS
4 copies (atty)

Feb. 26, 1992, Answer to Assessment Appeal Petition filed.

Sept. 25, 1992, Notice of Intent to Complete Discovery Pursuant to Rule L302(2) filed.

Nov. 12, 1992 Motion For Mutual Discovery of Expert Testimony Pursuant To Rules 4003.5 and 4007.3 filed.

Nov. 12, 1992 Appellant's Answer To the Board of Assessment Appeal's Motion filed.

Nov. 12, 1992 Motion Under Pa. R.C.P. 4019 filed.

Nov. 12, 1992 Memorandum and ORDER filed. AND NOW, November 9, 1992, it is ordered as follows:

1. The appellant's motion for mutual discovery of expert testimony is denied.
2. The appellee is ordered and directed to provide a more complete answer to Interrogatory 4 of the Interrogatoreis issued to it on April 20, 1992 and supplement its answers from time to time as required by the Pennsylvania Rules of Civil Procedure.
3. The appellee's motion for sanction under Pa. R.C.P. 4019 is denied.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Nov. 12, 1992 Copies given to Attys. Lou Stack and John Spataro.

Dec. 22, 1992, Certificate of Readiness for Non Jury Trial filed.

ON FEBRUARY 1993 trial list

Jan. 28, 1993 Assignment Of Nonjury Trial Date filed. January 27, 1993, nonjury trial in the above matter is set for April 27, 1993, at 9:15 A.M., in courtroom 1.

BY THE COURT,
Imogene Yetman, CA

Jan. 28, 1993 Copies givento Spataro & Irwin

Apr. 26, 1993, Motion for Continuance and Order filed. ORDER: AND NOW, this 23 day of April, 1993, upon consideration of the foregoing Motion, the trial in the above case is hereby resc heduled for the 9 day of July 1993 at 9:15 a.m. in C. R. NO. 1, Crawford County Courthouse Meadville, Pa. 16335.

FOR THE COURT,
Ann Walker, Ct. adm.

Apr. 26, 1993 c opy of order to Fred Wagner, Treas.
Apr. 29, 1993, copy to Attys. J. Spataro and J. Irwin. (see paper filed at AD 1992 - 81)

July 9, 1993 Stipulation and Consent Order filed. ORDER: AND NOW, this 9th day of July, 1993, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J.Galbo, III, is directed to make the appropriate adjusmtents to the assessment records and take whatever further action is required inorder to effectuate this Order.

BY THE COURT,
Gordon R.Miller, J.

7-13-93 Copy of Order to Attys. Irwin, Spataro, F.Wagner,Treas.& J. Galbo, Chief Assess.

July 20, 1993 Amended Stipulation and Consent Order filed. AND NOW, this 16th day of July, 1993, upon consideration fo the within Amended Stipulation,the same is hereby entered as an Order of this Court. The Chief Assessor,Joseph J.Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order.

BY THE COURT,
Gordon R.Miller, J.

7-23-93 Copy of Order to Attys. Irwin, Spataro, & F.Wagner & J. Galbo.

James R. Irwin
Shafer, swick Bailey,
Irwin andStack

84.

Ferguson & Spataro
John F. Spataro

IN RE:

APPEAL OF CYTEMP SPECIALTY STEEL, A DIVISION OF CYCLOPS CORPORATION, FROM THE ACTION OF THE BOARD OF ASSESSMENT APPEALS OF CRAWFORD COUNTY, PENNSYLVANIA ON PROPERTY SITUATE IN THE CITY OF TITUSVILLE, PARCEL NO., 59-H-1-9

vs.

BOARD OF ASSUSSMENT APPEAL OF CRAWFORD COUNTY, PENNSYLVANIA

Interested parties:
City of Titusville School District

Filed Jan. 22, 1992
at 4:24 p.m.

Tax & entry paid $50.50✓
state paid 5.00

PETITION FOR ALLOWANCE OF APPEAL FROM ACTION OF THE BOARD OF ASSESSMENT APPEALS

4 copies (atty)

Feb. 26, 1992, Answer to Assessment Appeal Petition filed.

Sept. 25, 1992, Notice of Intent to Complete Discovery Pursuant to Rule L302(2) filed.

Nov. 12, 1992 Motion For Mutual Discovery of Expert Testimony Pursuant To Rules 4003.5 and 4007.3 filed.

Nov. 12, 1992 Appellant's Answer To the Board of Assessment Appeal's Motion filed.

Nov. 12, 1992 Motion Under Pa. R.C.P. 4019 filed.

Nov. 12, 1992 Memorandum and ORDER filed. AND NOW, November 9, 1992, it is ordered as follows:

1. The appellant's motion for mutual discovery of expert testimony is denied.
2. The appellee is ordered and directed to provide a more complete answer to Interrogatory 4 of the Interrogatories issued to it on April 20, 1992 and supplement its answers form time to time as required by the Pennsylvania Rules of Civil Procedure.
3. The appellee's motion for sanction under Pa. R.C.P. 4019 is denied.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Nov. 12, 1992 Copies given to Attys. Lou Stack and John Spataro.

Dec. 22, 1992, Certificate of Readiness of Non Jury Trial filed.

ON FEBRUARY 1993 TRIAL LIST

Jan. 28, 1993 Assignment Of Nonjury Trial Date filed. January 27, 1993, nonjury trial in the above matter is set for April 27, 1993, at 9:15 AM. in Courtroom 1.

For the Court,
Imogene Yetman, C.A.

Jan. 28, 1993 Copies given to Spataro & Irwin

Apr. 26, 1993, Motion for Continuance and Order filed. ORDER: AND NOW, this 23 day of April 1993, upon consideration of the foregoing motion the trial in the above case is hereby rescheduled for the 9 day of,July 1993 at 9:15 a.m. in C. R. No. 1, Crawford County Courthouse, Meadville, Pa. 16335.

FOR THE COURT, (see paper filed at AD 1992 - 81)
Ann Walker, Ct. Adm.

Apr. 26, 1993, copy of order to Treas. Fred Wagner
Apr. 29, 1993, copies of order to Attys. J. Irwin and J. Spataro.

July 9, 1993 Stipulatin and Consent Order filed. ORDER: AND NOW, this 9th day of July, 1993, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessments records and take whatever further action is required in order to effectuate this Order.

BY THE COURT,
Gordon R. Miller, J.

7-13-93 Copy of Order to Attys. Irwin, Spataro, F.Wagner,Treas. & J. Galbo, Cheif Assess.

July 20, 1993 Amended Stipulation and Consent Order filed. AND NOW, this 16th day of July, 1993, upon consideration of the within Amended Stipulation,the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J.Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order.

BY THE COURT,
Gordon R. Miller, J.

7-23-93 Copy of Order to Attys.Irwin & Spataro. F.Wagner & J. Galbo.

1992

85.

JO ANN B. TUCKER

vs.

JUNIOR L. TUCKER

Filed Jan. 23, 1992
@ 10:41 a.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	53.50

8-5-92 Received from Dept 10.00

10-8-96 Rec'd from dept 20.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM USE ACT

3 copies (Sheriff)
1 copy Plaintiff

ORDER:

And now, this 23rd day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Sole possession of the Plaintiff's Home shall belong to plaintiff. Defendant shall not go to that residence until further court order.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for January 30, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 31, 1992 ORDER filed. AND NOW, Jan. 30, 1992 at the time of hearing, the Court is advised that the parties have reached an agreement whereby a permanent order will be entered without the Defendant admitting that the alleged abuse occurred.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff an any way. The only contact he may have with the Plaintiff is by mail, and such mail shall not include anything that would be harassing or threatening.
2. Sole possession of the Plaintiff's hime shall belong to the Plaintiff, and the Defendnat shall not go to that residence until further Order of Court, except for the following: He may go to the residence at 408 E. Central Ave., in Titusville on Feb. 8, 1992 between the hours 12:00 noon and 2:00 p.m. for the sole purpose of picking up items of clothing, an electric screwdriver, blankets and cups, all of which will be prepackaged and placed on the porch by the Plaintiff.
3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
4. The Prothonotary of Crawford County is directed to deliver a copy of this order to the Police Dept. of the City of Titusville and to Crawford County Control.
5. The Defendant is directed to pay costs in this matter before the close of business at the Crawford County Courthouse by paying the same to the Office of the Prothonotary on or before Feb. 5, 1992.
6. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1000 and a jail sentence of up to six months.
7. This order shall remain in full force and effect through Jan. 29, 1993.

By Order Of The Court,
Anthony J. Vardaro, J.

Jan. 31, 1992 Copy of Order given to County Control; Feb. 4, 1992 copy mailed to plaintiff, defendant, Titusville Police Dept.

Jan. 31, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Erie Co., Pa. to serve the within Protection From Abuse according to law. The defendants alleged address is 16½ Center St., Union City, Pa. Robert M. Stevens, Sheriff

AFFIDAVIT OF SERVICE filed. SERVED the within Petition for Protection on Jan. 24th, 1992, at 1630 hrs., upon Junior L. Tucker at 15½ Center St., Erie Co., Union City, Pa. by handing to Junior L. Tucker a true and correct copy thereof and made known to him the contents therein. Robert N. Michel, Sheriff, Erie Co.

1992

Ira Weiss

86.

Horty, Springer &
Mattern, PC
Daniel M. Mulholland III
Barbara Blackmond, Esq.
Meadville Medical Center

CITY OF MEADVILLE

vs.

BOARD OF ASSESSMENT APPEALS
OF CRAWFORD COUNTY AND THE
MEADVILLE MEDICAL CENTER

Filed Jan. 23, 1992
@ 10:41 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00

PETITION FOR APPEAL FROM THE DECISION OF
THE BOARD OF ASSESSMENT APPEALS

6 copies (atty)

Feb. 13, 1992 Answer To Petition For Appeal filed.

April 22, 1992 PROOF OF SERVICE FILED. BEFORE Me, a Notary Public, in and for said County and Commonwealth, personally appeared Ira Weiss, Esquire, who, being duly sworn according to law deposes and says that he mailed a true and correct copy of the Appeal from the Board of Assessment Appeals of Crawford County to the following persons by first class mail, postage prepaid on January 24, 1992:
Daniel M. Mulholland, III, Esquire
Horty, Springer & Mattern, 4614 Fifth AVenue, Pittsburgh, PA 15213
and Board of Assessment Appeals, Crawford County Courthouse, Meadville, PA 16335.

Ira Weiss, Esquire

April 22, 1992 CERTIFICATE OF READINESS FILED.

May 6, 1992 Motion to Strike Certificate of Readiness, filed.

May 6, 1992 ORDER filed: Re: Motion to strike Certificate of Readiness. Meadville Medical Ctr. presents a motion to strike the Cerficate of Readiness filed by the City of Meadville contending that the record made before the Board by the Reporter, Debbie Engles, has not been certified and made a part of the record - thus the Certificate of Readiness is premature.

The undersigned contacted Attorney Ira Weiss, counsel for the City of Meadville, who advises that the record has been transcribed and he will direct the reporter to certify the same and will see that the same is filed as part of the offical records in the case. If the same is not done by May 22, 1992, we will reconsider the motion to strike.

Apparently, c ounsel are n ot in agreement as to whether this appeal is a de novo hearing or heard on appeal in the Ccmmon Pleas Court under the Local Agency Law 2 Pa. C.S.A. 754(b) on the certified record. If this is an issue remaining unresolved by agreement of counsel, either counsel may petition the Court on or before June 1, 1992 requesting a Court ruling on this issue.

BY THE COURT:
P. Richard Thomas, S.J.

May 12, 1992 mailed copy to I. Weiss & D. Mulholland, III

May 22, 1992 REPRODUCED RECORD OF MEADVILLE MEDICAL CENTER TAX EXEMPT STATUS HEARING FILED.

May 22, 1992 CERTIFICATION OF COUNSEL OF FILING OF REPRODUCED RECORD OF MEADVILLE MEDICAL CENTER filed.

June 11, 1992 MEADVILLE MEDICAL CENTER'S ANSWER TO PETITION OF CITY OF MEADVILLE FOR RULING UNDER THE FOURTH THROUGH EIGHTH CLASS COUNTY ASSESSMENT LAW,filed.

June 24, 1992 PETITION FOR RULING UNDER THE FOURTH THROUGH EIGHTH CLASS COUNTY ASSESSMENT LAW, filed.

June 24, 1992 ASSIGNMENT OF HEARING DATE, filed. June 22, 1992, hearing in the above matter has been set for Aug. 24, 1992, at 9:30 a.m. in Courtroom 1 or 2, before a Judge appointed by the Supreme Court.

John Spataro, Esq., will not be available August 24. Hearing will be rescheduled for Aug. 25 or 26 once the Supreme Court Order assigning a Judge is received by this Court.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

June 24, 1992 copy given to Atty. Spataro, copy mailed to Weiss & D. Mulholland, III

July 2, 1992 Motion for Protective Order and Order filed. AND NOW, this 2 day of July, 1992, upon consideration of the Protective Order consented to by the City of Meadville and the Meadville Medical Center, and not objected to by the Board of Assessment Appeals of Crawford County, it is hereby ORDERED, ADJUDGED and DECREED that the information contained in Supplemental Stipulation No. 19 of the Certfied Record of the Board shall be placed unders seal and continue to be maintained as confidential during the pendency of the action before this Court, and any appeal that may thereafter be filed.

It is further ORDERED, ADJUDGED and DECREED that such information shall not be released without the express written consent of Meadville Medical Center.

BY THE COURT,
Anthony J. Vardaro, J.

July 2, 1992 Copy of the order mailed to I. Weiss and D. Mulholland, III, Esquire

July 23, 1992 Reassignment of Hearing date filed. July 21, 1992: Hearing in the above captioned matter heretofore set for August 24, 1992, is hereby reset for August 26, 1992, at 9:30 A.M. in Courtroom 1 or 2 before Senior Judge James B. Dwyer, specially presiding.

FOR THE COURT,
Imogene Yetman, Court Administrator

July 23, 1992 Copies distributed.

Aug. 12, 1992 Certification of Record of proceedings concerning the challenge filed by the City of Meadville to the tax exempt listing of property owned by the Meadville Medical Center. (SEE EXHIBITS FILED)

Aug. 26, 1992, RE PETITION FOR RULING UNDER THE FOURTH THROUGH EIGHTH CLASS COUNTY ASSESSMENT LAW - ORDER - filed. And now, to wit, this 26th day of aug. 1992, after argument, this court rules that the appeal filed by the city of Meadville from the determinaton by the Board of Assessment Appeals of Crawford County tothe effect that the real estate of the Medical Center is exempt from taxation shall proceed under the Fourth to eighth Class County assessment Law.

Additionally, we find the record inadequate for resolving the constitutional and statutory issues. The city of Meadville did not present any evidence tothe Board and the Medical Center's financial statements and other evidence of financial structure are too vague to resolve the case.

As a result, this court will hold a hearing de novo in this matter at a date to be determined.

BY Order of the Court,
James Dwyer, Sr. Judge

Aug. 26, 1992, copies to Attys. weiss, Dwyer, Mulholland, Spataro.

Continued on Pg. 86A

City of Meadville

vs.

Board of Assessment Appeals of Crawford County and the Meadville Medical Center

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On October 1992 Trial List

Sept. 15, 1992 Stipulations of the City of Meadville and Meadville Medical center Regarding Certification of the Record filed.

Sept. 22, 1992 Stipulation Of Parties and Order filed. AND NOW, this 18 day of Sept., 1992, the Court, upon consideration of the stipulations proposed by counsel, here by orders and decrees that said stipulations shall be binding on all parties and hereby further orders that the above-captioned matter shall be stricken from the October 1992 trial list and not rescheduled for trial until so certified as ready for trial by the parties in accordance with the Local Rules of Court.
James B. Bwyer, J

Sept. 22, 1992 Order filed. AND NOW, September 18, 1992, Rule to Show Cause granted. Hearing to be held September 28, 1992, at 10:00 a.m., in a Courtroom to be assigned.
BY ORDER OF THE COURT,
James B. Dwyer, J

Sept. 22, 1992 Copies of order sent to counsel by Court Administrator's Office

Oct 8, 1992 PETITION FOR ENTRY OF AMENDED ORDER TO INCLUDE STATEMENT PRESCRIBED BY 42 Pa. C.S.A. §702 and ORDER. ORDER: Oct 7, 1992 within petition is denied as per agreement of counsel on Oct. 7, 1992, Re this case.
James B. Dwyer, S.J.

Oct 14, 1992 copy to I. Weiss, D. Mulholland, B. Blackmond, J. Spataro

Oct 8, 1992 ANSWER TO PETITION FOR ENTRY OF AMENDED ORDER and ORDER filed. ORDER: AND NOW, to-wit, this 7th day of October, 1992, upon consideration of the Petition of the Meadville Medical Center, the Answer filed thereto by the city of Meadville is hereby ORDERED, ADJUDGED and DECREED that the Petition of the Meadville Medical Center for Entry of an Amended Order pursuant to 42 Pa. C.S.A. 702 be and the same is hereby denied, based on the stipulation made in Court on Sept. 7, 1992.
BY THE COURT:
James B. Dwyer, S.J.

Oct 14, 1992 copy to I. Weiss, D. Mulholland, B. Blackmond, J. Spataro

Oct 8, 1992 STIPULATION OF PARTIES REGARDING EFFECT OF THIS ACTION ON TAX YEARS SUBSEQUENT TO 1992 and ORDER, filed. ORDER: AND NOW, this 7th day of October, 1992, the Court, upon consideration of the stipulations proposed by counsel, hereby orders and decrees that said stipulations shall be binding on all parties thereto with respect to the subject matter contained therein.
BY THE COURT:
James B. Dwyer, S.J.

Oct 14, 1992 copy to I. Weiss, D.Mulholland, B. Blackmond, J. Spataro

Oct. 15, 1992 Order filed. AND NOW, October 7, 1992, at the hearing set this date counsel for the Meadville Medical Center and for the City and for the Assessment Board met with the Court and the following decisions were made:
1. This case will be tried de novo. The hospital has the right to present the testimony that was taken at the Assessment Board hearing as part of its case. The City has the same right to any part or all of that testimony. Either party may rebut, refine or deny any of the testimony that's been taken already. The only reason for accepting the transcript of the Assessment Hearing is that it will save a lot of time having all that information on the record, but it can be contradicted by any par ty. Other testimony can be presented by the Medical Center as well as by the City and the Court then based on all the testimony and any stipulations that will be enered into will render a decision in this case.
The decision will be based on the burden of proof being on the hospital as having to prove the fact that it should be exempt from taxation.
BY ORDER OF THE COURT,
James B. Dwyer, S.J.

Oct. 16, 1992 gave copies to Weiss, Mulholland & Spataro

Dec. 17, 1992 Assignment of NonJury Trial Dat e filed. December 17, 1992, nonjury trial in the above matter is set for January 25, 1993, at 9:15 A.M., in Courtroom 1, 2 or 3.
FOR THE COURT,
Imogene Yetman, Court Administrator

Dec. 18, 1992 Copies mailed to Attys. Weiss, Mulholland, Spataro. Copies to Judges Dwyer, Miller and Court Reporter distributed by Court Adm. Office.

Feb. 8, 1993, ORDER filed. And now, Jan. 20, 1993, hearing in the above matter scheduled for Jan. 25, 1993 before Sen. Judge James B. Dwyer, is continued, to be reset by the Court Admin.
FOR THE COURT, Imogene Yetman, Ct. Adm.

Feb. 8, 1993, copies dist. to: I. Weiss, D. Mulholland, III, J. Spataro, J. Gagliotti, Judge Dwyer & Ct. reporters by Ct. Adm.

Feb. 8, 1993, ASSIGNMENT OF NONJURY TRIAL DATE filed. Feb. 5, 1993, nonjury trial in above matter is set for Mar. 11, 1993, at 9:00 a.m. in C. R. No. 1, 2, or 3.
FOR THE COURT, Imogene Yetman, Ct. Adm.

Feb. 8, 1993, copies dist. to I. Weiss, D. Mulholland III, J. Spataro, J. gagliotti, Judge Dwyer, Judge Miller, and Ct. Reporters, by Ct. Adm.

MAR. 31, 1993, ORDER OF COURT filed. AND NOW, this 24th day of March 1993, the court having been advised that the City of Meadville and the Meadville Medical Center have formally approved a Settlement Agreement which settles all existing issues between the parties and it further appearing that the Board of Assessment Appeals of Crawford County does not object to the settlement and discontinuance of the matter, upon motion of Ira Weiss, Esq., counsel for the City of Meadville, it is hereby ORDERED, ADJUDGED AND DECREED that the City of Meadville is given leave to with draw the Appeal filed in this matter and further, the Prothonotary of Crawford County, Pa. is hereby directed to mark the docket settled and discontinued with prejudice. Each party shall bear its own costs and fees in this matter.
BY THE COURT,
James B. Dwyer, J.
Senior Judge

Apr. 2, 1993, copies of order to I. Weiss, D. Mulholland, B. Blackmond, J. Spataro, J. Gagliotti.

Filed on Top of Docket A

86 B

1992

1992

87.

NORMA J. PORT

vs.

DONALD FRANCIS

Filed Jan.23, 1992

Tax & entry Pd 2/24/92 $50.50
state paid Pd 2/24/92 5.00
Sheriff's Costs 34.00

Rec'd $29.00 from dft. Sheriff's costs

Pd $29.00 to Sheriff Robert Check # 6670

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies sheriff
1 copy Plaintiff

ORDER:

And now, this 23 day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Defendant shall not go to the residence ofthe plaintoff nor shall he telephone plaintiff. Plaintiff is given temporary excluvise custody of both minor children and defendan tshall hav eno visitation until further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for January 30, 1992, at 3:30 p.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Jan. 24, 1992 SHERIFF'S RETURN filed. SERVED Donald Francis on Jan. 23, 1992 at 3:35 PM by handing a copy of the Protection From Abuse to Roberta Francis, his mother and adult in charge, at the residence, R.D.4, Box 109, Titusville, Crawford County, Pa. So answers,

Dale A. Collins, Deputy Sheriff
Robert A. Fischer, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 31, 1992 ORDER filed. AND NOW, Jan. 30, 1992 after fhearing, the Court finds that there has been abuse within the meaning of the Act, and enters the following **ORDER**:

1. The Defendant shall not assault, abuse,harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. The Defendant shall not go to the residence of the Plaintiff, nor shall he telephone the Plaintiff.
3. The Plaintiff is given temporary exclusive custody of the minor children and the Defendant shall have no further visitation until further order of Court.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. The Prothonotary of Crawford County is directed to forward a copy of this order to the Titusville City Police and to County Control, and to send a copy of this order to the Defendant by Certified Mail, return receipt requested, delivery restricted to addressee only.
6. The Defendant is directed to pay court costs in this matter by the close of business in the office of the Prothonotary of Crawford County on or before Friday, Feb. 14, 1992.
7. The Defendant is reminded that this is an order of Court, and violation of this order may be punishible by fine of up to $1000 and a jail sentence of up to six months.
8. This order shall remain in full force and effect until Jan. 29, 1993.

BY ORDER OF COURT,
Anthony J. Vardaro, J.

Feb. 5, 1992 mailed copy to Plf., Dft., and Titusville City Police Dept.
Jan. 31, 1992 copy given to County Control

1992

Kathleen Nelson

88.

CAROL L. OVERMIER

vs.

CARL GENE OVERMIER

Filed Jan. 23, 1992
@ 11:30 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
state paid	10.00
Pro co Pd 3/16/92	9.00 ✓
Pro Co pd 4/10/92	5.00 ✓

COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE

1 copy (atty)

Jan. 23, 1992, Plaintiff's Affidavit Under Section 3301(d) of the divorce code filed.

Feb. 3, 1992 Affidavit of Service filed. KATHLEEN R. NELSON, ESQUIRE, being duly s worn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief.

1. That the Affiant is the attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Complaint in divorce and Plaintiff's Affidavit were sent by registered mail to the Defendant Carl Gene Overmier, onJanuary 27, 1992.
3. The registered mail was sent to Carl Gene Overmier, at P.O. Box 357, Springboro, PA 16425. the sender's receipt is attached hereto.
4. That the Defendant received said registered mail onJanuary 29, 1992. Said rEturn Receipt card P. 848 678 421 is attached hereto, signed by Carl Gene Overmier and made a part hereof.

Kathleen R. Nelson

Feb. 28, 1992 AFFIDAVIT OF SERVICE filed. KATHLEEN R. NELSON, esq., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affian tis the Attorney for the Plaintiff in the above-captioned action.
2. That a rrue and correct copy of the Notice of Intention and Defendant's Counter-Affidavit were sent by registered mail to the Defendant, Carl Gene Overmier, on Feb. 22, 1992.
3. The registered mail was sent to Carl Gene Overmier at P:O. Box 357, Springboro, Pa. 16425. The sender's receipt is attached hereto.
4. That the Defendant received said registered mail on Feb. 21, 1992. Said Return Receipt Card P 067 507 552 is attached hereto, signed by Carol Gene Overmier and made a part hereof.

Kathleen Nelson ESq.

Mar. 16, 1992, Upon praecipe of plaintiff attorney, with Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, and Notice of Intention to Request Entry of Divorce Decree attached, this case moved to court.

Mar. 18, 1992 **D I V O R C E D E C R E E F I L E D .**

AND NOW, March 17, 1992, it is hereby ordered and decreed that Carol L. Overmier, Plaintiff, and carl Gene Overmier, Defendant, are divorced fromthe bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J

Apr. 6, 1992 Notice Of Election To Retake Prior Name filed. Carol L. Overmier TO BE KNOWN AS Carol L. Kaczmorski

1992

Joseph F. Kulwicki

89.

CHRISTOPHER N. BROWN

vs.

CINDY BROWN

COMPLAINT UNDER 201(c) OF THE DIVORCE CODE

2 copies (atty)

Feb. 24, 1992 AFFIDAVIT OF SERVICE filed. Defendant served by U.S. Mail. Said Divorce Complaint was mailed certified mail, being certified mail item number P 724 954 555. The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, Esq., as having received same on Feb. 3, 1992. Said signature card is attached hereto and made a part hereof.

Mar. 11, 1992, Complaint REinstated.

June 25, 1992 Complaint Reinstated.

July 22, 1992 Affidavit of Consent of Plaintiff, filed.

July 22, 1992 Affidavit of Service, filed. Stephanie Loper, being duly sworn according to law, deposes and says she is an adult individual, employed by the law office of Joseph F. Kulwicki Attorney for the Plaintiff, and as such she placed a Reinstated, Certified copy of the Divorce Complaint in the United States mail on June 25, 1992, being certified mail number P 724 954 559, addressed as follows: Cindy Brown, 3843 W. 60th Pl., Chicago, IL 60629. Said signature attached.
1 copy atty.

Filed Jan. 23, 1992
@ 12:33 p.m.

Tax & entry paid	$50.50
State paid	10.00
state paid	5.00
Pro Co. pd 9-15-92	9.00

Aug. 18, 1992 Affidavit of Consent of the defendant filed.

Sept.15, 1992 Upon Praecipe of plaintiff attorney for Review under §201(c) of Divorce Code this case moved to court.

DIVORCE DECREE FILED

Sept. 21, 1992 AND NOW, September 17, 1992, it is ordered and decreed that **CHRISTOPHER N. BROWN,** Plaintiff, and **CINDY BROWN,** Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the paraties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

90

1992

Mason and Mason
Joan D. Mason

90.

LESLIE M. GRINNELL

vs.

ROBERT N. GRINNELL, JR.

Filed Jan. 23, 1992
@ 1:58 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
state paid	10.00

COMPLAINT IN DIVORCE

2 copies (atty)

May 6, 1992 Divorce Complaint reinstated.

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 5/6/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1992

Mason and Mason
Joan D. Mason

91.

DARLENE M. HAYLETT

vs.

STEVEN J. HAYLETT

Filed Jan. 23, 1992
@ 2:04 p.m.

Tax & entry paid	$50.50
3 counts paid	45.00
state paid	10.00
state paid	20.00
Pro.Co.pd 4/27/93	9.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES,EXPENSES, COSTS

3 copies (atty)

Feb 5, 1992 AFFIDAVIT OF SERVICE filed. Bruce A. Barrett, Esq., being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the Attorney for the Plaintiff in the above captioned action.

2. That a true and correct copy of a Complaint for Custody was sent by registered mail to the Defendant.

3. The registered mail was sent to the Defendant at 590 1/2 Randolph St., Meadville, Pa. 16335 on Jan. 27, 1992. The Sender's receipt is attached hereto.

4. The Defendant received said registered mail on Jan. 28, 1992. Said receipt card number 320 791 351 is attached hereto and signed by the Defendant Darlene Haylett.

Sept. 3, 1992 Affidavit of Service filed. I, Joan D. Mason, Esquire, attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on February 11, 1992, at approximately 10:00 a.m., serve on Steven J. Haylett a certified copy of the above entitled Divorce Complaint at the Crawford County Courthosue, Diamond Square, Meadville, Pennsylvania

Joan D. Mason

April 22, 1993, Affidavit of Consent of defendant filed.

Apr. 27, 1993 Affidavit of Consent by Darlene M. Haylett, Plaintiff, filed.

Apr. 27, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

May 13, 1993 MEMORANDUM filed. We enter this memorandum in these two cases and send the files back to the Prothonotary's office for further action by counsel.

In the case at 1992-91 custody was raised as a count in the divorce complaint. Counsel for one of the parties presented a stipulation to the Court for the entry of a divorce decree along with a praecipe for review under 23 Pa. C.S.A. 3301(c). Since the decree did not dispose of the custody count and since the custody count has not been withdrawn the Court will nto enter a divorce decree.

In the case at 1992-33 a custody action was brought on Jan. 13, 1992. A temporary order was entered on Feb. 18, 1992 and the plaintiff therein (Darlene M. Haylett) now petitions to modify the custody order. She filed that erroneously at 1992-91 (the divorce action) rather than 1992-33 (the initial custody action).

We will take no action on any of these matters until counsel straightens the record out and files the right documents in the right case.

BY ORDER OF COURT,
Gordon R. Miller, P.J.

May 17, 1993 Copy of Order to Atty. J. Mason, copy mailed to Deft.

May 26, 1993, Motion to Withdraw counts for custody, alimony, alimony pendente lite and expenses and Order filed. ORDER: AND NOW, May 21, 1993, This motion is granted.
Gordon R. Miller, P.J.
June 1, 1993, copy of order to Atty. Mason.

June 3, 1993 Motion to Transfer Petition to Modify Custody and Order, filed. ORDER: And now, May 28, 1993. This motion is granted. The Petition to Modify filed at A.D. 1992 - 91 shall be filed at 1992 - 33 this case and number. Gordon R. Miller, P.J.
See original filed at A.D. 1992 - 33

July 16, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 23, 1993 STIPULATION AND DIVORCE DECREE filed. AND NOW, this 21st day of July, 1993, the court orders and decrees as follows:

1. DIVORCE:

Upon consideration of the pleadings and Affidavits filed in the above-captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an Affidavit has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 3301(c) of the Pa. Divorce Code.

2. PERSONAL PROPERTY:

The parties hereto have divided their tangible personal property in a manner acceptable to both, such that each shall retain those items he or she now has, with the exception of the following:

a. Plaintiff shall receive the swing set which is to be disassembled by Defendant within 30 days of the date of this Decree, and same shall be made available to Plaintiff to pick up and reassemble.

b. Plaintiff shall provide to Defendant a fair share of the photographs depicting their minor son Jason. It isnoted that a photograph album has already been provided to Defendant in June, 1992, in partial satisfaction of this obligation.

3. VEHICLES:

Defendant shall transfer all of his right, title and interest in the jointly owned 1983 Thunderbird to Plaintiff, and Plaintiff shall transfer all right, title and interest she may otherwise have in teh 1977 Honda automobile, and the 1983 Cavlier, such that same shall be Defendant's property alone. These transfers shall take place within thirty (30) days of the date of this Decree, if not previously.

4. REAL ESTATE:

Plaintiff shall sign a Quit Claim Deed conveying any interest she may otherwise have had in the parties jointly owned real estate, such that same shall belong to Defendant alone. Defendant shall assume for responsibility for any monies owed to Defendant's father for purchase

RECORD CONTINUED ON PAGE 485.....> Page 485

1992

N/W Legal Services
R. Christopher Brode

92.

TONYA SEABORN

vs.

ERIC SCHRECKENGOST

Filed Jan. 23, 1992
@ 4:14 p.m.

Tax & entry $50.50
state 5.00

Bruce L. Smith, mediator

COMPLAINT FOR CUSTODY

Jan. 23, 1992, ORDER OF COURT filed. You, Eric Schreckengost, Defendant, have been sued in Court to obtain custody/partial custody of the minor child, Sabrina M. Schreckengost.

You are hereby ordered to undergo a blood test to establish or negate the Defendant's custody rights.

You are hereby ordered to appear in person at the time and place selected by Bruce L.Smith, Custody Mediator. You are further ordered to bring with you the child named in this order.

If you fail to appear as provided by this Order, an Order for custody, partial custody, or visitation may be entered against you or the Court may issue a warrant for your arrest.

The Crawford County Sheriff's Dept. is directed to serve a certified copy of this Complaint and Order upon the defendant. In the alternative, this Petition and Order may be served by any competent adult or by certified mail.

Plaintiff is allowed to proceed without payment of Court costs reserving to the Court the right to impose costs.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help:

Crawford County Bar ASsociation
Service to the Public Committee
c/o Prothonotary
Crawford County Courthouse
Meadville, PA.
(814) 724-4636

BY THE COURT,
Jan. 22, 1992 Gordon R. Miller, J.

Jan. 28, 1992 Copy of Order to Attys. R. Christopher Brode, Bruce Smith.

Jan 23, 1992 Praecipe and Affidavit to Proceed InForma Pauperis filed.

Feb. 21, 1992 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Defendant Eric Schreckengost at Box 3, Westford, PA. by Certified U.S. Mail, Return Receipt Requested, on Feb. 4, 1992.

Respectfully submitted,
Northwestern Legal Services
Date: Feb. 21, 1992 R. Christopher Brode, Esq.

Feb. 26, 1992 Amendment For Complaint For Custody and Order filed. You, Eric Schreckengost, Defendant, have been sued in Court to obtain custody/partial custody of the minor child, Sabrina M. Schreckengost.

1. You are hereby ordered to undergo a blood test to establish or negate the Defendant's custody rights.
2. The blood test will be arranged and administrered through the Domestic Relations office of Crawford County, at the earliest possible date.
3. Allother provisions of the prior Order remain in effect.

BY THE COURT,
Anthony J. Vardaro, J

Feb. 28, 1992 Copy of order put in box for Atty Brode

Aug. 24, 1992 STIPULATION FOR CONSENT DECREE CUSTODY and ORDER filed. ORDER: AND NOW, THIS 24TH DAY of Auguat, 1992, the Court, upon Mation of Plaintiff, inconsideration of the within Stipulation of the parties in the above-captioned matter, hereby accepts the foregoing Stipulation and enters same as an Order of Court.

The Plaintiff is permitted to proceed in forma pauperis in this matter.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 25, 1992 copy to Brode, B. Smith

1992

pro se

93.

CHRISTINE M. LEWIS

vs.

EDWIN J. LEWIS

Filed Jan. 23, 1992
@ 4:18 p.m.

Indigent filing

COMPLAINT IN DIVORCE, CHILD CUSTODY AND SUPPORT, EQUITABLE DISTRIBUTION, AND LIABILITIES AND DEBTS

Jan. 23, 1992, Affidavit and Motion for Order to Commence and Prosecute Proceedings in Forma Pauperis and Order filed.
ORDER: it is hereby ordered that all filing fees, servcie fees and court costs which may be incurred by plaintiff inthe within proceeding are hereby waived.
Dated this 22 day of Jan. 1992.
P. Richard Thomas, S. Judge

April 3, 1992 Affidavit of Service filed. Before me, the undersigned authority, personally appeared Christine M. Lewis, Plaintiff, who, being duly sworn according to law, deposes and says that on 3-17-92 she sent by Certified Mail, Return Receipt Requested, Restricted Delivery, a true and correct copy of the Complaint in Divorce and Other Relief Under the Divorce Code of 1980 filed in the above-captioned case to the Defendant. Said Complaint was received by Edwin J. Lewis, Defendant, on The Return Receipt which was signed by the Defendant is hereto attached.
Christine M. Lewis

April 3, 1992 Certificate of Service filed. I hereby certify that a true and correct copy of the attached Complaint in Divorce was mailed by certified mail, restricted delivery on this 17 day of March, 1992, to: Edwin J. Lewis, 31 Sun Set Ave., Old Saybrook, Ct. 06475.
Christine M. Lewis

April 3, 1992 Waiver, Acceptance of Service and Entry of General appearance of defendant filed.

April 3, 1992 Affidavit of Non-Military Service filed.

April 3, 1992 Affidavit of Consent of Plaintiff filed.

April 3, 1992 Affidavit of Consent of Defendant filed.

Apr. 27, 1992 AFFIDAVIT REGARDING THE UNIFORM CHILD JURISDICTION ACT, filed.

Apr. 27, 1992 ACCEPTANCE OF SERVICE, filed. I accept service of the Complaint in Divorce under Section 201c of the Divorce Code. Christine M. Lewis

Apr. 27, 1992 Upon praecipe of Plaintiff to transmit record, case moved to Court.

May 12, 1992 MEMORANDUM FILED.

June 15, 1992 Plaintiff's acceptance of service of orders covering custody, visitation, support, equitable distribution of marital property and division of debts.

June 15, 1992 Defendant's acceptance of service of orders covering custody, visitation, support, equitable distribution of marital property and division of debts.

June 15, 1992 Upon praecipe of Christine M. Lewis to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

AND NOW, June 23, 1992, The Court having reviewed this case finds that the marriage between the Plaintiff and Defendant is irretrievably broken and it is DECREED that the Plaintiff, Christine M. Lewis, is divorced from the bonds of matrimony contracted between herself and the Defendant, Edwin J. Lewis.

IT IS FURTHER ORDERED that the custody, visitation, control, care and support of the children of this marriage be as follows:

1.) Custody will go to the plaintiff Christine M. Lewis.
2.) Plaintiff will have the children as stated September threw May of each year.
3.) Defendant will get visitation for June, JUly andAugust. Starting a week after school ends and until the first week before school begins.
4.) Defendant will pay child support from September threw May of each year, amount stated on Page 2 of Decree in Divorce and in the next paragraph.
5.) Defendant will pick up children and return on the weeks that are stated in line 3. If an amergance accures he'll notifie the plaintiff before the children are do home.
6.) The months of June, July, andAugust the defendant doesn't pay support. In return he'll by the shildren school clothes for the amount of$150.00 each, total amount on clothing will be $450.00. So each child should have clothing, and shoes to ware to school for for a whole week.
7.) Defendant will notifie the plaintiff of any change in childrens health while in hes care.

That starting on June 23, 1992 and ccntinuing on the last day of each month thereafter, Edwin J. Lewis should pay to Christine M. Lewis for each of said minor children which are not in his custody, the sume of $100.00 per each such childper month for support and maintenance until each such child attains legal age or is emancipated or enters the military or until further order of the Court.

IT IS FURTHER ORDERED that the personal and real proprerty of said marriage be and remain distributed as follows;

Plaintiff will retain and own:
Britannica Encylopaedia, Furniture, and Appliances

continued of Record to Page 464.

1992

pro se

94.

JAMES H. ANDERS

vs.

JODY BROWN AND
RICHARD WILLIS

Filed Jan. 24, 1992
@ 8:49 a.m.

Tax & entry paid $50.25
state paid 5.00
Pro Co pd 3/3/92 9.00

APPEAL OF PLAINTIFF FROM JDUGMENT OF WILLIAM CHISHOLM, MAGISTERIAL DISTRICT OF 30-2-01

Jan. 24, 1992, Proof of Service filed.

Jan. 27, 1992, Complaint filed. 1 copy (atty)

And Now, upon praecipe of plaintiff, Judgment in hereby entered in favor of the plaintiff and against the defendants in the sum of Four Hundred Forty Two and 00/100 Dollars, plus costs.
Judgment entered - 3/3/92
B - 207
W - 141 Debt --- $442.00

JUDGMENT
Barbara H. King,
Prothonotary

Mar. 5, 1992, Notice of entry of judgment mailed to dfts.

1992

Shafer, Swick Bailey, Irwin & Stack
James R. Irwin

95.

Elderkin, Martin, Kelly & Messina
Elizabeth K. Kelly

HELEN R. HOSPODAR

vs.

STEVEN L. HOSPODAR

Filed Jan.24, 1992
@ 10:26 a.m.

Tax & entry paid	$50.50 ✓
1 count paid	15.00 ✓
state paid	10.00
state paid	5.00
William Walker Master Pro Co pd 9-14-93	9.00

10-29-92 Received from Plaintiff Masters Deposit 500.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DISTRIBUTION

2 copies (atty)

Jan. 29, 1992 AFFIDAVIT OF SERVICE filed. I, JAMES R. IRWIN, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy fo the Complaint in Divorce certified by the Prothonotary of Crawford County, Pa. on the above named Defendant by certified mail, addressee only, return receipt requested, dated Jan. 27, 1992. The Defendant acknowledged service on Jan. 28, 1992 by accepting delivery on that date as evidenced by the attached. signed return receipt.

Jan. 29, 1992 Appearance of Elderkin, Martin, Kelly & Messina for Defendant, by Elizabeth K. Kelly, filed.

Feb. 25, 1992 Petition Raising Economic Claims filed.

Feb. 25, 1992 Notice of Service of Interrogatories to Plaintiff (First Set) filed.

Apr 29, 1992 REQUEST FOR HEARING and ORDER, filed. Order: AND NOW, this 29 day of April, 1992 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pa., on the 3rd day of June, 1992 at 1:30 p.m. in Courtroom No. or 2 of the Crawford County Courthouse, Meadville, Pa. FOR THE COURT:
Imogene Yetman, Crt.Adm

May 7, 1992 copy in box for J. Irwin

May 19, 1992 MOTION FOR CONTINUANCE AND ORDER FILED. AND NOW, this 15 day of May, 1992 upon presentation and consideration of the within Motion this hearing is rescheduled for the 15 day of July, 1992 at 9:00 A.M. in Courtroom No. 1 or 2 at the CrawfordCounty Courthouse.
FOR THE COURT:
Imogene Yetman, Ct. Adm.

May 19, 1992 Copy of Order to: James R. Irwin, Esq.

June 2, 1992 Affidavit of Consent by Helen R.Hospodar, Plaintiff, filed.

June 29, 1992 Inventory of Helen R. Hospodar, filed.

June 30, 1992 Plaintiff's Income & Expense filed.

July 15, 1992 MEMORANDUM AND ORDER filed. ORDER: AND NOW, July 15, 1992, hearing on the issues of alimony pendente lite is hereby continued to July 28, 1992, at 10:00 a.m. in Courtroom No. 1 or no. 2, Crawford County Courthouse, Meadville, Pennsylvania.
A copy of this Order shall be furnished to plaintiff's counsel and shall be mailed by the Prothonotary of Crawford County by Certified Mail, Return Receipt Requested, to Elizabeth K. Kelly, Elderkin, Kelly, Martin & Messina, 150 East 8th Street, Box 189, Erie, Pa. 16507.
BY ORDER OF THE COURT,
Robert L. Walker, S.J.

July 16, 1992 Copies put in Atty Irwin's box, mailed copy to Atty Kelly by Certified Mail

July 21, 1992 MOTION FOR CONTINUANCE and ORDER filed. ORDER: AND NOW, this 21st day of July 1992, upon consideration of the Defendant's Motion for Continuance, it is hereby ORDERED, ADJUDGED AND DECREED that proceedings scheduled before this Court on July 28, 1992 are hereby continued until Aug 31, 1992 at 1:30 p.m.
FOR THE COURT:
Imogene Yetman, Crt. Adm.

July 24, 1992 copy in box for J. Irwin, sent copy to E. Kelly

Sept. 2, 1992 Defendant's Inventory filed.

Sept. 2, 1992 defendant's Income & Expense filed.

Sept. 2, 1992 Order filed. AND NOW, August 31, 1992, tis matter is continued by the Court due to a scheduling conflict and is threfore rescheduled for October 5, 1992 at 9:00 A.M. in Courtroom No. 1 or 2, Crawford County Courthouse.
BY THE COURT,
Anthony J. Vardaro, J.

Sept. 3, 1992 Copies of the Order to: Attys. Irwin& Kelly.

Oct. 6, 1992 Order filed. AND NOW, October 5, 1992, this matter is before the Court in a rather unusual posture. There has been a Support Order in favor of the husband entered in the Court of Common Pleas of ERie County, but in that Order, the Honorable STephanie Domitrobich indicated that there should be consideration of an alimony pendente Order in Crawford County and a possible substitution of that Order for the Support Order. Based on that Order of April 21, 1992, the wife filled this actionas plaintiff to bring the alimony pendente lite matter before the Court after nurrerous continuances, this matter is today now before the Court for consideration.
The Court explores the economic matters concerning this marraige with the parties informally, and after some discussions, the parties agree to the following Order:
1. The plaintiff wife shall continue to pay the sum of $129.00 per month to husband which shall now be alimony pendente lit in place of th eSupport Order entered by the Erei County Court on April 21, 1992, and shall likewise continue to make paymen with respect to the mortgage for the marital home in the amount of $317.00 per month. This shall be paid for a period of three (3) months beginning with October, 1992 and the #129.00 shall be by way of attachment for those three months, and thereafter, the wage attachment shall cease. With respect to the same, the Support Office for Erie County is referred to thi Order and tc the order of April 21, 1992 by Judge Domitrovich indicating that this Order shall supersede that Support Prder/
2. With respect to the payment for the mortgage and with respect to a voluntary payment of $51.00 per month by plaintiff wife for medical insurance for defendant husband, the plaintiff shall be entitled to whatever consideration the Master deems appropraite in allowing her credit for the payment of the same and the ultimate division of marital assets.
3. It appears that wife pl aintiff has already filed her affidavit of consent forthwith, but in no event, later than Octobe 9, !((@, SO THAT THE PLAINTIFF WIFE'S MAY praecipe for the amount of a Master as soon as possible.
4. Due to the limited assets of the parties at this itme, the Master's deposit shall be limited to the sum of $500.00, whic shall be paid on or before Nobvember 16, 1992 by the plaintiff wife, with the understanding that the Master may take into consideration that payment and any credit that he or she deems appropriate to the same in making a final determination of the marital assets.
5. Pending the conclusion of this divorce aciton, neither par ty shall transfer or sell any marital asset or any non-marita asset which is in dispute as a possible marital asset without further Order of Court by written agreement of the parties wit respect to the marital assets.
6. The Prothontoary of Crawford County is directed to send a copy of this Order to the appropriate Erie County Support Off. in the Family Division along with a ocpy of the Order of April 21, 1992 entered by Judge Domitrovich allowing this Court to supersede that Order. It is this Court's clear intention that the support attachment in the amount of $129.00 currently bein paid to the Erie County Court shall cease after the December, 19992 attachment and no further attachment shall occur. If the Erie County SUpport Office, in receiving this Order, needs anything further to allow that to occur through this Court, they may so request immediately, or if they need anything further through the Erie County Court, they should present a copy of Judge Domitrovich's Order along with this Order to the Erie County FAmil Divison, which is currently under the supervisio of Jodge Bozza.
BY ORDER OF THE COURT, Anthony J. Vardaro, J

Oct. 6, 1992 Copies to Bozza, Irwin and Kelly

Continued on Page 471

96

1992

Davis Reilly PC
Richard J. Parks

96.

INTEGRA NATIONAL BANK/NORTH SUCCESSOR BY MERGER TO PENNBANK, FORMERLY THE PENNSYLVANIA BANK AND TRUST COMPANY

vs.

JOHN MARK DONAHUE

Filed Jan. 24, 1992
@ 11:47 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	38.00
Pro Co Pd 2/21/92	9.00 ✓
	5.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Feb. 5, 1992 SHERIFF'S RETURN filed. SERVED John Mark Donahue personally on Jan. 28, 1992 at 3:05 PM at his residence, 1029 Market St., Meadville, Crawford County, Pa.

POSTED the mortgaged property of John Mark Donahue located at 1137 Water St., Meadville, Crawford Co., Pa. Posted on Jan. 28, 1992 at 3:10 PM.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

ANd Now, Feb. 21, 1992 at 11:26 a.m. upon praecipe of plaintiff attorney, with affidavit of military service attached, Judgment is hereby entered in favor of plaintiff and against the defendant for want of an answer, in amount of Ten thousand Six Hundred Seventeen and 37/100 Dollars with int. at rate of 2.82% per diem from Jan. 22, 1992.

Judgment entered 2/21/92
D- 93

Debt ------$10,617.37

Int. from 1/22/92

JUDGMENT
Barbara H. King,
Prothonotary

Feb. 27, 1992, Notice of entry of judgment mailed to dft.

EXECUTION 1992 - 16

1992

Northwestern Legal Services
R. Christopher Brode

97.

CINDY KURINKO

vs.

DAVID A. FUCCI

Filed Jan. 24, 1992
@ 1:41 p.m.

Tax & entry	pd 8-12-92	$50.50
state	pd 8-12-92	5.00
Sheriff's Costs		25.00
Pro Co pd 8-12-92		9.00

Aug 12, 1992 paid Sheriff's costs $25.00 ck #6982

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 24 day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff is granted exclusive possession of the residence at 666 Madison AVe., Meadville, PA. Defendant may not go to residence nor telephone plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for January 30, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro,J

Jan. 28, 1992 SHERIFF'S RETURN filed. SERVED David A. Fucci personally on Jan. 25, 1992 at 10:59 AM in the Meadville City Police Station, City Building, 984 Water St., Meadville, Crawford County, Pa.
So answers, Daniel Roberts, Meadville City PD
Robert M. Stevens, Sheriff

Jan. 31, 1992 ORDER filed. AND NOW, this 30th day of January, 1992 at the time of hearing, the Court is advised that the parties have reached an agreement whereby an order can be entered without the Defendant admitting the alleged abuse.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff in any way.
2. The Plaintiff is granted exclusive possession of the residence at 666 Madison Ave. in Meadville, and the Defendant will not go to that residence at any time during the term of this order, except that he may go to the residence on Feb. 15, 1992 between the hours of noon and 3:00 p.m. for the purpose of removing certain belongings, which include tools, clothing, and personal papers. The Defendatn may be prepared to remove said itemsprior to that date, and he may do so nonly if he has the express consent of the Plaintiff to accommodate the different time. In obtaining such permission, he shall at least give the Plaintiff 24 hours notice. It is noted that if the Defendant does go to the residence for the prupose of removing said items prior to Feb. 15, 1992 it is the intention of the Court that he not be permitted to go on Feb. 15, 1992.
3. The Defendant may contact the Plaintiff by telephone, but not later than 10:00 p.m., and he may not make continuous calls nor may any of his calls include any harassment or threatening of the Plaintiff. Additionally, the Defendant may contact the Plaintiff by mail, but again, the contents of the mail shall not be harassing or threatening in any manner.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered by the Prothonotary of Crawford County to the Meadville City Police Department and to County Control.
6. The Defendant shall be responsible for paying court costs with regard to this matter on or before the close of business in the office of the prothonotary of Crawford County on March 2, 1992.
7. The Defendant is reminded that this is an order of Court, and violation of this order may be punishible by a fine of up to $1000 and a jail sentence of up to six m onths.
8. This order shall remain in full force and effect through Jan 29, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Jan. 13, 1992 copy given to County Control. Feb. 5, 1992 copy in box for C. Brode, copy mailed to Meadville City Police Dept. and Dft.

1992

98.

KIM RADER

vs.

PHILLIP RADER

Filed Jan. 24, 1992
@ 3:04 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	25.00
Pro Co	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 24th day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Dfeendant shall not contact Plaintiff in any way. Possession ofthe residence shall belong to Plaintiff. Defendant shall not go to Plaintiff's residence at all.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for February 3, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 30, 1992 SHERIFF'S RETURN filed. SERVED Phillip Rader personally on Jan. 30, 1992 at 8:50 am at the residence, 795½ Garden St., Meadville, Crawford County, Pa. So answers,

Randy Detzel, Constable
Trevis Pearson, Constable
Robert M. Stevens, Sheriff

Feb 5, 1992 ORDER filed. AND NOW, Feb. 3, 1992, at the time fixed for hearing in this matter, it appears to the Court that the Defendant was served on Jan. 31, 1992 or Feb. 1, 1992; and, therefore, had adequate notice of this hearing. The Defendant did not appear in person or by counsel. The Court inquired of the Plaintiff and is satisfied that the Defendant committed the acts of abuse set forth in the petition, and accordingly, orders as follows:

1. The Defendant shall not assault, abuse, harrass, or threaten the Plaintiff in any manner.

2. The Defendant shall not reside with the Plaintiff. Possession of 759 1/2 Garden St. is awarded to the Plaintiff. Th,e Defendant shall not go to the Plaintiff's residence. The Defendant is not prohibited from contacting thePlaintiff by telephone or in writing, so long as he does not become abusive or threatening.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order whall be delivered to the police department in the jurisdiction where the Plaintiff resides, Meadville, and to County Control.

5. This order shall remain in full force and effect for one year from this date unless modified or terminated by further Court order.

6. The Defendant shall pay the Court costs in the amount of $89.50 by making payments of the same to the Prothonotary of Crawford County no later than Friday, Feb. 21, 1992.

7. The Defendant is reminded that this is an order of Court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.

8. A true and correct copy of this order shall be served upon the Defendant by mailing the same, certified mail, delivery to addressee only, return receipt requested, to Hafer Trucking, Geneva, R.D. Cochranton, by the Prothonotary. If and when the Prothonotary's Office receives the return receipt, the Prothonotary shall fiel the same among the records in this case. The Plaintiff shall contact the Prothonotary's Office no later than Feb. 21, 1992, to determine if there has been proper service. If proper service has not been made, the Plaintiff shall give the Prothonotary sufficient information in order to assist the Prothonotary in mailing a copy of the order to the Defendant and assuring his receiving it.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Feb. 11, 1992 mailed copy certified mail to Dft., mailed copy regular mail to Plf.& Mdvl. Police Dept.
Feb. 5, 1992 copy given to County Control

1992

Watts and Pepicelli
Alan L. Pepicelli

99.

ERNST STEEL CORPORATON

vs.

WILLIAM D. RODGERS, INDIVIDUALLY, AND d/b/a RODGERS SANDBLASTING AND TRAILER PAINTING

Filed Jan. 24, 1992
@ 4:02 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co Pd 3/17/92	9.00
stuff o costs	47.00
Exemp of Record pd 10-26-92	10.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Feb. 7, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Mercer Co., Pa. to serve the within Complaint according to law. The Defendants alleged address is 570 Butler Pike, Mercer, Pa. 16137. Robert M. Stevens, Sheriff

SERVED the within Complaint in Civil Action on Jan. 29, 1992, at 4:10 p.m. upon William D. Rogers, Individually at Rogers Sandblasting , 570 Butler Pike, Mercer, Pa. 16137 and Rodgers Sandblasting and Trailer Painting, 570 Butler Pike, Mercer, Pa. 16137 by handing to Bill Luffe, Shop Manager, person in charge a true and correct copy thereof and made known to him the contents therein. William H. Romine, Jr. Sheriff, Mercer County

And now, Mar. 17, 1992, at 3:31 p.m., upon praecipe of plaintiff attorney, and with default notice and service attached, Judgment is hereby entered in favor ofthe plaintiff and against the defendants for want of an answer, damages assessed int he amount of Four Thousand Eight Hundred Seventy Three and 83/100 dollars. (includes int. of $40.94 to 3/17/92)

Judgment entered
3/17/92
R - 174, 184

Debt ----$4,873.83

JUDGMENT
Barbara H. King,
Prothonotary

100

1992

Paul J. Carney, Jr.

100.

Richard P. Gilmore

JOSEPH D. FISHER

vs.

ERNEST MARCHAND, JR. AND
KHANYA N. MARCHAND, HIS WIFE

Filed Jan. 27, 1992
@ 2:01 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00
Pro Co pd 11-4-92 15.00
Pro Co pd 3-16-93 5.00

COMPLAINT BY CONTRACTOR TO OBTAIN JUDGMENT ON MECHANICS LIEN CLAIM FOR LABOR PERFORMED AND MATERIALS FURNISHED CONTRACTOR FOR BENEFIT OF OWNER

(of MLD 1991 - 110)

Feb. 21, 1992 Answer of Defendant Earnest Marchand, containing Counterclaim Including Notice to Plead filed.

Feb. 21, 1992, Answer of Defendant Khanya n. Marchand, containing Counterclaim including notice to plead, filed.

Feb. 21, 1992, Acceptance of Service filed. I hereby accept servcie of the compalint by Contractor to Obtain Judgment on Mechanic Lien Claim for Labor Performed and Materials Furnished Contractor for Benefit of Owner on behalf of my client, Ernest Marchand, Jr. and Kyanya N. Marchand, his wife, on Feb. 2, 1992.
Richard P. Gilmore, Esq.

Mar. 16, 1992, Answer to Defendants' counter-Claim filed.

June 10, 1992 NOTICE OF SERVICE OF INTERROGATORIES DIRECTED TO DEFENDANTS AND MOTION TO PRODUCE, filed.

Nov 2, 1992 Upon praecipe of Plaintiff attorney for appointment or Arbitrators, the following Arbitrators are appointed.

Curtis Blystone ~~Tamera M. Rothschild,~~ Chr.
Joan Mason ~~Barbara J. Walton~~ ---
Gregory Keenan

Dec. 2, 1992, ARbitrators Take the Qualifying Oath.

Jan. 28, 1993 Decision of Arbitrators filed. And Now, the 26th day of January, 1993, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of plaintiff, Joseph D. Fisher and against defendants Ernest Marchand, Jr. and Khanya N. Marchand in the amount of $8,436.39, together with interest thereon at the legal rate of 6% per annum from April 1, 1991, on plaintiff's complaint. Defendant Ernest Marchand,Jr.'s Counterclaim is dismissed.

Curtis Blystone, Chairman
Joan D. Mason
Gregory Keenan

Feb. 1, 1993 Copies given to Attys. Blystone, Mason and Keenan and Mailed to Atty. Carney,Jr.& Gilmore.

Mar. 16, 1993 Satisfaction filed. REceived of the defendant(s) full satisfaction of the within stated Judgment, debt, interest and costs and we hereby authorize the Prothonotary to enter satisfaction on the record. Joseph Fisher

1992

101.	FRENCH CREEK VALLEY TOOL vs. SOUTH PITT TOOL AND DIE, INC. Filed Jan. 27, 1992 @ 12;50 p.m. Tax & entry paid $50.25 ✓ state paid 5.00	APPEAL OF DEFENDANT FROM JUDGMENT OF MAGISTERIAL DISTRICT 30-3- 03 Jan. 27, 1992, Rule entered upon plaintiff to filed Complaint issued. Feb./3, 1992, Proof of Service filed.

1992

Davis Reilly
Richard J. Parks

102.

INTEGRA NATIONAL BANK/NORTH SUCCESSOR BY MERGER TO PENNBANK, FORMERLY THE PENNSYLVANIA BANK & TRUST COMPANY

vs.

JAMES E. KOCAN AND KATHY L. KOCAN, HIS WIFE

Filed Jan. 27, 1992
@ 1:04 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	50.00
Pro Co pd 2/21/92	5.00 ✓

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Feb. 11, 1992 SHERIFF'S RETURN filed. SERVED James E. Kocan on Jan. 31, 1992 at 2:13 PM by handing a copy of the Complaint to James Claypoole, Adult in Charge, at his place of business, at 408 North Washington St., Titusville, Crawford County, Pa.

SERVED Kathy L. Kocan personally on Jan. 31, 1992 at 2:17 PM at the residence, 310 East Main St., Titusville, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 21, 1992, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked setlted and discontinued without prejudice.

1992

Bukac and Toomey
Terry Toomey

103.

William A. Kuhar

JOHN ROSS CASELLA

vs.

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, BUREAU OF DRIVER LICENSING

Filed Jan. 27, 1992
@ 3:26 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00

NOTICE OF APPEAL

1 copy (atty)

Jan. 31, 1992 ORDER OF COURT filed. AND NOW, this 27 day of January 1992, upon consideration of this Appeal of the Departmental suspension of the motor vehicle operating privileges of John Ross Casella, this Court hereby schedules a Hearing to determine the merits of the appeal for April 28, 1992 at 11:00 o'clock a.m. in either Courtroom No. 1 or Courtroom No.2 of the Crawford County Courthouse in Meadville, PA.

FURTHER, this Order of Court shall operate as a Writ of Supersedeas and suspension of Appellant's motor vehicle operating privileges is hereby stayed until a Hearing and a determination of the merits of the Appellant's appeal.

Counsel for the Appellant shall forthwith serve Notice of this Appeal and the scheduling of this Hearing upon Douglas K. Tobin of the Bureau of Driver Licensing, the Commonwealth Attorney General in Harrisburg, PA. and the Office of Chief Counsel in the City of Pittsburgh, PA.

By The Court:
Anthony J. Vardaro, J.

Feb. 4, 1992 Copy of order to Atty. Terry Toomey.

Feb. 12, 1992 Certificate Of Service filed. I, Terry Toomey, Esquire, hereby certify that on this day, I served the foregoing Notice of Appeal, Request for Hearing and Writ of Supersedeas, and Order of Court onthe following individuals and in the following manner: First Class Certified Mail, Return Receipt Requested, Douglas K. Tobin, Bureau of Driver Licensing, Room 305, Transportation & Safety Building, Harrisburg, PA 17105; Attorney General, Department ofJustice, Capitol Annex, Old Museum Bldg., Harrisburg, PA 17120; Office of Chief Counsel, Department of Transportation, 1209 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222
Date: 2/6/92 Terry Toomey

May 1, 1992 ORDER filed. AND NOW, April 28, 1992, at the time fixed for hearing in this matter, counsel for the appellant requested a general continuance because there is now pending an appeal of the underlying conviction. Counsel for the Department does not oppose the continuane.

ACCORDINGLY,a hearing on this license suspension appeal is continued generally, to be rescheduled on motion of either party.

The appellant and his counsel are ORDERED and DIRECTEED to advise the Department and/or William A. Kuhar, Jr., Esq., or the Department's then counsel as to the outcome of the appeal within five (5) days after the appellant or his counsel learns of the outcome of the appeal so that the Department will be kept current on the current status of that appeal so that it may take whatever action it believes is appropriate in this case. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

May 1, 1992 Copies distributed.

Apr. 14, 1993, Motion to Schedule Hearing and Order filed. ORDER: AND NOW, towit: this 14 day of April 1993, upon consideration fo the foregoing Motion to Schedule Hearing, it is hereby ORDERED that a hearing onthe above matter shall be held on the 9 day of June 1993, at 9:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
Ann A. Walker, Ct. Adm'.

Apr. 20, 1993, copies to T. Toomey and Kuhar, attys.

Jun. 11, 1993 ORDER filed. AND NOW, June 9, 1993 at the time fixed for hearing on this license suspension appeal, the Court orders that the appealbe DISMISSED and the suspension imposed by the Department of Transportation is hereby SUSTAINED and REINSTASTED.

BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

Jun. 11, 1993 Copies dist. to Toom ey & Kuhar.

104

1992

Edgar M. Snyder &
Associated P.A.
James D. Belliveau

104.

EMIL T. YESENSKY AND
ROSANNA YESENSKY

vs.

JOHN M. MEDVETZ

Filed Jan. 28, 1992
@ 11:45 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00
Pro.Co. pd 10/27/93 6.00

COMPLAINT IN CIVIL ACTION

1 copy (atty)

Feb. 11, 1992 AFFIDAVIT OF SERVICE filed. I, JAMES D. BELLIVEAU, being duly sworn according to law, do depose and state the following:

1. On or about Jan. 29, 1992, atrue and correct copy of the Complaint filed in the within matter was sent to Defendant, John M. Medvetz, at 14140 Granger Rd., Maple Heights OH 44137, by Certified Mail, Return Receipt Requested. Said address was that listed on the police report for the accident giving rise to the within litigation.

2. Attached hereto is a copy of the Certified Mail receipt addressed to Defendant, John M. Medvetz, ehich indicates that it was accepted and signed for on Feb. 1, 1992.

3. I believe and therefore aver that Defendant Medvetz has been served in accordance with the applicable Rules of Civil Procedure.

Mar. 3, 1992, Notice of Servcie of Intent to Take a Default Judgment filed.

Apr. 13, 1992 Answer of Defendant, filed.

April 23, 1992 Notice of Service of Plaintiffs' Interrogatories directed to Defendant filed.

May 1, 1992 Plaintiff's Reply To New Matter of Defendant filed.

Nov. 16, 1992 Notice of Deposition of John M. Medvetz filed.

Feb. 26, 1993 Affidavit Pursuant To Local Rule 302(a)(2) filed.

Feb. 26, 1993 Certificate of Readiness filed.

1993 APRIL CIVIL TRIAL LIST.

Mar. 29, 1993 Order filed. And now, this 29th day of March, 1993,following the call of the April Civil Trial List, pretrial conferences are scheduled in the following cases on the following dates and times before the judge indicated below:

Pretrial Conference date and Time: Tuesday, April 6, 1993 11:00 A.M.: Miller, P.J.

Counsel are directed to report any change in the status of any case,or any special scheduling needs to the Court Administrator at the earliest possible time.

BY THE COURT,
Gordon R. Miller, P. J.

Mar. 29, 1993 Copies distributed by Court.

Apr. 8, 1993, Motion for Continuance and Order of Court filed. And now, to-wit, this 7 day of April 1993, upon the aforegoing Motion, it is hereby ordered that this case be continued to the next available list. Anthony J. Vardaro, J.

Apr. 13, 1993 ORDER filed. AND NOW, April 12, 1993, after a pretrial conference the Court would normally enter a pretrial order but declines to do so now because the case has been continued to bhe October 1993 term of civil jury trials. Any party desiring that a pretrial order be entered covering the items and issues discussed at the pretrial conference on April 6, 1993, tht party shall file a motion with the Court Administrator asking the Court to enter such an order.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Apr. 15, 1993 copy to J. Belliveau & R.C. Thomas

Oct. 27, 1993 Upon Praecipe of James D. Belliveau, Esquire, Attorney for Plaintiff, the above-captioned case settled and discountinued of record.

1992

105.

Legal Services
R. Christopher Brode

Received Cash Bond
of $349.70
from defendant
(gen. acct)

CHARLES KOVACH

vs.

A.
JODY KINNEY

Filed Jan. 28, 1992
@ 11:55 a.m.

Tax & entry [illegible] $50.25
state 5.00

APPEAL OF DEFENDANT FROM JUDGMENT OF ROBERT J. LEONHART, MAGISTERIAL DISTRICT 30-3-03

Jan. 28, 1992, Rule entered upon the plaintiff to file complaint issued.

Jan. 29, 1992 Proof of Service of Complaint, filed.

Jan. 30, 1992 PRAECIPE TO PROCEED IN FORMA PAUPERIS filed.

Feb. 21, 1992, at 2:56 p.m., AND NOW, upon praecipe of attorney for defendant Judgment of Non Pros pursuant to D. J. Rule 1004, is hereby entered against the plaintiff Charles Kovach, for faulure to file Complaint within 20 days.
Judgment entered -
2/21/92
K - 36

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

Paid Jody Kinney 3-9-92 per order Refund of Bond Ck# 6691 $349.70

March 9, 1992 Motion For Return of Supersedeas Bond and ORDER filed. To: The Office of the Prothonotary: AND NOW, this 9th day of March, 1992, upon consideration of Appellant's Petition for the return of a Supersedeas Bond, previously paid to the Office of the Prothonotary located at the Crawford Co. Courthouse, Meadville, PA. The bond having been paid in the amount of $349.70 by the Appellant/Defendant Jody Kinney.

Based on the Praecipe for Entry of Judgment of Non Pros filed on Feb. 28, 1992, by the above Appellant, and the Appellant's Petition for the return of a Supersedeas Bond, the Prothonotary is hereby directed and ordered to return said bond to the Appellant/Defendant Jody Kinney.

By The Court,
Anthony J. Vardaro, J.

March 10, 1992 Copy of Order to Atty. R. Christopher Brode.

1992

Brian J. Lindsay

106.

DOUGLAS S. MORRIS

vs.

JUDITH M. MORRIS

Filed Jan. 28, 1992
@ 3:56 p.m.

Tax & entry paid	$50.50 ✓
2 counts paid	30.00 ✓
state paid	10.00
state paid	15.00
Pro Co Pd 6-16-92	9.00

COMPLAINT IN DIVORCE, CUSTODY AND VISITATION
EQUITABLE DISTRIBUTION

2 copies (atty)

Mar. 6, 1992, Acceptance of Service filed. I, the above named defendant hereby accept service ofthe complaint in the above action. Judith M. Morris.

June 16, 1992 Affidavit of Consent of Plaintiff, filed.

June 16, 1992 Affidavit of Consent of Defendant, filed.

June 16, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

June 25, 1992 Stipulation and CONSENT DECREE FILED. AND NOW, this 23rd day of June, 1992, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that:

1. The marital real estate located at 664 Madison Avenue shall become the sole and exclusive property of Plaintiff and Defendant shall execute and deliver a Deed to Plaintiff within ten (10) days from the date hereof. Plaintiff shall indemnify and hold Defendant harmless from any and all liabilities arising for the property, including but not limited to: mortgage payments, hazard insurance, taxes, untilities and maintenance.

Plaintiff shall deliver to Defendant the sum of One Thousand One Hundred ($1,100.00) Dollars, payable in eleven monthly installments of One hundred ($100.00) Dollars, with the first payment to be paid at the time the Deed to the property is executed and delivered by Defendant to the Plaintiff. SAid monthly installments shall thereafter be made on or before the last day of each successive month until paid in full.

Any joint marital debts of the parties, including Kaufmans, Drs. Dunn andFine, Dr. Zielger, Montgomery WArd,First National BAnk of Pennsyvania, AVCO Finance, and the VISA account through Pennbank, shall be the sole and exclusive responsiblitiy of Plaintiff, except the obligations due and owing to Lerner's, which olligation shall be the sole and exclusive responsibility of Defendant.

The plaintiff shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in his possession and defendant shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in her possession, including a certain life insurance policy currently in the name of the Defendant, which life insurance policy has been maintained by the Plaintfiff to this date. The parties are directed to take whatever steps are necessary to transfer said life insurance policy to the Defendant within thirty (30) days from the dat e hereof.

2.The 1989 HOnda Civic 4-door sedan shall be in the sole and exclusive possession of the Defendant for a period of 12 months from April, 1992. During said 12 month period, the monthly payment of $298.86 due and owing to Pennbank for said vehicle shall be the sole and exclusive reponsibility of Plaintiff and Defendant shall be solely and exclusively responsible for the payment of insurance and registration and maintenance or upkeep. Within thirty (30) days prior to the expirationof said 12 month term, Defendant shall advise Plaintiff of her election to either (1) assume or refinance the obligation due and owing to Pennbank and Plaintiff will execute any and all documents necessary to effect said assumption or refinance. Upon payoff of the Pennbank obligation, Plaintiff will then execute any and all documents necessary to effect title ownership in Defendant; or, (2) to sell or trade said motor vehicle and the sale proceeds realized shall be applied to any balance due and owing to Pennbank, which obligation shall be the sole and exclusive reponsibility of the Defendant. In the event the parties realize a net profit from the sale of said motor vehicle, those net proceeds shall be distributed to Defendant.

Nothing in this Decree shall preclude the parties from making alternative arrangements in regard to the motor vehicle, however, in the absence of such a mutual agreement, the above given options shall be enforced.

3. The parties hereto shall have shared legal custody of the minor child, Tyler James Morris, born February 9,1989, with primary physical custody in Defendant. Plaintiff shall, as a minimum, have visitation with the minor child every other weekend from 5:00 P.M. on Friday until 5:00 P.M. onSunday.

Each of party shall be responsible for the transportation of the minor child to his/her home.

The parties shall divide the major holidays of Christmas and Thanksgiving as follows:

a) Every year, Defendant shall have custody of the child on Thansksgiving Day until 2:30 P.M. and Plaintiff shall custody from 2:30 P.M. until 10:00 P.M.

b) Every year, Plaintiff shall have custody of the child on Christmas Eve from 4:00 P.M. until Midnight, and Defendant shall from Midnight on Christmas Eve and on Christmas Day.

Major holiday visitation shall take precedence over regular visitation.

Continued of record to Page 497.

1992

M. Kathryn Karn

107.

GUY L. PARDEE

vs.

LORNA R. PARDEE

Filed Jan. 29, 1992
@ 9:46 a.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro.Co. pd 1/14/94	9.00 ✓

COMPLAINT IN DIVORCE

2copies (atty)

Jan. 14, 1994 Affidavit of Consent by Lorna R.Pardee, Defendant,filed.

Acceptance of Service filed. I, Lorna R.Pardee, Defendant herein, do state that I personally received a true and attest copy of the Complaint in Divorce,Notice to Defend and Claim Rights, and Notice of Availability of Counseling in the above-captioned action. Date: 2/5/92 Lorna Rae Pardee, Defendant

Jan. 14, 1994 Affidavit of Consent by Guy L. Pardee,Plaintiff, filed.

Jan. 14, 1994 Upon Praecipe of M. Kathryn Karn, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

January 26, 1994 AND NOW, this 24th day of January, 1994, it is hereby ORDERED, ADJUDGED AND DECREED that the plaintiff, GUY L. PARDEE, and the defendant, LORNA R. PARDEE, are divorced from the bonds of matrimony.

The Court retains jurisdiction over any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT,
Gordon R. Miller, J.

1992

Brian J. Lindsay

108.

GLEN RAY SCOVIL

vs.

DARINDA MARIE SCOVIL

Filed Jan. 29, 1992
@ 11:04 a.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co pd 12-9-93	9.00 ✓

COMPLAINT IN DIVORCE

2 copies (atty)

Feb. 6, 1992 VERIFICATION OF SERVICE filed. I, Brian J. Lindsay, Esq., do hereby verify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 30 th day of January, 1992, send to the above named Defendant, by Certified Mail, Addressee Only, Return Receipt Requested, a true and correct copy of the divorce complaint filed at the above term and number; and that I did on the 5th day of February, 1992, receive a duly executed return receipt dated Feb. 3, 1992.

Nov. 17, 1993 Affidavit of Consent by Darinda Marie Scovil, Defendant, filed.

Dec. 1, 1993 Affidavit of Consent by Glen Ray Scovil, Plaintiff, filed.

Dec. 9, 1993 Upon praecipe of plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Jan. 4, 1994 AND NOW, December 17, 1993, it is hereby ordered and decreed that GLEN RAY SCOVIL, Plaintiff, and DARINDA MARIE SCOVIL, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has nto yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

109.

KIMBERLY HAYES

vs.

BRIAN BOSCO

Filed Jan. 29, 1992
@ 2:08 p.m.

Tax & entry Pd 2-26-92 $50.50 ✓
state Pd 2-26-92 5.00
Sheriff's Costs 25.00
Pro Co Pd 2-26-92 9.00 ✓

Received 2-26-92
25.00 from Dept
Sheriff costs
Pd Sheriff 2-26-92
25.00 Sheriff cost
Check # 6677

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 29 day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go to Plaintiff's residence. Defendant shall not in anyway harass plaintiff at their church or any other location. Additionally defendant shall not attempt in harass the plaintiff indirectly through her friends/famil
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for February 11, 1992, at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Jan. 30, 1992 SHERIFF'S RETURN filed. SERVED Brian Bosco personally on Jan. 29, 1992 at 4:15 pm in the Sheriff's Office, Courthouse, Meadville, Crawford County, Pa. So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Feb. 19, 1992 ORDER filed. AND NOW, Feb. 11, 1992, at the time set for hearing in this matter, both parties appear unrepresented by counsel. The Court has explainted to the Defendant that he has a right to counsel and has further explaied the options available to him.

The Defendant indicates that he is willing, without admission on his part of any of the facts contained in the Plaintiff petition, to have a permanent abuse order entered against him.

Accordingly, the Court enters the following order:

1. The Defendant shall not abuse, harass, or threaten the Plaintiff in any manner.
2. The Defendant shall not go to the Plaintiff's residence nor shall he in any way harass the Plaintiff at their mutual church or any other location. Additionally, the Defendant shall not attempt to harass indirectly through any friends or family members.
3. This order may be enforced without a warrant of arrest by any lawrnforcement officer having reasonable ground to believe it has been violated.
4. A copy of this order shall be delivered by the Prothonotary of Crawford County to West Mead Twp. Police, Pa. State Police and to Crawford County Control. Additionally, the Prothonotary shall provide a copy of this order to the Defendant by regular mail.
5. The Defendant is reminded that this is an order of Court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.
6. The Defendant shall pay the Court costs in this matter by the close of business at 4:30 p.m. on Feb. 12, 1992, to the office of the Prothonotary of Crawford County.
7. This order shall remain in full force and effect through Feb. 10, 1993.

BY ORDER OF THE COURT
Anthony J. Vardaro, J.

Feb. 25, 1992 copy mailed to Plf. & Dft, West Mead Twp. Police, Pa. State Police
Feb. 19, 1992 copy given to County Control

110

1992

Hutzelman, Walsh and Walsh

Stephen H. Hutzelman

110.

John D. Petruso

HAROLD OWEN AND ARLENE OWEN, HIS WIFE

vs.

JAMES SULLIVAN

Filed Jan. 29, 1992
@ 2:56 p.m.

Tax & entry paid	$50.50
state	5.00
Sheriff's Costs	41.00
Arb. pd 9/3/92	15.00
Pro.Co. pd 12/29/92	5.00

COMPLAINT AT LAW

1 copy (sheriff)

Feb. 14, 1992 Sheriff's return filed. SERVED James Sullivan on February 7, 1992 at 2:30 Pm by handing a copy of the Complaint to Helen Sullivan, his wife and adultin charge, at the residence, R.D. #1, Townville, Crawford County, PA.
So answers, Dale A. Collins, deputy Sheriff
Robert M. STevens, Sheriff

Feb. 25, 1992 Preliminary Objections filed.

Apr. 2, 1992 AMENDED COMPLAINT AT LAW, filed.

May 1, 1992 Answer, filed. 1 copy (atty.)

June 9, 1992 Amended Notice of Default, filed.

June 8, 1992 Notice of Default, filed.

June 22, 1992 REPLY TO NEW MATTER, filed.

Sept. 3, 1992, Upon praecipe of plaintiff attorneys, for reference to the arbitrators, the following arbitrators are appointed:

Alan shaddinger, Ch.
Bruce L. Smith
Terry Toomey

Oct. 7, 1992 Arbitrators Take Qualifying Oath.

Oct. 16, 1992 Notice of Hearing Before Board of Aribtrators filed.

Dec. 29, 1992 Upon Praecipe of Plaintiff Attorney the above case marked settled and discontinued of record.

1992

Altomare & Barnhart
Joseph E. Altomare

111.

RHEA DUNHAM

vs.

LARRY J. LABOWSKI

Filed Jan. 29, 1992
@ 2:59 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	58.50
Pro Co Pd 2/25/92	5.00 ✓

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Feb. 10, 1992, Complaint filed.

Feb. 18, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Erie Co., Pa. to serve the within Summons according to law. The defendants alleged address is 12545 Carter Hill Rd., Corry, Pa. 16407.
Robert M. Stevens, Sheriff, Cr. Co.
SERVED the within Summons on Feb. 4, 1992 at 1109 hrs. upon Larry J. Labowski at 12545 Carter Hill Rd., Erie Co., Erie, Pa. 16407 by handing to Tom Labowski, his father a true and correct copy thereof and made known to him the contents therein. Robert N. Michel, Sheriff, Erie Co.

Feb. 25, 1992, Upon praecipe of plaintiff attorney, the above captioned matter is marked settled anddiscontinued of record.

112

1992

Christopher Brode

112.

Barbara Walton

CHRISTINE G. KENNELLEY

vs.

CLYDE S. KENNELLEY

Filed Jan. 29, 1992
@ 3:17 p.m.
Pd 1-6-93 .50
Tax & entry 1-6-93 ~~$50.50~~ 14.50
state Pd 1-6-93 5.00
Sheriff's Costs 18.00

Rec Mar 5 92
20.00 on acct

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 29 day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive possession of the marital home until further order of court. Plaintiff shall have exclusive custody of the minor children without visitaiton to the defendna tuntil further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for February 11, 1992, at 3:30 p.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Jan. 31, 1992 SHERIFF'S RETURN filed. SERVED Clyde S. Kennelley personally on Jan. 29, 1992 at 4:35 PM at the residence, 702 West Spruce St., Titusville, Crawford Co., Pa. Defendant was ordered to leave the residence.
So answers, Jake Dymond, Titusville Police Dept.
Robert M. Stevens, Sheriff

Feb. 20, 1992 ORDER filed. AND NOW, Feb. 11, 1992, at the time set for hearing in this matter, both parties appear represented by counsel and advise the Court that they have reached an agreement.

Accordingly, the following order is entered:

1. The Defendant does not admit any of the allegations contained in the Plaintiff's petition, but agrees and is hereby ordered to not assault, abuse, harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. The Plaintiff shall have the exclusive possession of the marital home and shall have custody of the minor children subject to visitation by the Defendant as follows:

a. The Defendant, beginning with Saturday, Feb. 15, 1992, and each Saturday thereafter, shall visit with the minor children, Kathryn L. Kennelley and Shannon L. Kennelley, from noon until 5:00 p.m. at the home of the maternal grandmother, Nancy Tracy, at 606 West Spruce Street in the City of Titusville.

b. The Defendant shall visit beginning on Sunday, Feb. 16, 1992, and every Sunday thereafter with the minor children, Kathryn L. Kennelley, Shannon L. Kennelley, Jason A. Kennelley, and Nicole A. Tracy, at the home of Nancy Tracy, as aforesaid, from noon until 3:00 p.m.

c. The Defendant may call the home of the Plaintiff for the purpose of having resasonable telephone conversation with any or all of the children each Tuesday and Thursday beginning on Thursday, Feb. 13, 1992, with each and every such calling taking place between the hours of 6:00 p.m. and 8:00 p.m.

d. The parties may arrange such other visitation for the Defendant any any time during the term of this order, upon mutual agreement of both parties.

3. The Defendant shall not telephone the home of the Plaintiff for any other purpose except that set forth above, unless he shall be required to do so for the purpose of arranging an appropriate visitation pursuant to this order. It is the intention of the Court that the Defendant in no way use these telephone privileges to violate this order or in any way harass or threaten the Plaintiff or any of the minor children.
4. At any time the Defendant is to be in the presence of the minor children for visitation, he shall not have or possess or consume alcoholic beverages during said visits and shall not have done so within a period of 8 hours prior to such contact with the children or any of the children.
5. The Defendant shall be permitted to go to the marital home for the purpose of removing his personal clothing on Friday, Feb. 14, 1992, between the hours of noon and 3:00 p.m.
6. This order shall be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
7. A copy of this order shall be delivered to the Titusville Police Dept. and to Crawford County Control.
8. The Defendant shall pay costs in this matter in the amount of $82.50 in installments of $20.00 beginning on or before Feb. 17, 1992, and continuing with like installments for his next two pay periods thereafter and a final installment at the following pay period of $22.50. Therefore, it is the Court's intention that all costs be paid in full on or before March 30, 1992.
9. The Defendant is reminded that this is an order of Court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.
10. This order shall remain in full force and effect through Feb. 10, 1993.

By Order Of The Court,
Anthony J. Vardaro, J.

Feb. 20, 1992 Copy of order given to Co. Control; Feb. 26, 1992 Copy given to Attys. Christopher Brode, Barbara Walton. Feb. 26, 1992 copy of order mailed to Titusville Police Dept.

1992

Paul E. Allen

113.

GERALD W. TERRILL

vs.

LINDA L. TERRILL

Filed Jan. 29, 1992
@ 3:36 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 5/12/92	9.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Feb. 6, 1992, Acceptance of Service filed.
I, the udnersigned defendant in the above captioned action hereby accept service ofthe Complaint in Divorce.
Date: 1/29/92 Linda L. Terrill.

May 5, 1992 Affidavit of Consent of Plaintiff filed.

May 5, 1992 Affidavit of Conent of Defendant filed.

May 5, 1992 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

DIVORCE DECREE FILED.

May 14, 1992 AND NOW, May 13, 1992, it is hereby ordered and decreed that Gerald W. Terrill, Plaintiff, and Linda L. Terrill, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Watts and Pepicelli PC
Christopher Ferry

114.

Culbertson, Weiss, Schetroma & Schug, P.C
E. Max Weiss, Esquire ,
for LaKE Engineering

Plate, Shapira, Hutzelman, Berlin, May, Walsh and Brabender
Randy L. Shapira
Walter Kuhl, i/d/b/a Greene Ind. Landfill

MOODY AND ASSOCIATES, INC.

vs.

WALTER KUHL, INDIVIDUALLY, AND d/b/a GREENE INDUSTRIAL LANDFILL and Lake Engineering a partnership

Filed Jan. 29, 1992
@ 4:07 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	43.50
Sheriff's Costs	51.50
Arb paid 4/22/93	15.00 ✓

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Feb. 20, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Erie Co., Pa. to serve the within Complaint according to law. The defendants alleged address is 9335 Peck Rd., Erie, Pa. 16510.
Robert M. Stevens, Sheriff, Crawford Co.

AFFIDAVIT OF SERVICE SERVED the within Complaint on Feb. 7, 1992, at 1416 hrs, upon Walter Kuhl, i/d/b/a Green Industrial Landfill, 9335 Peck Rd., Erie Co., Erie, Pa. by handing to Margaret Kuhl, wife a true and correct copy thereof and made known to her the contents therein. Robert N. Michel, Sheriff, Erie Co.

Apr. 3, 1992 AMENDED COMPLAINT IN CIVIL ACTION, filed.
April 20, 1992 APPEARANCE of Culbertson, Weiss, Schetroma and Schug, P.C by E. Max Weiss, Esquire for Lake Engineering, Defendant, filed.

April 21, 1992 AFFIDAVIT OF SERVICE SERVED the within Complaint on April 13, 1992 at 1045 hrs., upon Lake Engineering at the business, 140 Meadville Street, Erie County, Edinboro, Pennsylvania by handing to Kathy Tau, Secretary in Charge a true and correct copy thereof and made known to her the contents therein.
Robert N. Michel, Sheriff, Erie County
William Parker, Deputy Sheriff

July 28, 1992 Certificate of Service filed. I, Christopher D. Ferry, attorney for Moody and Associates, do hereby certify that a true and correct copy of the Amended Complaint, was mailed by U.S.Postal Service, April 3, 1992, to the following: Randy L. Shaprira, Esquire, Attorney for Defendant, 305 West 6th Street, Erie, PA 16507
Christopher D. Ferry

Aug. 10, 1992 Answer filed.

Dec. 14, 1992 Answer To Amended Complaint, New Matter and Cross-Claim of Lake Engineering filed.

Dec. 17, 1992 Supplemental Verification to Answer to Amended Complaint, New Matter and Cross Claim of Lake Engineering filed.

Mar. 3, 1993 Reply to Defendant's, Lake Engineering, New Matter filed.

Apr. 16, 1993, UPon praecipe of plaintiff for appointment of arbitrators, the following arbitrators are appointed: James Irwin, Ch.
~~Andrew Bacallao~~ M.Dan Mason
Thomas D. Watson

May 6, 1993 Arbitrators take qualifying oath.

June 10, 1993 Notice of Arbitration Hearing filed: (Scheduled for Monday, August 23, 1993)

Aug. 23, 1993 Decision of Arbitrators filed. And Now, the 23 day of August, 1993,we the undersigned Arbitrators chosen in this case, after having been duly sowrn and having heard the evidence and allegations of the parties find in Favor of the Defendants on all Counts.
James R. Irwin,Chairman
M.Dan Mason
Thomas J. Watson

Aug. 23, 1993 Copies of Decision dist.to Ferry,Weiss & Shapira.

1992

Stephen H. Hutzelman

115.

MARINE MIDLAND BANK

vs.

ROBERT ADAMS

Filed Jan. 30, 1992
@ 3:15 p.m.

Pro King paid	$15.00 ✓
plff on orig.	67.06
Sheriff's costs	33.00

WRIT OF REVIVAL OF JUDGMENT

of

AD 1984 - 1149

Debt ----- $3,277.71
Dated-------Jan. 24, 1992
A - 142 -------REVIVAL OF JUDGMENT
Barbara H. King, Pro.

Issued (sheriff)

Revival indexed in favor of plaintiff and against the defendant in the sum of Three Thousand Two Huindred Seventy Seven and 71/100 Dollars plus costs.

Feb. 13, 1992 SHERIFF'S RETURN filed. NOT FOUND as to Defendant Robert Adams. Moved from last known address of R.D. 2, Conneautville, Pa. Possibly in the Springboro area, address unknown.
So answers, Robert M. Stevens, Sheriff

116

1992

Northwestern Legal Services
Christopher Brode

116.

MICHELLE HALL

vs.

GENE SUTTER

Filed Jan. 30, 1992
@ 3:48 p.m.

Tax & entry Pd 1-11-93 $50.50 ✓
state Pd 1-11-93 5.00
Sheriff's Costs 37.00
Pro Co Pd 1-11-93, ~~9.00~~ 7.50 ✓
Pd 1-14-93 1.50 ✓

H1-93
Received
Sheriff Costs
A Dr 1992-116
37.00

1-11-93
Pd Sheriff costs
Ck# 7273
37.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 20th day of January, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go to Plaintiffs home. defendant shall not contact Plaintiff in any way.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for February 21, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Feb. 3, 1992 SHERIFF'S RETURN filed. SERVED Gene Sutter personally on Jan. 31, 1992 at 1:28 PM by handing a copy of the Protection from Abuse to him at his residence, R.D. 2, Lot 120, Mitchell Lake Trailer Park, Cambridge Springs, Crawford County, Pa.. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 26, 1992 ORDER filed. ORDER: AND NOW, Feb. 21, 1992, at the time set for hearing to determine whether the Court should enter a permanent order, the Plaintiff appears with counsel and the defendant appears unrepresented. The Court is advised that the parties have reached an agreement and after advising the defendant of his right to counsel the Court is prepared to enter an order based on that agreement and based on the admission of the defendant of the incidents of June, 1991 and July,1991 alleged in the plaintiff's petition for emergency relief.

ACCORDINGLY, the Court enters the following Order, with the consent of the parties.

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or her minor child Andrew Lee Hall, in any manner and shall not procure others to any third party to do so at any time.
2. The defendant shall not go to the home of the plaintiff and shall be particularly cautious in that regard insofar as the plaintiff lives next door to the defendant nor shall he at any time telephone the plaintiff's residence or contact her at her place of employment in any manner.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.
4. A copy of this Order shall be delivered to the Pennsylvania State Police and to County Control.
5. The defendant shall pay the costs of this proceeding in the amount of $101.50 by making installments of$20.00 every two weeks beginning on March 2, 1992. Such payments shall be in the Office of the Prothonotary no later than the close of business at 4:30 p.m. on each day that they are due. The final payment shall be in the amount of $21.50, which payment shall be the fifth payment made by the defendant.
6. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
7. This Order shall remain in full force and effect through Fe. 20, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Feb. 26, 1992 copy given to County Control. Feb. 28, 1992 copy in box for C. Brode, mailed copy to Dft. & Pa. State Police

1992

Plate,Shapira, Hutzelman
Berlin, May, Walsh
and Brabender

Stephen H. Hutzelman

117.

MARINE MIDLAND BANK

vs.

LYLE BLAKESLEE

Filed Jan. 30, 1992
@ 4:24 p.m.

Pro King paid	$15.00
plff on orig.	145.07
Sheriff's costs	39.00
Pro Co pd 10-8-92	9.00

WRIT OF REVIVAL OF JUDGMENT

Of

AD 1986 - 1102

Revival of Judgment indexed in favor of plaintiff and against the defendant in sum of Two thousand Six Hundred Ninety Four and 49/100 Dollars.
Debt ------$2,694.49
Dated----Jan. 24, 1992
B - 101

Issued (sheriff)

Feb. 13, 1992 SHERIFF'S RETURN filed. SERVED Lyle Blakeslee personally on Feb. 5, 1992 at 11:10 AM at h is residence, R.D. 2, Spartansburg, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Oct 8, 1992 at 1:33 p.m., upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer within the time prescribed by law and assess the defendant for damages in the amount of Six thousand, three hundred, seventy-one dollars and fifty-fifty cents. Plus court cost of record.
B - 101 Debt: $6,371.55
Judgment
Barbara H. King, Prothonotary

For Entries as of July 16, 2000 see Computer.

1992

Mason & Mason
Joan D. Mason
~~Paul E. Allen~~

118.

LARRY E. SCHENBERG

vs.

LILLIAN A. SCHENBERG

Filed Jan. 31, 1992
@ 8:49 a.m.

INdigent filing
Pro.Co.pd 7/20/94 5.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Jan. 31, 1992 Application to Proceed In Forma pauperis and Order filed. ORDER: AND NOW, Jan. 31, 1992, upon consideration of the foregoing application, Plaintiff is granted leave to proceed in this matter, In Forma Pauperis and the Prothonotary is directed to accept the complaint for filing.

This order is without prejudice to a future showing that either party is financially able to apy all or part of the costs incurred in this matter. BY THE COURT,
Anthony J. Vardaro, Judge

Apr. 21, 1992 Complaint reinstated.

June 15, 1992 Praecipe for Reinstatment of Complaint filed by Paul E. Allen, Esq. for Plaintiff.

Jul. 20, 1994 Appearance of Joan D. Mason, Esquire, Attorney for Plaintiff, filed.

Jul. 20, 1994 Upon Praecipe of Joan D. Mason, Esquire, Attorney for Plaintiff, the above captioned divorce action is marked discontinued of record.

1992

R Charles Thomas

119.

John Spataro

LYLE R. BALL

vs.

TRUDI I. BALL

Filed Jan. 31, 1992
@ 10:56 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00

JOHN FULLER, mediator 150.00
Pro Co. Pd 3-20-92 9.00 ✓
Pro Co Pd 5-20-93 Ck# 2500 9.00
Pro Co Pd 6-30-93 9.00

Received from Plaintiff 3-20-92 Mediation $75.00

2-17-93 Received from deft Med deposit 150.00
835-7 Pd deft bal med dep 41.00 Ck # 7528
5-20-93 Pd Co Com. Med Fee Ck# 7559 175.00
6-30-93 Rec from Plf. Med Fee $100.00
8-17-93 Pd Co Com, Med. Dep Ck# 7729 100.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Trudi I. Ball, defendant have been sued in court to obtain custody fothe following children: Rita M. Ball, Kimberly Ann Ball; and Ruth Anna Ball.

You are hereby ordered to appear in person at such time and at such place as is hereby designated by the Custody Mediator hereinafter appointed for a conference.

JOHN FULLER, EQUIRE is hereby appointed as Custody mediator in this case.

If you fail to appear at the time specified by the custody mediator hereby appointed by this order, an order for custody may be entered agaisnt you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford done, goto or telephone the office set forth below to find out where you can get legal help.

Court Administrator, Crawford Countycourthouse, Meadville Pa. 16335 814 336-1151 Ext. 298

Anthony j.Vardaro,
Judge

Mar. 10, 1992 ORDER filed. AND NOW, March 10, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Rita M. Ball, Kimberly Ann Ball and Ruth Anna Ball shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take park fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Rita M. Ball, Kimberly Ann Ball and Ruth Anna Ball shall be with their father, subject to the following conditions:

A. The mother shall be entitled to visit and take the children into her custody every other weekend from either 2:30 p.m. or 8:30 p.m. (depending on the mother's work schedule) on Saturday to 8:00 p.m. on Sunday, beginning Mar. 7,1992.

B. In the event the mother moves from her present apartment to an apartment in, or near, Cambridge Springs, as she anticipates, weekend visits will be from 5:00 p.m. on Friday evening until 8:00 p.m. on Sunday evening.

C. Holidays shall be defined as Christmas, Easter and Thanksgiving . Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the day before the aforesaid holidays from 10:00 a.m. until 8:00 p.m. and in the custody of the father on the aforesaid holidays.

D. Beginning with the Summer of 1992, the children shall be in the custody of the mother for a period of six (6) weeks. Unless the parties agree otherwise, the six (6) weeks shall consist of the last two (2) weeks in June, the last two (2) weeks in July and the last two (2) weeks in August. The mother's extended visits are conditioned upon her being able to find a rental property prior to June 15, 1992. The father may inspect this property to assure himself the children have a safe place to live.

E. Transportation of the children on weekends, holidays and Summer visits shall be provided as follows: Transportation shall be divided equally with the parent receiving custody providing transportation, that is, if the mother is to have the children for the week end she shall pick the children up at the house of the father and on Sunday evening, the father shall pick the children up at the house of the mother.

F. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

G. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

H. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference will be equally divided with the father paying one-half (1/2) of the cost thereof and the remaining one-half (1/2) being paid by Crawford County. Gordon R. Miller, P.J.
Mar. 12, 1992 copy in box for R.C. Thomas, J. Spataro, J. Fuller, copy mailed to Plf. & Dft.

April 8, 1993 ORDER filed.AND NOW, April 5, 1993 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Rita M. Ball, Kimberly Ann Ball, and Ruth Anna Ball shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Beginnign June 1, 1993, physical custody of Rita M. Ball, Kimberly Ann Ball, and Ruth Anna Ball shall be with their Mother, subject to the following conditions: (Until June 1, 1993 the present order shall remain in full force and effect.)

A. The Father shall be entitled to visit and take the children into his custody every other weekend from 5:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday, beginning June 11, 1993.

B. Holidays shall be defined as Christmas, Easter, and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the Father on the day before the aforesaid holidays from 10:00 a.m. to 8:00 p.m. and in the custody of the Mother on the aforesaid holidays.

C. Beginning with the Summer of 1993, the children shall be in the custody of the Father for a period of two, one week periods. The Father shall give the Mother & Children at least thirty (30) days notice of the dates of the Summer visits.

D. Transportation of the children on weekends, holidays and Summer visits shall be provided as follows: Transportation shall be divided equally with the parent receiving custody providing transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

RECORD CONTINUED ON PAGE 479.....

120

1992

Melvyn S. Mantz
Mantz & Benstead

120.

FIRST DEPOSIT NATIONAL BANK
4940 JOhnson Dr. Pleasanton, CA.
vs.

ROBERT C. SANTON AND
BARBARA A. SANTON
R. D. #9, Box 1046
Mullin Road
Meadville, Pa. 16335

Filed Jan. 31, 1992
@ 1:46 pm

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's costs	36.00
Pro Co. pd 4/27/92	9.00 ✓

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Feb. 21, 1992 Sheriff's Return filed. SERVED Robert C. Santon personally on Feb. 11, 1992, at 3:44 PM by handing him a copy of the Complaint in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.

NOT FOUND as to Defendant Barbara A. Santon. The Defendants have divorced and Barbara Santon is living in the Cleveland, Ohio, area. Address unknown.
So answers,

Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

April 20, 1992, 11:34 a.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant, Robert C. Santon only, for failure to plead or otherwise respond to the Complaint and assess the damages as follows:

Amount of Claim	$4,888.17
Less-Amount paid on account	
PLUS-Interest from 3/8/92 to 3/22/92	$ 44.60
TOTAL	$4,932.77 plus costs

Debt $4,932.77

April 27, 1992 Notice of Entry of judgment mailed to defendant.

EX1992-105

1992

Brian J. Lindsay

121.

R.Christopher Brode

DARLENE M. BRENOT

vs.

DAVID AUSTIN BRENOT

Filed Jan. 31, 1992
@ 2:03 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co Pd 3/10/94	9.00
Sheriff's Costs	25.00
Pro Co	9.00
John Fuller, Mediator	200.00

ORDER Filed. ORDER: AND NOW, upon presentation and consideration of the foregoing, and the parties hereto having executed same, the foregoing agreement is entered as an Order of this court.

BY THE COURT,
Gordon R. Miller, J.

Mar. 7; 1994, copy of order to Atty. lindsay.

Mar. 8, 1994, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

March 16, 1994 AND NOW, March 11, 1994, it is ordered and decreed that DARLENE BRENOT, plaintiff, and DAVID AUSTIN BRENOT, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

AND NOW, August 23 , 1994 , upon consideration of the petition filed by the Defendant in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Defendant is granted leave to proceed in forma pauperis at this time.

The Defendant is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 7, 1994 Copy FAXED to Atty. Lindsay, copy given Dft.

Order:

You, Darlene Benot , have been sued in Court to obtain custody of Justin, Shane & William .
You are ORDERED to appear in person at such time and place as will be determined by the Mediator, John Fuller for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

Date: 8/25/94 Anthony J. Vardaro, J.

Sept. 7, 1994 Copy FAXED to Atty. Lindsay, copy given Dft.

RECORD CONTINUED ON PAGE 515.....

COMPLAINT IN DIVORCE, CUSTODY/ VISITATION

2 copies (atty)

Feb. 6, 1992 Vertification Of Service filed. I, RICHARD B. DIETRICH, do hereby verify that I am 18 years of age or older, that I did on this 31 day of January, 1992, serve a true and correct copy of the Divorce Complaint filed at the above term and number, upon the person of the Defendant above named at 5:25 o'clock p.m. at: Weaver's Inn on North St., Meadville, PA by handing a certified copy of same to him.

I verify that the facts set forth above are true and correct to the best of my knowledge, information and belief.

I make this verification with notice that willful false statements made herein are punishable as perjury under Section 4904 of the Pennsylvania Crimes Code, relatling to unsworn falsification to authorities.

Richard B. Dietrich

Dec. 10, 1993 Affidavit of Consent of Plaintiff filed.

Dec. 29, 1993 Affidavit of Consent of Defendant filed.

Mar. 2, 1994, CONSENT CUSTODY ORDER, AGREEMENT AND

Brian J. Lindsay

122.

DARLENE M. BRENOT

vs.

DAVID AUSTIN BRENOT

Filed Jan. 31, 1992
@ 2:18 p.m.

Tax & entry Pd 4-9-92 $50.50 ✓
state 4-9-92 Pd 5.00
Sheriff's Costs 28.00
Pro Co 4-9-92 Pd 9.00 ✓

Received from Dept of Rev 4-9-92 $28.00
Paid Sheriff 4-9-92 Ck# 6769 28.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies (sheriff)
1 copy (plff)

ORDER FOR HEARING UNDER PROTECTION FROM ABUSE ACT:
AND NOW, this 31st day of Jan. 1992, upon presentation and consideration of the foregoing Petition for Relief a hearing thereon is scheduled for the 21 dayof Feb. 1992 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford CountyCourthouse,

The respondent is hereby advised of the right to be represented bycounsel.

Service of the petition and this order for hearing on respondent shall be made by the sheriff or a competent adult in the same manner as a complaint in an action in equity.

BY THE COURT,
Gordon R. Miller, J.

TEMPORARY PROTECTION ORDER:
AND NOW, this 31 dayof Jan. 1992, upon presentation and consideration of the foregonig petition and further upon petitioner's showing during an ex parte proceeding to the court's satisfaction that there is an immediate and present danger of abuse to the petitioner and / or the minor children of the parties, the following temporary order is hereby entered:

1. The respondent David Austin Brenot is directed and prohibited from:

a. attempting to cause or intentionally, knowingly or recklessly causing bodily injury or serious bodily injury with or without a deadly weaPON TO THE PETITIONER AND/OR THE MINOR children of the parties.

b. Contacting the petitioner for any purpose whatsoever, either at home or at the place of petitioner's employment; and

c. harassing, threatening or following petitioner and/or the minor hcildren; and

d. appearing at petitioner's residence or at petitioner's place of employment.

2. The respondent is hereby evicted fromthe marital residence located at 196 Spring St. Meadville, and the petitioner is given exclusive possession of said residence.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered tothe police depts. in the jurisdiction where the petitioner resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff constable police officer or competent adult.

6. This temporary protection order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment or fees and costs will be determined by final court order.

7. The respondent is reminded that his is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentenceof up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Feb. 21, 1992 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford Countycourthouse, The respondent is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY THE COURT,
Gordon R. Miller J.

Feb. 5, 1992 SHERIFF'S RETURN filed. SERVED David Austin Brenot personally on Feb. 4, 1992 at 1:22 PM in the Sheriff's Office, Crawford County Courthouse, Meadville, Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 5, 1992 ORDER filed. AND NOW, Feb. 4, 1992, upon review of the plaintiff's complaint for indirect criminal contempt for violation of a protection from abuse order a hearing on contempt shall be held, that is on Feb. 21, 1992 at 3:30 p.m. in Courtroom 1 or 2 or the Crawford County Courthouse.

A copy of this Order shall be sent forthwith to the parties at their addresses set forth on the original petition by regular mail.

BY THE COURT
Gordon R. Miller, P.J.

~~Feb. 11, 1992 mailed copy to Plf. & Dft.~~

Feb. 6, 1992 Acceptance of Service filed. I, Patrolman Jeff LeGuard, of the Meadville City Police Department, City Bulding, Water St. Meadville, PA, do her eby acknowledge receipt of a certified copy of the Protection From Abuse Petition and Order in the above captioned matter.
Date Jan. 31, 1992 Jeffery A. LaGuard

Feb. 6, 1991 Verification of Service filed. I, RICHARD B. DIETRICH, do hereby verify that I am 18 years of age or older, that I did on this 31st day of January, 1992, serve a true and correct copy of the Petition/Order filed at the above term and number, upon the personof the rEspondent above named at 5:25 o'clock p.m. at: Weaver's Inn on North st. by handing a certified copy of same to him.
I verify that the facts set forth above are true and correct to the best of my knowledge, information and belief.
I make this verification with notice that willful false statements made herein are punishable as perjury under Section 4904 of the Pa Crimes Code, relating to unsworn falsification to authorities. Richard B. Dietrich

Feb. 6, 1992 Acceptance of Service filed. I, (signature illedgable) of Crawford County Control, Crawford County Courthouse, Meadville, PA, do her eby acknoledge receipt of a certified copy of the Protection From Abuse Petition and Order in the above captioned matter.

Feb. 11, 1992 Order Setting Hearing filed. And now, February 11, 1992, hearing in the above matter is set for February 12, 1992, at 9:30 A.M., in Courtroom 2 of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, C.A.

Feb. 11, 1992 Copies given out by Court Administrator.

CONTINUED ON PAGE 451

1992

Watts and Pepicelli
Christopher D. Ferry

Alan L.Pepicelli

123.
Thomas,Truax,Spadafore
and Walker
R. Charles Thomas

Culbertson,Weiss,Schetroma
and Schug
E. Max Weiss , for Dft.,
Larry G. Kebort.

CHERYL ANN MESSERSMITH AND
GEORGE T. MESSERSMITH,
HER HUSBAND

vs.

MAC'S TOY WORLD, INC.,
A CORPORATION, LARRY G.
KEBERT; CHARLES D. McGRAW,
INDIVIDUALLY, AND t/a/d/b/a
MAC'S TOY WORLD; AND TOY
WORLD OF OHIO, INC. A
CORPORATION

Filed Jan. 31, 1992
@ 4:05 p.m.

1-3-92

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	94.50
Sheriff's Costs	35.55
Sheriff's Costs	60.50
Pro.Co. pd 7/13/94	6.00

JURY TRIAL DEMANDED

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Mar. 4, 1992, Summons reissued.

Mar. 18, 1992 SHERIFF'S RETURN filed. SERVED Larry G. Kebert on Feb. 4, 1992 at 1:40 PM by handing a copy of the Summons to Albert Allegretti, his Authorized Agent, at h is business, Kebort Construction, Route 322, Meadville, Crawford Co., Pa. Signed Acceptance of Service attached.

NOT FOUND as to Defendant Mac's Toy World, Inc. Business address at R.D. 4, Box 1091, Perry Highway, Meadville, Crawford County, Pa. is vacant.

NOT FOUND as to Defendant Charles D. McGraw. He is believed to be in Florida, address unknown.

NOT FOUND as to Defendant Mac's Toy World, Inc., as per Affidavit of Service retunred from Erie County. Mac's Toy World, Inc. is no longer in business.

NOT FOUND as to Defendant Toy World of Ohio, Inc., as per Affidavit of Service returned from Erie County, Pa. No such address of 515 French St., Erie, Pa. Affidavit of Service attached.

So answers, Robert M. Stevens, Sheriff

Apr. 2, 1992, Writ Reissued.

May 1, 1992 Reissue for Writ of Summons, filed.

June 1, 1992 Reissue for Writ of Summons, filed.

June 3, 1992 Sheriff's Return and Affidavit of Service filed. SERVED the within Summons on N/S, upon Toy World of Ohio, Inc. at 191 Perkinswood Warren, Trumbull County, OH 44483 by handing to Not at that Address a true and correct copy thereof and made known to _____ the contents therein.

Richard A. Jakmas, Sheriff Trumbull County, Ohio
By J. Walton, Deputy

Sheriff's Return filed. NOT FOUND as to Defendant Toy World of Ohio, Inc., as per Affidavit of Service returned from Trumbull County, Ohio, Sheriff's Office. Affidavit attached.

So answers, Robert M. Stevens, Sheriff

July 1, 1992 Writ of Summons reissued.

July 27, 1992 SHERIFF'S RETURN, filed. SERVED Charles D. McGraw by deputizing the Sheriff of Erie County, Pa. as per h is Affidavit of Service attached. Served on June 8, 1992.

NOT SERVED as to Defendant Toy World of Ohio, Inc., as per Affidavit of Service returned from Trumbull County, Ohio, attached hereto.

So answers, Robert M. Stevens, Sheriff

I hereby deputize the Sheriff of Erie Co,, Pa. to serve the within Summons according to law. The defendants alleged address is 7502 Blaze Rd. or RD 2 RT 98, Edinboro, Pa 16412.

SERVED the within Writ of Summons on June 8, 1992, at 1257 hrs. upon Charles D. McGraw at 7502 Blazey Rd, Erie Co., Erie, Pa. by handing to Elaint McGraw, his wife a true and correct copy thereof and made known to her the contents therein. Robert N. Michel, Sheriff Erie

Jan. 26, 1994 Complaint in Civil Action filed. (2 copies Atty.)

Jan. 27, 1994 Certificate of Service filed. Alan L. Pepicelli, Esquire, hereby certifies that he is the attorney for the Plaintiffs in the above-captioned case and that a certified copy of the Complaint in Civil Action was sent via regular U.S. mail,on January 26, 1994, as follows:

R. Charles Thomas, Esquire
Old Post Office Building
296 Chestnut Street
Meadville, PA 16335
(Attorney for Charles D.McGraw,
Individually, and t/a/d/b/a Mac's Toy World)

Larry G. Kebert
c/o Kebert Construction
Route 322
Meadville, PA 16335

By: Alan L. Pepicell, Esquire, Attys for Pltfs.

March 21, 1994 Appearance of Culbertson, Weiss, Schetroma and Schug By E. Max Weiss, attorneys for defendant, Larry G. Kebort, filed.

Jul. 13, 1994 Upon Praecipe of Alan L. Pepicelli, Esquire, Attorney for Plaintiffs, the above-capitoned case is settled and discontinued of record, filed.

Robert J. Felton

124.

REBECCA L. STEPHENS

vs.

BRYAN S. STEPHENS

Filed Feb. 3, 1992
@ 9:40 a.m.

Tax & entry Pd 11-9-94 $50.50
state Pd 11-9-94 5.00
Sheriff's Costs 29.00
Pd 11-9-94 9.00

11-9-94 Rec'd from deft Sheriff's costs 29.00

11-9-94 Pd Sheriff #8458 29.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 3 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Dfendant shall not go to plaintiff's mother's residence at RD #3 Townlind Rd. Union City, were Plaintiff resides nor shall he call that residence or plaintiff's father's residence. Plaintiff shall have exclusive tempora ry cusotdy of both minor children with no visitation to dft. without frther order of court in this or in any existing custody action.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for February 24, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 5, 1992 SHERIFF'S RETURN filed. SERVED Bryan S. Stephens on Feb. 3, 1992 at 2:39 PM by handing a copy of the Protection from Abuse to Mary Lou Hewitt, Adult in Charge and the mother of Defendant's girlfriend, who resides at RD 5, Titusville,Crawford Co., Pa. Bryan S. Stephens was in Cleveland and would be returning to the residence that evening and would he handed the Protection from Abuse. So answers, Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Feb. 26, 1992 ORDER filed. AND NOW, Feb. 24, 1992 after a formal hearing, the Court is satisfied that the Plaintiff was abused as defined by the Act under 6102(a) (2); that is, placed in fear by physical menace, and accordingly, enters the following order:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff in any way.
2. The Defendant shall not go to the Plaintiff's residence except to exercise those custody or visitation rights that are given to him by a Court Order entered by a Court of competent jurisdiction.
3. The Court makes no provisions now with respect to custody or visitation because (a) this is largely an abuse proceeding; and (b) a custody hearing is scheduled for March 10, 1992 and thus this Court believes that custody and visitation should be decided in the appropriate, traditional manner; that is, in that proceeding. The Court does not now take any position with respect to custody or visitation and leaves that to the custody mediator or a future judge after hearing de novo.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered to the Pa. State Police and to County Control.
6. This order shall remain in full force and effect for one year from this date unless modified or terminated by further Court Order.
7. The Defendant shall pay record court costs no later than March 24, 1992.
8. The Defendant is reminded that his is an order of Court, and violation of this order may be punishable by a fine up to $1,000 and a jail sentence up to six months.

By Order Of The Court,
Gordon R. Miller, P.J.

Feb. 26,1992 Copy of Order given to County Control, Plaintiff, Atty. Brian Lindsay, defendant, copy mailed to Pa. State Police.

*See Below June 8, 1992 ORDER FILED. AND NOW, JUne 3, 1992 this matter is before the Court on a complaint for indirect criminal contempt alleging violation of the Protection from Abuse order dated February 24, 1992.

The Court, after hearing, declines to find the Defendant in willful contempt of this order and accordingly this contempt petition is dismissed.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

June 8, 1992 Copy of the Order to Robert J.FElton, Esq., County Control, State Police

*June 8, 1992 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse order filed.

Dec. 3, 1992, Complaint for Indirect Criminal contempt for Violation of Protection From Abuse Order filed.

Dec. 3, 1992, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Dec. 2, 1992, Plaintiff's request that the defendant be held in contempt of court for violation of a protection from abuse order of Feb. 24, 1992, is set for hearing on Jan. 27, 1993 at 9:15 a.m. in C. R. No. 2 at the Crawford County Courthouse.

Each party shall be mailed a copy ofthis Memorandum and Order and a copy shall be immediately sent by facsimile to the Corry State Police. BY THE COURT,
Anthony J. Vardaro, J.

Dec. 3, 1992, all copies circulated per order by Judge vardaro's Sec.

Continued on Page 124A

REBECCA L. STEPHENS
VS.
BRYAN S. STEPHENS

CONTINUED FROM PAGE 124
of Record
A. D. 1992 - 124

****

Feb 5, 1993 ORDER filed. AND NOW, Jan. 27, 1993, after hearing, the Court declines to hold the Defendant in indirect criminal contempt for violation of a protection from abuse order.

It appears that any verbal comments that were made by the Defendant apparently arose out of continuing disputes regarding custody of the minor children of the parties and are were not of a nature which legally was anticipated by the protection from abuse order entered in this matter.

The Court does, however, note that the Defendant has failed to pay Court costs in the amount of $93.50 as ordered and he shall pay the same within 30 days of this date or may be subject to and found in contempt for his failure to do so and appropriate snactions may be imposed.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 5, 1993 copies distributed by Court.

1992

1992

Northwestern Legal Services
Christopher Borde

125.

Received from defendant 4-6-92 74.96 Sheriff's costs

CHERYL ANN PETERSON

vs.

DUANE ALLEN PETERSON

Filed Feb. 3, 1992
@ 10:47 a.m.

Tax & entry Pd 4-3-92 $50.50
state Pd 4-3-92 5.00
Sheriff's Costs 74.96
Pro Co Pd 4-3-92 9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 3 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff shall have exclusive possession of the marital home a nd defendant shall not go on said property. Plaintiff shall exclusive temporary custody of the minor children with no visitation to defendant without further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for February 24, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 11, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Erie County, Pa. to serve the within Protection From Abuse accordfing to law. The defendants alleged address is c/o Barbara Olson, 8207 Broowdood Dr., Erie, Pa. 16509. Robert M. Stevens, Sheriff, Crawford County, Pa.

SERVED the within Petition for Protection on Feb. 4, 1992, at 1720 hrs., upon Duane Allen Peterson at 8207 Broodwood Dr., Erie County, Erie, Pa. by handing to Duane Allen Peterson a true and correct copy thereof and made known to Duane Allen Peterson the contents therein. Robert N. Michel, Sheriff, Erie County, Pa.

Feb. 26, 1992 ORDER filed. AND NOW, Feb. 24, 1992, the parties are before the Court in this abuse action for a hearing, a temporary abuse Order having been entered on Feb. 3, 1992.

The Plaintiff appears with counsel and the Defendant appears unrepresented and after being advised of his right to an attorney indicates that he wishes to proceed without an attorney.

The parties have reached an agreement with regard to this matter without the Defendant admitting any abuse on his part.

Accordingly, the Court enters the following abuse Order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children of the parties named in the petition nor the minor child Christopher L. Hlopick.
2. Plaintiff shall have exclusive possession of the marital home and the Defendant shall not go to said property for any reason other than those set forth in this Order.
3. The Defendant may go to the marital home during the course of this Order wheninvited by the Plaintiff but not when invited by any of the minor children.
4. The Plaintiff shall have exclusive custody of the parties' minor children with the following visitation schedule for the Defendant:

A. The Defendant shall visit with the minor children each weekend beginning the weekend of Feb. 20, 1992 either on Saturday or Sunday from 9:00 a.m. to 8:00 or 9:00 p.m.

B. The Defendant shall be entitled to go to the marital home for the purpose of picking up his belongings at a time to be agreed upon by the parties through a Wednesday evening telephone call between the hours of 5:00 p.m. and 8:00 p.m. on the first Wednesday that the Defendant is released from a 28 day program at the V.A. Hospital in Pittsburgh, at which time the parties will make arrangements for the Defendant to pick up his personal belongings at some time during the subsequent weekend.

Said visit shall only be long enough to pick up his belongings and shall not be for any prolonged period of time and during said visit the Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the aforesaid children in any manner.

C. The fisits with the Defendant shall take place at the home of his mother, Barbara Olsen, at 8207 Brookwood Dr. in Eire, Pennsylvania, with each such weekly visitation being arranged by the parties during a telephone call that the Defendant shall place to the home of the Plaintiff between the hours of 5:00 p.m. and 8:00 p.m. on the Wednesday preceding the visitation weekend.

At that time the parties shall determine whether the visitation will occur on Saturday or Sunday and whether it will end at 8:00 p.m. or 9:00 p.m. If the Plaintiff is working when the Defendant places the telephone call for that purpose, she shall have told the parties' children which day the visitation shall occur and whether it will be until 8:00 p.m. or 9:00 p.m.

D. During the telephone calls that take place on Wednesday evenings between the hours of 5:00 p.m. and 8:00 p.m. to determine when visitations shall occur on the subsequent weekend, the Defendant shall also be entitled to have a reasonabale conversation with his children but shall not use the telephone calls for an opportunity to harass or threaten either the Plaintiff or the childrend.

5. As soon after the completion of a 28 day program at the V.A. Hospital inPittsburgh that the Defendant will begin on Feb. 27, 1992, the parties will make arrangements for the Plaintiff to visit with the Defendant at the V.A. Hospital in Erie for thepurposes of a discussion regarding their future.

CONTINUED ON PAGE 453

1992

C. Barton Jones

126.

JAINE MARTHA COTTRILL

vs.

DAVID EARL COTTRILL

Filed Feb. 3, 1992
@ 11:37 a.m.

Tax & Entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co Pd 2/14/94	-9.00
Pro Co pd 2/25/94	5.00

COMPLAINT IN DIVORCE, CUSTODY

Mar. 11, 1993 Affidavit of Consent of Defendant filed.

Apr. 21, 1993, Affidavit of Consent of plaintiff filed.

Feb. 14, 1994, Affidavit of Service by mail pursuant to Pa. R.C.P. 1920.4 (a) (1) (ii) filed. i, C. Barton Jones, Esq., being duly sworn according to law, deposes and says that he is the atty. for plff and that he did mail a true and correct copy of the complaint in Div. filed in above matter, by Cert. mail, ret. rec. req., to the defendant, on Feb. 3, 1992 at his address at that time: #AJ-1631, 801 butler, Pike RD. Mercer, Pa. 16137. Signed receipt attached as Exhibit "A". C. Barton JOnes, Esq.

Feb. 14, 1994, upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Feb. 22, 1994 ORDER, fild. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

Plaintiff's 3301(c) affidavit filed in violation of Pa.R.C.P. 1920-42(b)(2).

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree. BY ORDER OF COURT:
Anthony J. Vardaro, J.

Feb. 25, 1994 copy to C.B. Jones

Mar. 11, 1994 Affidavit of Consent of Plaintiff, filed.

Mar. 11, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

March 18, 1994 AND NOW, March 17, 1994, it is hereby ordered and decreed that JAINE MARTHA COTTRILL, Plaintiff, and DAVID EARL COTTRILL, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 24, 1994 Notice Of Intention To Resume Prior Name filed. Martha Jaine Cttrill, Jaine Martha Cottrill TO BE KNOWN AS Martha Jaine Ours

1992

William J. Gregg

127.

Watts and Pepicelli PC
Alan L. Pepicelli

STEVE SHELATZ AND MARJORIE SHELATZ, HIS WIFE

vs.

WILLIAM SHELATZ

Filed Feb. 3, 1992
@ 1:27 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	31.00

COMPLAINT

1 copy (sheriff)

Feb. 12, 1992 Sheriff's Return filed. SERVED William Shelatz personally on February 4, 1992 at 3:46 Pm at his residence, R.D. #1, Box 173, Hartstown, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 19, 1992 Appearance of Watts and Pepicelli PC by Alan L. Pepicelli for Defendant, filed.

Mar. 9, 1992 Preliminary Objections filed.

Dec. 21, 1993 Motion to Withdraw as Counsel and Order filed. AND NOW, this 20 day of December, 1993, this Honorable Court hereby grants the Motion to Withdraw as Counsel in the above captioned action. BY THE COURT:
Anthony J. Vardaro, J

Jan. 3, 1994 Copies of order to Atty's Gregg & Pepicelli

1992

Kathleen R. Nelson

128.

GRETCHEN ZIEGLER PARKINSON

vs.

JACK R. PARKINSON

Filed Feb. 3, 1992
@ 1:30 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00
Childrens Fund Pd 10 00
1 count Pd 2/3/92 15 00
St. Pd 2/3/92 5.00
Pro Co pd 5/11/92 9.00
Pro Co pd 6/5/92 5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Feb. 21, 1992 Affidavit of Service filed. Kathleen R. Nelson, Esq., being duly sworn according to law, deposes and says that the folowing facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice to Defend were sent by registered mail to the Defendant Jack R. Parkinson, on Feb. 10, 1992.

3. The registered mail was sent to Jack R. Parkinson, PO Box 1274, Gulfport, MS 39502-1274. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on Feb. 14, 1992. Said Return Receipt card P 067 507 551 is attached hereto, signed by Jack R. Parkinson made a part hereof.

Kathleen R. Nelson, Esq.

May 8, 1992 AFFIDAVIT OF CONSENT of Plaintiff filed.

May 8, 1992 AFFIDAVIT OF CONSENT OF Defendant filed.

May 11, 1992 Upon praecipe of Plaintiff Attorney For Review Under §3301(c) of the Divorce Code, this case moved to court.

DIVORCE DECREE FILED.

May 19, 1992 STIPULATION AND DECREE FILED. AND NOW, this 18th day of May, 1992, upon presentation and consideration of the foregoing Stipulaton, the Court order and decrees as follows:

1. DIVORCE: Upon consideration of the pleadings and Affidavits filed in the above captioned case, the Court hereby grants an absolute divorce from the bonds of matrimony to the above named parties on the grounds that the marriage is irretrievably broken and ninety days have elapsed from th date of filing of the Complaint and an Affidavit has been filed by each of the parties evidencing that each consents to the divorce pursuant to Section 3301(c) of the Divorce Code.

2. REAS ESTATE: The parties are owners as Tenants by the Entireties of residential real estate located on Highland Ave. in the Second Ward of the City of Meadville, Crawford Co. PA. Plaintiff is in possession of the premises, and shall pay as her sole obligation, all past, present, and future costs, expenses, or liabilities attributable to or resulting from the ownership of the premises, including but not limited to, all mortgage payments (interest and principal), repairs and maintenance, taxes and utilities and homeowners insurance in connection with said property. Plaintiff shall hold defendnt harmless in regard to said liabilities and shall have the right to exclusive use of the property. Defendant shall deliver to Plaintiff's counsel a Quitclaim Deed conveying to Plaintiff all of his right, title, claim, and interest in the premises. Said deed shall be in recordable form.

4. TANGIBLE PERSONAL PROPERTY: The parties hereto shall each retain those items of personal property such as jewelry, clothing, furniture and personal effects now in his or her possession. The Plaintiff shall retain the funds remaining in the American Federal Savings Checking Account and the account with A.G. Edwards and Sons, Inc. and said funds shall become the sole and exclusive property of the Plaintiff.

5. 1991 TAX REFUND: The parties hereto shall equally divide hereto between themselves the refund from the Internal Revenue Service as a result of filing 1991 Form 1040 and expected to be approximately $1,627.00 after reduction for preparer's fees.

5. SUPPORT, ALIMONY, ALIMONY PENDENTE LITE: Plaintiff and Defendnat acknowledge that each has property which is sufficient to meet their reasonable needs; therefore, each has waived any claim for support, alimony, or alimony pendente lite he or she may have against the other.

By the Court:
Gordon R. Miller, J.

June 5, 1992 Notice Of Election to Retake Maiden Name filed. Gretchen Ziegler Parkinson TO BE KNOWN AS: Gretchen Ziegler

1992

pro se

129.

Alan Shaddinger

JAMES H. ANDERS

vs.

WEST MEAD TOWNSHIP CODE APPEALS BOARD,
WEST MEAD TOWNSHIP BOARD OF SUPERVISORS, AND
WEST MEAD TOWNSHIP CODE ENFORCEMENT OFFICER

Filed Feb. 3, 1992
@ 4:08 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro.Co. pd 10/25/92	35.50
Pro.Co. pd 9/16/93	5.00

✓ NOTICE OF APPEAL

Feb. 4, 1992, Certiorari issued and mailed to Michael L. Jorden, ret. rec. req.

✓ Mar. 17, 1992, Motion to Compel the West Mead Township Supervisors to Comply with the Writ of Certiorari Issued by this court filed.

✓ Mar. 17, 1992, ORDER filed. AND NOW, this 16 day of March 1992, the court is presented with Appellant's motion to compel the West Mead Township Supervisors to comply with the writ of certiorari issued by this court and this matter is argued at Motion Court and the parties agree that no further order shall be necessary with regard to this motion due to the fact that the court his day has entered an order pursuant to a motion of the appellees remanding this mtter for hearing in accordance with Sect. 754(a) of the Pa. Local Agency Law, 2 Pa. C.S. §574(a).

BY THE COURT,
Anthony VaRDARO, Judge

Mar. 17, 1992, copies to Atty. Shaddinger and plff.

✓ Mar. 17, 1992, Motion of Appellees for Remand for Hearing and Order filed. ORDER: AND NOW, this 16 day of March 1992, upon consideration fo the Motion fo West Mead Township for REmand of the above captioned appeal for hearing in accordance with Sect. 754(a) of the Pa. Local Agency Law, 2 Pa. C.S. §754(a), the motion is granted and it is hereby ordered that the proceedings which are the subject of this appeal are hereby remanded to the West Mead Township Code Appeals Board for a hearing within 30 days of the date of this order in accordance with the applicable provisions of the Pa. Local Agency Law, and the purposes of making a full and complete record for submission in this appeal and further disposition of this court.

BY THE COURT,
Anthony J. Vardaro, Judge

Mar. 20, 1992, copies of order to Atty. Shaddinger and plff.

✓ Apr. 15, 1992 MOTION TO COMPEL THE TOWNSHIP TO SHOW WHY THE HEARING OF THE BOARD IS UNTIMELY OR SUFFER A DEFAULT JUDGMENT, filed.

✓ Apr. 15, 1992 ORDER filed. AND NOW, April 15, 1992, the Appellant appears in Motion Court with a motion to complel the township to show cause why the hearing of the Board is untimely insofar as the Board has scheduled a hearing for April 16, 1992 which is 31 days after the Corut's order of March 16, 1992 requiring a hearing within 30 days.

Counsel for the Board also appears and the Court advises the parties at Motion Court that the Court does not believe there was willful effort on the part of the township to violate the order and the Court believes that the township was attempting to give a timely hearing to the Appellant and accordingly the Court declines to sanction the township in any manner provided the hearing is held on April 16, 1992 at 7:00 P.M. as scheduled. By the Court,
Anthony J. Vardaro, J.

Apr. 22, 1992 copy in box for A. Shaddinger, mailed copy to Anders

✓ June 12, 1992 MOTION FOR A TRIAL DE NOVO, filed.

✓ June 12, 1992 ORDER, filed. Re: Appellant's Motion for a Trial De Novo. AND NOW, June 12, 1992, the Appellant appears in Motion Court with a motion entitled "Motion for a Trial De Novo". The Court has previously remanded this matter to the West Mead Township Code Appeals Board for hearing in accordance with 2 Pa. C.S.A. § 754(a).

Apparently that hearing was conducted and findings of facts and conclusions of law were entered by the Board on or about June 2, 1992.

The attorney for West Mead Township appears at Motion Court at the time the motion is presented and indicates the transcript of those hearings will be available soon and accordingly the Court Administrator will list this matter for hearing and argument in accordance with 2 Pa. C.S.A. § 754(b).

In order to have the transcript available and not to delay this matter, it should be listed sometime in late August 1992.

BY THE COURT:
Anthony J. Vardaro, J.

June 12, 1992 copy in box for A. Shaddinger and copy mailed to Anders.

✓ June 16, 1992 Assignment of Hearing date filed. June 15, 1992: The Court Administrator having been directed by the Court to set hearing and argument in the above matter, hearing and argument is set for August 26, 1992, at 9:00 A.M., in Courtroom 1 or 2.

FOR THE COURT,
Imogene Yetman, Court Administrator

June 16, 1992 Copies mailed to Plft. Put in Box for Atty. Shaddinger

✓ Aug. 28, 1992 Record of Proceedings Before the West Mead Township Code Appeals Board filed.
✓ Aug. 28, 1992 Transcript From Code Appeals Board Hearing filed.

✓ Sept. 25, 1992, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Sept. 24, 1992, Appellant's Appeal is dismissed.

BY THE COURT,
Anthony J. Vardaro, J.

1 copy (plff) 1 copy (atty. Shaddinger)

✓ Oct. 5, 1992 Motion For Reconsideration Based On An Olfactory Error and Local Agency Law 2PA.C.S. Sec. 555 filed.

✓ Oct. 5, 1992 Order filed. AND NOW, October 2, 1992, the Appellant appears in Motion Court with a motion for reconsideration based on an ofactory error and Local Agency Law 2 Pa.C.S. §555. Essentially, while the mtoion seems to be addressing additional matters, at the time the Appellant appears in Motion Court he indicates that essentially he wants reconsideration ofth eCourt's dismissal for being untimely filed because the Local agency did not make findings of fact with respect to the merits of his claim.

The Court declines to reconsider this matter and, as has been explained to the Appellant in Motion Court, findings of facts and conclusion of law of the Local Agency determined that the appeal was not timely filed and the Court has determined the same. therefore, while the testimony on the merits would be available had the Court ruled otherwise in this case, there was no reason for a findgins of fact nor an adjudication with respect to the merits on this case.

Appeallant's motion is therefore denied.

BY THE COURT,
Anthony J. Vardaro, J

Oct. 5, 1992 Copies to Plaintiff and Atty. Shaddinger

Continued of Record

to Page 475

130

1992

Ferguson & Spataro
JOhn F. Spataro

130.

SIGNAL CONSUMER DISCOUNT COMPANY

vs.

JOANN B. FRANK, NOW
JOANN B. TUCKER

Filed Feb. 3, 1992
@ 4:14 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
sheriff's costs	59.00
Pro Co pd 5/6/92	9.00

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE

1 copy (sheriff)

Feb. 26, 1992 Sheriff's Return filed. SERVED Joann B. Tucker personally on Feb. 13, 1992 at 10:46 AM at 110 Hemlock St., Titusville, Crawford Co., Pa.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, May 6, 1992 @ 1:44 PM upon praecipe of Plaintiff attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Eleven Thousand Nine Hundred Twentyeight and 88/100 plus interest and cost of suit.

F-94; T-94
Judgment entered May 6, 1992

Debt $11,928.88
Judgment
Barbara H. King
Prothonotary

EX1992-42

1992

N/W Legal Services
R. Christopher Brode

131.

MARY JANE McGARVIE

vs.

GREGORY McGARVIE

Filed Feb. 4, 1992
@ 1:51 p.m.

Indigent filing
William Pineo Mediator 52.00

COMPLAINT FOR SHARED LEGAL CUSTODY AND PARTIAL PHYSICAL CUSTODY

2 copies (atty)

ORDER OF COURT:

You, Gregory McGarvie, dft, have been sued in court to obtain custody/partial custody of the minor children, Trevis McGarvie and Timothy McGarvie.

You are ordered to appear in person at the time and place selected by WILLIAM PINEO, CUSTODY MEDIATOR.

If you fail to appear in person at the time and place as provide by this order, or fail to bring the children named in this complaint, an order for custody, partial custody, or visitation may be entered against you or the court may issue a warrant for your arrest.

The Crawford county Sheriff's Department is directed to serve a cert. coy of this complaint and order upon the defendant. In the alternative, this petition and order may be served by any competent adult or by cert. mail.

Plaintiff is allowed to proceed without payment of costs, reserving the right to impose costs.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford Countybar Assoc. Ser tothe Pub. Comm. c/o Prothonotary, Meadville, Pa. 814 724-4636.

Feb. 3, 1992

BY THE COURT,
Anthony vardaro, Judge

Feb. 4, 1992, Affidavit to Proceed in forma pauperis filed.

Feb. 4, 1992, Praecipe to Proceed In Forma Pauperis filed.

Feb. 13, 1992 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Defendant Gregory McGarvie at R.D. #1, Centerville, PA., by Certified U.S. Mail, Return REceipt Requested, on February 8, 1992.

R. Christopher Brode

Mar. 31, 1992 CONSENT CUSTODY ORDER filed. AND NOW, March 30, 1992, it is hereby ordered:

1. The parties are the natural parents of Trevis McGarvie, born June 18, 1980 and Timothy McGarvie, bon Feb. 8, 1987.

2. The parties shall share legal custody of said minor children. Said joint legal custody being shared shall entitled both of the parents to equal access to any records relating to the children held by a third party including, but not limited to, school and medical records, and also entitles both parents to equal input with regard to the educational and religious upbringing and training of the children as well as to elective surgery.

3. Primary physical custody of the children shall remain with the father Gregory McGarvie subject to regular visitation and temporary custody of the mothe Mary Jane McGarvie. Physical custody for themother shall be as follows:

a) The Mother shall have custody of the children on Saturday from 10:00 a.m. until 4:00 p.m. The first such visit shall be on March 21, 1992. and every Saturday until Saturday, April 18, 1992, when the custody period will be expanded to overnight from Saturday 4:00 p.m. until Sunday 4:00 p.m.

b) Beginning Friday, May 15, 1992, every other weekend thereafter, the Mother's custody will be from Friday 4:00 p.m. until Sunday 4:00 p.m.

c) The Mother shall have custody of the children for one week out of every summer month (June, July and August). The Mother shall provide the Father with at least ten (10) days notice before exercising each summer visitation period.

4. Holiday visitation shall take priority over other scheduled visitation and periods of custody. The parties have agreed to the following holiday visitation.

a) Christmas Eve and Christmas Day until 2:00 p.m. shall be spent with the Father. The Mother shall have custody from 2:00 p.m. until 8:00 p.m. Christmas Day.

b) Thanksgiving shall be alternated between the parties in the following manner: The Mother shall have custody from the day before Thanksgiving from 4:00 p.m. until Thanksgiving Day at 4:00 p.m. in 1992. The Father shall have custody of the children Thanksgiving 1993 and so on.

c) The Easter holiday shall be the same as the Christmas holiday.

d) The Mother shall visit with the children every 4th of July from 9:00 a.m. until 2:00 p.m.

e) The children shall be with their Father on Fathers' Day until 11:00 a.m. and the Mother shall have custody of the children until 2:00 p.m.

f) The children shall be with their Father on Mothers' Day between the hours of 11:00 a.m. and 2:00 p.m. and with their Mother from 2:00 p.m. until 7:00 p.m.

5. The Mother shall have a visit with each child on their perspective birthdays from 4:00 p.m. until 7:00 p.m.

6. Transportation shall be arranged by the parties. In the event the parties cannot agree to transportation in the future the parties shall share transportation in that the party receiving custody shall pick up the children, for example, the Mother shall pick up the children at the start of the every-other weekend visit and the Father shall pick up the children at the end of said visit on Sunday.

7. Neither party shall use illegal drugs or be under the influence of alcohol at any time when the children are in their custody.

8. Transportation of the children on weekends, Holidayf and summer visits shall be provided as follows: the parties shall equally divide transportation with the parent receiving custody of the children providing transportation (that is, the Mother picks up the children on Friday evening and the Father picks up the child on Sunday evening).

9. Neither Mother nor Father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

10. Neither Mother nor Father shall expose the children to any person or situation which may be harmful to the childrens' health or well being.

11. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the childrnes' schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

12. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other witha current telephone number.

CONTINUED ON PAGE 494

1992

132.

Culbertson, Weiss,
Schetroma and Schug
Alan R. Shaddinger

BETH ANTHON

vs.

NORTHWEST PACKAGING, INC.

Filed Feb. 4, 1992
@ 1:57 p.m.

Tax & entry paid	$50.25 ✓
state paid	5.00
Pro Pd 2/26/92	9.00 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF WAYNE E. HANSON, MAGISTERIAL DISTRICT 30-3-01

Feb. 4, 1992, Rule entered upon plaintiff to file complaint issued.

Feb. 5, 1992, Proof of Servcie filed.

Feb. 21, 1992 Complaint filed. 2 copies (atty)

And Now, Feb. 26, 1992, upon praecipe of defendant attorney, JUDGMENT OF NON PROS is hereby entered for failure to file complaint, in favor of dft. and against the named plaintiff.

Judg. entered
2/26/92
A - 23

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

Mar. 13, 1992 Answer of Defendant to Plaintiff's Complaint and Counter Claim filed.

Apr. 22, 1992 Reply to Counterclaim, filed.
1 copy (plaintiff)

1992

Shafer, swick Bailey
Irwin and Stack
Robert S. Bailey

133.

MICRO TOOL & MFG., INC.

vs.

PARM TOOL & DIE CO.

Filed Feb. 4, 1992
@ 4:15 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co. pd 3/11/92	5.00

COMPLAINT

1 copy (sheriff)

Feb 18, 1992 SHERIFF's RETURN filed. I hereby deputize the Sheriff of Erie Co., Pa., to serve the within Complaint according to law. The defendants alleged address is 2727 West 16th St., ERie, Pa. 16505. Robet M. Stevnes, Sheriff, Cr. Co.

SERVED the within Complaint on Feb. 7, 1992, at 1124 hrs.,upon Parm Tool & Die Co. at 2727 West 16th St., Erie Co., Erie, Pa. by handing to Pete Fedorko, Owner a true and correct copy thereof and made known to him the contents therein.

Geraldine Taylor, Depty Sheriff, Erie Co.
Robet N. Michel, Sheriff, Erie Co.

March 10, 1992 Upon Praecipe of plaintiff attorney the above captioned marked discontinued of record.

1992

134.

IN RE:
SWEARING IN CEREMONIES
OF
ANTHONY J. VARDARO

Filed Feb. 5, 1992
@ 2:56 p.m.

SWEARING IN CEREMONIES OF ANTHONY J. VARDARO
AS JUDGE OF CRAWFORD COUNTY, PENNSYLVANIA

Presiding:

Honorable Gordon R. Miller, Pres. Judge
Honorable P. Richard Thomas, Sen. Judge
Honorable Robert L Walker, Sen. Judge

(Transcript includes: Invocation by Rev. Bruce Allison
Reading of Commission by Judge Miller
Administration of Oath to Judge
Vardaro by Judge Miller
Remarks by Judge Walker
Remarks by Judge Miller
Remarks by Judge Vardaro)

1992

Jorden and White
William T. Jorden

135.

Quinn, Gent, Buseck & Leemhuis, INc
John M. Quinn, Jr.

RALPH E. STEELE AND SARAH STEELE, HIS WIFE

vs.

MEADVILLE MEDICAL CENTER

Filed Feb. 5, 1992
@ 3:12 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	25.00

COMPLAINT

1 copy (sheriff)

Feb. 14, 1992 Sheriff's Return filed. SERVED Meadville Medical Center on February 6, 1992 at 11:05 AM by handing a copy of the Complaint to Judy Smock, Administrative Assistant at Meadville Medical Center, Liberty Street, Meadville, Crawford County, PA
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 14, 1992 Appearance of Quinn, Gent, Buseck & leemhuis, Inc by John M. Quinn, Jr. for Meadville Medical center filed.

Mar. 12, 1992, Plaintiffs' First Amended Complaint filed.

Apr. 3, 1992 Notice of a Videotape Deposition of Ralph E.Steele, filed.

Apr. 6, 1992 ANSWER AND NEW MATTER, filed.

Apr. 13, 1992 Notice of Videotape Deposition of Ralph E. Steele, filed.

April 14, 1992 Answer To New Matter filed.

May 8, 1992 Notice of Service Of Interrogatories filed.

May 14, 1992 NOTICE OF SERVICE OF INTERROGATORIES AND REQUESTS FOR PRODUCTION TO DEFENDANT Filed.

May 15, 1992 Notice filed.

June 1, 1992 Notice of Filing Answers to Interrogatories, filed.

June 15, 1992 Notice of Service of Answers to Interrogatories and Responses to Request for Production of Documents filed.

Dec. 30, 1992 Certificate of Readiness filed.

ON FEBRUARY, 1993 TRIAL LIST

Mar. 18, 1993 Notice Of Depositions of Ralph E. Steele and Sarah Steele filed.

ON APRIL, 1993 TRIAL LIST

Mar. 29, 1993 Order Filed. And now, this 29th day of March, 1993, following the call of the April Civil Trial List, pretrial conferences are scheduled in the following case on the following dates and times before the judge indicated below:
Pretrial Conference date and Time: Judge. Monday, April5, 1993 at 11:00 A.M.,: Vardaro,J. Counsel are directed to report any change in the status of any case,or any special scheduling needs to the Court Administrator at the earliest possible time.
BY THE COURT,
Gordon R. Miller, P. J.
Mar. 29, 1993 Copies distributed by Court.

Mar. 30, 1993 Order filed. AND NOW, March 29, 1993 pretrial conference in this matter is set for Monday, April 5, 1993 at 11:00 a.m. in Courtroom No. 2. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
Apr. 2, 1993 copy to W. Jorden & N. Haller

Apr. 12, 1993 Application for Additional Voir Dire Examination by Defendant, Meadville Medical Center filed.

Apr. 8,1993 Motion for Continuance filed.

Apr. 14, 1993 Plaintiff's Additional Points for Charge filed.

Apr. 14, 1993 Plaintiffs Proposed Voir Dire filed.

April 14, 1993 Defendant's Motion for Directed Verdict and Suggested Points for Charge filed.

April 14, 1993 Order filed. AND NOW,April 12, 1993, the Court has before it a motion for continuance filed by the Plaintiff on April 8, 1993.
At the time set for the call of the trial list on April 12, 1993, said motion is withdrawn.
Accordingly, this case is scheduled for jury selection this day with the understanding that it will not begin until Tuesday,April13, 1993 at 9:00 A.M.In Courtroom No. 2.
BY THE COURT:
Anthony J.Vardaro, J.
April 14, 1993 Copies dist. to Attys.Haller & Jorden

AND NOW, April 14, 1993 at 1:26 P.M. jury selected on April 12, 1993 at 3:53 P.M. and sworn ton April 13, 1993 at 9:18 A.M. as follows:

1. Tora Lee Fox
2. James A.Baldo
3. Faye McGuire
4. John Cortland Brittain
5. Virginia Neely
6. John Monico
7. John F. Foulk
8. Dawn Barr
9. Dawn Keas *
10. Rocco Garnet
11. Doris Husaem
12. Alton Decker

*Dawn Keas alternate replaced Donna Davis, who was execused because of sickness,
twelve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say : (Court Directs verdict: AND NOW, we the jury, impaneled in the above action after the

Continued of Record to Page 507

1992

Paul E. Allen

136.

Culbertson, Weiss,
Schetroma & Schug, P.C.
David L. Hotchkiss
for Dft.

MICHAEL ERNST

vs.

WILLIAM SHIFFLETT, DOING
BUSINESS AS HAYFIELD ESTATES

Filed Feb. 6, 1992
@ 12:59 p.m.

Tax & entry paid	$50.50 ✓
state	5.00
Sheriff's Costs	25.00

Pro Co pd 4-21-92 15.00

COMPLAINT IN CIVIL ACTION

2 copies (atty)

Feb. 20, 1992 SHERIFF'S RETURN filed. SERVED William Shifflett personally on Feb. 14, 1992 at 2:00 PM by handing him a copy of the Complaint at Hayfield Estates, Saegertown, Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 3, 1992 Defendant's Answer, New Matter and Counter Claim, filed.

Mar. 24, 1992, Plaintiff's Reply to Defendant's New Matter and Counterclaim filed.

Apr. 21, 1992 Upon praecipe of Plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.

Harry F. White ~~Mark Prather, Chairman~~
Christopher D.Ferry ~~Gary Fabian~~
~~William Gorman~~

May 20, 1992 Arbitrators take qualifying oath.

June 19, 1992 Notice Of Hearing Of Arbitrators filed.

July 15, 1992 Praecipe to Substitute Arbitrator filed.Christopher D.Ferry is substituted as an arbitrator.

July 17, 1992 Decision of Arbitrators filed in which they find for the plaintiff and against the defendnat in the amount of $1,750. On the Counterclaim, we find for the defendant and against the Plaintif fin the amount of $620. No attorneys fees or punitive damages awarded.
E-114; S-171; H-181 DECISION OF ARBITRATORS

July 20, 1992 Copeis put in atty's Hotchkiss and Allen's boxes.

Nov. 20, 1992 Plaintiff's Motion to Mold Arbitrators' Award Nunc Pro Tunc, filed.

Nov. 20, 1992 ORDER filed. AND NOW, Nov. 19, 1992, the Defendant's motion to mold the arbitrators' award nunc pro tunc is denied. BY THE COURT:
Anthony J. Vardaro, J.

Nov. 20, 1992 copies given to Atty Allen & Hotchkiss

1992

James R. Irwin
Shafer, Swick, Bailey,
Irwin and Stack

137.

VERONICA DALE OLSON

vs.

DONALD FREDRICK OLSON

Filed Feb. 6, 1992
@ 2:47 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co Pd 5-12-92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 9, 1992 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

May 5, 1992 Affidavit of Service, filed. I, James R. Irwin, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pa. on the above named Defendant by certified mail, addressee only, return receipt requested, dated Fe. 6, 1990. The Defendant acknowledged service on Fe. 7, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

May 5, 1992 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED.

May 19, 1992 AND NOW, May 13, 1992, it is hereby ordered and decreed that Veronica Dale Olson, Plaintiff, and Donald Fredrick Olson, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the paraties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Bruce A. Barrett

138.

PRO SE
Legal Services
Gerald Sullivan

STANLEY AND MARTHA RIDDLE

vs.

ROBERT E. DENNIS

Filed Feb. 7, 1992

	25
Tax & entry paid	$50.50 ✓
state paid	5.00
Pro Co. pd 4/27/92	15.00 ✓
Sheriff's Costs	25.00
Pro.Co. pd 6/22/92	9.00

APPEAL OF DEFENDANT FROM JUDGMENT OF GEORGE W. HERZBERGER, III, MAGISTERIAL DISTRICT 30-3-04

Feb. 7, 1992, Rule entered upon plaintiff to file complaint issued.

Feb. 13, 1992, Proof of Servcie filed.

Feb. 21, 1992 Complaint filed.

Feb. 28, 1992 AFFIDAVIT OF SERVICE filed. Bruce A. Barrett, Esq., being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the Attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of a Complaint was sent by registered mail to the Defendant.
3. The registered mail was sent to the Defendant at Talon St., Box 228 Meadville, Pa. 16335 on Feb. 21, 1992. The Sender's receipt number 320 791 353 is attached hereto.
4. Through an error on the part of the post office, the date that the Defendant received said registered mail was not entered on the receipt card.
5. The receipt card was received in the Affiant's office on Feb. 24, 1992.
6. The Defendant wuld have received the Plaintiff's Complaint on Feb. 22, 1992.

Mar. 30, 1992, Answer and New Matter filed.

Apr. 16, 1992 Plaintiffs' Answer to New Matter, filed. 1 copy (atty)

April 20, 1992 COMPLAINT AGAINST ADDITIONAL DEFENDANT FILED. 4 copies (atty.)

April 16, 1992 Attorney for Plaintiff files Praecipe for Arbitrators, whereupon the following Arbitrators are appointed:

Lisa P. Youngs, Chairman
Stephen Hall
~~DONALD E. LEWIS~~ John P. Gagliotti

May 21, 1992 Arbitrators take qualifying oath.

May 26, 1992 SHERIFF's RETURN FILED. SERVED Peggy Riddle on May 18, 1992 at 10:07 A.M. by handing a copy of the Complaint Against Additional Defendant to Martha Riddle, her Mother and Adult in Charge at the residence, R.D.#6, Phelps Road, Meadville, Crawford County, PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 8, 1992 Notice of Arbitrators' Hearing, filed.

And Now, June 22, 1992 at 2:48 P.M. upon praecipe for Entry of Default Judgment filed by Gerald Sullivan, Esq. judgment is hereby entered against Third Party Defendant Peggy Riddle for failure to enter an Appearance or file an Answer and the same is liquidated at the sum of Eight hundred Fifty-two and 80/100 Dollars.

Debt	$852.80
Int. ---	
Judgmment	
Barbara H. King	
Prothonotary	

R-131
June 22, 1992 entered
Abstract to Atty. Gerald Sullivan

July 20, 1992 Motion forAppointment of Substitute Arbitrator filed.

July 27, 1992 Praecipe for Continuance for Arbitration Hearing filed.

1992

N/W Legal Services
R. Christopher Brode

139.

BRIAN GROSSMAN

vs.

EDITH BORTNER

COMPLAINT FOR CUSTODY
1 copy (mediator)
1 copy (atty)

ORDER OF COURT:
You, Edith bortner, dft. have been sued in court to obtain custody/partial custody of the minor child Adrian Levon Bortner.
You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR.
If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the curt may issue a warrant for you arrest.
The sheriff's dept. of Crawford county is directed to serve a copy of this compliant and order upon the defendant.
In the alternati ve this petition and order may be served by any competent adult or by cert. mail.
Plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help:
Court Administrator, crawford County Courthouse, Meadville, Pa. 814 336-1151 ext. 298
BY THE COURT,
Anthony J. Vardaro, J.

Filed Feb. 7, 1992
@ 11:30 a.m.

Indigent filing
John Fuller, mediator

Feb. 7, 1992, Affidavit to Proceed IN Forma pauperis filed.

Feb. 7, 1992, Praecipe to proceed In Forma Pauperis filed.

Mar. 2, 1992 COMPLAINT FOR CUSTODY SPECIAL RELIEF and ORDER filed. ORDER: You, Edith Bortner, Defendant have been sued in Court to obtain custody/partial custody of the minor child, Adrian Levon Bortner.
You are ordered to appear in person before Child Custody Mediator John Fuller at the time and place he shall designate.
The Court further orders that the Defend ant not leasve the jurisdiction and not to remove the child from the jurisdiction.
If you fail to appear as provided by this Order, an Order for custody, partial custody, or visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania
(814) 336-1151, ext. 298

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 2, 1992 1 copy (Med), 2 copies (atty)

Mar. 20, 1992 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Defendant Edith E. Bortner, at Meadville Medical Center, room 306, Meadville, PA, by Certified U.S. Mail, Return Receipt Requested, on March 11, 1992.
R. Christopher Brode

Sept 22, 1998 ORDER: Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 3/20/1992
We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear from you in writing on or before Oct 23, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objectioins must be filed in the Prothonotary's office on or before Oct 23, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
Date: Sept 22, 1998 Anthony J. Vardaro, J.

Nov. 5, 1998, ORDER filed. AND NOW, this 30th day of Oct., 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given by publication of a "Notice of Intent To Terminate Cases" printed in the Crawford County Legal Journal on Oct. 14, 1998, and no objection thereto having been received by the Court from either party in the cases listed below, all and each of the 84 cases listed below are hereby terminated and dismissed with prejudice. A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 19011.
By the Court:
Gordon R. Miller, P.J.

1992

White and Williams
BY; Robert M. Schwartz
Fred R. Levin-

Richards & Associates
Mark O. Prenatt

140.

Gamble, Mouock Piccione
Palmer and Green
Allen L. Palmer

THE FIRST NATIONAL BANK
OF BOSTON
AS INDENTURE TRUSTEE
PURSUANT TO AN INDENTURE
DATED AS OF MARCH 15, 1989
WITH DAYS INN MORTGAGE TRUST

vs.

DI HOTEL INVESTORS LIMITED
PARTNERSHIP

Filed Feb. 7, 1992
@ 11:09 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00
Pro Co pd 8-11-92 6.00

COMPLAINT - CIVIL ACTION - PROMISSORY NOTE
SECURED BY MORTGAGE AND OTHER COLLATERAL

5 copies (atty)

March 4, 1992 Affidavit filed. Before me, the undersigned authority, personally appeared the undersigned attorney, who being duly sworn according to law, does hereby swear and affirm that he is authorized to make this Affidavit, that on Feb. 12, 1992, he served the Complaint, captioned Civil Action No. AD 1992-140 in the Crawford Co. Court of Common Pleas, upon the Defendant, DI Hotel Investors Limited Partnership, at 867 North Dearborn St., Suite I, Chicago, IL 60610, by certified mail, return receipt requested and that on Feb. 18, 1992, he received the return receipt dated Feb. 12, 1992. A copy of the return receipt is attached hereto as Exhibit "A".

John W. English, Jr., Esquire

Mar. 16, 1992, Preliminary Objections filed.

Apr. 2, 1992 ANSWER OF THE FIRST NATIONAL BANK OF BOSTON TO DI HOTEL INVESTORS LIMITED PARTNERSHIP'S PRELIMINARY OBJECTIONS, filed.

Apr. 10, 1992 Upon praecipe of Plaintiff Attorney the above matter is placed on the next available argument list.

1992 May Argument List

May 28, 1992 AMENDED COMPLAINT - CIVIL ACTION PROMISSORY NOTE SECURED BY MORTGAGE AND OTHER COLLATERAL filed.

Aug. 11, 1992 Upon praecipe of Plaintiff attorney it is hereby stipulated and agreed that all issues in the above-captioned matter have been settled and direct that the within action be marked "Settled and Discontined with Prejudice".

1992

C. Barton Jones

141.

FRANK BENTLEY AND LINDA BENTLEY

vs.

LEWIS E. BENTLEY

Filed Feb. 7, 1992
11:56 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00
William Pineo, mediator 77.00

COMPLAINT FOR CUSTODY

1 copy (mediator)
1 copy (atty)

Feb. 7, 1992, Certificate of Service filed. I, C. BArton Jones, certify that I mailed a true and correct copy of the custody complaint motion for Appointment of Master and Proposed Order to Lew is E. Bentley, 1442 New St., Franklin, Venango County, Pa. 16323, by First Class U.S. Mail, cert., ret. rec. req.
Date: 2/5/92 C. Barton Jones, esq.

Feb. 7, 1992, Motion for Appointment of Master in the Above Case filed.

Feb. 7, 1992 ORDER filed. AND NOW, this 7 day of Feb. 1992, IT IS HEREBY ORDERED that WILLIAM PINEO is appointed Master or custody mediator in the above case for the purpose of conducting a custody conference and if necessary, the taking of testimony and other evidence, and to make his recommendation to the court in review of the Complaint for Custody, in said matter., The Custody Mediator shall set a date and place for the same and notify the parties thereof, to be set within 30 days of this order.
Anthony J. Vardaro, Judge
1 copy (mediator) 1 copy (atty)

Mar. 19, 1992 TEMPORARY ORDER filed. AND NOW, this 18th day of March, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody of the subject minor children is hereby awarded to the Plaintiffs, Frank Bentley and Linda Bentley, his wife.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The defendant, Lewis E. Bentley, the children's father, shall have visitation and temporary physical custody on alternate Fridays, beginning March 20, 1992, between 5:00 p.m. and 8:00 p.m.

b. The defendant father sahll have the right to call his children at reasonable times and for reasonable lengths of time.

4. Holiday visitation shall be arranged as follows:

a. The father shall have reasonable visitation on the holidays of Easter, Memorial Day, Independence Day, Labor Day, Christmas, and each of the children's birthdays. The parties shall arrange between themselves when the visitations are to take place.

b. The children shall spend the greater part of Father's Day with their father. The parties shall arrange the exact times and details of the visitation.

c. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. Each party shall teach said children to give to the other parties that love and respect which is due a parent or guardian from his or her children or wards.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and conveninet. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

13. Costs and fees of this Mediation, which are fixed at $77.00. The mediator notes for the court that all parites are dependent on social security only for their incomes and therefore costs are assessed to Crawford County.

14. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, P.J.

Mar. 24, 1992 copy in box fro W. Pineo, mailed copy to C.B. Jones, Plf. & Dft.

1992

Barbara J.Walton

~~Joseph F. Kulwicki~~

142.

Thomas, Truax , Spadafore, & Walker
R. Charles Thomas

Gregory A. Keenan

JOANN LEWIS

vs.

RONALD LEWIS

Filed Feb. 7, 1992
@ 1:34 p.m.

Tax & entry paid	$50.50	✓
state paid	5.00	
state paid	10.00	

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Feb. 24, 1992 CERTIFICATE OF SERVICE filed. Defendant served on Feb. 10, 1992. Said Divorce Complaint was mailed certified mail, restricted delivery, being certified mail item number P 724 954 556. The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, Esq., bearing the signature of the defendant, as having received same on Feb. 14, 1992. Said signature card is attached hereto and made part hereof.

Mar. 27, 1992, Petition for Related Claims in Divorce filed. (Alimony Pendente, Attorney Fees, costs and Expenses, Equitable Distribution, Permanent Alimony) and Rule To Show Cause filed. RULE TO SHOW CAUSE: AND NOW, March 27, 1992, upon presentation and consideration of the within Petition, aRule is hereby granted upon the respondent Ronald Lewis, to show cause, if any he has, why the request of the Petitioner should not be granted.

RULE RETURNABLE on the 23 dayof April 1992 at 3:00 p.m. in C. R. No. 1 or 2 of the Crawford County Court House.

BY THE COURT,
Gordon R. Miller, J.

Mar. 30, 1992, copy to Jos Kulwicki atty.

Mar. 27, 1992, Appearance of Thomas, Truax, Spadafore, & Walker, by R. Charles Thomas, attorneys for defendant filed.

Aapril 20, 1992 Plaintiff's Income and Expense Statement filed.

April 27, 1992 ORDER filed. AND NOW, April 24, 1992, at the time fixed for hearing on the Plaintiff's petition for related claims the defendant was not prepared to proceed for he believed the only issue was whether or not the plaintiff should be permitted to file the petition and was not prepared to address the merits of the petition the Court continues the hearing in this matter to May 7, 1992 at 3:00 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse.

At that time the Court will receive and consider evidence and argument on the issues of alimony pendente lite, counsel fees, costs and expenses.

BY THE COURT
Gordon R.Miller, P.J.

April 30, 1992 copy of Order to: Joseph F. Kulwicki, Esq. and R. Charles Thomas, Esq.

April 30, 1992 INVENTORY AND APPRAISEMENT FILED, For Plaintiff.
April 30, 1992 INCOME AND EXPENSE STATEMENT FILED FOR PLAINTIFF.

May 7, 1992 Defendant's Income and Expense Statement, filed.

May 13, 1992 Petition For Special Relief In the Form Of An Injunction Prevention Removal, Disposition, Encumbering Or Alienation Of Property Under §403(a) of The Divorce Code and Pa. R.C.P. 1920.43(a) or §401(c) and RULE filed. AND NOW, May 13th, 1992, upon presentation and consideration of the within Petition, a Rule is hereby granted upon the defendant, Ronald Lewis, to show cause, if any he has, why the prayer of the petitioner should not be granted.

RULE RETURNABLE the 1st day of June, 1992, at 3:00 p.m. in Courtroom number one or two of the Crawford County Court House.

BY THE COURT
Gordon R. Miller, j.

May 18, 1992 Copy of Rule to Attys. Joseph Kulwicki and R. Charles Thomas.

May 13, 1992 Motion To Withdraw appearance as attorney for plaintiff and ORDER filed. AND NOW, May 13,th, 1992, Motion granted.

BY THE COURT,
Gorodn R. Miller, J.

May 18, 1992 Copy of Order to Attys. Joseph Kulwicki and R. Charles Thomas.

May 14, 1992 ORDER FILED. AND NOW, May 7, 1992 at the time fixed for hearing, the Court has been advised of the following:

1. Counsel for the Plaintiff intends to withdraw his appearance next week because the Defendant has contacted the Disciplinary Board claiming that Plaintiff's counsel represented him in a prior divorce several years ago. Counsel for the Plaintiff does not believe there is a conflict of interest with a former client, but is withdrawing his appearance nonetheless.
2. Counsel for the Plaintiff claims that the Defendant has just this date filed his Income and Expense Statement.
3. Counsel for the Plaintiff claims that he has additional costs and expenses in preparing for this hearing, and desires to go forward.
4. Counsel for the Defendant claims that before this hearing began, but while he was in the Courtroom, counsel for the Plaintiff claimed that counsel for the Defendant represented the Plaintiff several years ago in an unrelated divorce case. Counsel for the Defendant therefore will withdraw his appearance next week now that he has just learned of this, even though he has just learned of this, even though he does not believe there is a conflict of interest with a former client. He also claims that he is ready to proceed at this hearing. The Plaintiff and her attorney do not believe counsel for the Defendant has a conflict of interest, will never claim that he has, and are willing to permit him to continue to represent theDefendant.
5. Based upon the foregoing, this Court on its own motion, continues this matter to give both attorneys the opportunity to withdraw and to give their clients the opportunity to retain new counsel. The matter is continued to June 1, 1992 at 3:00 p.m in Courtroom No. 1 of the Crawford County Courthouse. Present counsel shall deliver a copy of this order to new counsel without further delay.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

May 14, 1992 copy of Order to:Joseph F. Kulwicki, Esq. and R. Charles Thomas, Esq.

May 26, 1992 APPEARANCE OF Barbara J. Walton, ESquire for Joann Lewis, Plaintiff, filed.

Continued of Record to Page 496.

1992

Jorden and WHite
William T. Jorden

143.

Reed Smith Shaw & McClay
Craig W. JOnes

REBECCA BROCKLEHURST

vs.

PONDEROSA STEAK HOUSE

COMPLAINT

1 copy (sheriff)

Feb. 14, 1992 Sheriff's Return filed. SERVED Ponderosa Steak House on February 11, 1992 at 11;02 AM by handing a copy ofthe complaint to Eric Matey, Manager and Adult in Charge, at Ponderosa steak House, 781 Conneaut Lake Road, Meadville, Crawford County, PA
So answers, Dale A. Collins, Deputy Sheriff
Robert M. STevens, Sheriff

Feb. 27, 1992, Appearance of Reed Smith Shaw & McClay, by Craig W. Jones, attorneys for defendant filed.

Apr. 2, 1992 DEFENDANT'S ANSWER AND NEW MATTER TO PLAINTIFF'S COMPLAINT, filed.

Apr. 13, 1992 NOTICE OF SERVICE OF INTERROGATORIES TO DEFEND-AND filed.

May 14, 1992 NOTICE OF SERVICE OF REQUESTS FOR PRODUCTION TO Defendant filed.

May 15, 1992 Notice filed.

Filed Feb. 7, 1992
@ 2:09 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	25.00

Sept. 29, 1992 Plaintiff's Answer To The Defendant's New Matter filed.

Oct. 5, 1992 Plaintiff's Amended Answer To The defendant's New Matter filed.

1992

144.

MICHELLE A. COULTER

vs.

RICHARD A. COULTER

Filed Feb. 7, 1992
@ 2:31 p.m.

Tax & entry Pd 3-31-92 $50.50 ✓
state Pd 3-31-92 5.00
Sheriff's Costs 84.00
Pro Co Pd 3-31-92 9.00 ✓

Received 3-31-92 Sheriffs cost from Dept #84.00

Pd Sheriff 3-31-92 Ch# 6741 84.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 7 day of February, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Defendant shall not go to nor telelphone the plaintiff's residence without further order of Court. Defendant shall not harass plaintiff on streets or anywhere in public or private. Plaintiff shall have exclusive custody of children without vistiation to defendant until further of Order of court.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for February 26, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 20, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Venango Co., Pa. to serve the within Protection From Abuse according to law. The defendants alleged address is 17009 Jerusalem Corners Rd., Pleasantville, Pa.
Robert M. Stevens, Sheriff, Crawford County

AFFIDAVIT OF SERVICE filed. SERVED the within Protection from Abuse on Feb. 11,1992, at 4.50 PM upon Richard A. Coulter at his place of visitation Dailey's Trailer Court, Pleasantville by handing to Richard A. Coulter, in person a true and correct copy thereof and made known to him the contents therein. Gene Price, Sheriff, Venango County

March 5, 1992 ORDER filed. AND NOW, Feb. 26, 1992, this matter is before the Court on an abuse petition. The Defendant agrees without admitting the allegations contained in the petition to have the Court enter a Protection From Abuse Order. The Court is advised by counsel for the Plaintiff that the parties have amicably agreed as follows:

1. The Defendant will refrain from assaulting, harassing or abusing the Plaintiff in any manner and he will not go to her residence for any purpose except to pick up and return their child as set forth. He shall not procure othrs to assault, haras or abuse the Plaintiff in any manner.

2. The parties mutually agree that primary custody of the minor child Heather Coulter (10-15-88) will be with the mother but the father may have weekend visits to the end that he can have his child in his exclusive possession. The weekend visits shall be every other weekend commencing March 7, 1992 and the visits shall commence Saturday at 5:00 p.m. and run until Sunday at 5:00 p.m. In any situation where the father does not show up to pick up the child by 5:30 p.m., the mother may consider the visit cancelled, and need not surrender the child.

3. The Court is advised that no restitution is due for damage done to the wife's premises as they have reached an amicable settlement of thsi issue.

4. Record costs in this case will be paid by the Defendant within twenty (20) days of the time he receives a bill from the Prothonotary therefore addressed to him at 17009 Jerusalem Corner Road, Pleasantville, PA 16341.

5. Any police officer having reasonable cause after reading a sworn affidavit setting forthe the facts to believe that the abuse portions of this Order have been seriously violated, may arrest the Defendant without warrant, lodge him in the Crawford County Jail and immediately notify the Court Administrator of Crawford County that a contempt hearing should be promptly scheduled.

6. This Order shall remain in full force and effect for a period of one (1) year unless the partaies by mutual agreement cancel the same.

By Order Of The Court,
P. Richard Thomas, S. J.

March 9, 1992 Copy of Order to Attys. Gerald Sullivan, County Control, copy mailed to PA. State Police, RD 2 Box 2-I, Seneca, PA 16346, copy mailed to defendant.

1992

Phillips and Galanter
Donald L. Phillips

145.

D. S. PETERMAN & CO., INC.

vs.

BEN E. WENGERD i/and t/a
WENGERD SHOE AND HARNESS

Filed Feb. 7, 1992
2:56 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	29.00
Pro Co. pd 3/23/92	9.00 ✓

COMPLAINT

1 copy (sheriff)

Feb. 18, 1992 SHERIFF'S RETURN filed. SERVED Ben E. Wengerd individually and Trading as Wengerd Shoe and Harness, on Feb. 11, 1992 at 1:23 PM by handing a copy of the Complaint to Henry Miller, Employee and Adult in Charge, at business, R.D. 1, Box 144A, Atlantic, Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 3, 1992, Verification in Lieu of Affidavit (to be attached to Complaint)

March 18, 1992, 2:12 p.m., AND NOW upon Praecipe of Plaintiff attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant in default of an answer sec. leg in the sum of Four Thousand Seven Hundred Twenty-eight and 62/100 Dollars, plus costs liquidated as follows:

Amount claimed in Complaint	$4,269.12
Interest from 6/1/89 on $4,269.12	459.50
	$4,728.62

W-23,183
Judgment entered 3/18/92

Debt $4,728.62
Judgment
Barbara H. King, Pro.

A.D.1994-115

146

1992

Barbara J. Walton

146.

VERONICA M. ZELINSKI

vs.

GEORGE ZELINSKI

Filed Feb. 7, 1992
@ 4:18 p.m.

Tax & entry paid	$50.50 ✓
1 count paid	15.00 ✓
state paid	10.00
state paid	10.00
Pro Co Pd. 6-2-92	9.00
Pro Co pd 11-20-92	5.00

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Feb. 14, 1992 Affidavit of Service filed. A true and correct copy of the Complaint filed in the above-captioned matter was served upon the Defendant, George Zelinski, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on February 10, 1992, as is evidenced by the United States Postal service Return Receipt (Certified No. P 065 400 978) attached hereto as Exhibit A.
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.
Date: Feb. 13, 1992 Barbara J. Walton

June 2, 1992 Affidavit of Consent of Plaintiff, filed.

June 2, 1992 Affidavit of Consent of Defendant, filed.

June 2, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

June 12, 1992 MEMORANDUM FILED. This matter is before the Court for entry of a divorce decree pursuant to Section 3301 (c) of the Divorce Code. The action seems to be in order to allow the entry of such a decree.

However, in Defendant's Affidavit of Consent there is a paragraph indicating that he consents to Plaintiff retaining custody of the children.

The custody action had been raised in the original complaint but it appears that it went no further until this language was contained in the Defendant's Affidavit of Consent.

Based on that language, the Plaintiff proposes a decree that gives her legal and physical custody of the minor children with reasonable visitation to the Defendant.

We do not believe this is a proper way to handle the disposition of the custody count. Effectively, the parties are attempting to enter into a consent order and that must be done consistent with the requirements of Pa. R.C.P.1915.7.

That rule says: "If any agreement for custody, partial custody visitation is reached and the parties desire a consent order to be entered, they shall note their agreement upon the record or shall submit to the Court a proposed order bearing the written consent of the parties or their counsel."

We believe this rule to mean that if the parties want the Court to enter an order disposing of the custody count that order must bear the written consent of either the parties or their counsel. Otherwise, theCourt cannot enter an order with respect to that issue.

We do not believe the proper way to accomplish this is to add language to the Affidavit of Consent particularly since the language in the Affidavit of Consent of the Defendant is much more vague than the language in the ultimate proposed decree.

Therefore, this file is returned to the Prothonotary and the Plaintiff may praecipe just for a divorce to be entered and leave the custody matter open or the Plaintiff may submit a consent order consistent with Pa. R.C.P. 1915.7 if a custody order is desired.

BY THE COURT
Anthony J.Vardaro, J.

June 12, 1992 Copy of Memorandum given to Atty. Walton.

June 29, 1992 CONSENT CUSTODY ORDER, filed.

June 29, 1992 Upon praecipe of Plaintiff attorney to retransfer records, case moved to Court.

DIVORCE DECREE FILED

July 10, 1992 AND NOW, July 8, 1992, it is hereby ordered and decreed that **VERONICA ZELINSKI**, Plaintiff, and **GEORGE ZELINSKI**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Nov 20, 1992 Notice of election of name change: **VERONICA ZELINSKI** to be know as **VERONICA REYNOLDS.**

1992

Barrett & Dratler Bruce A. Barrett 147.	ALLIED COMPANIES, INC. vs. SPAULDINGS, INC. Filed Feb. 7, 1992 @ 4:20 p.m. Tax & entry paid $50.50 ✓ state paid 5.00	COMPLAINT 1 copy (atty) May 15, 1992 Complaint Reinstated. May 21, 1992 NOTICE AND PRELIMINARY OBJECTIONS FILED. May 22, 1992 ACCEPTANCE OF SERVICE FILED. I Hereby accept service this 18 day of May, 1992 of the complaint on behalf of the defendant, as attorney for the defendant. Paul D. Shafer, Esq.

148.

MICHELLE L. ANTHONY

vs.

MARK K. ANTHONY

Filed Feb. 7, 1992
@ 4:29 p.m.

Tax & entry	pd 2/10/92	$50.50 ✓
state	paid 2/10/92	5.00
Pro Co pd 2/10/92		5.00 ✓

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 7 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go to Plaintiff's residence nor shall he telephone residence. Plaintiff shall have exclusive custody of minor child with no visitation to defendant until further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for February 26, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 10, 1992 Upon praecipe of Plaintiff this action is marked discontinued as the undersigned does not want to proceed further with it. Michelle L. Anthony

Feb. 10, 1992 SHERIFF'S RETURN filed. As per telephone call from Plaintiff, Michelle L. Anthony, we are returning this Protection from Abuse as she wishes to withdraw the Complaint. So answers, Robert M. Stevens, Sheriff

1992

John S. Kookogey

149.

RHONDA M. WOLFKIEL

vs.

SCOTT A. WOLFKIEL

Filed Feb. 10, 1992
@ 10:50 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co Pd 5-20-92	9.00

COMPLAINT UNDER SECTION201(c) OF DIVORCE CODE

1 copy (atty)

May 20, 1992 AFFIDAVIT OF SERVICE, filed. Personally appeared before me, a Notary Public, in and for said State and County, at Titusville, Pennsylvania, Richard E. Lydick, a duly qualified Constable in and for the State of Pa., who, being duly sworn according to law, deposes and says that he served a true and attested copy of the Complaint in Divorce (the same having been certified by Barbara H. King, Prothonotary, as such) on Scott A. Wolfkiel, the Defendant, personally at 4:30 p.m. on Feb. 11, 1992, at his place of employment, Wolfkiel's Garage, R.D. 2, Titusville, Pa. 16354, by reading the same to him and making known the contents of same and leaving a true and attested copy with him.

May 20, 1992 Affidavit of Consent of Defendant, filed.

May 20, 1992 Affidavit of Consent of Plaintiff, filed.

May 20, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved. to Court.

DIVORCE DECREE FILED.

May 22, 1992 AND NOW, May 22, 1992, it is ordered and decreed that Rhonda M. WOLFKIEL, plaintiff, and SCOTT A. WOLFKIEL, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

150.

Thomas, Truax, Spadafore, & Walker
Gregory A. Keenan

MELODY FOSTER

vs.

JAMES R. BRADLEY

Filed Feb. 10, 1992

Tax & entry Pd 6-24-92 $50.50
state Pd 6-24-92 5.00
Sheriff's Costs 25.00
Court Order Pd 6-24-92 9.00

Received from Defendant 6-24-92 Sheriff's cost 25.00

Pd Sheriff Cost 6-24-92 Ck# 6899 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 10 day of february, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive custody of the minor child with no visitation to th Defendant without further order of court. The Defendant is ordered to deliver the crib for the minor child to Defendant's father's residence for pickup by Plaintiff within 48 hrs.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 2, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 12, 1992 Sheriff's Return filed. SERVED James R. Bradley personally on February 11, 1992 at 10:52 AM at his residence, 712 North Cottage Street, Meadville, Crawford County, PA.
So answers,
Dale A. collins, Deputy Sher;iff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

March 6, 1992 ORDER filed. AND NOW, March 2, 1992, this matter is before the Court with regard to plaintiff's Petition for a Permanent Abuse Order.

The plaintiff appears represented by counsel and the defendant appears without counsel.

The defendant is advised of his right to counsel and indicates to the Court that he wishes to waive his right to counsel, particularly in light of the fact that the parties have reached an agreement.

THEREFORE, the Court enters the following Order:

1. The defendant agrees to the terms of this Order without admitting the allegations of the plaintiff's Complaint or any abuse on his part.

2. The defendant shall not assault, abuse, harass or threaten the plaintiff or any minor child named in the petition.

3. The plaintiff has now moved to another residence and the parties agree that she shall be entitled to take certain items with her, and the exchange of those items will take place immediately following the hearing this day.

Those items include the keys to a 1974 Chevrolet pickup truck; a mood stone ring; grandma's dog bank; a rocking chair; one half of Jimmy's toys and clothes; and an alarm clock.

4. The parties agree that the defendant is in possession of a 30-30 rifle which is actually registered to the plaintiff. The defendant agrees that he will make arrangements to have the registration changed to his name within a period of five (5) days from the date of this Order. The plaintiff will sign any necessary papers to allow that change of registration to occur.

5. The plaintiff shall have primary physical custody of the minor child James Brandon Bradley unless or until there is further Order of Court in this proceeding or any other proceeding.

The defendant, however, shall have visitation with the minor child every other weekend beginning March 6, 1992, from Friday at 6:00 p.m. until Sunday at 6:00 p.m. on each such weekend.

The defendant shall also have visitation with the minor child each Tuesday and each Thursday from 6:00 p.m. until 10:00 p.m. beginning March 3, 1992.

During any visitation with the defendant during any period of tiem the child is in the primary physical custody of the plaintiff, the party in custody shall not consume any alcoholic beverage.

6. The parties will work out between themselves the exchange of the chld for such visitations as are required under this Order and the defendant shall not go to the home of the plaintiff except for visitation exchanges, unless specifically invited by the plaintiff.

7. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.

8. A copy of this Order shall be delivered by the Prothonotary of Crawford Co. to the Meadville City Police Dept; Vernon Township Police Dept; PA. State Police, and to County Control.

9. The defendant is reminded that this is an Order of Court and a violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

10. The defendant shall pay the costs of this action in the amount of $89.50 by making a payment of $20.00 on or before the close of business at 4:30 p.m. in the Office of the Prothonotary of the Crawford Co. Courthouse on March 9,1992 and by making a $20.00 payment every two weeks thereafter until the same has been paid in full.

11. This Order shall remain in full force and effect through March 1, 1993.

By Order Of The Court,
Anthony J. Vardaro, J.

March 6, 1992 Copy given to Co. Control; March 10, 1992 Copy to Atty. Christopher Brode, copy mailed to defendant.

Continued of Record to Page 150 (a)

MELODY FOSTER
vs.
James R. Bradley

Continued of record from Page 150

AD 1992 - 150

June 22, 1992 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order Filed. James R. Bradley, Defendant, You are hereby ORDERED to appear for hearing on June 24, 1992 at 3:30, place Court Room 1 or 2. By District Justice, William D. Chisholm

June 26, 1992 Order filed. AND NOW, June 24, 1992 this matter is before the Court on a petition for indirect criminal contempt of a Protection from Abuse order filed by the Plaintiff.

The Plaintiff appears represented by counsel and the defendant appears without counsel. It is explained that he has a right to counsel and advises the Court that he wishes to proceed without counsel.

The parties have agreed with respect to this matter, and the Defendant admits the allegation of contempt contained in the complaint for indirect criminal contempt.

Accordingly, pursuant to agreement of the parties, the following order is entered:

1. The Protection from Abuse order entered on March 2, 1992 which was to have expired on March 1, 1993 is extended for an additional six months by agreement of the parties.

2. The order of March 2, 1992 shall remain in full force and effect except that it shall be modified with respect to the visitations set forth in paragraph 5 to the extent that when the Defendant pick sup the child at Plaintiff's door but shall appear in a timely manner and the Plaintiff shall bring out the child for visitation in a timely manner at the sidewalk. Additionally, the visitation requirements are modified so that the provisions requiring that the parties not drink alcoholic beverages during the period of custody is modified to only apply to the Defendant.

3. In all other respects, the order of March 6, 1992 shall remain in full force and effect.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

June 26, 1992 Copies given to Co Control, Atty. Brode & Copy mailed deft.

June 30, 1992 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order filed.

June 30, 1992 Notice Of Assignment Of Hearing Date filed. June 29, 1992: hearing in the above captioned matter has been scheduled for July 1, 1992, at 3:30 PM, in Courtroom 2.

FOR THE COURT
Imogene Yetman, C.A.

June 30, 1992 Copies already distributed.

July 1, 1992 Appearance of Thomas, Truax, Spadafore and Walker by Gregory A. Keenan, Esquire for James R. Bradley, Defendant, filed.

July 10, 1992 ORDER filed. AND NOW, July 1, 1992, this matter is once again before the Court on Plaintiff's Petition for Indirect Contempt of a Protection From Abuse Order.

Both parties appear with counsel and they have worked out this matter once again.

Without adjudication as to whether or not he is in contempt, the parties agree to the following conditions:

1. The contents of the Court's Order of June 24, 1992, as well as the Order of March 2, 1992, shall remain in full force and effect, unless specifically modified by the contents of this Order.

2. The defendant shall have no contact whatsoever with the plaintiff except by United States Mail and by telephone only for the purpose of visitation discussions. The defendant shall notify the plaintiff twenty-four (24) hours prior to when a visitation is to begin if he is unable to have such visitation.

3. The plaintiff shall provide all transportation to and from visits with the defendant and shall arrive with the child within one-half of the time designated and shall pick up the child likewise within one-half hour of the time designated.

4. The defendant shall not go within one hundred (100) yards of the plaintiff's residence, and if he does so, even if he is invited to do so, any law enforcement agency shall presume that he is in violation of this Order, it being the Court's intention that if he is to go within one hundred (100) yards of the plaintiff's residence at any time, this Order will need to be modified.

5. If the plaintiff becomes employed or involved in an educational program, the defendant shall not be permitted to go to any place where she is employed or involved in an educational program.

6. AT the time set for the defendant's next visitation with the child, the plaintiff will bring him a grill, a scanner and a telephone that belongs to him.

7. A copy of this Order, as well as the Order of June 24, 1992 shall be provided to Couonty Control and to the law enforcement agency within the jurisdiction of where plaintiff resides.

8. This Order shall remain in full force and effect for a period of one (1) year, or until June 30, 1993.

9. In light of this agreement and the jail time served already by the defendant, he is forthwith released from custody and the Warden or the Sheriff's Department is authorized to release him at this time.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

July 15, 1992 copy in box for C. Brode & G. Keenan

Aug. 31, 1992 Notice of Assignment of Hearing Date. August 31, 1992: Hearing inthe above captioned matter has been scheduled for September 3, 1992 at 9:00 A.M. in Courtroom 2.

For the Court,
Imogene Yetman, Court Administrator

Aug. 31, 1992 Copy mailed to Plaintiff by Court Administrator's ofc. Copy to Sheriff for Defendant and copy for Sheriff. Atty. Keenan.

Sept. 3, 1992 Order filed. AND NOW, September 3, 1992, this matter is once again before the Court on Plaintiff's petition for indirect contempt of a Protection From Abuse Order.

Both parties appear with counsel and they have worked this matter out once again.

Therefore, without adjudication as to whether or not the defendant is in contempt, the pa rties agree to the following conditions:

1. The Defendant admits the allegations ofthe contempt Petition.

2. The defendant shall report for drug and alcohol inpatient treatment wihtin forty-eight (48) hours of his release from incarceration and shall likewise within that period of time seeke appropriate mental health treatment.

3. The Defendant shall not visit with his minor child unti he shall complete such drug and alcohol treatment and written notice confirming that shall be sent to the Court. 4. The defendant shall pay all medical expenses including ambulance expenses incurred by the Plaintiff as a result of this incident within sixty (60) days of being presented with any such bill or bills.

5. The Plaintiff may remove property at the Defendant's residence belongning to her including two sets of truck keys, 1 1974 Chevy pickup, two boxes of toys, a siver dollar keepsake, and two half dollar keepsakes as well as a mood stone ring. Additionally, she shall be entitled to remove the title to a 1978 Camaro automobile.

The Defendant shall make arrangements with his mother this day to allow access to his place of residence and a gune cabinet within the same to that the Plaintiff may remove the necessary items.

6. Additionally, once the Defendant is released from incarceration the adult child of the Plaintiff, Jake Foster, shall be entitled to remove property of his on the premises of the Defendant provided he gives the Defendant twenty-four (24) hours notice of his intention to do so.

7. The Defendant shall be released form incarcertation with respect to this matter forthwith subject to any detainers currently lodged against him.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

Sept. 4, 1992 Copies distributed this date.

Continued on Page 150B.

150
-b-

1992

MELODY FOSTER
VS.
JAMES R. BRADLEY

CONTINUED FROM PAGE 150A
of Record
A. D. 1992-150

****

Feb. 10, 1993 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order, filed.

Feb. 10, 1993 Notice of Assignment of Hearing Date, filed. Feb. 10, 1993: Hearing in the above captioned matter has been scheduled for Feb. 12, 1993 at 3:30 P.M. in Courtroom 2.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

Feb. 10, 1993 copy delivered to Sheriff & Dft. copy mailed to Plf by Ct. Adm.

Feb. 17, 1993 Order Filed. AND NOW, February 12, 1993, at the time set for a hearing with respect to Plaintiff's Complaint for Indirect Contempt of a Protection From Abuse Order, the plaintiff admits that the actions by the defendant do not rise to the level of a contempt of that Order, and accordingly, it is dismissed, and the defendant is discharged from custody pursuant to that action.

BY ORDER OF THE COURT,
Anthony J. Vardaro,

Feb. 17, 1993 copies given to Brode, Keenan, MCPD, Co. Control and CL of Ct.

Feb. 17, 1993 Order filed. AND NOW, February 12, 1993, this matter is again before the Court on Plaintiff's Petition for Indirect Contempt of a Protection From Abuse Order.

The plaintiff appears with counsel and conceeds that the actions complained of by the plaintiff that she indicated were done by the defendant do not rise to the level of contempt of the Protection From Abuse Order.

Accordingly, she does not wish to pursue that Complaint for Indirect Contempt, but the parties have discussed a modification to the previous Order which the Court will entertain.

Accordingly, the Order of March 2, 1992, and any subsequent modifications of that Order are hereby modified to the extent that all abuse portions of the said Orders shall remainin full force and effect through June 30, 1993, and at any time the defendant is going to be in the presence of the minor child, he shall not have consumed alcoholic beverages for a period of twenty-four (24) hours previous thereto and he shall not be permitted to take the child from the plaintiff if he is under the influence of alcoholic beverages.

The defendant is reminded that he is currently under the supervision of the criminal courts for a period of one (1) years from January 25, 1993 and pursuant to that Order, he is not entitled to drink alcoholic beverages at any time anyway.

Additionally, the Court notes that this matter has come back before us several times with respect to contempt of the Order of March 2, 1992, andthe plaintiff is cautioned not to use the contempt process unless there is, in fact, a contempt of the abuse Order and the defendant is cautioned that if there is a continuing violation of the March 2, 1992 Order, the matter is again before the Court with respect to indirect criminal contempt, it will be dealt with with appropriate harshness by the Court.

The previous Orders of Court, by agreement of the parties, with respect to abuse are modified to only indicate that the defendant shall not assault, abuse, harass or threaten the plaintiff or any minor child named in the Petition of February 10, 1992, and to include the previous condition regarding consumption of alcohol and visits with the child as indicated previously in this Order.

All other conditions set forth in previous Orders are rescinded by the agreement of the parties.

BY ORDER OF THE COURT,
Anthony J. Vardaro,J

Feb. 17, 1993 Copies givento Co. Control, Brode, Keenan, MCPD

151.

DARLENE I. WOODCOCK

vs.

MARTIN J. WOOKCOCK JR.

Filed Feb. 10, 1992
@ 2:27 p.m.

Tax & entry Pd 5-7-92 $50.50
state Pd 5-7-92 5.00
Sheriff's Costs 18.00
Rec'd Pd 5-7-92 90

Rec 41.25 from Defft 4-3-92 Bal Paid 41.25 5-7-92

Received Sheriff Cost 5-7-92 from deft $18.00

Paid Sheriff Ck#6813 5-7-92 18.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 Copy Plaintiff

ORDER:

And now, this 10 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Plaintiff shall have exclive possession of 818 W. Oak St., Titusville, PA residence. Plaintiff shallhave custoyd of the minor child and Defendant may only visit at discretion of Plaintiff. If Defendant wishes to visit with child He shall contact Plaintiff by calling anthony Cazille (827-2822).

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 2, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 21, 1992 SHERIFF'S RETURN filed. SERVED Martin J. Woodock personally on Feb. 10,1992 at 4:10 p.m. at his residence, 413 West Spruce St., Titusville, Crawford Co., Pa.
So answers, C. Michael Anderson, Titusville, PD
Robert M. Stevens, Sheriff

March 6, 1992 ORDER filed. AND NOW, March 2, 1992, the parties are before the Court due to plaintiff's Petition for Emergency Relief under the Protection From Abuse Act in which she seeks a permanent Order.

The plaintiff appears represented by counsel and the defendant appears, but without counsel.

The defendant is advised of his rights to counsel and it appears that the parties have reached an agreement and the defendant wishes to proceed without counsel at this time.

ACCORDINGLY, the Court enters the following Order:

1. This Order is entered without an admission by the defendant of any of the facts of the petition nor any admission of abuse on his part.

2. The defendant shall not assault, abuse, harass or threaten the plaintiff or the minor child in any way nor shall he procure others to do so. This shall mean not only at the marital home, but at all times and in all places.

3. The plaintiff shall have exclusive possession of the marital home at 818 West Oak St. in Titusville, PA. and the defendant shall not go to that residence.

4. The plaintiff shall have exclusive custody of the minor child, but the parties shall have the right to file a separate custody action at any time, with the understanding that this Order shall remain in effect unless and until another Order is entered in another action or this action.

5. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe that is has been violated.

6. A copy of this Order shall be delivered to the Titusville City Police Department and to County Control.

7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

8. The defendant shall pay the costs of this action by paying one-half of the costs on or before April 5, 1992, and the remaining one-half on or before May 5, 1992. The defendant is directed to ascertain the amount of costs by contacting the Prothonotary of Crawford County at the Crawford County Courthouse on or before April 1, 1992 to determine what those costs are, and payment of the one-half due on Aprl 5, 1992 shall be made to the Prothonotary's Office no later than the close of business at 4:30 p.. on that date and the payment of May 5, 1992 for the remaining one-half shall be made on or before the close of business at the Prothonotary's Office at the Courthouse by 4:30 on that date.

9. This Order shall remain in full force and effect through March 1, 1993.

By Order Of The Court,
Anthony J. Vardaro, J.

March 6, 1992 Copy given to County Control, Atty. Gerald Sullivan, copy mailed to plaintiff, defendant.

1992

Fuller, Kinnunen,
Petruso, Gamble,
Fabian and Hall
John D. Petruso

152.

TAMMY J. FISHER

vs.

GEORGE H. FISHER

Filed Feb. 10, 1992
@ 4:20 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co.Paid 6/30/92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

FEb. 24, 1992, Acceptanc eof Service of Complaint filed. And Now, this 19 dayof Feb. 1992, and in accordance with Rule of Civil Porcedure 1920.4 (e), I hereby accept service of a true and correct copy of the complaint in divorce. George H. Fisher.

June 22, 1992 Affidavit of Consent of Plaintiff, filed.

June 22, 1992 Affidavit of Consent of Defendant, filed.

June 30, 1992 Upon Praecipe of John D. Petruso, Esquire, for Review under §3301 of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

July 8, 1992 AND NOW, July 7, 1992, it is hereby ordered and decreed that T A M M Y J. F I S H E R, Plaintiff, and G E O R G E H. F I S H E R, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

By the Court:
Anthony J. Vardaro, J.

1992

Paul J. Carney Jr.

153.

KIMBERLY KENT

vs.

VAUGHN KENT, JR.

Filed Feb. 11, 1992
@ 11:40 a.m.

Tax & entry paid		$50.50
4 counts paid		60.00
state paid		10.00
state paid		25.00
Pro Co	paid	9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY, INSURANCE POLICY MAINTENANCE, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES, AND SPECIAL RELIEF

2 copies (atty)

Apr. 21, 1994 Affidavit of Service of Complaint Under Section 3301(c) of the Divorce Code, filed. I,Paul J. Carney, Jr., attorney for the Plaintiff, Vaughn Kent, Jr., hereby certify that a true and attested copy of the Complaint in Divorce in the above-captioned action, was served upon th eDefendant, Vaughn Kent, Jr., by Restricted Delivery, Return Receipt Resquested, Article No. P. 728 075 582 on February 20, 1992. The return receipt is attached hereto and marked as Exhibit "A".

Apr. 21, 1994 Affidavit of Consent of Plaintiff, filed.

Apr. 21, 1994 Affidaviat of Consent of Defendant, filed.

Apr. 21, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

May 4, 1994 AND NOW, May 2, 1994, it is ordered and decreed that KIMBERLY KENT, plaintiff and VAUGHN KENT, JR., defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that terms, provisions and conditions of a certain marital agreement between the parties dated April 15, 1994 and attached hereto, are hereby incorporated in this decree and order by reference as fully as though the same were set forth herein at length. Said agreement shall not merge with, but shall survive this decree and order.

BY ORDER OF COURT
Gordon R. Miller, P.J.

1992

Daniel J. Kuhn

154.

PAUL N. REYNOLDS

vs.

D. B. ROGGERS, D. B. ROGERS, MRS. D. B. ROGGERS, MRS. D. B. ROGERS, FRED L. RODGERS, FRED ROGERS, MELISSA SIMMONS, FRED F. RODGERS, FRED T. RODGERS AND FRED T. ROGERS, THEIR HEIRS AND ASSIGNS, AND ALL OTHER PARTIES, GENERALLY

Filed Feb. 12, 1992
@ 9:07 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Pro Co Pd 11/15/94	9.00

COMPLAINT IN ACTION TO QUIET TITLE

Oct. 18, 1994 Motion To Enter Final Judgtment In Action To Quiet Title, filed.

Oct. 18, 1994 Final Judgment In Action To Quiet Title, filed. AND NOW, TO-Wit: October 19, 1994, it appearing that the Plaintiffs Complaint has been duly served by publication, with notice to plead within twenty (20) days of service thereof, it is hereby Decreed that the title of the Plaintiff, to the following described property:

ALL that certain piece or parcel of land situate in the Township of Steuben, County of Crawford and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the eastern line of Legislative Route 20099, located at the southwestern corner of the land of Timothy L. Proper, et ux, described in Crawford County Record Book 12, Page 949, THENCE easterly along the southern line of said land of Tijothy L. Proper, et ux, to the southeastern corner of said land of Timothy L. Proper, et ux; THENCE northerly along the eastern line of said land of Timothy L. Proper, et ux; to the southern line of other land of Timothy L. Proper, et ux; described in Crawford County Deed Book 532, Page 754; THENCE easterly along the southern line of said land of Timothy L. Proper, et ux, to the land of Philip Stutzman, et ux, described in Crawford County Deed Book 546, Page 440; THENCE southerly along the western line of said land of Philip Stutzman, et ux, to the land of Charles E. Steadman, et ux, describe in Crawford County Deed Book 398, Page 383; THENCE westerly along the norther n line of said land of Charles E. Steadman, et ux, and continuing along the northern line of land of LeRoy W. Reynolds et ux, to the eastern line of Legislative Route 20099; THENCE northerly along the eastern line of Legislative Route 20099 to the PLACE OF BEGINNING, containing 22 acres,more of less, and having Tax Assessmetn Index No. 5302-3.
is vaild and indefeasible as against all rights and claims of the Defendants whatsovever and the Defendants are forever barred from asseerting any rights, title, lien or interest in said premises inconsistent with the interests or claims of the Plaintiff, as set forthe in his Complaint, unless the Defendants brings an Action of Ejectment against the Plaitniff within thirty (30) days after entry of this decree. Anthony J. Vardaro, J.
Oct. 19, 1994 Faxed Kuhar

Nov. 15, 1994, Upon praecipe of plaintiff attorney, Final Judgment is hereby entered in favor of the plaintiff and against the defendants because of their failure to answer within 30 days.

Judgment entered
R - 44, 44, 44, 44,
R - 240, 240, 240
S - 112
R - 240, 240

FINAL JUDGMENT
Barbara H. King,
Prothonotary

1992

Mary Ann Kirkpatrick

155.

PATRICIA J. DRAZINA

vs.

PAUL L. DRAZINA

Filed Feb. 12, 1992
@ 9:07 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
state paid	10.00
Pro Co. pd 4/8/92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Feb. 26, 1992 Affidavit of Service filed. And Now, Feb. 26, 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Patricia J. Drazina, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 899 085 260; postmarked Feb. 13,1992 to the last known address of the Defendant, Paul L. Drazina, 244 Vine St. Johnstown, PA 15901.

3. That the Defendant, Paul L. Drazina, on Feb. 19, 1992, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint against Defendant is therefore effected in accordance with PA. Rules of Civil Procedure.

Constance L. Deitman

Mar. 27, 1992 AFFIDAVIT OF SERVICE filed. And Now, March 23, 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Patricia J. Drazina, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a copy of the Plaintiff's Affidavit of Consent to no fault divorce and a copy of the Notice of Intention to request entry of a decree and counter affidavit to be forwarded by Certified Mail, P 899 085 285; postmarked March 12, 1992, to the last known address of the Defendant, Paul L. Drazina, 244 Vine St., Johnstown, Pa. 15901.

3. That the Defendant Paul L. Drazina, on March 17, 1992, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the above-mentioned documents against Defendant is therefore effected in accordance with Pa. Rules of Civil Procedure.

Mar. 27, 1992 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, filed.

April 8, 1992 Upon Praecipe of Plaintiff attorney under Section 3301(d) of Divorce Code this case moved to Court.

April 15, 1992 **DIVORCE DECREE FILED.**

AND NOW, April 15, 1992, it is hereby ordered and decreed that Patricia J. Drazina,Plaintiff and Paul L. Drazina, Defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Barbara J. Walton

156.

RONNIE JOE COTTRELL

vs.

ANGELA COTTRELL

Filed Feb. 12, 1992
@ 9:24 a.m.

tax & entry paid	$50.50 ✓
1 count paid	15.00 ✓
state paid	10.00
STATE paid	10.00
William Pineo, mediator	
Sheriff's Costs	70.00

COMPLAINT IN DIVORCE, CUSTODY

1 copy (mediator)
3 copies (atty)

Feb. 12, 1992, Motion for Appointment of Custody Mediator and Order filed. NOTICE AND ORDER TO APPEAR:

You, Angela Cottrell have been sued in court to obtain custody of Misty Jo and Shawna Cottrell.

You are ordered to appear for hearing before William Pineo Esq. mediator, at such time and place as he shall designate.

Pending said hearing, physical custody of the minor children shall remain with plaintiff with reasonable visitation to the dft.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have one, or cannot affore done to to or telephone the office set forth below to find out where you can get help.

Court Adm. crawford Countycourthouse, Meadville, Pa. 16335
814 336-1151, ext. 298

DAte: 2/12/92 BY THE COURT,
1 copy (mediator) Anthony J. Vardaro, J.
3 copies (atty)

Feb. 12, 1992, SUPPLEMENTAL TEMPORARY ORDER filed. AND NOW, Feb. 12, 1992 the court this day has previously entered a temporary order base on plaintiffs petition whereby this matter was referred to William pineo, Custody mediator, to set a mediation conference at his earliest convenience and whereby the court ordered temp. custody of the minor children to remain with the plff. pending such mediation conference.

The said temporary order was based on the allegations ofthe plaintiff's petition as well as particularly the fact that the said children were currently in his custody and that he was concerned that the defendant, if she had custody ofthe children, may go back to Florida where her parents are located.

After the entry of that order, the court has now learned that Angela Cottrell obtained a temp. protection from abuse order in Erie County on Feb. 11, 1992 which included a provision that Ronnie Cottrellrelinquish custody of the minor children to Angela Cottrell which order is obviously directly contrary to that of this court.

The court has discussed this matter with the Honorable Jess Jiuliante who entered the protection from abuse order in Erie County and both courts agree that with regard to the custody issue Crawford County has jurisdiction and accordingly temporary custody fo the minor children will remain with the plaintiff, Ronnie Joe Cottrell, pending a mediation conference or further order of this court and the sheriff of Crawford County in serving the temporary protection from abuse order issued in Erie County shall not cause Ronnie Joe Cottrell to relinquish custody of the minor children to Angela Cottrell as set forth in the Erie County order. However, the plaintiff, is reminded that pursuant to the protection from abuse order entered in Erie County shall not in any manner threaten to abuse or physically abuse the said minor children.

A copy of this order should be forwarded by plff. counsel in this ac tion to County Control an to any police agency receiving a copy fo the temp. protection fron abuse order entered in Erie County so that such agencies will know Ronnie Joe Cottrell's continued custody of the minor children is not in violation of that order.

BY THE COURT:
Anthony J. Vardaro, J.

1 copy (mediator)
3 copies (atty)
Feb. 12, 1992, service of order by plff. and Judge's sec. Vicki.

Feb. 25, 1992 affidavit of Service filed. SERVED the within Divorce Complaint & Custody on February 19, 1992, at 1325 hrs., upon Angela Cottrell at 10439 West Crane Road, Erie County, Cranesville, Pennsylvania by handing to Angela Cottrell a true and correct copy thereof and made known to her the contents therein.

William Parker, Dep.
ert N. Michel, Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Divorce Complaint & Custody Order according to law.

Robert M. Stevens, Sheriff

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 2/25/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney. If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever. I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary. YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar 12, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. The above case is terminated of record as of May 4, 1998.

1992

157.

ANNA M. ROSSEY

vs.

WILLIAM G. ROSSEY

Filed Feb. 12, 1992
@ 3:01 a.m.

Tax & entry	paid	$50.50
state	paid	5.00
Sheriff's Costs	paid	25.00
Discontinuance	pd.	5.00

Paid on 2/28/92.

Paid to Sheriff 25.00 on Sheriff's Costs Chk #6681 2-28-92

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 12 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The defendant shall not go Plaintiff's residence at 216 North St., Meadville, PA
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 4, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 13, 1992 SHERIFF'S RETURN filed. SERVED William G. Rossey personally on Feb. 12, 1992 at 3:30 PM by handing him a copy of the Protection from Abuse at 216 North St., Meadville, Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Feb. 28, 1992, Upon praecipe of plaintiff attonrey, the above captioned case is hereby discontinued of record, as the plaintiff does not want to proceed further with it.

158

1992

Mahany, Roeder &
Rothschild

Tamera Ochs Rothschild

158.

ROBERT J. NOTZ

vs.

GWEN L. NOTZ

Filed Feb. 12, 1992
@ 3:10 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00
State Pd 2-12-92 10.00

COMPLAINT IN DIVORCE

2 copies (atty)

Feb. 20, 1992 CERTIFICATE OF SERVICE AND AFFIDAVIT OF RETURN OF SERVICE, filed. On Feb. 14, 1992, I mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 327 536 637 Return Receipt Requested, Restricted Delivery, postage prepaid, to the Defendant, Gwen L. notz, addressed as follows:

Gwen L. Notz
217 1/2 N. Monroe St., Apt. 4
Titusville, Pa. 16354

Defendant signed a return receipt upon delivery Feb. 18, 1992. The receipts are attached hereto and marked as "Exhibit A".

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute. Tamera Ochs Rothschild

May 26, 1992 Affidavit of Consent of Plaintiff filed.

May 26, 1992 Affidavit of Consent of Defendant filed.

May 26, 1992 Upon Praecipe of Plaintiff's Attorney for Review Under Section 201(c) of the Divorce code, this case is moved to court.

DIVORCE DECREE FILED.

June 11, 1992 AND NOW, June 3, 1992, it is hereby ordered and decreed that ROBERT J. NOTZ, plaintiff, and GWEN L. NOTZ, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Thomas, Truax, Spadafore and Walker

Emil M. Spadafore Jr.

159.

Prather,Prather & Pineo
William Pineo,Esq.
for Shirley McClimans

Culbertson,Weiss, Schetroma & Schug
David L.Hotchkiss, Esq.
Atty. for Deborah J.Lane

MARINE BANK

vs.

SHIRLEY M. McCLIMANS, DEBORAH J. LANE AND UNITED STATES OF AMERICA, DISTRICT DIRECTOR OF INTERNAL REVENUE

Filed Feb.12, 1992
@ 3:25 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	80.00
Pro.Co. pd 10/23/92	9.00
Pro.Co.	

COMPLAINT IN ASSUMPSIT

4 copies (sheriff)

Mar. 11, 1992 Sheriff's Return filed. SERVED the within complaint on 2-24-1992 at 11:55 AM, upon IRS at above by handing to Joan Yakeys-Secretary a true and correct copy thereof and made known to her the contents there in.
So answers, Eugene L. coon, Sheriff
I hereby deputize the Sheriff of Allegheny county, Pennsylvania to serve the wihtin Complaint according to law.
Robert M. Stevens, Sheriff
SERVED Shirley M. McClimans by Certified Mail Restricted delivery on February 18, 1992 at the last known address of 111 Whitset Road Apartment 16, Nashville, Tennessee 37210. Signed REturn Receipt is attached.
SERVED Kathryn Hawkins personally on February 13, 1992 at 9:45 AM by handing a copy of the Complaint to her at the residence which she is tenant, at 133 West Adams Street, Cochranton, Crawford County, PA.
SERVED United State of America, District director of Internal Revenue by Deputizing the sheriff of allegheny County, PA, as per his Affidavit of Service attached. Served on February 24, 1992 NOT FOUND as to defendant deborah J. Lane. Not known by Hartstown Post Office at address given of R.D.#1, box 112-B, Hartstown, Crawford county, PA 16131.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Aug. 7, 1992 Stipulation and Agreement for Entry of Judgment and Order filed. AND NOW this 6 day of August, 1992, upon consideration of the foregoing motion, the same is hereby granted. The parties shall comply reasonably promptly with the terms of said stipulation and agreement.
M-151 Debt $50,000.00
Entered Aug. 7, 1992 Judgment
Abstract to Atty. Barbara H. King
Spadafore, Jr. Prothonotary
By the Court,
Anthony J.Vardaro,J.
Aug. 7, 1992 Copy of Order to Atty.Spadafore, Jr.;Atty. Pineo;

Aug. 7, 1992 Stipulation and Agreement for Entry of Judgment and Motion for Order Approving Stipulation and Agreement and Order filed. AND NOW, this 6 day of August, 1992, upon consideration of the foregoing motion, the same is hereby granted. The parties shall comply reasonably promptly with the terms of said stipulation and agreed.
L-43 Debt $50,000.00
Entered Aug.7, 1992 Judgment
Abstract to Atty. Barbara H. King
Spadafore, Jr. Prothonotary
By the Court:
Anthony J.Vardaro, J.
Aug. 7, 1992 Copy of Order to Atty,. Spadafore, Jr. Atty.& Atty. Hotchkiss.

Oct. 23, 1992 Praecipe to Strike Judgment in the amount of $50,000.00 entered on August 7, 1992 against the above defendants filed.

And Now, October 23, 1992 at 9:09 A.M. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Fifty-Nine thousand Seven hundred Eighty-one and 65/100 dollars, plus interest.
Debt $59,781.65
Int.$13.80 per day on and after Dec. 11, 1992
M-151; L-43:
Entered on Oct. 27, 1992 Judgment
Abstract to Atty.Spadafore, Jr. Barbara H. King
Prothonotary

Oct. 29, 1992 ANSWER OF DEFENDANT UNITED STATES OF AMERICA,filed.

Nov 6, 1992 ANSWER OF DEFENDANT UNITED STATES OF AMERICA, filed.

Nov 6, 1992 at 11:51 a.m. a Consent Judgment was filed. AND NOW, to wit, this 30th day of October, 1992, it appearing that counsel for plaintiff and counsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of defendant(s) Deborah Lane and Shirley McClimans.
U - 183 Judgment
Barbara H. King, Prothonotary

EX 1993-2

160

1992

JURY TRIAL

Joseph F. Kulwicki III

160.

EDWARD A. BECK, III, AND KAREN BECK, HIS WIFE

vs.

SAMUEL BREST

Filed Feb. 12, 1992
@ 3:42 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	28.00
Pro Co Pd 4/1/92	6.00 ✓

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Feb. 21, 1992 SHERIFF'S RETURN filed. SERVED Samuel Brest personally on Feb. 14, 1992 at 11:31 PM by handing him a copy of the Summons at his residence, R.D. 4, Box 640, Meadville,Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 9, 1992 Upon praecipe of Defendant Attorney a Rule is herby issued upon the Plaintiff to file a Complaint.

Mar. 16, 1992, Notice of Service of Interrogatories and Requests for Production of Documents directed to Plaintiffs, filed.

Mar. 13, 1992 Complaint In Civil Action filed.

Mar. 13, 1992 Certificate of Service filed. JOSEPH F. KULWICKI III, ESQ., attorney for the plaintiffs, edward A. Beck, III and Karen Beck, his wife, hereby certifies that on March 13, 1992, he served a certified copy of a Complaint in Civil Action, INterrogatories addressed to the Plaintiff, and REquest for Production, by plaicng same in the U.S. Mail, to John W. McCandless, Esq., attorney for the defnednat, addressed as follows: JOHN W. McCANDLESS, ESQ. 150 WEST SIXTH STREET, ERIE, PA 16501 Said Documents were sent first class mail, postage pre=paid. Joseph F. Kulwicki

Mar. 31, 1992, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

1992

Mary Ann Kirkpatrick

161.

REX A. LaCAZE

vs.

CAROLYN A. LaCAZE

Filed Feb. 13, 1992
@ 9:45 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 2-16-94	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Feb. 19, 1992 AFFIDAVIT OF SERVICE filed. And Now, Feb. 17, 1992, comes Constance L. Deitman being july sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary for Rex A. LaCaze, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy fo the Complaint in Divorce to be forwarded by Certified Mail, P 899 085 261; postmarked Feb. 13, 1992, to the last known address of the Defendant, Carolyn A. LaCaze, c/o Freda Nuhfer, Laurel Terrace, Franklin, Pa. 16323.

3. That the Defendant, Carolyn A. LaCaze, on Feb. 14, 1992, personally signed the return receipt card which was affixed to the Complaint in the above - matter and which is attached hereto.

4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. Rules of Civil Procedure.

June 4, 1992, Affidavit of Consent of plaintiff filed.

FEb. 11, 1994, Affidavit of Consent of defendant filed.

Feb. 16, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Feb. 23, 1994 AND NOW, February 22, 1994, it is ordered and decreed that REX A. LACAZE, plaintiff, and CAROLYN A. LACAZE, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

Lawrence C. Bolla

162.

SAINT VINCENT HEALTH CENTER

vs.

GEORGE D. BALDWIN, JR.

Filed Feb. 13, 1992
@ 3:13 p.m.

Pro Simmons paid	$15.00 ✓
plff on orig	74.50
sheriff's costs	30.00
pro co pd 3/18/92	9.00 ✓

WRIT OF REVIVAL
of
AD 1988 - 271

Writ of Revival of judgment indexed in favor of plaintiff and against the defendant in the sum of Three Thousand Three Hundred Twenty Two and 46/100 Dollars, with int. from Mar. 17, 1988 and costs of action.
Debt ------$3,322.46
dated---Feb. 11, 1992
B - 71 -- JUDGMENT REVIVAL
Barbara H. King, Pro.

ISSUED (SHERIFF)

Feb. 26, 1992 Writ Return filed. NOT FOUND as to Defendant George D. Baldwin, Jr. at his last known address of R D # 1, Box 278C, Townville, PA. He has moved and no forwarding addressis known.
So answers,
Robert M. Stevens, Sheriff

And Now, Mar. 18, 1992, at 3:35 p.m., upon praecipe of plaintiff attorney, with default notice attached, Judgment is hereby entered in favor of the plaintiff and agaisnt the defendant per Writ of Revival, in the amount of Three Thousand Twenty Two and 46/100 Dollars, plus int. form Mar. 17, 1988 and costs of action.
Judgment entered- 3/18/92 Debt ----$3,322.46
B - 71 JUDGMENT
Barbara H. King,
Prothonotary

Mar. 23, 1992, notice of judgment mailed to defendant.

Revived to AD 1995-1287

1992

Barbara J. Walton

163.

John P. Gagliotti

WILLIAM MESARCH

vs.

GEORGE BLY

Filed Feb. 14, 1992
@ 11:09 a.m.

Tax & entry paid	$50.25
state paid	5.00
Pr Co pd 7-15-92	15.00

APPEAL OF PLAINTIFF FROM JUDGMENT OF WILLIAM D. CHISHOLM, MAGISTERIAL DISTRICT 30-2-01

Feb. 21, 1992, Proof of Service filed.

Mar. 5, 1992, Complaint filed. 1 copy (atty)

Mar. 23, 1992, Answer and New Matter filed.

Apr. 8, 1992 Answer To New Matter filed.

July 15, 1992 Upon praecipe of Plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.
William Gregg ~~William Pineo~~, Chairman ~~Sylvia Dratler~~ WILLIAM GREGG-
Glen Thompson ~~Russell Schetroma~~
~~John Spataro~~ Victor Kinnunen

Aug. 17, 1992 Arbitrators take qualifying oath.

Sept. 2, 1992 Praecipe of Sylvia L. Dratler for withdrawal from Arbitration, filed.

Sept. 25, 1992 Arbitrators take qualifying oath.

Mar. 11, 1993 Notice Of Arbitrator's Hearing filed.

Apr. 26, 1993, DECISION OF ARBITRATORS filed in which they find in favor of the plaintiff in the amount of $1,029.00 together with record costs.

Decision entered
4/26/93
B - 71

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

April 27, 1993, copies of decision given to Attys. Walton and Gagliotti.

163A

1992

C. Barton JOnes

163A.

MICHAEL L. SMITH

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
BUREAU OF DRIVER LICENSING

Filed Feb. 14, 1992
@ 11:43 a.m.

Tax & entry Pd 2/21/92 $50.50 ✓
state Pd 2/21/92 - 5.00
Pro Co pd 4/24/92 5.00 ✓

PETITION FOR RELIEF FROM FINAL ACTION DENYING
REINSTATEMENT OF DRIVER'S PRIVILEGES

Feb. 14, 1992, motion for A Hearing for the Within Petition filed.

Feb. 14, 1992 ORDER filed AND NOW, this 14 day of Feb. 1992, a timely Petition for Relief inthe matter having been submitted, the Bureau of Licensing, Dept. of Trasnportation, Commonwealth of Pennsylvania, is hereby ordered to appear and show cause why Petitioner's operating privileges should not be reinstated, for Hearing on the 28 day of April 1992 at 1:30 p.m. in C. R. No. 1 or 2 in the Crawford County Courthouse, Meadville, Pa. 16335.

Anthony J. Vardaro, J.

Feb. 19, 1992, copy to C. Barton Jones, Esq.

Mar. 2, 1992 Notion to Dismiss Petition for Relief From Final Action Denying Reinstatement of Driver's Privileges Due to Lack of Jurisdiction and Order, filed. AND NOW, to-wit: this 28th day of February, 1992, upon consideration of the foregoing Motion, it is hereby ORDERED that a Rule be issued against the petitioner, Michael L. Smith, to show cause, if any, as to why his Petition for Relief from Final Action Denying Reinstatement of Driver's Privileges should not be dismissed due to lack of jurisdiction by this Court to grant the credit for time served on the appealed operating privilege suspension that he seeks.

Said rule is returnable at the time of the hearing on said petition, which is scheduled for April 28, 1992 at 1:30 p.m. BY THE COURT:
Anthony J. Vardaro, J.

Mar. 5, 1992 mailed copy to C. Barton Jones

Apr. 24, 1992 Upon praecipe of Plaintiff Attorney this case is marked settled and discontinued of record.

163 B

1992

1992

William L Walker

164.

ANDOVER BANK

vs.

TIMOTHY TEYSSIER, LINDA DICKEY AND JOHN DOE

Filed Feb. 14, 1992
@ 3:27 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	41.00

COMPLAINT IN EJECTMENT

3 copies (atty)

Feb. 27, 1992 SHERIFF'S RETURN filed. SERVED Linda Dickey personally on Feb. 19, 1992 at 9:15 AM by handing her a copy of the Complaint in Ejectment at the residence where she resides as tenant, Old Adamsville Rd., R.D. 1, Atlantic, Crawford County, Pa.

SERVED Timothy Teyssier on Feb. 19, 1992 at 9:15 AM by handing a copy of the Complaint in Ejectment to Linda Dickey, Adult in Charge, at the residence where he is a tenant, Old Adamsville Rd., R.D. L, Atlantic, Crawford Co., Pa.

So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

1992

Bruce A. Barrett
Barrett & Dratler

165.

BERNARD ALLEN BELL

vs.

DONNA MARIE BELL

Filed Feb. 14, 1992
@ 3:34 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co.Pd 6/3/92	9.00
Pro.Co.pd 6/29/92	5.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Feb. 21, 1992, Affidavit of Service filed. Bruce A. Barrett, Esq. being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the Attorney for the Plaintiff in the above captioned action.

2. That a true and correct copy of a Complaint for Divorce under Section 3301(c) was sent by registered mail to the Defendant.

3. The registered mail was sent to the Defendant at 422 Willow St., Apt A, Meadville, Pa 16335 on Feb. 17, 1992. The Sender's receipt is attached hereto.

4. The Defendant received said registered mail on February 19, 1992. Said receipt card number 320 791 352 is attached hereto and signed by the Defendant Donna Marie Bell.

Bruce A. Barrett, Atty.

June 3, 1992 Affidavit of Consent by Bernard Allen Bell, Plaintiff, filed.

June 3, 1992 Affidavit of Consent by Donna Marie Bell, Defendant, filed.

June 3, 1992 Upon Praecipe of Plaintiff Attorney, Bruce A. Barrett, to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 12, 1992 AND NOW, June 10, 1992, it is hereby ordered and decreed that **BERNARD ALLEN BELL**, Plaintiff, and **DONNA MARIE BELL**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

June 29, 1992 Notice of Electon to Retake Maiden Name filed, to be known as Donna Marie Peters.

1992

James R. Irwin

Shafer, Swick, Bailey, Irwin & Stack

166.

WILLIAM E. HAINES

vs.

EDNA C. HAINES

Filed Feb. 14, 1992
@ 3:39 p.m.

Tax & entry paid	$50.50 ✓
1 count paid	15.00 ✓
state paid	10.00
state paid	10.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) OR 3301(d) OF DIVORCE CODE, PROPERTY DISTRIBUTION

1 copy (atty)

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 2/14/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998

Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1992

Ferguson and Spataro
Douglas W. Ferguson

167.

John R. Gavin

GLENN A. DAVIS

vs.

SANDRA G. DAVIS

Filed Feb. 18, 1992
@ 8:41 a.m.

Tax & entry paid	$50.50 ✓
4 counts paid	60.00 ✓
state paid	10.00
state paid	25.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES

2 copies (atty)

Feb. 26, 1992 Affidavit of Service filed. I, the undersigned being duly sworn according to law, depose and say that I served a true and correct copy ofthe Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certified mail, addressee only, return receipt requested, dated February 20, 1992. The defendant acknowledged service on February 22, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt.

Douglas W. Ferguson

Feb. 26, 1992, Appearance of John R. Gavin, attorney for defendant filed.

Feb. 26, 1992 Motion For Change Of Venue and Order filed. And now this 28 day of February, 1992 upon consideration of Defendant's Motion For Change Of Venue s aid motion shall be heard by the Court on the 1st day of April, 1992 at 9:00 a.m., Courtroom 1 or 2.

Br The Court,
Imogene Yetman, CA.

Mar. 2, 1992 Copies of order to Atty's Ferguson and Gavin

April 7, 1992 ORDER filed. AND NOW, April 6, 1992, a hearing is set for taking testimony of the parties in this matter with regard to Defendant's motion for change of venue.

Said hearing is set for April 15, 1992 at 10:00 A.M. in Courtroom No. 2, Crawford Co. Courthouse, Meadville, PA.

BY THE COURT:
Anthony J. Vardaro, J.

April 7, 1992 Copy sent to Atty. Douglas Ferguson and John R. Gavin.

Apr. 21, 1992 Memorandum and Order filed. ORDER: AND NOW, April 20, 1992, upon Defendant's motion for change of venue and after hearing and argument, the Court transfers this matter to Venango County for further disposition.

Pursuant to Pa. R.C.P. 1915(d), the Prothonotary of Crawford County is directed to forward to the Prothonotary of Venango County certified copies of the docket entries, process, pleadings and any other papers filed in this action. The costs and fees resulting from such transfer and removal of record shall be paid by the Defendant in the first instance to be taxable as costs in this case.

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 28, 1992 copy of docket page and copies of everything in folder sent to Court Adm. Venango County.

168

1992

Peters, Lindsay, Lewis and Gagliotti
Brian J. Lindsay
~~Pepicelli, Youngs and Youngs PC~~
~~Andrew S. Bacallao~~
Andrew
168.

CHEREE S. FRIZZELL

vs.

MARVIN WEBSTER

Filed Feb. 18, 1992
@ 10:00 a.m.

Tax & entry Pd 3/12/92 $50.50 ✓
state Pd 3/12/92 5.00
Sheriff's Costs Pd. 25.00
Pro Co Pd 3/12/92 $9.00 ✓

3/12/92 $25.00 Rec'd Sheriff Costs

3-12-92 Paid Sheriff $25.00 chk 6704 costs

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

4 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 18 day of Feb., 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The plff. is granted exclusive possession of their home at R. D. #1, box 17, Guys Mills, Pa. pending further order of court. the dft. may remove personal clothing and personal items so that he may have them for work between the hours of 4:00 p.m. - 5:00 p.m. on 2/18/92 Neither party shall remove or sell other property at the aforesaid trailer, including a safe and contents until further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 4, 1992 at 3:30 p. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. vardaro, J.

Feb. 20, 1992 SHERIFF'S RETURN filed. SERVED Marvin Webster personally on Feb. 18, 1992 at 12:50 PM at his place of employment, Advanced Cast Products, Inc., Mill St., Meadville,Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 6, 1992 Order filed. AND NOW, March 4, 1992, this matter is before the Court on plaintiff's petition seeking relief under the Protection From Abuse Act.

The parties appear represented by counsel, and after hearing, the Court does believe that there has been abuse within the meaning of the Act.

ACCORDINGLY: the Court enters the following Order: The defendant shall not assualt, abuse, harass or threaten the plaintiff named in the petition in any way. The plaintiff, at the itme of the hearing, agrees likewise that she shall not assault, abuse, harass or threaten the defendant named in the petition in any manner.

2. The plaintiff is granted exclusive possession of the home of the parties at R.D. #1, Box 17, Guys mills, Pennsylvania, pending further Order of Court in this proceeding or any other proceeding.
3. The defendant shall reinburse the plaintiff for costs of medical care at the water Street Urgent Care in the amount of $36.75.
4. The defendant shall be permitted to remove his personal property from the residence at a time to be reasonably agreed upon by the parties through their attorneys. For the purposes of this Order, in order to avaoid dispute, he shall not be permitted to remove the safe or any contents thereof nor shall the plaintiff be permitted to remove any contents of the safe without an agreement of the parties, and the defendant shall likewise not be permitted to remove a sofa bed or mattress that is in dispute. The Court ntoes that it is not th eintention nof the Court to in any way determine thatthose items are the proper ty of the plaintiff, but the Court just intends to maintain the status quo until there is a determination of ownership with regard to those items in another action or in another forum that may be appropriate.
5. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe that it has been vioalted.
6. A copy of this Order shall be delivered to the Police departments in the jurisdiction where the plaintiff resides and to County Control.
7. The defendant shall pay costs in this matter in the amount of $89.50 within thirty (30) days of the dte of this Order.
8. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up of $1,000.00 and a jail sentence of up to six (6) months.
9. This Order shall remain in full force and effect through september 3, 1992, and if the parties have not resolved their marital situation and the plaintiff is still in fear of further abuse, she may make applicaiton to ahve the Order extended, at which time, hearing will be set.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

Mar. 10, 1992 Copies of order to atty's Bacallae & Walton, plff, dft., State Police and County Control

Aug. 12, 1992 Petition for Contempt and Request for Temporary Extension of Current PFA Order and Rule to Show Cause filed. AND NOW, this day, August 12, 1992, this Honorable Court issues a Rule to Show Cause Hearing is denied until petitioner can allege by amended petition that there is more evidence that the defendant was the person who broke in or trespassed on the property in violation of par 2 of the 3/4/92 Court order.

P. R. Thomas, S.J.

Aug. 12, 1992 Copy of the Order to:Attys. Bacallao and Lindsay; andAtty. Walton.

Aug. 17, 1992 Upon praecipe of Attorney Bacallao, his appearance is hereby withdrawn.

1992

Thomas, Truax,
Spadafore & walker

Emil M. Spadafore Jr.

169.

Bettie J. Peterson-Muth

MARINE BANK

vs.

WILLIAM F. CLOSE AND LINDA M. CLOSE

Filed Feb. 18, 1992
@ 10:16 a.m.

Tax & entry Paid	$50.50 ✓
state paid	5.00
sheriff's costs	40.00
Pro Co Pd 4-14-92	9.00 ✓

COMPLAINT IN ASSUMPSIT

2 copies (sheriff)

March 10, 1992 Sheriff's Return filed. SERVED William F. Close personally on Feb. 19, 1992 at 9:45 AM by handing him a copy of the Complaint at his residence, RD # 4, Box 810, Conneaut Lake, Crawford Co., PA.

SERVED Linda M. Close by Certified Mail addressed at her last known address of 5 Laurier Ave., Ware, Massachusetts 01082. Served on Feb. 24, 1992, as per signed Return Receipt attached. So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 18, 1992 Answer filed. 2 copies Atty.

April 7, 1992, 8:54 a.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of plaintiff and against defendant for failure to file an answer and damages are assessed as follows: Principal balance due, Twenty-Six thousand sixty-eight and 38/100 Dollars together with interest at a rate of $6.79 per day on and after December 6, 1991.

Debt $26,068.38
Judgment
Barbara H. King, Pro.

C-101
Judgment entered 4-7-92

June 23, 1992 PETITION TO VACATE JUDGMENT AS TO WILLIAM F. CLOSE PURSUANT TO AGREEMENT OF THE PARTIES and ORDER, filed. ORDER: AND NOW, this 22nd day of June, 1992, by agreement of the parties, the judgment that was entered by Marine Bank against William F. Close is hereby vacated. The judgment entered against Linda M. Close shall remain in full force and effect.

BY THE COURT:
Anthony J. Vardaro, J.

June 25, 1992 copy in box for E. Spadafore & B. Muth

170

1992

Shafer, swick, bailey
Irwin & Stack
Paul D. Shafer Jr.
Jeffrey K. Millin
~~170.~~
170.
Culbertson, Weiss, Schetroma
and Schug, P.C.
E. Max Weiss

DIANE S. GRAHAM

vs.

PRUDENTIAL PROPERTY AND
CASUALTY INSURANCE COMPANY

Filed Feb. 18, 1992
@ 1:48 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	25.00

COMPLAINT

1 copy (atty)
1 copy (sheriff)

Mar. 5, 1992 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. of E. Max Weiss for Defendant.

Mar. 5, 1992 SHERIFF'S RETURN filed. SERVED Prudential Property and Casualty Ins. Co. on Feb. 20, 1992 at 3:40 PM by handing a copy of the Complaint to Carol Werner, Secretary and Adult in Charge at the business, 1351 Conneaut Lake Rd., Meadville, Crawford County, Pa.
So answers, Dale A. Collings, Deputy Sheriff
Robert M. Stevens, Sheriff

June 22, 1992 ANSWER AND NEW MATTER OF DEFENDANT TO PLAINTIFF'S COMPLAINT, filed. 1 copy atty.

July 24, 1992 REPLY TO NEW MATTER, filed.

Oct. 28, 1992 Interrogatories and Request for Production of Documents, filed.

Dec. 3, 1993 Motion for Summary Judgment Filed.

Dec. 3, 1993 Appendix in Support of Motion of Prudential Property and Casualty Insurance Company for Summary Judgment filed.

Dec. 3, 1993 Upon Praecipe of E. Max Weiss, Esquire, Attorney for Prudential Property and Casualty Insurance Company, Defendant, the above captioned matter is placed on the next available Argument List.

ON JANUARY,1994 ARGUMENT LIST

Jan. 24, 1994 Appendix Filed On Behalf Of Plaintiff In Response To Defendant's Motion For Summary Judgment filed.

Jan. 24, 1994 Response To Defendant's Motion For Summary Judgment filed.

Feb. 24, 1994 Memorandum and Order Sur Defendant's Motion For Summary Judgment, filed. ORDER: AND NOW, February 23, 1994 for the reasons set forth in the attached memorandum the defendant's motion for summary judgment is granted and summary judgment is therefore entered on behalf of the defendant and against the plaintiff thus dismissing the Plaintiff's action.
BY ORDER OF COURT
Gordon R. Millelr, P.J.
Feb. 24, 1994 copies dist to Millin, Shafer & Weiss

1-24-94 Pltf's Brief filed.

1992

McBride and McNickle PC

171.

Northwestern Legal Services
Gerald Sullivan

DONALD J. DUFFOLA AND DONNA DUFFOLA

vs.

JOHN E. SEMAI AND SHERRI A. SEMAI

Filed feb. 18, 1992
@ 2:10 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	36.00
Pro Co Pd 7/7/92	5.00 ✓

COMPLAINT

2 copies (sheriff)

Feb. 27, 1992 SHERIFF'S RETURN filed. SERVED John E. Semai personally on Feb. 20, 1992 at10:30 AM by handing him a copy of the Complaint at his residence, R.D. 2, Box 148 A, Conneautville, Crawford County, Pa.
NOT FOUND as to Defendant Sherri A. Semai, According to John Semai, she has moved and her current address is unknown.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 18, 1992 Answer and New Matter filed.

Aug.7, 1992, Upon praecipe of plaintiff attorney, the above case is hereby marked settled and discontinued. of record.

1992

172.	LESTER AND MARILYN SAEGER vs. PANZA'S LEATHER SHOP Filed Feb. 18, 1992 @ 3:06 p.m. Tax & entry paid $50.25 ✓ state paid 5.00	APPEAL OF PLAINTIFF FROM JUDGMENT OF RONALD COLE, SR. D. J. # 30- 3- 06

1992

Joseph F. Kulwicki

173.

JAN E. HOLLABAUGH

vs.

GARY W. HOLLABAUGH

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

2 copy (atty)

Feb. 24, 1992 CERTIFICATE OF SERVICE filed. Copy sent to Defendant on Feb. 19,1992. Said Divorce Complaint was mailed certified mail, restricted delivery, being certified mail item number P 724 954 519. The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, Esq., bearing the signature of the defendant, as having received same on Feb. 20, 1992. Said signature card is attached hereto and made a part hereof.

Sept. 13, 1994 Affidavit of Consent of Plaintiff, filed.

Sept. 13,1994 Affidavit of Consent of Defendant, filed.

Sept. 13, 1994 Upon praecipe of plaintiff's attorney to transmit records, case moved to Court.

Filed Feb. 18, 1992
@ 3:22 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 9-15-94	9.00

DIVORCE DECREE FILED

Sept. 19, 1994 AND NOW, Sept. 16, 1994, it is ordered and decreed that JAN E. HOLLABAUGH, plaintiff, and GARY W. HOLLABAUGH, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

Jorden & White
William T. Jorden

174.

Culbertson,Weiss,
Schetroma &Schug
John B. Brautigam

CAROL WINANS AND CLARK WINANS, HER HUSBAND

vs.

GRETA LEE RODGERS

Filed Feb. 18, 1992
@ 4:04 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	27.00
Pro Co. pd 11/20/96	6.00

COMPLAINT

1 copy (atty)

Mar. 9, 1992 SHERIFF'S RETURN filed. NOT FOUND as to Defendant Greta Lee Rodgers. As per Mr. Bearce, current resident at 152 East Adams St., Cochranton, Pa., Greta Lee Rodgers does not live there and they have not heard of her.
So answers, Robert M. Stevens, Sheriff

Apr. 9, 1992 PRAECIPE TO REINSTATE COMPLAINT, filed. (to Sheriff)

May 6. 1992 APPEARANCE of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss, Esquire for Greta Lee Rodgers, Defendant filed.

May 7, 1992 Answer and New Matter of Greta Lee Rodgers to Plaintiff's Complaint, filed.

May 15, 1992 NOTICE OF SERVICE OF INTERROGATORIES AND REQUESTS FOR PRODUCTION TO DEFENDANT, GRETA LEE RODGERS, filed.

June 11, 1992 Answer to New Matter, filed.

Aug. 17, 1992 Amended Answer and New Matter filed.

July 16, 1993 CERTIFICATE OF SERVICE, filed. I hereby certify that on the 16th day of July, 1993, I served a true and correct copy of the RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS on all parties or counsel of record, by First Class, United States Mail, postage prepaid, pursuant to Pennsylvania Rules of Civi. Procedure.
George Gray

July 20, 1993 Notice of Filing Answers to Defendant's Interrogatories filed.

Oct. 19, 1994 Notic eof Deposition of Carol Winans, filed.

Oct. 19, 1994 Notice of Deposition of Clark Winans, filed.

Feb. 26, 1996 Motion to Consolidate and ORDER OF COURT filed. Rule returnable for hearing and Argument March 27, 1996 at 9:15 A.M. in Courtroom 1 or 2. (see papers filed).

Feb. 26, 1996 Order FAXED Attys. Thomas; Gordon R. Miller, J. given Jorden.

March 29, 1996 ORDER filed. AND NOW, March 27, 1996, it is hereby ORDERED, ADJUDGED and DECREED that the Motion to Consolidate by William T. Jorden on behalf of the plaintiffs is hereby sustained.

BY THE COURT,
George Levin, Senior Judge

March 29, 1996 Order to Attys. Jorden, Thomas, Brautigam.

Apr. 2, 1996 Notice of Video Deposition of W.Keith Petrella, D.O. filed. (Original filed at AD 1992-24)

Apr. 8, 1996 NOtice of Service of Request for Production of Documents (Second) filed. (Original filed at AD 1992-24)

Apr. 8, 1996 Notice of Deposition of Greta (Rodgers) English, filed.

May 10, 1996 Notice of Deposition of Larry Leonard filed.

May 14, 1996 Amended Notice of Deposition filed.

Mar. 12, 1996 Brief in Support of Motion to Consolidate filed.

June 20, 1996, Notice of Service of Request for Production by Plaintiff filed. (see paper filed at AD 1992 - 24)

July 9, 1996, Amended Notice of Video Depositon filed. (see paper filed at AD 1992 - 24)

Aug. 9, 1996 Amended Notice of Deposition on behalf of Plaintiffs filed. (filed at AD 1992-24)

Oct. 23, 1996 Upon Praecipe of Attorneys for plaintiffs, the above captioned action is hereby settled and discontinued, filed.

1992

Watts and Pepicelli PC
Theodore H. Watts

175.

Mary Ann Kirkpatrick

GARY SABRAW

vs.

BARBARA SABRAW

Filed Feb. 18, 1992
@ 4:15 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Add'l Count pd 3/6/92	15.00
User's Fee paid 3/6/92	5.00
Pro.Co. pd 12/21/92	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Mar. 5, 1992 AFFIDAVIT OF SERVICE filed. Theodore H. Watts, hereby certifies that he is the Attorney for the Plaintiff Gary Sabraw in the within Action and that a copy of the Complaint in Divorce was sent by certified mail, return receipt requested, deliver to addressee only to the Defendant, Barbara Sabraw, at RD 8, Bos 292, Meadville,Pa. 16335 on Feb. 24, 1992 and was received by the Defendant on Feb. 26, 1992. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Mar. 6, 1992 Petition For Additional Claims filed.

Mar 9, 1992 MOTION FOR HEARING ON ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES and ORDER filed. ORDER: AND, NOW, March 9, 1992, hearing on Defendant's Petition for Alimony Pendente Lite, Counsel Fees, Costs and Expenses is scheduled for March 31, 1992, at 3:00 p.m. in court room number 1 or 2 of the Crawford County Courthouse in Meadville, Pa. By the Court:
Anthony J. Vardaro, J.
Mar. 10, 1992 copy in box for M.A. Kirkpatrick & T. Watts

March 31, 1992 Defendant's Income and Expense Statement filed.

Apr. 7, 1992 ORDER filed. AND NOW, March 31, 1992, this matter is before the Court on defendant's motion for a hearing for alimony pendente lite, counsel fees, costs and expenses.

At the time set for hearing, both parties appear with their counsel and advise the Court that they have entered into an agreement, and accordingly, bases on that agreement, the Court enters the following Order:

The parties are currently residing at the marital residence and both shall continue to reside there until Junel, 1992. During that period of time, from this date until June 1, 1992, the plaintiff husband shall pay all expenses incident to maintaining the residence and normal expenses of the residence.

2. On June 1, 1992, the defendant wife shall leave the marital residence, and on that date, plaintiff husband shall pay to the defendant the sum of $800.00 and shall pay a 1 ikje sum on the first day of each month thereafter for an additional period of three (3) months.

3. It is the parties' intention that this matter be resolved within a period of time before that last monthly payment of alimony pendente lite, and if it is not, the burden shall be on the defendant to petition the Court for further relief in that regrd.

4. The plaintiff shall pay to defendant's counsel the sum of $500.00 toward her counsel fees within thirty (30) days from the date of this Order, subject to the stipulation that in the event this matter is not resolved between the parties, the Master, or ultimately the Court, may determine theproper allocation or payment of counsel fees with respect to this matter.

5. The plaintiff shall supply to the defendant up-to-date information with regard to his 401K Plan within thirty days of this Order and shall further supply documentation and information regarding his pension-retirement-profit-sharing account or accounts, the same being within the thirty-day period from the date of this Order.

6. Each party shall supply to the other party photocopies of any documents evidencing certificates of deposit, passbooks or other accounts in their own name or in the name jointly with any other person and shall likewise disclose to the other party all assets currently held in any assets that they are expecting to receive at any time in the reasonable future. This shall occur within thirty (30) days of this Order.

7. The plaintiff shall arrange for a real estate appraisal of the marital residence with Vicki Gillette or another appraiser acceptable to both of the parties within thirty (30) days of the date of this Order and plaintiff shall be responsible for the payment of any fee incurred for such appraisal.

8. The plaintiff shall arrange with Bruce Nicolls or any other mutually agreeable appraiser or auctioneer for the appraisal of the personal property of the parties within thirty (30) days of the date of this order and shall pay the ultimate fee incurred for such appraisal.

9. With respect to each of the appraisals, it is the Court's intention that a contract, whether it be written or oral, be agreed upon between the palintiff and the appraiser within thirty (30) days of the date of this Order, the Court recognizing the fact that the appraisal may not be complete ina written form within that thirty-day period of time. BY ORDER OF THE COURT,
Anthony J. Vardaro, J.
Apr. 7, 1992 copies distributed

Dec. 21, 1992 Affidavit of Consent of Barbara Sabraw, Defendant, filed.
Dec.21, 1992 Affidavit of Consent of Gary L. Sabraw, Plaintiff, filed.
Dec. 21, 1992 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

December 31, 1992 DECREE IN DIVORCE filed.

I. DIVORCE: Upon consideration of the pleadings and Affidavits filed in the above captioned case, this Court hereby grants an absolute Divorce from the bonds of matrimony to the above named parties, on the grounds that the marriage is irretrievably broken and ninety days have elapsed from the date of the filing of the Complaint and an Affidavit has been filed by each of the parties evidencing that each of the parties consents to the Divorce, pursuant to Section 3301(c) of the Pennsylvania Divorce Code.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED pursuant to Pa. R.C.P. 1920.1, et seq and Act 26-1980, 23 P.S. §1 et seq "The Divorce Code: that the terms, provisions and conditions of a certain property settlement agreement between the parties dated 11-27-92 and attached to this Decree as Exhibit :A: is hereby incorporated into the Decree and Order by reference as if the same were set forth herein at length. Said Agreement shall not merge with but shall survive this Decree and Order.

II. EQUITABLE DISIRIBUTION: Personal Property: The following property will be the property of Barbara Sabraw:

a. All of her personal belongings;
b. All of her knick knacks;
c. 40" color TV;
d. King size water bed;
e. Microwave and stand;
f. One-half of all food in the freezer; and
g. 1986 Ford Ranger pick up.

The following property will be the property of Gary Sabraw:

a. 1989 Chevrolet Blazer.

Otherwise, the parties have satisfactorily divided their personalty and all property presently in the hands of the respective parteis shall ecome their sole and separate property.

RECORD CONTINUED ON
PAGE 498.....

176

1992

Elderkin, Martin, Kelly
& Messina
Kenneth G. Vasil

176.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pa.

vs.

JOSEPH T ADER

Filed Feb. 19, 1992
@ 11:43 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	34.00

COMPLAINT

1 copy (sheriff)

Mar. 9, 1992 SHERIFF'S RETURN filed. NOT FOUND as to defendant Joseph T. Ader. He has moved to Connellsville, Pa. exact address is unknown but telephone number is (412) 628-4055. So answers, Robert M. Stevens, Sheriff

1992

Barbara J. Walton

Mason and Mason
Joan D. Mason

177.

DEBORAH A. DAVIS

vs.

PHILLIP H. DAVIS

Filed Feb. 19, 1992
@ 4:25 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro.Co. Pd 9/21/93	9.00
Pro. Co. pd 11/30/93	30.00
User's Fee	10.00

COMPLAINT IN DIVORCE

2 copies (atty)

Mar. 18, 1992 AFFIDAVIT OF SERVICE filed. I, Joan D. Mason, Esq., attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, despose and say that I did on Feb. 21, 1992 mail to the above Defendant, Phillip H. Davis, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on Feb. 22, 1992 as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Sep. 21, 1993 Affidavit of Consent to Divorce by Deborah A. Davis Plaintiff, filed.

Sep. 21, 1993 Affidavit of Consent to Divorce by Philip H.Davis, Defendant, filed.

Sep. 21, 1993 Stipulation and Consent to Entry of Order filed.

Sep. 21, 1993 Upon Praecipe of Plaintiff Attorney, Barbara J. Walton, Esquire, to transmit record, case moved to Court.

Oct. 13, 1993 Memorandum filed.
Oct. 21, 1993 copy to B. Walton & J. Mason

Nov.30, 1993 Petition for Additional Remedies filed.

Dec. 3, 1993 Upon Praecipe of Plaintiff Attorney, Barbara J. Walton, ESquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 10, 1993 AND NOW, December 8, 1993, it is ordered and decreed that DEBORAH A. DAVIS, plaintiff, and PHILLIP H. DAVIS, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

The property settlement between the parties, dated Sept 15, 1993 is approved and incorporat into this decree by reference.

The custody of the minor child, Sarah Davis, is awarded to defendant. The plaintiff shall have the right to visit the child, Sarah Davis, at reasonable times and places after reasonable notice to defendant.

BY THE COURT,
Gordon R. Miller, P.J.

1992

pro se

178.

Shafer, Swick, Bailey
Irwin, Stack, Millin
Jeffrey K. Millin

ASHBY BRENEMAN
Erie county Holding Center
40 Delaware Ave
Buffalo, N.Y. 14202

vs.

BRUCE BARRETT, ESQ.
Attorney at Law
965 South Main St.
Meadville, Pa. 16335

Filed Feb. 20, 1992
@ 11:01 a.m.

Indigent filing

✓ TORT CLAIM

2 copies (atty)

✓ Feb. 20, 1992, Declaration in Support of Request to Proceed In Forma Pauperis filed.

✓ Feb. 20, 1992, Praecipe for Negligence, Ineffective Representation of counsel, Attorney Malpractice, filed.

✓ Feb. 20, 1992 ORDER filed. AND NOW, Feb. 18, 1992 after receipt and review of the defendant's declaration in support of request to proceed informa pauperis, the court herebygrants the plaintiff leave to proceed informa paupreis even though he has not complied with Pa. R.C.P. 240.

If there is a monetary recovery by Judgment or settlement in favor of the plaintiff unless there are other provisions for the payment of costs the plaintiff shall be required to pay fees and costs and shall not be exonerated therefrom, all pursuant to Pa. R.C.P. 240(g).

Furthermore, the palitniff shall have a continuing obligation to inform the court of the improvement in his financial cirsumstances which would permit him to pay costs in this action, all as required by Pa. R.C.P. 240.

The plaintiff is advised that even though he is preceeding without counsel he is required to comply with the Pa. Rules of Civil Procedure and he should endeavor to do so. Some of the documents he is now filing are defective in some respects. It is not for the court to advise the plaintiff as to how to proceed as the court may have to rule on deficiencies raised by the other party. Initially we note, howeve,that all documents filed with the Prothonotaryshall be on paper 8½ x 11 in size.

BY THE COURT,
Gordon R. Miller, P.J.

Feb. 20, 1992 copies to plaintiff.

✓ Mar. 17, 1992 Tort Claim filed.

✓ Mar. 26, 1992 Order filed. AND NOW, March 26, 1992, upon receipt and review of the plaintiff's pro se motion for a general continuance or stay and the appointment of counsel it is ordered as follows:

1. The defendant's request for stay is denied at this point. If, after service of the complaint upon the defendant, the defendant agrees to a general stay then the parties may approach the Court again for a stay. The Court will not grant a stay at this stage of the proceedings where the complaint has just been filed and where it does not appear that there has been service yet. It is not proper to stay the proceedings at this point.

2. The plaintiff's motion for the appointment of counsel is denied as the Court is not required to appoint counsel in civil matters for indigent parties except where substantial rights are at issue such as paternity and the termination of parental rights. The plaintiff is advised that he may contract Northwest Pennsylvania Legal Services at 231 Chestnut St., Meadville, Pa. 16335 to inquire as to whether either of those entities would be willing to provide free counsel to the plaintiff in this case. The Court will not appoint counsel.

BY THE COURT
Gordon R. Miller, P.J.

Mar. 27, 1992 copies mailed or given Attys. & Plf.

✓ Mar. 15, 1993 Letter to accompany the Motion mandating from the Clerk of Courts filed.

Mar. 15, 1993 Letter and Motion filed.

✓ Mar. 15, 1993 Order filed. AND NOW, March 12, 1993, upon receipt and review of a letter from the plaintiff and "PLaintiff's Motion to Compel Answers to his Interrogatories and to Impose Sanctions on Defendant's (sic) for their (sic) Failure to Answer his Interrogatories" it is ordered as follows:

1. Said motion is denied because (a) there is no showing that the defendant has ever been served in this case with original process all as required by theRules of Civil Procedure; and (b) there is no showing that interrogatories have been served on the defkendnt or that the time to file answers, as provided by the Rules of Civil Procedure, has expired.

2. The Prothonotary shall file of record the original letter and motion with these proceedings and shall return the two copies to the plaintiff with a copy of this order. No cover letter of further correspondence is necessary.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Mar. 15, 1993 Copies to Plft. & Atty. Barrett.

✓ Apr. 8, 1993 MEMORANDUM AND ORDER, filed. ORDER: AND NOW, April 6, 1993, the plaintiff's motion for order mandating the Clerk of Courts, Court Stenographer and District Attorney to furnish court records and transcribe notes of testimony is denied for the following reasons:

1. The Court is not satisfied that the portion of the criminal transcript are necessary to the proper prosecution of this civil action. The Court will reconsider that on further motion of the Plaintiff where he properly sets forth an appropriate predicate to relief.

2. Under no circumstances will we direct the photocopying of criminal court documents (request 2(b)). Nor will we, unless required to do so in the discovery process, require a non-party, who is not a court official, such as the District Attorney, to turn over documents in this civil action.

BY ORDER OF COURT
Gordon R. Miller, p.J.

Apr. 8, 1993 copy to B. Barrett
Apr. 14, 1993 copy to A. Breneman

✓ Apr. 30, 1993 Order filed. AND NOW, April 28, 1993, upon receipt and review of a letter written by the plaintiff to the Prothonotary dated April 19, 1993 requesting leave to amend his original complaint it is ordered as follows:

1. Said letter shall be filed of record to reflect the fact that it was received.
2. Said letter is not a proper method for amending a complaint or seeking leave of court to amend a complaint and therefore the request contained therein is denied.
3. The plaintiff is advised that he must follow the rules of civil procedure.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 30, 1993 Copies dist. to Breneman & Barrett

Continued to Page 509

1992

Peter J. Mansmann

179.

TARYN SCHOOLY, A MINOR BY AND THROUGH HER PARENT AND NATURAL GUARDIAN, LISA HUMMEL

vs.

SHANNON HOPKINS, A MINOR, BY AND THROUGH HER PARENT AND NATURAL GUARDIAN, LINA HOPKINS

Filed Feb. 20, 1992
@ 11:54 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	50.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Feb. 26, 1992 Writ return filed. SERVED Shannon Hopkins on Feb. 21, 1992 at 1:59 PM by handing a copy of the Summons to Lina Hopkins, her mother, at the residence, Davis Place, Titusville, Crawford Co. PA.

SERVED Lina Hopkins personally on Feb. 21, 1992 at 1:58 PM at the residence, Davis Place, Titusville, Crawford Co. Pa.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

180

1992

180.

TAMMY S. M. KEENO

vs.

WILLIAM COULTER

Filed Feb. 20, 1992

Tax & entry Pd 3-30-92 $50.50 ✓
state Pd 3-30-92 5.00
sheriff's costs 31.00
Pro Co Pd 3-30-92 9.00 ✓

Received from Defendant 3-30-92 Cash Sheriff 31.00

Pd Sheriff Ck #6742 3-31-92 31.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies SHeriff
1 Copy Plaintiff

ORDER:

And now, this 20 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go to Plaintiff's rsidence nor call plaintiff without further Order of Court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 6, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 21, 1992 Sheriff's Return filed. SERVED William Coulter personally on FEb. 20, 1992, at 4:27 PM in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar 10, 1992 ORDER filed. AND NOW, March 6, 1992 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

After hearing, at which the Plaintiff is represented by counsel and at which the Defendant appears without counsel, but presents testimony and cross examines witnesses himself, the Court does believe there is abuse within the meaning of the Act, and accordingly enters the following ORDER:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff in any manner.
2. The Defendant shall not go within 30 feet of the Plaintiff's residence at any time, nor shall he call the Plaintiff at any time without further Order of Court.
3. The Defendant is advised that if he does go to the Plaintiff's residence or call her, whether or not he is invited to do so, it shall be considered to be a violation of this order.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered to the appropriate police department in the jurisdiction where the Plaintiff resides, and to County Control.
6. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine up to $1000 and a jail sentence up to six (6) months.
7. The Defendant shall pay costs in this matter in the amount of $95.50 on or before the close of business of theProthonotary of Crawford County on March 9th, 1992. The Defendant is advised that the close of business at that office, which is located on the first floor of the Courthouse on Diamond Square in Meadville, Crawford County, Pennsylvania is 4:30 p.m.
8. This order shall remain in full force and effect until March 5, 1993.
9. The Defendant shall be considered in violation of this order if he shall procure anyone else on his behalf to assault, abuse, harass, or threaten the Plaintiff, or if he shall procure anyone else to telephone the home of the Plaintiff for the purpose of abusing, assaulting, harassing, or threatening the Plaintiff.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Mar. 10, 1992 copy given to County Control. Mar. 12, 1992 copy in box for G. Sullivan mailed copy to Dft. & Plf. & Conn. Lake Police Dept.

Mar. 10, 1992, Exhibits filed.

1992

Elderkin, Martin, Kelly & Messina
Elizabeth K. Kelly

181.

Mary Ann Kirkpatrick

KENNETH WILLIAM WOODS

vs.

JUDYTHE ANN JANIAK

Filed Feb. 20, 1992
@ 2:30 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	30.00

COMPLAINT TO DETERMINE PATERNITY

1 copy (sheriff)

Mar 3, 1992 SHERIFF'S RETURN viled. SERVED Judythe Ann Janiak personally on Feb. 21, 1992 at 10:59 AM at Dreams to Come True, 105 Mill St., Linesville, Crawford County, Pa., by handing her a copy of the Complaint to Determine Paternity. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar 5, 1992 Preliminary Objections filed. 1 copy (atty)

Mar. 26, 1992, Response to defendant's Preliminary Objections filed.

Mar.. 26, 1992, Upon praecipe of plaintiff attorney, the above preliminary objections places on next argument list.

ON ARGUMENT LIST FOR APRIL 1992

Apr. 13, 1992 DEFENDANT'S MEMORANDUM IN SUPPORT OF PRELIMINARY OBJECTIONS, filed.

June 2, 1992 MEMORANDUM AND ORDER FILED. AND NOW, June 1, 1992, the preliminary objections of the Defendant pertaining to support and visitation are sustained and those actions are dismissed.

With respect to the request for a determination of paternity, that matter is stayed pending the determination of that issue in the California action. If the California court shall determine paternity, this action shall be dismissed as to paternity and if the California court shall not, either party may move the Court to remove the stay concerning this proceeding and it shall proceed with respect to that issue.

In the event that the stay would be lifted and this matter would proceed, this order is without prejudice to the rights of the Defendant to request determination as to whether the Plaintiff shall be required to file a more specific pleading concerning the paternity issue insofar as we have not made a determination with respect to that issue this day.

BY THE COURT:
Anthony J.Vardaro, J.

June 2, 1992 Copies of the Order mailed to Atty. Kelly and given to Atty. Kirkpatrick.

182

1992

Ferguson & Spataro
John F. Spataro

182

Knox McLaughlin Gornall
& Sennett PC
Matthew J. McLaughlin

DIANA R. STRAUB

VS.

STATE FARM INSURANCE CO.

FILED FEB. 20, 1992
@ 4:03 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 10-8-92	5.00 ✓

COMPLAINT
1 copy Sheriff

Mar. 2, 1992, Appearance of Knox McLaughlin Gornall & Sennett, PC by Matthew J. McLaughlin, attorneys for defendant.

Mar. 6, 1992 SHIERIFF'S RETURN filed. SERVED State Farm Ins. Co. on Feb. 25, 1992 atl:40 PM by handing a copy of the Complaint to Carla Jackson, Receiptionist and Adult in Charge, at the business, R.D. 4, Route 98, Meadville, Crawford Co., Pa
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 26, 1992, Answer and New Matter filed.

June 1, 1992 NOTICE OF INTENT TO COMPLETE DISCOVERY, filed.

June 1, 1992 REPLY TO NEW MATTER, filed.

Oct 8, 1992 Upon praecipe of Plaintiff attorney the above captioned action is discontinued of record.

1992

Northwestern Legal Services, Inc

183

William Pineo,
Custody Mediator;
John Gagliotti, Esq.

DAVID BURROWS

VS.

MELANIE STANICHOWSKY

Filed Feb. 21, 1992
@ 9:09 a.m.

Indigent Filing
William Pineo, Mediator

Costs & Fees $102.00

COMPLAINT FOR PARTIAL CUSTODY
1 copy Atty.
1 copy Mediator

ORDER:
You, Melanie Stanichowsky, Defendant, have been sued in Court to obtain custoyd of the minor child, David Allen Stanichowsk
You are ordered to appear in person at the time and place selected by William Pineo, Esq., Custody Mediator. You are further ordered to bring with you the child named in this Order.
If you fail to appear as provided by this Order, an Order for custody, partial custody, or visitaiton may be entered against you or the Court may issue a warrant for your arrest.
The Crawford County Sheriff's Department is directed to serve a certified copy of this Complaint and Order upon the defendant. In the alternative, this Petition and Order may be served by any competent adult or by certified mail.
Plaintiff is allowed to proceed wihtout payment of Court costs reserving to the Court the right to impose costs.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania 16335
(814) 336-1151, ext. 298

BY THE COURT,
Anthony J. Vardaro, J

Feb. 21, 1992 Praecipe To Proceed In Forma Pauperis filed.

Mar 6, 1992, Proof of Service filed. I hereby certify that a copy fo the foregoing order and Custody Petition was served upon the defendant at 189 Walker Drive, Meadville Pa. by cert. U.S. Mail ret. rec. req. on Feb. 27, 1992.
Date: Mar. 6, 1992 R. Christopher Brode, Esq.

April 15, 1992 TEMPORARY ORDER FILED. AND NOW, this 15 day of April, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, It is hereby ordered and decreed that:

1. Legal custody of the subject minor child is awarded to the defendant mother.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.
3a. The father shall have the right of visitation with the child in the home of the defendant mother each Sat urday from 10:00 a.m. to 12:00 p.m. and each Wednesday from 3:00 p.m. to 4:30 p.m. The visitations shall start on Saturday, April 18, 1992.
b. Starting Wednesday, May 6, 1992, the father will have visitation and temporary physical custody of his son and be able to take him to his own home, provided that his girlfriend or mother are also present. Visitations shall continue under these circumstances until Wednesday, May 13.
c. Starting on Saturday, May 16,1992, the father shall have visitation and temporary physical custody each Saturday from 10:00 a.m. to 3:00 p.m.on alternate Saturdays, and on each Wednesday starting May 20, 1992, from 3:00 p.m. to 7:00 p.m.
d. Beginning with the weekend of October 16, 1992, the father shall have visitation and temporary physical custody on alternate weekends from Friday at 5:00 p.m. through Sunday at 3:00 p.m,He shall continue to have visitation and temporary physical custody each Wednesday from 3:00 p.m. to 7:00 p.m.
4. Holiday visitation shall not begin until Christmas, 1992 and shall be arranged as follows:
a. The father shall have visitation and temporary physical custody each Christmas Day from 1:00 p.m. to 5:00 p.m.
b. The fat her shall have visitation and temporary physical custody each Thanksgiving from 2:00 p.m. to 6:00 p.m.
c. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Visitation shall be between the hours of 9:00 a.m. to 6:00 p.m. The fat her shall have visitation for New Year's Day, 1993, and the parties shall thereafter alternate the holiday periods.
d. Starting with Father's Day, 1993, the c hild shall spend Father's Day with his father from 9:00 a.m. to 6:00 p.m., and Mother's Day with his mother, during the same hours.
e. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.
5. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.
6. The parties shall split responsiblity for transporation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.
7. Each party shallteach said child to give to the other party that love and respect which is due a parent from his or her children.
8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.
9. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and and also not to disparage the other party in the child's estimation.

Continued to page 458

1992

Specter Law Offices
Robert A. Sambroak, Jr

184

Emil M. Spadafore Jr

Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc.
Frank L. Kroto, Jr.

CAROL ANN KUBERRY and PAUL A. KUBERRY, her husband, and PAULA KUBERRY AVOLIO and ANTHONY G. ~~KUBERRY~~ Avolio, her husband

vs.

L'Huillier

TOM ~~L'HUILLER~~, Defendant

vs.

CAROL ANN KUBERRY, Addt'l Defendant

Filed Feb. 21, 1992
@ 3:07 pm

Tax & entry paid	50.50 ✓
User's Fees paid	5.00
Sheriff's costs	43.00
Pro Co pd 3-26-93	6.00
Pro Co pd 10-11-94	1.00 ✓

JURY TRIAL

COMPLAINT
1 copy Sheriff

March 10, 1992 Sheriff's Return filed. SERVED Tom L'Huiller personally on Feb. 27, 1992 at 10:12 AM by handing to him a copy of the Complaint and Interrogatories at his residence, 515 Dairy St., Titusville, Crawford Co., PA 16354.
So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 16, 1992, Answer containing New Matter filed. 1 copy (atty)

Apr. 9, 1992 Appearance of Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc. by Frank L. Kroto,Jr. for Additional Defendant.

Apr. 9, 1992 ADDITIONAL DEFENDANT'S REPLY TO N EW MATTER JOINING PLAINTIFF AS ADDITIONAL DEFENDANT UNDER PA.R.C.P. 2252 (d), filed.

Apr. 23, 1992 Motion to Amend Caption, filed.

Sept 30, 1992 Notice of Service of Plaintiff Carol Ann Kuberry's Answers to Interrogatories to Plaintiff, filed.

Oct. 1, 1992 Notice Of Service of Answers To Interrogatories filed.

Nov. 9, 1992 Notice of Deposition filed on behalf of Plaintiffs filed.

Dec. 2, 1992 Certificate of Service filed. I Certify that a copy of the NOtice of Deposition was served on the following by United States first-class mail on December 2, 1992:

Robert A. Sambroak, Jr., Esq.
900 State Street, Suite 214
Erie,PA 16501

Frank L. Kroto,Jr., Esq.
2222 West Grandview Blvd.
Erie, PA 16506-4508

Date: Dec. 2, 1992

Emil M.Spadafore, Jr., Esquire for Tom L"Huiller,Deft.

Jan. 8, 1993 NOTICE OF INTENT TO COMPLETE DISCOVERY, filed.

Mar. 26, 1993 Upon praecipe of Plaintiff attorney the above number is settled and discontinued of record.

1992

185

DAVINA CAMPBELL

vs.

JOHN CAMPBELL

Filed Feb. 21, 1992
@ 3:35 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs OPR	25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 21 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have excluvise possession of the marital home. The Plaintiff shall have exclusive custody of the minor children without visitation to defendant until further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 6, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 25, 1992 Sheriff's Return filed. SERVED John Campbell personally on February 21, 1992 at 3:50 PM at his temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 10, 1992, ORDER filed. AND NOW, March 6, 1992, this matter is before the court on Plaintiff's petition for protection from abuse.

At the time of the hearing both of the parties appear unrepresented by counsel and the plaintiff advises the court that she wishes to withdraw this action.

The consequences of doing so are reviewed with her and the parties are told that the order is no longer in effect.

The court conducts a separate hearing to determine whether the plaintiff has the ability to pay costs in this matter and determines that she is on public assistance and does not have the ability to do so and therefore the costs are placed with the county.

BY THE COURT,
Anthony j. Vardaro, Judge

Mar. 10, 1992, copy given to county control.
Mar. 11, 1992, copies mailed to plff and dft.

Barbara J. Walton

186

ROSE A. BENTON

vs.

RUSSELL BENTON

Filed Feb. 21, 1992
@ 3:48 PM

Tax & entry paid	50.50 ✓
User's Fees paid	15.00
2 Add'l Counts paid	30.00 ✓
State paid	10.00
Pro.Co. Pd. 12/29/92	9.00
Pro.Co. pd 3/24/93	5.00

DIVORCE, EQUITABLE DISTRIBUTION
ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS
1 copy (Atty)

Apr. 10, 1992 Motion For Hearing on Plaintiff's Claims For Alimony Pendente Lite, counsel fees, costs and Expenses and Order filed. AND NOW, April 10th, 1992, upon presentation of the foregoing Motion, a hearing on Plaintiff's Claims for Alimony Pendente Lite, Counsel Fees, Costs and Expenses is set for May 6, 1992, at 1:30 p.m. in Courtroom 1-2 of the Crawford County Courthouse, Meadville, Pennsylvania 16335. Defendant RUSSELL BENTON, is ORDERED and DIRECTED, to appear before the Court on said date and time. Both parties are further ordered to file and serve upon opposing counsel/ opposing party an Income and expense Statement of the type used by the crawford County Domestic Relations Section no later than five (5) days before the hearing.

By the Court,
Gordon R. Miller, J

Apr. 14, 1992 Copy of order put in Box for Atty. Walton

April 20, 1992 Affidavit of Service of Motion for Hearing filed.

May 11, 1992 Motion For Continuance and Order filed. May 12, 192 motion granted.

BY THE COURT
Gordon R. Miller, J

May 29, 1992 Copy of order put in Atty. Walton's box.

Aug. 3, 1992, Motion to Withdraw Count III and Order filed. ORDER: AND NOW, JUly 31, 1992 upon presentation of the within motion, this court III of the divorce complaint is hereby withdrawn.

By the Court, (settlement agreement attached)
Gordon R. Miller, J.

Aug. 7, 1992, copy to Atty Walton.

Dec. 29, 1992 Affidavit of Consent by Rose Benton,Plaintiff, filed.
Dec. 29, 1992 Affidavit of Consent by Russell Benton,Defendant, filed.
Dec. 29, 1992 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

Jan. 11, 1993 Memorandum filed. This matter is before the Court upon praecipe of the Plaintiff requesting a Section 3301(c) divorce.

The complaint was filed on February 21, 1992 and was not served wtihin the 30 day period allowable for service thereafter insofar as it was served on April 16, 1992.

Since the complaint was not valid for service because it has not been reinstated by the Prothonotary pursuant to Pa. R.C.P., 401 service was never legally achieved.

Additionally, a review of the complaint shows that it is lacking the averment required regarding the notification of the Plaintiff concerning the availability of counseling pursuant to Pa. R.C.P. 1920.12(8).

Therefore, this matter is being returned to the Prothonotary so that the Plaintiff may amend the complaint to include the appropriate language and then serve the complaint within the time allowable by Pa. R.C.P. 401(a). Thereafter appropriate Affidavits of Consent can be filed and this matter can be praeciped once again.

BY THE COURT,
Anthony J. Vardaro, J

Jan. 14, 1993 Copy of order to Atty. Walton

Jan. 19, 1993 Affidavit of Service filed. And Now, January 18, 1993, comes Barbara H. Walton Esq., being duly sworn according to law, deposes and sets forth as follows:

1. That she is the Attorney for ROSE BENTON, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 253 783 778; to the last known address of the Defendant, RUSSELL BENTON, R.D. #3, Box 191, Conneautville, PA 16406.
3. That the Defendant, RUSSELL BENTON, on February 22, 1992, personally signed the rreturn reciept card which was affixed to the Complaint in the above-matter and which is attached hereto
4. Service ofthe Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge and information. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section4904, relating to unsworn falsification to authorities.

Barbara J. Walton

Feb. 1, 1993 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

March 3, 1993 Affidavit of Plaintiff filed.

D E C R E E A N D O R D E R F I L E D

March 3, 1993 AND NOW, this 3 day of March, 1993, the grounds for the above case having been approved and the Affidavits of Consent having been filed by both parties, the Court, by virtue of the authority vested in it by law, decrees that **ROSE BENTON** and **RUSSELL BENTON** are hereby divorced from the bond of matrimony, and all the duty, rights, and claims accorded to either of the said parties at any time heretofore and pursuance of said marriage shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

It is further ORDERED, ADJUDGED AND DECREED pursuant to PA. R.C.P. 920.1, et seq. and Act 26-1980, 23 P.S. Section 1 et seq., "the Divorce Code" that the terms, provisions and conditions of a certain property settlement agreement between the paraties dated Aug. 21, 1992, and attached to this Decree and Order as Exhibit "A" is hereby incorporated into this Decree and Order by reference as if the same were set forth herein at length. Said Agreement shall not merge with but shall survive this Decree and Order.

By the Court:
Anthony J. Vardaro, J.

Mar. 24, 1993 Notice of Election to Retake Prior Name of Rose A. Benton, to be known as ROSE A. McCAIN Filed.

1992

Brian J. Lindsay

187

WILLIAM ROY MOORE, JR. and
ELEANOR ANN MOORE, his wife

vs.

ROBERT McELHATTEN and
CYNTHIA B. McELHATTEN, his
wife

Filed Feb. 21, 1992
@ 4:13 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	71.40

WRIT OF SUMMONS
Issued (Sheriff)

Mar. 25, 1992 SHERIFF'S return filed. I hereby deputize the Sheriff of Mercer Co., Pa. to serve the within Summons according to law. The defendants alleged address is R.D. 3, Box 112, Cochranton, Pa. 16314.

Robert M. Stevens, Sheriff, Cr. Co., Pa.

AFFIDAVIT OF SERVICE filed. SERVED the within Summons on March 2, 1992, at 1:10 P.M., upon Robert McElhatten and Cynthia B. McElhattan at R.D. 3, Box 112, Cochranton,Pa. by handing to Cynthia B. McElhattan personally a true and correct copy thereof and made known to her the contents therein.

David J. DeVenney, Deputy Sheriff
William H. Romine, Jr., Sheriff, Mercer Co., Pa.

1992

pro se

188

pro se

RHONDA J. HOLLAND

vs.

WALTER KELLY HOLLAND

Filed Feb. 21, 1992
@ 4:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Pd. 5/29/92	9.00

COMPLAINT IN DIVORCE
1 copy plff

Feb. 24, 1992, Acceptance of Service and Entry of Appearance pro se filed. AND NOW, comes the dft. walter Kelly Holland, pro se and acknowledges service of the Complaint in Divorce upon his on the date below, and further, the dft. hereby enters his appearance. pro se. Walter Kelly Holland, Dft.
Date: 2/22/92

May 22, 1992 AFFIDAVIT OF CONSENT BY Walter Kelly Holland, Defendant, filed.

May 22, 1992 AFFIDAVIT OF CONSENT BY Rhonda J. Holland, Plaintiff, filed.

May 29, 1992 Upon Praecipe of Plaintiff, Rhonda J. Holland, for Review Under §3201 (c) of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

June 11, 1992 AND NOW, June 10, 1992, it is ordered and decreed that **RHONDA J. HOLLAND**, plaintiff, and **WALTER KELLY HOLLAND**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

Michael J. Wilson

189

PENNSYLVANIA GRANGE CREDIT UNION

vs.

KENNETH G. MERRITT

Filed Feb. 24, 1992
@ 11:52 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	26.00
Pro Co pd 5/6/92	9.00
Pro Co Pd. 5/28/93	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy (Sheriff)

March 10, 1992 Sheriff's Return filed. SERVED Kenneth G. Merritt on Feb. 26, 1992 at 3:55 pM by handing a copy of the Complaint in Mortgage Foreclosure to Kevin Merritt, Adult in Charge, at the residence, PO Box 12, Erie ST., VEnango, Crawford County, PA 16440.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, May 6, 1992 at 3:15 PM upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Fifteen Thousand One Hundred Seventy-nine and 82/100 plus interest and cost of suit.
M-104 Debt $15,179.82
judgment entered 5/6/92 Int. from April 30, 1992
notice of entry mailed 5/13/92 Judgment

Barbara H. King
Prothonotary

May 28, 1993, Upon praecipe of plaintiff attorney, the above suit is discontinued of record.

1992

Dan W. Susi

190

William J. Gregg

Hair Replacement Systems

vs.

DONALD K. WOOD

Filed Feb. 24, 1992
@ 1:30 PM.

Tax & entry paid	50.25 ✓
User's Fee paid	5.00
Pro Co pd 5/20/92	15.00 ✓
Pro Co. pd 9/17/92	9.00 ✓

APPEAL OF DEFENDANTS FRIM JUDGMENT OF HUBERT E. VOGAN, MAGISTERIAL DISTRICT 30-3-02

Feb. 24, 1992 Rule entered upon plaintiff to file Complaint issued.

Mar. 5, 1992 Proof of Service of Notice of Appeal and Rule ot File Complaint, filed.

Mar. 12, 1992, Complaint filed. 3 copies (atty)

Apr. 13, 1992 Default Notice filed.

April 15, 1992 Answer to Plaintiff's Complaint filed

May 20, 1992 Upon praecipe of Plaintiff Attorney For Reference To Arbitrators the following are hereby are appointed

Mark Prather, Chairman
Kemp Scales
Paul D. Shafer, Jr.

May 22, 1992 Arbitrators take qaulifying oath.

Decision of Arbitrators. And Now, the 8th day of July, 1992, we the undersigned Arbitrators chosen in this case after having been duly sworn and having heard the evidence and allegations of the parties find in favof of plaintiff in the amount of $861.18 plus 6% per annum interest from Jan. 3, 1992 plus costs of suit.

Mark D. Prather, Chairman
Kemp C.Scales
Paul D. Shafer, Jr.

July 8, 1992 Copy of Decision of Arbitrators to: Atty. Susi and Atty.Gregg.

Sept. 17, 1992, 2:41 p.m. NOW,upon Praecipe of plaintiff's attorney, judgment is hereby entered in this case, in favor of the Plaintiff,on the arbitrator's award dated July 8, 1992 in the amount of Eight hundred sixty-one and 18/100 Dollars plus costs and interest.

W-46
Judgment entered 9/17/92.

Debt $ 861.18
JUDGMENT
Barbara H. King,
Prothonotary

1992

Northwestern Legal Services
Gerald Sullivan

191

KATHLEEN M. OLEN

vs.

SCOTT G. SLATER

Filed Feb. 24, 1992
@ 1:37 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	20.00
Pro Co.	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 24 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shallhave exclusive possessio of the apartment at 323½ N. Petroleum, Titusville. This Order and all conditions shall also apply to the Plaintiff's daughter Kimberly A. Olen in that dft. shall be forbidden from assaulting, aubsing harrassing or threatening her.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 10, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar 4, 1992 SHERIFF'S RETURN filed. SERVED Scott J. Slater personally on March 2, 1992 at 2:30 PM at the "Feed Mill", 130 Diamond St., Titusville, Crawford Co., Pa.
So answers, Michael Anderson, Titusville PD
Robert M. Stevens, Sheriff

Mar. 12, 1992 ORDER filed. AND NOW, March 10, 1992 this matter is before the Court for hearing with regard to the Plaintiff's petition for relief under the Protection from Abuse Act.

At the time of the hearing, the Plaintiff appears represented by counsel. The Defendant appears represented by counsel. The Defendant appears without counsel, and he is advised of his right to have counsel, and indicates that he wishes to proceed without counsel in light of the fact that the parties have reached an agreement.

Accordingly, the Court enters the following Order, without any admission on the part of the Defendant of abuse or of the facts contained in the Plaintiff's petition.

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or her daughter Kimberly Olen or procure any other preson to assault, abuse, harass, or threaten either of those parties.
2. The Defendant shall have no contact whatsoever with the Plaintiff or with Kimberly Olen, and shall not go to the residence of the Plaintiff, nor shall he go to her place of employment.
3. The Defendant shall pay all medical bills of the Plaintiff resulting from the incidents of Feb. 2, 1992 alleged in Plaintiff's petition, with such bills to be provided by the Plaintiff to the Defendant, within 30 days of his receipt of the same.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered to the Titusville City Police Department and to County Control.
6. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
7. The Defendant is advised that if at any time he shall be invited to the residence of the Plaintiff during the term of this order, he shall still be in violation of the order.
8. The Defendant shall pay Court costs in this matter to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse, in installments of $20 every two weeks, with the first installment due on March 24, 1992 by the close of business in the Office of the Prothonotary at 4:30 p.m., and each subsequent installment shall be due every two weeks thereafter by 4:30 on the appropriate day in the office of the Prothonotary of Crawford County.
9. This order shall remain in full force and effect through March 9, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Mar. 12, 1992 copy to County Control. Mar. 16, 1992 copy to G. Sullivan, Titusville City Pokice Dept., Plf. & Dft.

192

1992

192

DEBI STALLSMITH

vs.

MICHAEL STALLSMITH

Filed Feb. 24, 1992
@ 1:57PM

Tax & entry Pd 3-16-92 50.50 ✓
User's Fee Pd 3-16-92 5.00
Sheriff's Costs 30.00
Pro Co. Pd 3-16-92 9.00 ✓

Received from Defendant Sheriff's Costs 30.00 3-16-92

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 24 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff is granted exclusive custody of the minor child until further order of Court. Plaintiff will allow visitation with defendant as she sees fit.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 10, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 28, 1992 Sheriff's Return filed. SERVED Michael Stallsmith personally on February 27, 1992 at 11:05 Am by handing him a copy of the Protection from Abuse in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Robert M. Stevens, Sheriff

March 12, 1992 ORDER filed. AND NOW, March 10, 1992 this matter is before the Court for hearing with regard to Plaintiff's petition for relief under the Protection from Abuse Act.

A temporary abuse order was entered on Feb. 24, 1992 and served upon the Defendant Feb. 27, 1992 by the Sheriff's Office of Crawford County, with additional notice that the hearing was scheduled on this date at 3:30 p.m.

The Defendant has not appeared and this hearing is conducted in an informal manner at approximately 4:00 p.m. without the Defendant present.

The Plaintiff advises the Court that the Defendant apparently tore up the papers served on him and indicated approximately a day after they were served that he did not intend to attend this hearing.

Accordingly, the hearing is conducted without him, and the following Order is entered:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any minor child named in this petition, nor shall he procure anyone else to do so.
2. The Plaintiff is granted exclusive possession of the marital home, and the Defendant shall not at any time go to the marital home nor shall he call the marital home. He shall also not call the Plaintiff at any other location nor procure anyone to call her at the marital home or at any other location.
3. The Plaintiff is granted temporary exclusive custody of the minor child with visitation to the Defendant at the Plaintiff's discretion. This order regarding custody shall be in effect until further order of Court in this proceeding or any other appropriate proceeding.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered to the Vernon Township Police Dept. and to the PA. State Police, as well as to Crawford County Control.
6. The Defendant is advised that if at any time he shall be upon the residence or present at the residence of the Plaintiff, it shall be presumed that he is in violation of this order and it shall not be a defense that he has been invited upon the premises, it being the Court's intention that for him to be at the Plaintiff's residence, there must be a modification of this order prior to him doing so.
7. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.
8. The Defendant shall pay Court costs in this matter in the amount of $94.50 at the Office of the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, PA. on or before the close of business at 4:30 p.m. on March 16, 1992.
9. This order shall remain in full force and effect through March 9, 1993.

By Order Of The Court,
Anthony J. Vardaro, J.

March 12, 1992 Copy given to Co. Control, copy mailed to plaintiff, defendant; March 13, 1992 copy mailed to Vernon Township Police and Pa. State Police.

1992

Watts and Pepicelli
Theodore H. Watts

193.

REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE

vs.

HERMAN HORSTMAN AND
DELORES HORSTMAN

Filed Feb. 24, 1992
@ 4:21 p.m.

Pro King paid	$15.00
plff on orig	35 50
Sheriff's Costs	$65.00

WRIT OF REVIVAL
of
DSB 1987 - 115

Writ of Revival of Judgment indexed in favor of the plaintiff and against the defendants in the sum of Fourteen Thousand Dollars with int. from February 23, 1987.

Debt ----- $14,000.00
Int. from 2/23/87
H - 84, 44 -------JUDGMENT REVIVAL
Barbara H. King, Pro.

Issued (sheriff)

April 15, 1992 SHERIFF's RETURN. SERVED the within Writ of Revival on March 5, 1992 at 1300 hrs upon Herman Horstman at his residence, 1862 Deerfield Drive, Erie County, Erie,Pennsylvania by handing to Delores Horstman, his wife a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel, Sheriff Erie County
Jeffrey S. Guild, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Writ of Revival according to law.

Robert M. Stevens, Sheriff,Crawford County,

April 15, 1992 SHERIFF's Return. Served the within Writ of Revival on March 5, 1992 at 1300 hrs upon Delores Horstman at her residence 1862 Deerfield Drive, Erie County, Erie,Pennsylvania by handing to Delores Horstman a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel, Sheriff Erie County
Jeffrey S. Guild, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Writ of Revival according to law.

Robert M. Stevens, Sheriff, Crawford
County,PA

194

1992

Lawrence C. Bolla

194.

BARBARA B. JOHNSON

vs.

ROLF K. JOHNSON

Filed Feb. 25, 1992
@ 1:17 p.m.

Tax & entry Pd2-28-92 $10.50 ✓
state Pd2-28-92 5.00

CERTIFIED COPY OF DECREE IN DIVORCE FROM
COURT OF COMMON PLEAS OF VENANGO COUNTY, PA.

DECREE IN DIVORCE:
AND NOW, May 18, 1990, it is ORDERED AND DECREED that Barbara B. Joihnson, plaintiff and Rolf K. Johnson, defendant, are divorce from the bonds of matrimony.
The court retains jurisdiction of any claims raised by the parties in this action for which a final order has not been entered.

BY THE COURT,
H. William White, President Judge

April 15, 1992 SHERIFF's RETURN . SERVED the within Writ of Revival on March 5, 1992 at 1300 hrs upon Herman Horstman at his residence, 1862 Deerfield Drive, Erie County, Erie, Pennsylvania by handing to Delores Horstman, his wife a true and correct copy thereof and made known to her the contents therein.

(In Error)

Robert N. Michel, Sheriff Erie County
Jeffrey S. Guild, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Writ of Revival according to law.

Robert M. Stevens, Sheriff Crawford County, PA

April 15, 1992 SHERIFF's RETURN. SERVED THE WITHIN Writ of Revival on March 5, 1992 at 1300 hrs upon Delores Horstman at her residence, 1862 Deerfield Drive, Erie County, Erie, Pennsylvania by handing to Delores Horstman a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel, Sheriff Erie County
Jeffrey S. Guild, Deupty Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Writ of Revival according to law.

Robert M. Stevens, Sheriff, Crawford County, PA

Thomas, Truax, Spadfore and Walker
Gregory A. Keenan
~~Ken Steidl~~

195.

MARY LYNNE ARPIN

vs.

ROBERT C. ARPIN

Filed Feb. 25, 1992
@ 2:04 p.m.

Tax & entry Pd 3/9/92 $50.50
state Pd 3/9/92 - 5.00
sheriff's costs 27.00
Pro Co. Pd 3-19-92 9.00

3/19/92
Rec'd Sheriff's Costs of $27.00

3/19/92
#6721
Pd. to Robert Stevens Sheriff
$27.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

ORDER:

And now, this 25 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The plaintiff shall have temporary exclusive custody of the minor children and exclusive posession of the marital home pending further order of court. The defendant may visit with the children at the discretion of the plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 12, 1992 , at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J.

Feb. 27, 1992 Assignment of Hearing Date filed. Feb. 27, 1992, the court having been advised that the above defendant has been lodged in the Crawford County Jail in violation of the court's Order of Feb. 25, 1992, hearing in the above matter is set for Friday, Feb. 28, 1992, at 10:30 a.m. in Courtroom 2. FOR THE COURT,
Imogene Yetman, Crt. Adm.
Feb. 27, 1992: Court Administrator advised plaintiff of date and time of hearing by telephone; copy of Order for Defendant delivered to the Crawford County Jail.

Feb. 26, 1992 Sheriff's Return filed. SERVED Robert C. Arpin personally on Feb. 26, 1992 at 9:07 AM by handing and making known to him the Protection From Abuse at his residence, RD # 4, Box 261A, 344 Utley Ave., Conneaut Lake Park, Crawford Co., Pa.
So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Feb 28, 1992 SUPPLEMENTAL TEMPORARY ABUSE ORDER filed. AND NOW, Feb. 28, 1992 the parties are before the Court in that the Defendant has been incarcerated in alleged violation of the temporary abuse order of Feb. 25, 1992 and is before the Court to determine whether he shall be held in contempt.

After informal hearing at which time neither party is represented by counsel, the Court does not believe the Defendant is in willful contempt of the temporary abuse order of Feb. 25, 1992 but believes that there should be additional conditions and clarifications with regard to that order pending a hearing for a permanent abuse order, and accordingly enters the following supplemental conditions and clarifications with regard to the order of Feb. 25, 1992.

1. The terms and conditions of the temporary order of Feb. 25, 1992 shall remain in full force and effect pendingt the hearing of March 12, 1992 except to the extent that they were modified by this order.
2. The Defendant shall be permitted to have access to his workshop, which is not connected to the marital home but is on the rear of the marital property. He shall only enter said workshop by way of an alley behind the property, and shall park in the rear of the property. He may not go any nearer to the house than the workshop, and at no time shall he have access to the house under any circumstances.
3. The intention of the order of Feb. 25, 1992 is tht the Defendant have no access to the minor children pending further ordr of Court, and therefore he shall not telephone the children. The Plaintiff shall be responsible for keeping the minor children in the home, and if the minor children go to the workshop to visit with their father unsolicited by him, it shall not be a violation of this order. The Plaintiff shall make every effort to make sure the children do not visit with their father, and if they do go back to the workshop to visit and the Defendant has not called or contacted them, it shall be presumed that the chidlren have voluntarily gone back to visit with their father.
4. A copy of this supplemental temporary abue order shall be delivered to the Police Dept. in the jurisdiction where the Plaintiff resides and to County Control.
5. The parties shall not remove marital property from the marital home or work shop, nor shall they make any effort to sell the same.
6. The Defendant is released forthwith from the custody of the Warden of the Crawford County Jail.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Feb. 28, 1992 copy given to County Control. March 3, 1992 copy in box for W. Gregg, copy mailed to Conneaut Lake Police Dept., Plf. & Dft.

Mar. 12, 1992, Appearance of Thomas, Truax, Spadafore and Walker, by Gregory A. Keenan, attorneys for plaintiff filed.

Continued on Page 455

1992

Mary Ann Kirkpatrick

196.

ERIC W. GAGE, SR.

vs.

SHERYL LYNN REED

IN RE:
CUSTODY OF ERIC W. GAGE, JR.

Filed Feb. 26, 1992
@ 9:04 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
John Fuller, mediator	
Pro.Co.	9.00

COMPLAINT FOR CUSTODY

1 copy (mediator)
1 copy (atty)

ORDER OF COURT:

You, sheryl Lynn Reed, dft, have been sued in court to obtain custody of Eric W. Gage, Jr.

You are ordered to appear in person before JOHN FULLER, ESQ. Child cusotyd mediator as he shall further order.

If you fail to appear asprovided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, goto or telephone the office set forth below to find out where you can get legal help.

Court Administrator, Courthouse, Meadville, Pa. 16335
814 336-1151, ext. 298
Date: 2/21/92

By the Court,
Anthony J. Vardaro, J.

Apr. 7, 1992 AFFIDAVIT OF SERVICE filed. Steven F. Shell Lic #642, being duly sworn according to law, deposes and sets forth as follows:

1. That he/she is a competent adult.
2. That on information furnished his/her, he/she served a certified copy fo the Complaint for Custody with Order of Court in the above-matter upon Sheryl Lynn Reed at 12:45 p.m. on 3/31/92, at 41 B Mill St., Lexington, N.C. 27292.
3. Further Deponent Saith Not.

May 19, 1992 STIPULATION AND CONSENT CUSTODY ORDER FILED. AND NOW, May 15, 1992, it is hereby ordered:

1. The parties shall share legal and physical custody of their minor child Eric W. Gage, Jr. born March 2, 1988.
2. The child shall reside primarily with the father.
3. During 1992 mother shall have the right to take the child into her custody for two visits.
   a. The first visit shall be approximately one week in length and shall occur in the Commonwealth of Pennsylvania. Mother shall give father at least seven (7) dyas notice
   b. At some time after the one week visit has been completed,the mother shall have the right to take the child into her custody for a one month visit to occur in her home in North Carolina. Mother shall give father thirty (30) days notice in advance of the dates of this one month visit during 1992.
4. In 1993 and thereafter mother shall have the right to take the child into her custody for a two month visit each summer during the child's school vacation period.
5. During 1993 and thereafter mother shall have the right to take the child into her custody for three non-consecutive one-week periods each year on mutually agreeable dates. Mother shall notify father thirty (30) days in advance of the dates of her choice for the one-week visits.
6. Each parent shall keep the other advised of the child's exact location and telephone number and each parent shall have the right to gelephone the child at reasonable times with reasonable frequency at the home of the other.
7. Neither parent shall expose the child to any situation or person which would be dangerous to the child's well-being.
8. Pennsylvania shall have continuing jurisdiction to enforce and modify this order as circumstances may require.

By the Court:
Gordon R. Miller, J.

May 19, 1992 Copy of the Order to: Mary Ann Kirkpatrick, Esq.

1992

R. Charles Thomas
Thomas, Truax , Spada-
fore, Vardaro and Walker

197.

LINDA LEE HOLOWELL

vs.

JOSEPH J. HOLOWELL

Filed Feb. 26, 1992
@ 10:35 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co Pd 7-23-92	9.00
Pro Co pd 10/7/93	5.00

COMPLAINT IN DIVORCE

1 copy (atty)

July 23, 1992 AFFIDAVIT OF SERVICE, filed. R. CHARLES THOMAS, Esq., being duly sworn according to law, deposes and says that on March 5, 1992, he sent a true and correct copy of the Complaint in Divorce, properly endorsed with the Notice to Defend, filed in the above action to the Defendant, Joseph J. Holowell, at Defendant's last known address of 145 Chevy Chase St, Cochranton, Pa. 16314, by Certified Mail No. P643 856 951, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as 3-6-92.

July 23, 1992 Affidavit of Consent of Defendant, filed.

July 23, 1992 Affidavit of Consent of Plaintiff, filed.

July 23, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 31, 1992 AND NOW, July 28, 1992, it is ordered and decreed that **LINDA LEE HOLOWELL**, plaintiff, and **JOSEPH J. HOLOWELL**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

Oct. 7, 1993 Election To Retake Maiden Name filed. Linda Lee Holowell TO BE KNOWN AS Linda Lee Aiken

198

1992

198.

BARBARA J. METZGAR

vs.

JOHN L. METZGAR

Filed Feb. 26, 1992
@ 12:01 p.m.

Tax & entry Pd 3/19/92 $50.50 ✓
state Pd 3/19/92 - 5.00
Sheriff's Costs 18.00
Pro Co Pd 3/19/92 5.00 ✓

Sheriff Costs
Pd 3/19/92
by dft.
#18.00

#6720 - 3/19/92
Check
Robert Stevens
Sheriff #18.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 26 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive possession of the martial home and temporary exclusive custody of the minor child until further order of court. The Defendant may visit the child at the discretion of the Plf, bt contacting Plf. parents to make ....con't below
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 13, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J.

#2 Continued....(Mr. & Mrs. Ray Atkinson) arrangements. The defendant will surrender his house keys upon service of the order.

Feb. 27, 1992 SHERIFF'S RETURN filed. SERVED John L. Metzgar personally on Feb. 26, 1992 at 7:00 PM at the residence, Ames Trailer Court, Goodwill Rd., Titusville, Crawford Co., Pa. So answers, Richard Lydick, Constable
Robert M. Stevens, Sheriff

Mar. 13, 1992, Upon praecipe of plaintiff, the above captioned action is marked discontinued of record as the plff. does not want to proceed further with it. She has agreed to pay costs of $78.50 within thirty (30) days. (John K. Metzgar agreed tO pay costs)
3/13/92

Mar. 17, 1992 copy to county control.

Mar. 18, 1992 ORDER filed. AND NOW, March 13, 1992 at the time fixed for hearing in this matter, both parties appeared without counsel, and the Court briefly described the proceedings to the Defendant. The Plaintiff advises tha the parties are not living together, but she wishes to withdraw this case on the Defendant's promise that he will not be abusive and get counseling. The Defendant appears to be willing to do that.

Accordingly, the Plaintiff shall go to the Prothonotary's Office this date to sign a settlement and discontinuance, whereupon this matter is discontinued of record.

The parties shall pay the record court costs of $89.50 no later than April 13, 1992 by making payment directly to the Prothonotary of Crawford County.

The temporary abuse order of Feb. 26, 1992 is hereby terminated. A copy of this order shall be delivered to the Corry Barracks of the Pennsylvania State Police and to County Control.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Mar. 18, 1992 copy given to County Control. Mar. 20, 1992 copy mailed to Plf., Dft.and Corry Barracks

1992

Brian J. Lindsay

199.

KIMBERLY RITCHEY

vs.

RONALD ALLEN RITCHEY

Filed Feb. 26, 1992
@ 3:06 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro. Co. pd 8/25/92	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Feb. 27, 1992 PLAINTIFF'S AFFIDAVIT UNDER SECTION 201(d) OF THE DIVORCE CODE, filed.

Feb. 27, 1992 NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE, filed.

March 9, 1992 Certification of Service filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 29th day of Feb., 1992, send to the above named Defendant, by Certified Mial, Addrssee Only, Return Receipt REquested, a true and correct copy of the complaint in divorce, affidavit under 3301(d), notice of intent to request decree and counter affidavit filed at the above term and number; and that I did on the 5th day of March, 1992, receive a duly executed return receipt dated Feb. 29, 1992.

Brian J. Lindsay, Esq.

Aug.25, 1992 Upon Praecipe of Plaintiff's Attorney, Brian J. Lindsay to transmit record, case moved to Court.

DIVORCE DECREE FILED

August 31, 1992 AND NOW, August 28, 1992, it is ordered and decreed that Kimberly Ritchey, plaintiff, and Ronald Allen Ritchey, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

200

1992

Shafer, swick, Bailey,
Irwin & Stack
Charles J. swick

200.

ALLEGHENY COLLEGE

vs.

SCOTT DAVID HENRY

Filed Feb. 26, 1992
@ 3:29 p.m.

Tax & entry paid	$50.50
state paid	5.00

COMPLAINT

1 copy (atty)

1992

Thomas, Truax, Spadafore and Walker
Gregory a. Keenan

201.

~~Joseph F. Kulwicki~~
Withdrawal

JOHN R. BOWSER

vs.

TERRY THOMPSON

Filed Feb. 27, 1992
@ 11:05 p.m.

Tax & entry paid	$50.25 ✓
state paid	5.00
Pro Co Pd 4-16-92	9.00
Pro Co 1-4-93	15.00 ✓
Pro Pd 11/8/93	6.00 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF WAYNE E. HANSON, MAGISTERIAL DISTRICT 30-3-01

Feb. 27, 1992, Rule entered upon plaintiff to file complaint issued.

Mar 3, 1992 AFFIDAVIT OF SERVICE filed. I, Stephanie Loper, employed by Joseph F.Kulwicki, Attorney for Defendant, placed a Notice of Appeal in the U. S. Mail on Feb. 28, 1992, sent certified mail number P 724 954 545 to John Bowser. Signature card attached.

Also, place a Notice of Appeal in U.S. Mail, certification number P 262 246 310, addressed to District Justice Wayne Hanson. Signature card attached.

Mar. 18, 1992, Complaint filed. 1 copy (atty)

April 15, 1992 AFFIDAVIT OF SERVICE FILED.I, Gregory A. Keenan, Esquire, attorney for the Plaintiffs, John and Cheryl Bowser, depose and say that a true and correct copy of a Complaint was served upon the following persons in the manner herein stated: To the Defendant Terry Thompson, at his last known addres of P. O. Box 1952, Dunedin, Florida , 34697, by Certified Mail No. P 899 088 145, Return Receipt Requested, showing a delivery date of March 27,1992 and a like copy by regular mail to Joseph Kulqicki, Esquire, 891 Grove Street, Meadville, Pennsylvania, on March 19, 1992.

THOMAS, TRUAX, SPADAFORE & WALKER
Gregory A. Keenan, Esquire

✱ Apr. 16, 1992 Praecipe for Entry of Default Judgment, filed.

Apr . 29, 1992 Petition to Strike-Off Default Judgment for Failure to Comply With Pennsylvania R.C.P. 237.1 or Alternatively for Rule to Open Judgment and Rule, filed. RULE: AND NOW, THIS 24 day of April, 1992, the Court having read and considered the foregoing Petition, and on motion of Joseph f. Kulwicki, Attorney for the defendant, Terry Thompson, grants a Rule on the plaintiff, to show cause, why the judgment entered in the above entitled cause should not be opened and defendant let into a defendant meanwhile all proceedings to stay.

RETURNABLE the 9th day of July, 1992, at Courtroom number one or two, Crawford County Court House, Meadville, Pennsylvania, at 9:30 a.m.

BY THE COURT
Gordon R. Miller, P.J.

May 8, 1992 copy in box for G. Keenan and J. Kulwicki

✱ And Now, April 16, 1992 at 3:39 p.m., upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of $4,929.76 plus interest.

"T-162" Debt $4,929.76
Judgment
Barbara H. King, Prothonotary

May 18, 1992 ANSWER TO PETITION TO STRIKE OFF DEFAULT JUDGEMENT OR FOR RULE TO OPEN JUDGEMENT FILED.

June 11, 1992 ORDER FILED. June 10, 1992, hearing heretofore set for July 9, 1992 at 9:30 A.M. is hereby reset for July 9, 1992 at 2:15 P.M., in Courtroom No. 2, Courthouse, Meadville, Pa.

FOR THE COURT,
Imogene Yetman,Court Administrator

June 11, 1992 Copy of the Order given to Attys. Keenan, and Kulwicki.

Aug. 4, 1992, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 4, 1992, the judgment entered in this matter on Apr. 16, 1992 is stricken. The defendant is granted twenty days from this date to file a responsive pleading.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 4, 1992, copies circulated to attys. of record.

Aug. 28, 1992 Answer and Counter Claim filed.

Sept. 23, 1992 Plaintiff's Reply to Counterclaim filed.

Jan. 4, 1993 Upon praecipe of Plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.

~~Gary Fabian, Chr.~~ Paul Shafer, Jr., Chr.
~~Donald Lewis~~ ~~John~~ GAGLIOTTI
~~Alan Pepicelli~~ Barbara Walton

Feb. 8, 1993, Arbitrators Take the Qualifying Oath.

Mar. 15, 1993 Motion to Substitute Arbitrator, filed. John Gagliotti substituting for Don Lewis.

Jul. 2, 1993 Notice Pursuant to Pa.R.C.P.1305 filed.

Sept. 24, 1993 Motion to Withdraw Appearance of Joseph f. Kulwicki for Defendant and Order, filed. ORDER: AND NOW, this 24th day of September, 1993, motion granted. BY THE COURT,
Oct 1, 1993 copy to Kuiwicki
Gordon R. Miller, P.J.

Nov. 8, 1993, Upon praecipe of plaintiff attorney, the above captioned action is marked settled and discontinued of record.

202

1992

Jan. Ira Medoff 202.	SHERRI MARTIN vs. COW SHED, INC. Filed Feb. 27, 1992 @ 11:49 a.m. Tax & entry paid $50.50 ✓ state paid 5.00 Pro Co pd 3/19/92- 6.00 ✓	COMPLAINT 1 copy (sheriff) Mar. 19, 1992, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

1992

Hayt, Hayt & Landau
Arthur Lashin

203.

FORD MOTOR CREDIT COMPANY
One American Road
Dearborn, Michigan 48122

vs.

WARREN P. BOUGHNER
130 North Franklin St.
Cochranton, Pa. 16314

Filed Feb. 27, 1992
@ 11:58 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	32.00
Sheriff's Costs	27.00
Pro Co Pd 3/27/92	5.00 ✓

COMPLAINT IN CIVIL ACTION

1 :copy (sheriff)

Mar. 12, 1992 SHERIFF'S RETURN filed. SERVED Warren P. Boughner on March 4, 1992 at 10:35 AM by handing copy of Complaint to his Authorized Agent, Patricia Drazina, as per her signed Acceptance of Service attached. Served at Sheriff's Office, Crawford County Courthouse, Meadville, Pa. 16335
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 16, 1992 SHERIFF'S RETURN filed. SERVED The Cow Shed, Inc. on March 3, 1992 at 1:23 PM by handing copy of Complaint to David Perfett, Accountant and person in charge at the time, at place of business, Rt. 18, Conneaut Lake, Crawford County, Pa 16316.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 27, 1992, Upon praecipe of plaintiff attorney, the above captioned matter is discontinued, settled and ended of record.

204

1992

Apple and Apple
James R. Apple

204.

CUMMINS DIESEL ENGINES, INC.

vs.

BROWN EQUIPMENT & SERVICE, INC., A SUBSIDIARY OF BROWN BOILER & TANK WORKS, LTD.

Filed Feb. 27, 1992
@ 1:17 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	37.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Mar. 16, 1992 SHERIFF'S RETURN filed. NOT SERVED. Attorney Tamera Rothschild can not accept service. She notified Attorney Apple by telephone on March 4, 1992. So answers, Robert M. Stevens, Sheriff

1992

Watts and Pepicelli

205.

R. c Thomas ?

NANCY L. McCRACKEN

vs.

TERRIL JAMES PRENATT
a/k/a TERRY J. PRENATT

Filed Feb. 27, 1992
@ 4:06 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro.Co. pd 1/24/94	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

1 copy (atty)

Mar. 9, 1992 Acceptance of Service In Accordance With Pa. R.C.P. Rule 402(b) filed.

May 1, 1992 Amended Complaint filed. (1 copy Atty.)

June 30, 1992 Answer to Amended Complaint filed.

August 14, 1992 Reply to New Matter filed.

Nov 4, 1992 Notice of Deposition of Terril James Prenatt a/k/a Terry J. Prenatt, filed.

Nov. 10, 1992 Notice of Deposition of Nancy L.McCracken will be taken onWednesday, November 18, 1992, filed.

Dec 11, 1992 Notice of Service of Requests for Production and Interrogatories, filed.

Aug. 27, 1993 Notice Of Service of original Answers to Interrogatories and Request for Production filed.

Sept. 28, 1993 Notice of Depositions of Edward Smock filed.

Jan. 24, 1994 UponPraecipe of Alan L. Pepicelli, Esquire, Attorney for Plaintiff, the above-captioned case marked settled and discontinued of record.

1992

206.

Fuller, Kinnunen, Petruso, Gamble and Fabian and Hall
John D. Petruso

COMMONWEALTH OF PENNSYLVANIA

vs.

MICHAEL SCOTT ONGLEY

Filed Feb. 28, 1992
@ 9:14 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00

PETITION FOR APPEAL FROM ORDER OF DEPARTMENT OF TRANSPORTATION SUSPENDING DRIVER'S LICENSE

2 copies (atty)

Feb. 28, 1992, ORDER: AND NOW, Feb. 28, 1992, upon consideration of the foregoing Petition, and upon motion of JOhn D. Petruso, Esq. the atty. for petitioner, a hearing is hereby scheduled to determine whether the action ofthe Dept. of Trans. in suspending the operating privileges of the petitioner should be set aside.

The above matter is set for a hearing on the 28 day of April 1992 at 2:30 p.m. at Courthouse, Meadville, Pa. C.R. 1 or 2.

The petitioner is directed to give 60 days written notice to the Dept. of Trans. Bur. of Driver Licensing, Rm. 103, Trans. and Safety Bldg. Harrisburg Pa. 17120, said notice to be by cert. mail, ret. rec. req.

BY THE COURT,
Anthony Vardaro, Judge

April 21, 1992 ORDER OF COURT FILED. AND NOW, to wit: this 21 day of April, 1992, upon agreement of the parties, the above-captioned operating privilege suspension appeal is sustained. The Department of Transportation shall correct the defendant's driving record so that it correctly shows that the defendant was alleged as being a delinquent child by violating Section 3731 of the Vehicle Code only once on July 19, 1990,that that allegation of said violation was disposed of by a consent decree entered in juvenile court in November of 1990; that, as a term of the probationary programimposed by said consent decree, the defendant's operating privilege was to be suspended for a net period of nine months (12 months minus 3 months credit for time served on an operating privilege that had been imposed in accordance with Section 6310.4 of the Crimes Code, 18 Pa. CS§6310.4, because of the defendant's conviction for a violation of Section 6308 of the Crimes Code, 18 Pa. C.S.§6308, on July 19, 1990); and that the defendant has completed service of that nine month suspension.

By the Court:
Anthony J. Vardaro, J.

April 27, 1992 copy of order distributed to: William A.Kuhar, Jr. and John D. Petruso, Esq.

1992

Terry Toomey

207.

Thomas, Truax, Spadafore and Walker
R. Charles Thomas

THOMAS J. PODUSZLO

vs.

DARYL SHAWN MAYNARD

Filed Feb. 28, 1992
@ 2:46 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	30.00
Pro Co Pd 7/13/94 -	5.00 ✓
Pro Co Pd 7-14-94	1.00 ✓

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Mar. 12, 1992 SHERIFF'S RETURN filed. SERVED Daryl Shawn Maynard personally on March 3, 1992 at 2:17 PM at his place of residence, 1288 Livermore Rd., Meadville Crawford County, Pa. 16335.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 25, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendant.

Aug. 14, 1992 Upon praecipe of defendant attorney, Rule entered upon the plaintiff to file Complaint issued.

Aug. 21, 1992 Service of the foregoing Rule is hereby accepted. R. Charles Thomas, Attorney
August 21, 1992 Copy to R.Charles Thomas, Esquire.

Apr. 2, 1993, Civil Complaint filed. 1 copy (atty)

May 25, 1993 Answer to Civil Complaint, filed 1 copy (atty)

June 10, 1993 Certificate of Service of Interrogatories and Request for Production filed.

May 25, 1994 Motion to Compel Discovery and ORDER filed. AND NOW, this 25 day of May, 1994, upon presentation and consideration of the within Motion and the Court having been advised by counsel that they have entered into a Stipulation relative to the filing of the Answers to Interrogatories whereby the Plaintiff will answer the Defendant's Int errogatories on or before June 10, 1994, it is ordered and decreed that pursuant to the aforesaid Stipulation the Plaintiff shall file the Answers to the Defendant's Interrogatories on or before June 10, 1994.
BY THE COURT,
Anthony J. Vardaro, J.
5-25-94 Copy given Atty Thomas. Faxed copy to Atty. Toomey

July 8, 1994, upon praecipe of p laintiff attorney, the above captioned case is hereby marked discontinued of record.

George R. Gray
Joseph W. Tinko

~~Pepicelli, Youngs, and Youngs, PC~~
~~Christopher J. Youngs~~

208.

~~Barbara Walton~~ withdrawn

EDNA EBBERT

vs.

EARL T. EBBERT

Filed Feb. 28, 1992
@ 4:15 p.m.

Tax & entry paid	$50.50 ✓
13 count paid	45.00 ✓
state paid	10.00
state paid	20.00
Pro Co pd 3-23-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES

3 copies (atty)

Mar. 16, 1992, Proof of Service filed. I hereby certify that a true and correct copy of complaint in Divorce, Petition for Special rElief and Motion for Hearing on Plaintiff's Claims for Alimony, Pendente Lite, counsel Fees, costs and Expenses was served onthe defendant by mailing the same to him at R. D. #9, Mullen Rd. Box 363, Meadville, Pa. 16335 by Cert. Mail, Addressee Only, Ret. Rec. Req. NO. P 899 090 076. Complaint was received on Mar. 6, 1992, signed receipt attached hereto as Ex. "A".
Christopher J. Youngs.

Mar. 25, 1992 ANSWER TO COMPLAINT IN DIVORCE, filed.

Apr. 1, 1992 CERTIFICAT OF SERVICE filed. I certify that a true and correct copy of the within Motion for Hearing on Plaintiff's Claims for Alimony Pendente Lite, Counsel Fees, Costs and Expenses and Petition for Special Relief was served upon Barbara J. Walton, Esq., Attorney for Defendant, by hand delivery to her law office at 1111½ Park Ave., Meadville, Pa. 16335 on March 31, 1992.
Christopher J. Youngs

Apr. 3, 1992 MOTION FOR HEARING ON PLAINTIFF'S CLAIMS FOR ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES and ORDER filed. ORDER: AND NOW, April 3, 1992, upon presentation of the foregoing Motion, a hearing on Plaintiff's claims for Alimony Pendente Lite, Counsel Fees, Costs and Expenses is set for April 20, 1992, at 1:30 P.M., in Courtroom 1 or 2, of the Crawford County Courthouse, Meadville, Pa. 16335. Defendant Earl T. Ebbert, is ORDERED AND DIRECTED, to appear before the Court on said date and time. Both parties are further ORDERED to file and serve u pon opposing counsel/opposing party an Income and Expense Statement of the type used by the Crawford County Domestic Relations Section no later than five (5) days before the hearing.
By the Court,
Gordon R. Miller, P.J.
Apr. 9, 1992 copy in box for C. Youngs & B. Walton

Apr. 3, 1992 PETITION FOR SPECIAL RELIEF and RULE TO SHOW CAUSE filed. AND NOW, upon presentation of the foregoing petition for special relief, a Rule is hereby issued upon Defendant to appear and show cause, if any, why the relief requested by Plaintiff should not be granted. Said Rule shall be returnable and hearing held thereon on April 20, 1992, at 1:30 p.m., Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pa. 16335. Defendant is ORDERED AND DIRECTED to appear at said hearing.
By the Court,
Gordon R. Miller, P.J. Dated: Apr. 3, 1992
Apri. 9, 1992 copy in box for C. Youngs & B. Walton

April 20, 1992 Crossclaim in Divorce filed.

Apr. 21, 1992 ORDER filed. AND NOW, April 20, 1992 after a formal hearing on the Plaintiff's petition for special relief and on her claims set forth in the fourth count of her divorce complaint for alimony pendente lite, counsel fees, costs, and expense, it is ORDERED as follows:

1. The Plaintiff's petition for special relief is granted, and the Plaintiff and Defendant are hereby prohibited from desposing of or concealing any tangible personal property that is marital property as that term is defined by the Divorce Code and related cases, except that they shall be permitted to have appropriate and reasonable access to their own checking and bank accounts and personal affairs.

2. In view of the fact that the Defendant was so vague and uncertain as to his receipts and expenses from a sole proprietorship that he operates at flea markets, all other issues are continued and the hearing shall be resumed at 3:30 p.m. on Tuesday, May 5, 1992 in Courtroom 1 of the Crawford County Courthouse. In the meantime, the Defendant is ORDERED and DIRECTED to furnish the Plaintiff and her counsel with copies of any and all documents that he has in his possession that relates to receipts and expenses for the past 12 months and to give explanations where requested. This requirement includes original documents.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 24, 1992 copy in box for C. Youngs & B. Walton

May 5, 1992 Plaintiff's INventory and Appraisement filed.

May 6, 1992 Inventory and Appraisement of Earl T. Ebbert, filed. 1 copy (atty)

May 7, 1992 Order filed. AND NOW, May 5, 1992, at the time fixed for the continued hearing in this matter the parties have reached an amicable settlement of the current issues involving alimony pendente lite and counsel fees. Based upon that settlement, the Court enters the following Order:

1. The defendant shall pay alimony pendente lite to the Plaintiff in the amount of $194.00 each week commencing with the week of May 11, 1992 with the first payment to be made on or before the last day of that week, May 15, 1992 and each subsequent weekly payment to be made on or before Friday of that week. Alimony pendente lite is based upon the Plaintiff's average net monthly income of $454.74 representing Worker's Compensation benefits. It is also based uponthe Defendatn's average net take-home pay of $2,650.00 per month from a combination of sources, that is from a sole proprietorship, Worker's compensation benefits and disability payments fromthe Commonwealth of Pennsylvania.

Alimony pendente lite in this amount shall continue for six (6) months form May 11, 1992 or until the parties reach a property settlement agreement, whichever occurs first, unless extended or modified either by agreement of the parties or by further Court Order.

2. The Defendant shall also pay alimony pendente lite in the amount of $194.00 per week retroactive to the date of the filing of the petition, that is March 20, 1992, that amounts to seven (7) weeks at $194.00 per week or $1,360.00.

The Defendant is entitled to a cred of $700.00 for payments he has mad ethat are in the nature of alimony pendente lite or support in the amount of $700.00. Thus the arrearages under this Order for the period of time from March20, 1992 to May 11, 1992 amount to $660.00, which shall be paid by July 5, 1992 or the date of the proper ty settlement, whichever occurs first.

Continued on page 208a

Edna Ebbert

vs.

Earl T. Ebbert

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of record

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3. The parties recognize that the Worker's Compensation they each receive as well as the disabilit payments the Defendant receives may be subject to change. In the event of such a change, the party suffering the change shall immediately notify the other an dshall submit appropriate offical docume establishing and confirming the change or loss.

The parties shall endeavor to recalculate the alimony pendente lite due and owing from that point into the future by applying the Domestic Relations Guidelings for the support of a wife with no children and the recalculated earning capacity.

If they can't reach an agreement, either party has the right to file a motion with the Court for a hearing so that the Court may determine the amount of the change if any.

4. The Defendant shall pay $1,000.00 to apply on the Plaintiff's counsel fees in monthly installments of $166.66 per month commencing with the month of May, 1992, which said payment shall be made on or before the last day of each month commencing with May 31, 1992. In the event that the parties enter into a propert settlement agreement or the Divorce Decree is entered before the Defendant has completed all of the installment payments, all remaining installment payments shall become due an payable when the property settlement agreement is entered into or the Divorce Decree rendered so that payment of counsel fees shall be made directly to Christopher Youngs, Esquire, attorney for the Plaintiff, at his office by mail or in person so long as it is received in that office by the last day of the month for which it is due.

BY ORDER OF THE COURT,
Gordon R. Miller, J

May 7, 1992 Copies distributed to atty.'s Youngs and Walton

Sept. 9, 1992 Upon Praecipe of Attorney Christopher J.Youngs, his appearance is hereby withdrawn.

Sept. 9, 1992 Appearance of Joseph W.Tinko, Esquire for Edna Ebbert, Plaintiff, filed.

Nov 4, 1992 Certificate of Service of Interrogatories filed.

Nov. 4, 1992 Certificat of Service, filed. I, the undersigned, hereby certify that on the 4th day of November, 1992, I served a true and correct copy of a Petition for Special Relief on all of the following parties or the following counsel of record for same by personal delivery, pursuant to the Pennsylvania Rules of Civil Procedure: Barbara Walton, Esquire.

George R. Gray

Nov 6, 1992 PETITION FOR SPECIAL RELIEF PURSUANT TO PA.R.C.P. NO. 1920.43 and RULE TO SHOW CAUSE, filed. AND NOW, this 4th day of November, 1992 it is hereby ordered, adjudged, and decreed that a Rule to Show Cause is issued to the defendant in the captioned litigation directing him to appear in Courtroom #1 of the Crawford County Courthouse at the following date and time, to wit: November 30, 1992, at 9:00 a.m., when he will be givenan a oportunity to show cause why the relief prayer for in plaintiff's Petition for Special Relief should not be granted.

BY THE COURT
Gordon R. Miller, P.J.

Nov. 12, 1992 copy to G. Gray, J. Tinko & B. Walton

Dec. 4, 1992, Motion to Withdraw and Order filed. ORDER: AND NOW this 4 day of Dec. 1992, upon consideration fo the within motion, Barbara J. walton is given leave to withdraw as counsel of record for defendant earl Ebbert.

BY THE COURT,
Gordon R. Miller, J.

Dec. 9, 1992, copies of roder to Attys. G. Youngs, and Jos. Tinko & B. Walton.

Dec. 10, 1992 Petition for A Discovery Order and Rule to Show Cause filed. AND NOW, this 8 day of December, 1992 it is hereby ordered, adjudged, and decreed that a Rule to Show Cause is issued to Tammy M.Ebner and to the Pennsylvania Insurance Management Company (PIMCO) both of One Phico Drive, P.O.Box 2005, Mechanicsburg, PA 17055-0782 and Earl T. Ebbert, defendant, directing them to show cause why Plaintiff's Discovery Order should not be granted and why attorney fees should not be allowed on January 26, 1993 at 3:00 o'clock in Courtroom No. 1 or 2 of the Crawford County Courthouse, Diamond Circle, Meadville, PA 16335. A copy of this Petition and rule shall be served up Tammy M. Ebner, PIMCO and Earl T. Ebbert forthwith.

BY THE COURT,
Gordon R. Miller, J.

Dec. 10, 1992 Copy of the Petition and Rule to Attys. Tinko and Gray , Mailed to T. Ebner, PIMCO & Deft.

Dec. 8, 1992 Order filed. AND NOW, November 30, 1992, after an informal hearing on the Plaintiff's petition for special relief the Court finds as follows:

1. The dEfendant has wilfully failed to comply with the Order of May 5, 1992 by not making all of the required alaimony pendente lite payments and payments toweard counsel fees.

2. This divorce action has gone on too long with very little activity and clearly the coins should be made available for appraisement.

3. The Plaintiff lives in substandard housing which in may respects the Defendant has not tended to and, therefore, the Plaintiff should be permitted to live inthe marital residence utnil this case is concluded or until further Order of Court.

Accordingly, the Court finds the Defendant in contempt and gives the Defendant a final opportunity to purge himself from said contmpet by complying in all respects without fail with this Order. It is, therefore ORDERED as following:

1. The defendant shall pay $600.00 per month on the 15th day of each month commencing with December 15, 1992 and payable monthly thereafter, which said sum shall be divided two-thirds (2/3) to alimony pendente lite and one-third (1/3) to counsel fees. He shall make payment to Plaintiff's current counsel and said counsel shall make a distribution and division as aforesaid.

2. The Defendant shallpay the sum of $250.00 to George Gray, Esquire, which said sum represents attorney's fees for these contempt proceedings. Said amount shall be paid to Mr. Gray no later than December 31, 1992.

3. The Defendant shall deliver to Mr. Gray any and all rare coins and currency within seven (7) days from this date so that Mr. Gray and the Plaintiff may have them appraised. Once the coins are appraised, they shall be kept by Mr. Gray in safekeeping until further Order of Court or until the parties amicably distribute the coins or amicably sell them.

4. The Defendant shall immediately deliver to the Plantiff the Chevrolet Van and shall sign any and all documents and papers so that a current registration may be placed on that van and so that the Plaintiff shallhave tranposrtation available to her.

5. The defndnat shall deliver possession of the Mullen Road property to the Plaintiff no later than December 11, 1992 and thereafter the Planitiff shallhave sole right to possess said marital real estate to the exclusion of the Defendant.

6. The Planitiff's request for add additional attorney's fees and alimony is denied at the moment without prejudice to the Plantiff to seek such sums through an additional petition or at the time of any hearing in this case.

BY ORDER OF THE COURT,
Gordon R. Miller,
Dec. 8, 1992 Copies given to Atty's Walton and Gray

Continued on Page 208B

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B

1992

EDNA EBBERT
vs.
EARL T. EBBERT

CONTINUED FROM PAGE 208A
of Record
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Dec 14, 1992 Certificate of Service of Rule to Show Cause, filed.

Dec. 22, 1992, Motion to Discharge Rule to Show Cause and Order filed. ORDER: AND NOW, this 21st day of Dec. 1992, after consideration of plaintiff's Motion to Discontinue it is hereby ordered adjudged and decreed as follows, to wit:

That the Rule to Show cause that was issued to Tammy M. Ebner, PIMCO, and Earl Ebbert directing them to show cause why a Discovery Order should not be entered at a hearing s cheduled for Jan. 26, 1993 at 3:00 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, is discharged and the hearing is cancelled.

BY THE COURT,
Gordon R. Miller, J.

Dec. 29, 1992, copies of order to G. Gray, and ~~B. Walton~~ dft.

January 6, 1993 Exhibits filed.

Jan. 8, 1993 Motion for Sanctions and Order filed. AND NOW, January 5, 1993, upon receipt and review of the plaintiff's motion for sanctions a rule to show cause is hereby entered directing the defendant to show cause if any he has, why said motion should not be granted. The said rule is returnable for hearing and/or argument onthe 26th day of January, 1993, at 3:00 o'clock a.m. in Courtroom No. 1.

BY ORDER OF COURT
Gordon R.Miller, P.J.

Jan. 12, 1993 Copy of Order to Atty. Gray and Dft.

Jkan. 12, 1993 CERTIFICATE OF SERVICE, filed. I, the undersigned, hereby certify that on the 11th day of January 1993 I served a true and correct copy of the order of court of Jan. 5, 1993 which provides for a hearing on a motion for discovery sanctions on Jan. 26, 1993 at 3:00 p.m. in Courtroom #1 before The Honorable Gordon Miller or other judge of the Court of Common Pleas of Crawford County Pa. on all of the following parties or the following counsel of record for same, pursuant to the Pa. Rules of Civil Procedure:

1. By United States First Class Mail: Earl T. Ebbert
2. In a telephone conversation with Mr. Ebbert on the above date at 3:53 P.M. E.S.T. George R. Gray

Jan. 28, 1993 Order filed. AND NOW, January 26, 1993 at the time set for hearing and/or argument on the Plaintiff's Motion for sanctions, it appears that the Defendant did not fully and completely answer the interrogatories sent to him on November 4, 1992. It appears that the Defendant may be dyslexic and have trouble understanding and reading questions and formulating written answers. Therefore, the Defendant is ORDERED to submit to discovery by way of oral deposition at a time and a place to be scheduled by the Planitiff after proper notice under the Rules of Civil Procedure as given by the Plaintiff to the Defendant. The scope of inquiry at the deposition shall be related solely to property and equitable distribution matters.

Said deposition shall be scheduled and taken within the next 30 days.

As a sanction for failure to properly answer the interrogatories, the Court ORDERS and DIRECTS the Defendant to pay the sum of $100 to George Gray as attorney's fees which said sum shall be paid on or before March 1, 1993.

The Court will not impose any additional sanctions on the Defendant, but wishes to note of record that any out-of-pocket expenses incurred by the Plaintiff in connection with the deposition, such as for the appearance fee of the court reporter and any transcript fees may become the subject of the Plaintiff's fourth count for costs and expenses and treated in that fashion rather thanunder the sanction rules.

The Plaintiff's deposition shall be taken at the same time. The Defendant shall not be required to give the Plaintiff notice of the taking of the deposition because this order suffices.

Since the deposition will be the deposition of the parties, the deposition can be used under the Pennsylvania Rules of Civil Procedure for discovery and use at trial.

All objections except as to the form of any question shall be reserved until the time of trial.

BY ORDER OF THE COURT,
Gordon R. Miller,

Jan. 28, 1993 Copies given to Atty. Gray and mailed to Dft.

Feb 2, 1993 Notice of Deposition of Edna and Earl Ebbert, filed.

Feb 2, 1993 CERTIFICATE OF SERVICE OF NOTICE OF DEPOSITION, filed.

March 8, 1993 Motion For Civil Contempt on behalf of Plaintiff and RULE TO SHOW CAUSE ORDER filed. AND NOW, this 8 day of March, 1993, upon receipt and review of the Plaintiff's Motion for Civil Contempt, a Rule to Show Cause is hereby entered ordering and directing the Defendant to show cause, if any he has, why said Motion for Civil Contempt should not be granted. The said Rule to Show Cause is returnable for hearing and/or argument on the 31 day of March, 1993, at 3:00 o'clock p.m., prevailing time, in Courtroom Number 1, in the Crawford County Courthouse, located at 903 Diamond Park, Meadville, PA.

BY THE COURT,
Anthony J. Vardaro, J.

March 10, 1993 Copy of Order to Atty. Joseph Tinko; copy mailed to defendant.

Mar 16, 1993 Praecipe to Withdraw Motion For Civil Contempt, filed.

Mar 16, 1993 Affidavit of Consent of Defendant, filed.

Mar. 23, 1993, Affidavit of Consent of plaintiff filed.

Apr. 12, 1993 Property Settlement Agreement filed.

Mar. 23, 1994 Upon praecipe of Defendant's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

March 29, 1994 AND NOW, this 28th day of March, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

The bonds of marriage between Plaintiff EDNA EBBERT, and defendant EARL EBBERT, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Property Settlement Agreement between the parties herein, dated March 9, 1993, shall be incorporated in thsi decree and order by reference as fully as though the same were set forth herein, at length.

1. Plaintiff and Defendant have reached an agreement as to the equitable distribution of property and debt as provided in the Property Settlement Agreement dated March 9, 1993.
2. This Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Gordon R. Miller, J.

Continued on Page 208 C

Continuation of Ebbert vs. Ebbert from page 208B ---No. AD 1992 - 208

Apr. 23, 1997 Petition for Special Relief and Rule to Show Cause filed. And now, this 22 day of Mary 1997, it is hereby ordered adjudged and decreed that a rule is issued to dft. toshow cause why he should not be held in contempt of court, said rule returnable for a hearing a the the following time and place:

This rule is returnable for hearing and argt. a the 10:45 a.m. on Wed. June 4, 1997, in C. R. No. 1, Crawford county courthouse. By the court,

Anthony J. vardaro, J.

4/24/97 dist. to gray.

May 30, 1997 Stipulation for the entry of "Domestic Relations Order" and Order: AND NOW, this 30 day of May, 1997, attached Stipulation and Agareement dated May 30, 1997 of the parties in this case is incorporated, but not into this Order of Court.

Anthony J. Vardaro, J.

June 1, 1997 Dist. Gray

June 3, 1997 Motion To Cancel Hearing and Order: AND NOW this 2nd day of June, 1997 the hearing scheduled for Wednesday June 4, 1997 at 10:45 A.M. in Courtroom No. 1 is canceled. Gordon r. Miller, P.J.

June 4, 1997 Dist Gregg

208 D

1992

1992

Thomas, Truax , Spadafore and Walker
R. Charles Thomas
Barbara J.Walton
209.

MICHELLE L. HARKNESS

vs.

WILLIAM D. HARKNESS

Filed Feb. 28, 1992
@ 4:20 p.m.

Tax & entry paid	$50.50 ✓
1 count paid	15.00 ✓
state paid	10.00
state paid	10.00
Sheriff's Costs	25.00

John B. Brautigam, Master
Pro Se Pd 12-1-93 900 ✓

10-15-93 Rec from Plf/ Master Fees $250.00
8-23-94 pd Master Ch# 8509 250.00
10-18-94 Rec from Plf/ Master Fees 250.00
10-18-94 pd Master Ch# 8617 250.00

COMPLAINT IN DIVORCE, CUSTODY

May 12, 1992 Complaint Reinstated.

May 19, 1992 SHERIFF's RETURN FILED. SERVED William D. Harkness personally on May 15, 1992 at 12:05 PM at his place of temporary residence, CrawfordCounty Jail, 260 Center Street, Meadville, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 3, 1993 Praecipe for Production of Doucuments filed.

Mar. 3, 1993 Defendants Counterclaim/Complaint, PA. R.Civ. P. 1920.15 (a) (b) filed.

Mar.3, 1993 Order filed. AND NOW, TO WIT, this 1 day of March, 1993 upon presentation and consideration of the within petition:
It is ORDERED that plaintiff, William D. Harkness, PRO SE, is granted leave of court to proceed in all acts of the above captioned case, IN FORMA PAUPERIS.
BY THE COURT
Anthony J.Vardaro, Judge
Mar. 3, 1993 Copy of Order to Atty. Thomas

Mar. 19, 1993 Motion For Appointment of Master, filed.

Mar. 19, 1993 ORDER filed. AND NOW, March 18, 1993, upon receipt and review of the defendant's motion for the appointment of a Master and review of the entire file the defendant's motion for the appointment of a Master is denied for the following reasons:

1. The defendant requested counseling and also indicated that he would provide a qualified professional counselor for the counseling sessions. He did that in a pleading entitled "Defendant's Counterclaim/Complaint" filed Feb. 19, 1993. Since that was not in a motion or petition to the Court that matter never came to the Court's attention until recently. The Court will not appoint a Master until counseling has been completed. The Court is entering a separate order on counseling.

2. The defendant's motion for the appointment of a Master does not conform to the Crawford County Rules of Civil Procedure, specifically Rule L1920.51 and L1920.74. The Prothonotary shall send to the defendant a form motion for the appointment of a Master in divorce that does comply with Crawford County Rules. That shall be sent at the time this Order is sent to the defendant.

3. Neither party, but primarily the defendant since he appears to be the moving party has complied with Pa. R.C.P. 1920.31 by submittign a completed income and expense statement the form required by support court practice; nor with Pa.R.C.P. 1920.33 by filing an inventory.

BY ORDER OF COURT
Gordon R. Miller, p.J.
Mar. 19, 1993 copies mailed to Plf. & Dft & given to RCT

Mar. 22, 1993 ORDER filed. AND NOW, March 18, 1993, it has come to the attention of the Court after reviewing the entire record in order to dispose of the defendant's motion for the appointment of a Master, that the defendant, in a counterclaim, requested counseling under 23 Pa.C.S.A. 3302, it is ordered as follows:

1. Since two of the three grounds for divorce alleged by the plaintiff to-wit: indignities (23 Pa. C.S.A. 3301(a)(6) and, possibly, mutual consent (23 Pa.C.S.A. 3301(c)) are grounds where this Court is required to order counseling sessions (23 Pa.C.S.A. 3302(a)(b) the Court will require the parties to undergo one counseling session before a counselor chosen by the Plainitff from the list provided by the Court of Common Pleas of Allegheny County, Pennsylvania since the defendant is incarcerated at the Western Penitentiary in Pittsburgh, Allegheny County, Pennsylvania. The counseling session shall be at the expense of the plaintiff. The Court presumes the counseling session will occur at the Western Penitentiary since the Cour tdoes not intend to return the defendant to Crawford County, Pennsylvania for counseling. The counselor shall file a report with the prothonotary to be filed among the records of this case, stating whether or not the parties did or did not attend counseling pursuant to 23 Pa.C.S.A. 3302(f).

2. If the plaintiff withdraws indignities and mutual consent as grounds for divorce and proceeds on the ground of cruel and barbarious treatment (23 Pa.C.S.A. 3301(a)(3)) as set forth in paragraph 5(c) of her complaint then upon said withdrawal this order for counseling shall be automatically vacated with no further action of the Court required.

3. The defendant shall no longer communicate directly with the Judges of this Court. Any matters he wishes to file shall be filed in accordance with the Rules of Civil Procedure, and the Crawford County Rules of Civil Procedure, with the Prothonotary. Any mailings sent directly to the Judges will be returned to him unopened. The Judges may not communicate directly with the litigant in any proceeding, civil or criminal.

BY ORDER OF COURT
Gordon R. Miller, P.J.
Mar. 24, 1993 copy to R.C. Thomas & Dft.

Apr 1, 1993 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Michelle L. Harkness, filed.

Apr. 15, 1993 Order filed. AND NOW, April 14, 1993, the defendant's mtoion dated April 10 1993 asking for reconsideration of an order dated March 26, 1993 and a petition for special relief under Pa.R.C.P. 1920.43 are denied. This Court did not enter an order on March 26, 1993. If by chance the defendant made a mistake with respect to that date the defendant is advised that the Court will not reconsider any orders it has already entered regardless of the date they were entered.
There is no petition for special relief under Pa.R.C.P. 1920.43 and the motion of April 10, 1993 is not such a petition. Therefore special relief under Pa.R.C.P. 1920.43 is denied.

BY ORDER OF COURT
Gordon R. Miller, J

Apr. 15, 1993 Copies dist. to Harkness and Thomas

Record Continued on page 484

1992

210.

Brian J. Lindsay

GLORIA J. BURNS
(SHAWN)

vs.

KENNETH BURNS

Filed Feb. 28, 1992
@ 4:23 p.m.

Tax & entry Pd 6-23-92 $50.50
state Pd 6-23-92 5.00
Sheriff's Costs 25.00
Pro Co Pd 6-23-92 9.00

Received from deft 6-23-92 Sheriff's Costs 25.00 Check # 6895

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 Copy Plaintiff

ORDER:

And now, this 28 day of February, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Pending further order of court the Plaintiff Gloria J. Burns shallhave custody of both Shawn & Melissa. Defendant shall forthwith surrender custody of Melissa, to plaintiff and shall allow both Shawn & Melissa to take the necessary clothes and personal items. Defendant may only visit if plaintiff allows.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 13, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar. 13, 1992 Sheriff's Return filed. SERVED Kenneth Burns personally on February 28, 1992 at 5:15 PM by handing copy of Protection From Abuse to him, and making known the contents thereof to him at 1179½ s. Cottage Street, Meadville, PA.
So answers,

William Brown, Vernon Township
Robert M. Stevens, Sheriff

Mar 16, 1992 ORDER filed. AND NOW, March 13, 1992 at the time fixed for hearing in this matter, the Defendant appeared with a number of witnesses and his counsel, fully expecting a hearing. The Plaintiff appeared, believing her attorney would be here, and he was not. The Court tipstaff called the attorney and he knew nothing about the hearing. If the Plaintiff's failure to have her attorney here was her fault, then the Court would hold a hearing, even without an attorney. However, ther may be some dispute on this and therefore the Court will err on the safe side, and continue this matter for one (1) week in order to permit the Plaintiff to obtain her attorney.

Therefore, it is ORDERED as follows:

1. This matter is continued until March 20, 1992 at 3:30 p.m. in Courtroom No. 1 or No. 2 of the Crawford County Courthouse, at which time a full hearing will be lheld whether or not the Plaintiff has her attorney.

2. In the meantime, the temporary abuse order of Feb. 28, 1992 is continued in all respects except that temporary custody of Shawn shall remain with his father, the Defendant, and shall not be with the Plaintiff. The reason for this is twofold. First of all, by Court Order of Sept. 25, 1991 custody of Shawn was awarded to his father. Secondly, even after the Feb. 28, 1992 temporary abuse order, which included a provision that Shawn remain with his mother, Shawn went to live with his father.

3. All of the parties, as well as Luke Schaberl are reminded that they shall all be of good behavior and obey the law and follow all of these court orders without fail until they are changed.

4. At the haearing on March 20, the Court will inquire in more detail into the Plaintiff's claim tht she expected her attorney to be here, expecially if that attorney appears. If it turns out that the Plaintiff wrongfully expected her attorney to be here, then the Court reserves the right to assess costs on her for the additional costs that the Defendant has borne by reason of this continuance.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Mar. 18, 1992 copy given to B. Lindsay, mailed copy to Plaintiff, also, copy given to County Control

Mar. 20, 1992 Petition For Attorney Fees and Costs and Order filed. AND NOW, this 20th day of March, 1992, upon presentation and consideration of the foregoing Petition, a Rule is entered upon the Respondent to show cuase, if any she has, why the prayer of the Petitioner should not be granted THIS RULE IS RETURNABLE ON THE 25th day of Marhc, 1992 in Courtroom No 1 of the Crawford County Courthouse, Meadville, Pennsylvania, commencing at 1:30 o'clock p.m.

BY THE COURT,
Gordon R. Miller, J

Mar. 20, 1992 Copies to Atty's Brode and Lindsay

Mar. 20, 1992 Order filed. AND NOW, March 20, 1992 the Court, continues the hearing scheduled in this case for this date to Wednesday, March 25, 1992 at 1:30 o'clock p.m. in Courtroom No. 1 ofthe Crawford County Courthouse.

The reason for this continuance is that the Court does not have sufficient time this date to hear this case.

The Petition of Kenneth Burns for attorneys fees and costs shall also be heard on March 25, 1992. A true and correct copy of that petition shall be served on counsel for Mrs. Burns forthwith.

BY THE COURT,
Gordon R. Miler, P.J.

Mar. 20, 1992 Copies given Atty's.

Record Continued on Page 210 (a).....

1992

Gloria J. Burns

VS.

Kenneth Burns

Record Continued from Page 210

OF

AD 1992 - 210

March 31, 1992 ORDER filed. AND NOW, March 27, 1992, at the time fixed for hearing in this matter, the Court spent two and one-half hours attempting to settle this case without success and therefore we do not have time today to start the hearing or to finish it. Accordingly, this matter is continued until 9:00 a.m. on April 10, 1992. Paragraphs 2, 3 and 4 of the March 13, 1992 Order are incorporated herein by reference thereto.

In addition thereto, the Defendant, Kenneth Burns, shall not have in his household while the childrenare living or visiting there any loaded guns. All guns shall be empty of any shells or ammunition and the shells and ammunition for those guns shall be hidden in a place where the children cannot find them.

By Order Of The Court,

March 31, 1992 Copy of Order to Attys. Christopher Brode, Brian Lindsay and County Control.

Apr. 13, 1992 ORDER filed. AND NOW, April 10, 1992, after formal hearing where the defendant appeared without counsel was advised of his right to counsel and waived his right to counsel, the Court finds that the Plaintiff has met her burden of proof by the fiar weight of the evidence, and therefore, enters the following Order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff.
2. The Defendant is prohibited from having on his person any gun loaded or unloaded when he is in the presence of the Plaintiff.
3. The Defendant shall surrender his .357 Magum to the Sheriff of Crawford County this date at a time to be arranged between the Defendant and the Sheriff. The Sheriff shall give the Defendant a receipt for that gun and the Sheriff shall keep that gun in safekeeping to be returned to the Defendant only after further Order of Court. Since this abuse Order may only last for one year, the Defendant shall have the right, if not sooner, to petition the Court for the return of the gun at the expiration of one (1) year from this date.

Neither the Court nor the Sheriff shall have the responsibility to automatically return the gun to the Defendant, but are only required to do so upon proper petition of the Defendant and proper Order directing and ordering the Sheriff to return the gun to the Defendant.

4. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this Order shall be delivered by the Prothonotary to County Control, the Pa. State Police, and the Vernon Township Police.
6. This Order shall remain in full force and effect for one (1) year, that is until April 9, 1993, unless modified or further terminated by Order of this Court.
7. The Defendant shall pay Court costs to the Prothonotary no later than May 10, 1992.
8. The Defendant is reminded that his is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
9. The Defendant's request to have the Plaintiff pay costs and attorney's fees is denied.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr 13, 1992 copy given to County Control. Apr. 15, 1992 copy in box for C. Brode, mailed copy to Dft. Pa. State Police, Vernon Twp. Police, copy given to Cr. Co. Sheriff's Office

Nov.8, 1993 Petition for Return of Property and ORDER filed. AND NOW, November 3, 1993, upon presentation and consideration of the foregoing Petition for Return of Property, said Petition is granted and the Sheriff is ordered to return the gun to the Petitioner by the Petitioner appearing at the Sheriff's Office during regular business hours. This assumes that the Petitioner can legally possess said weapon otherwise.

BY THE COURT:
Gordon R. Miller, J.

Nov. 12, 1993 Copy of Order to Petitioner/Plaintiff

210
-b-

1992

1992

Joseph C. Barnhart

211.

SANDRA J. CHILDERS

vs.

CHRISTOPHER B. CHILDERS

Filed Mar. 2, 1992
@ 10:50 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co. pd 8/14/92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 8, 1992 Acceptance of Service filed. I, Christopher B. Childers, do hereby acknowledge that I have this date received a true and correct copy of a Complaint in divorce as file din the above-captioned matter.
Dated:April 1, 1992 Chrisotpher B. Childers

April 29, 1992 ACCEPTANCE OF SERVICE FILED. I, Christopher B. Childers, do hereby acknowledge that I have this date received a true and correct copy of a Complaint in divorce as filed in the above-captioned matter.
Dated: April 1, 1992 Christopher B. Childers

July 30, 1992, Plaintiff's Affidavit of Consent to Divorce filed.

Aug 4, 1992 Affidavit of Consent of Defendant, filed.

Aug. 14, 1992 Upon Praecipe of Joseph C. Barnhart, Esquire, Attorney for Plaintiff, to Transmit Record, case moved to Court.

DIVORCE DECREE FILED

August 19, 1992 AND NOW, this 18th day of August, 1992, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Upon consideration of the pleadings and Affidavits filed in the above-captioned matter, the Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the groudns that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an Affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to §3301(c) of the Pennsylvania Divorce Code.

2. No other matters or causes of actions provided under the Pennsylvania Divorce Code of 1980, as amended, are reserved by either of the parties.

BY THE COURT:
Gordon R. Miller, J.

212

1992

Joseph C. Barnhart

212.

CHRISTINE G. KENNELLEY

vs.

CLYDE S. KENNELLEY

Filed Mar. 2, 1992
@ 10:50 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 3/2/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1992

Paul Breen

213.

FORD MOTOR CREDIT CO.
Melvindale, Mi. 48122

vs.

RAYMOND H. CHASE, JR.
AND
KAREN Y. CHASE
R. D. #1, Townville, Pa.
Box 232B 16360

Filed Mar. 2, 1992
@ 1:20 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	35.00

COMPLAINT IN CIVIL ACTION

3 copies (sheriff)

Mar. 16, 1992 SHERIFF'S RETURN filed. SERVED Karen Y. Chase personally on March 5, 1992 at 10:31 AM at her residence, R.D. L, Box 232 B Townville, Crawford County, Pa.

SERVED Raymond H. Chase Jr. on March 5, 1992 at 10:32 AM by handing copy of Complaint to Karen Y. Chase, his wife, at their residence, R.D. 1., Box 232B, Townville, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

April 15, 1992 PRELIMINARY OBJECTION: MOTION FOR MORE SPECIFIC COMPLAINT filed.

April 15, 1992 ORDER FILED. AND NOW, April 15, 1992 the attorney for the Defendants in this matter appears at Motion Court with preliminary objections to the Plaintiff's complaint alleging that a more specific complaint is required.

He presents two orders; one requiring the Plaintiff to file a more specific complaint as required by Pa. R.C.P.1019 and the other dismissing the action due to Plaintiff's failure to file a complaint conforming to Pa. R.C.P. 1019.

The Court is advised by counsel for the Defendants that the 20 day period to respond to Plaintiff's complaint will expire on April 16, 1992 and the Court directs the filing of the preliminary objections with the Prothonotary forthwith so they may be time stamped this day.

However, the Court declines to sign either of the orders presented by counsel for the Defendants and believes that if the Plaintiff does not file an amended complaint pursuant to Pa.R.C.P. 1028 (b) in response to the preliminary objections the remedy for the Defendants is to praecipe the preliminary objections for argument on the next available argument list.

If the Defendant does so, his attention is called to existing Crawford County Local Rule No. 7, Section 4 (A), which is still in effect at the time of this order requiring the moving party to file a Brief with its praecipe in order for the matter to be listed for argument.

BY THE COURT:
Anthony J. Vardaro, J.

April 22, 1992 copy distributed to Paul Breen, Esq. and R. Christopher Brode, Esq.

June 2, 1992 Answer to Preliminary Objection:; Motion for More Specific Complaint Filed by Defendants filed.

214.

LINDA HALL

vs.

CHARLES JILES

Filed Mar. 2, 1992
@ 3:39 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	30.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 2 day of March, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shallhave exclusive custody of the minor children with visitation to defendant at plaintiff's discretion. defendant shall not go to Plaintiff's residence unless invited by Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 16, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar. 5, 1992 SHERIFF'S RETURN filed. SERVED Charles Jiles personally on March 5, 1992 at 3:08 PM by handing him a copy of the Protection from Abuse in the sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 17, 1992 Order filed. AND NOW, March 16, 1992, this matter is before the Court on plaintiff's Petition for Relief Under the Protection From Abuse Act.

Both parties appear without counsel and indicate that they have reached an agreement. After inquiry by the Court, the defendant wishes to proceed without counsel and the parties agree to the following Order:

1. This Order is entered without an admission on the part of the defendant of the allegations of the plaintiff's petition.
2. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition.
3. The defendant shall be permitted to go to the residence of the plaintiff to visit with the minor children so long as he does not assault, abuse, harass or threaten the plaintiff or any of the minor children during such visits and so long as he leaves the plaintiff's residence and terminates such visits at any time she shall request.
4. This Order may be enforced without a Warrant of Arrest by any Police Officer having reasonable grounds to believe it has been violated.
5. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to Bounty Control.
6. The defendant shall pay the costs of this action in the amount of $94.50 in installments of $30.00 beginning on March 30, 1992 and continuing every two (2) weeks thereafter until costs are paid in full. The defendant is advised that payment toward costs shall be made in the Office of the Prothonotary of Crawford County on the first floor of the Courthouse, which Office closes at 4:30 p.m. each day, Monday through Friday.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
8. This Order shall remain in full force and effect through March 15, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Mar. 17, 1992 copy given to County Control. Mar. 19, 1992 copy mailed to Plf., Dft. & Meadville Police Dept.

April 20, 1992 Order filed:AND NOW, April 16, 1992, the Court is advised that the Defendant has been arrested for allegedly violating provisions of the Court's order of March 16, 1992.

Accordingly, the Court schedules a hearing to determine whether or not the defendant is in contempt of that order the said hearing set for april 20, 1992 at 9:30 a.m. in Courtroom No. 2. BY THE COURT, Anthony J. Vardaro, J.

April 16, 1992 copies mailed to parties.

April 21, 1992 ORDER filed: AND NOW, April 20, 1992 the Defendant appears for the hearing regarding an alleged contempt of the Court's order of March 16, 1992 entered under the Protection from Abuse Act.

Although the Court believes that the Plaintiff had notice of this hearing, she does not appear and is not represented.

The hearing proceeds informally and the Defendant advises the Court that he was present at the time of the incident alleged as contempt, and also gives the Court some background which includes

Continued to Page 459

1992

Shafer, swick, Bailey,
Irwin & Stack
Jeffrey K. Millin
215.

John F. Spataro

WILLIAM J. SCHENBERG

vs.

ERIC P. AND KIMERLY L. LEWIS

APPEAL OF DEFENDANTS FROM JUDGMENT OF DISTRICT
JUSTICE CHISHOLM, MAGISTERIAL DISTRICT 30-2-01

Mar. 2, 1992, Rule entered upon plaintiff to file complaint issued.

Mar. 5, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Mar. 23, 1992, Complaint filed. 1 copy (atty)
(JURY TRIAL DEMANDED)

April 14, 1992 Answer To Complaint and Counterclaim filed.

May 15, 1992 Reply to New Matter And Counterclaim, filed.

June 19, 1992 Upon Praecipe of Defendants attorney for appointment of Arbitrators, the following Arbitrators are appointed:

~~F. C. Kiebort, Chairman~~ - Alan L. Pepicelli, Chairman
Victor Kinnunen
~~Joseph Kulwicki~~ Bettie Peterson-Muth

June 29, 1992 Arbitrators take qualifying oath.

July 13, 1992 Notice of ARbitration Hearing filed.

Filed Mar. 2, 1992
@ 3:51 p.m.

Tax & entry paid	$50.25
state paid	5.00
Pro.Co. Paid 6/19/92	15.00
Pro.Co. pd 1/5/93	9.00
Pro.Co. pd 1/15/93	6.00

Sept. 3, 1992, Notice of Rescheduled Arbitration filed.

Oct 8, 1992 Notice of Rescheduled Arbitration, field.

NOv. 25, 1992, DECISION OF THE ARBITRATORS in which they find in favor of palintiff against the defendant Eric P. Lewis, only, in the amount of $1,000. (one thousand dollars) without interest, but plus court costs.
Decision filed 11/25/92
L - 56

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

Nov. 25, 1992, copies of decision given to attys. Millen and Spataro.

And Now, Jan. 5, 1993 at 3:50 PM upon Praecipe of Plaintiff Attorney judgment is hereby entered in the above captioned matter in accordance with decision of the Board of Arbitrators entered against Defendant, Eric P.Lewis, thereon.

L-106

Debt $1,000.00, plus Court Costs
JUDGMENT
Barbara H. King
Prothonotary

Jan.6, 1993 Abstract to Atty. Millin.

Jan. 15, 1993 Upon Praecipe of Plaintiff's Attorney, Jeffery K. Millin, Esquire, this case settled and discontinued of record.

216

1992

Ferguson & Spataro
John F. Spataro

216.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

TRUDI I. BALL

vs.

LYLE R. BALL

Filed Mar. 2, 1992
@ 3:51 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	10.00
1 count paid	15.00 ✓
1 Add'l Count Pd 1-11-93	15.00 ✓
State Pd 1-11-93	5.00
John Fuller, Mediator	
Pro.Co.pd 7/13/93	9.00

2-17-93 Received from Pltf. Med. Dep 150.00
(Should be deposited at AD 1992-119 for mediation)

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES

1 copy (atty)

Mar. 11, 1992 Appearance of Thomas, Truax, Spadafore & Walter by R. Charles Thomas for defendant filed.

Mar. 11, 1992 Acceptance of Service filed. The undersigned, R. Charles Thomas, esq., Attorney for the defendant in the above case, does hereby accept service ofthe certified copy of the Complaint in Divorce file din the above cpationed matter on behalf of the Defendant, Lyle R. Ball, and certify that I am authorized to do so by the Defendant. R. Charles Thomas,

Jan. 5, 1993 Amended Complaint in Divorce filed.

Feb. 3, 1993 Inventory and Appraisement of Trudi I. Ball filed.

Feb. 3, 1993 Income & Expense Statement of Trudi I. Ball filed.

Feb. 17, 1993 Motion to REfer to Custody Mediator and Order filed. AND NOW, this 11 day of Febraury, 1993, upon consideration of the within Motion, this matter is referred back to John Fuller, Esq., the Custody Mediator, for further proceedings in accordance with the local ruels of court. BY THE COURT,
Anthony J. Vardaro, J

Feb. 24, 1993 Copies of order to Atty's Spataro and Thomas

May 7, 1993 ORDER filed. AND NOW, May 6, 1993, it appears that an order has been entered in the custody action in this matter at A.D. No. 1992-119 after mediation.

That order required each of the parties to pay $100 toward a $200 mediation fee. The Plaintiff in that action, Lyle R. Ball, has now paid $75 of that amount and he is directed to pay the remaining $25 within 10 days of the date of this order.

Apparently, Trudy I. Ball, the Defendant in the custody action, deposited $150 at the A.D. No. 1992-216 which was intended to be a deposit for a custody mediation.

The Prothonotary is now directed to apply $100 of that amount to the amount due from Trudy I. Ball at A.D. No. 1992-119 plus $9 for entry of the order and to refund the balance of $41 to Trudy I. Ball. BY THE COURT:
Date: May 6, 1993 Anthony J. Vardaro, J.
Also entered at A. D. 1992 - 119
May 13, 1993 copy to R.C. Thomas, J. Spataro, J. Fuller

July 13, 1993 Affidavit of Consent by Trudi I. Ball,Plaintiff, filed.

July 13, 1993 Affidavit of Consent by Lyle R. Ball, Defendant, filed.

July 13, 1993 Upon Praecipe of John F.Spataro, Esquire, Attorney for Plaintiff, to transmit record, case moved to court.

July 19, 1993 Motion To Withdraw Count Two-Alimony Pendente Lite, Counsel Fees, Costs and Expenses from Plaintiff's Complaint in Divorce and Order filed. AND NOW, this 15th dayof July, 1993, upon consideration the within Motion is hereby granted. BY THE COURT,
Gorodn R. Miller, J

July 20, 1993 Copies of order to Atty's Spataro and Thomas

July 19, 1993 **STIPULATION AND FINAL DECREE FILED.** AND NOW, this 15th day of July, 1993, it is ordered and decreed that TRUDI I. BALL, Plaintiff, and LYLE R. BALL, Defendant, are divorced from the bonds of matrimony. IT IS FURTHER ORDERED AND DECREED AS FOLLOWS

I. EQUITABLE DISTRIBUTION - REAL ESTATE 1. The defendant is awarded the marital real estate located in Cussewago Township, Crawford County, Pennsylvania, having a mailing address of R.D. #3, Box 115B, Saegertown, Pennsylvania 16433 and being the same land conveyed to the plaintiff and Defendant by James A. Ball and Florence M. Ball, his wife, by Deed dated July 18, 1978 and recorded in the Office ofthe Recorder of Deed of Crawford County, Pennsylvania in Deed Book 517, Page 233.

II. EQUITABLE DISTRIBUTION - TANGIBLE PERSONAL PROPERTY 2. The defendant is awarded a certain 1984 Ford Bronco motor vehicle.

3. The Defendant is awarded all tangible personal property presently in the Defendant's custody or under the Defendant's control and which property is located at the former marital residence of the Plaintiff and Defendant at R.D. #3, Box 115B, Saegertown, Crawford County, Pennsylvania 16433.

4. The Plaintiff is awarded all tangible personal property presently in her custody or under her control, such tangible personal property was formerly located at the former marital residence of the Plaintiff and the Defendant at R.D. #3, Box 115B, Saegertown, Crawford County, Pennsylvania .

III. EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY 5. The Plaintiff is awarded cash in the amount of $35,000.00 which shall be paid to the Plaintiff by the Defendant wihtin ten (10) days after the entry and filing of this Decree in Divorce.

6. The Defendant is awarded any and all benefits to which he is entitled as an employee of C & J Industries and in which the Defendant participates as an employee of C & J Industries.

IV. MARITAL DEBTS 7. The defendant shall be solely and exclusively responsible for payment of a certain Mortgage given by the Plaintiff andthe defendant to Mellon Bank (North), National Association (assigned to Philadelphia National BAnk (PNB) as Trustee under a certain Trust Indenture with Pennsylvania Housing Finance Agency) and which Mortgage encumbers the marital residence of the Plaintiff andthe Defendant situate in Cussewago Township, Crawford County Pennsylvania and which Mortgage is recorded in Crawford County Mortgage Book 435, Page 682. The Defendant shall within ten (10) days after the entry and the filing of this Decree in Divorce pay in full the unpaid principal balance together with all accrued interest thatmay be due on the aforesaid Mortgage in favor of Mellon Bank as assigned. The Defendant shall be entitled to receive in cash or by credit any escrow funds that have been established for taxes and/or insurance with Mellon Bank or its successor in connection withthe aforesaid Mortgage.

V. MICELLANEOUS 8. The Plaintiff and defendant shall sign, execute and acknowledge any and all documents necessary to effectuate the transfer of the real estate awarded to the Defendant pursuant to this Decree in Divorce.

9. That neither the Plaintiff nor the Defendant shall make any further claims against the other hereto except for the enforcement of the rights and responsibilities set forth inthis Decree in Divorce.

BY THE COURT,
Gordon R. Miller, J

216 A

1992

Pepicelli, Youngs,
and Youngs PC
Christopher Youngs

216A.

R. Charles Thomas

CARL MAILLIARD

vs.

MELISSA MAILLIARD

Filed Mar. 3, 1992
@ 4:07 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro.Co.pd.7/29/92	9.00 ✓

COMPLAINT IN DIVORCE

3 copies (atty)

Mar. 9, 1992 Proof of Service filed. I hereby certify that a true, correct, certified copy of the Complaint in Divorce in the above action was served upon the defendant, Melissa Mailliard by Certified Mail No.: P966070239, restricted delivery, addressee only, return receipt required, on March 5, 1992. Said receipt being attached hereto as Exhibit "A". Christopher J. Youngs

July 8, 1992 Affidavit of Consent of Plaintiff, filed.

July 24, 1992 Affidavit of Consent of Defendant, filed.

July 24, 1992 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Defendant, filed.

July 29, 1992 Upon Praecipe of Christopher J. Youngs, Esquire for Review Under §3301 (c) of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

August 10, 1992 AND NOW, Aug. 5, 1992, it is hereby ordered and decreed that CARL MAILLIARD, Plaintiff, and MELISSA MAILLIARD, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

216
B

1992

1992

N/W Legal Services
F. Christopher Brode

217.

Anna Belle Jones
for Smiths

PETERS, LINDSAY, LEWIS & GAGLIOTTI
Brian J. Lindsay for
Tina Moore, Defendant

DALE R. WEBSTER

vs.

TINA MOORE, DAVID M. SMITH and RUTH K. SMITH, his wife

Filed Mar. 4, 1992
@ 9:08 a.m.

Indigent filing
William Pineo Mediator 352.00

COMPLAINT FOR CUSTODY

3 copies (atty)

ORDER OF COURT: You, Tina moore, dft have been sued in court to obtain custody fo the minor male child born to you on Feb. 27, 1992, at Meadville Medical Center, Meadville, Pa.

You are ordered to appear in person at C. R. No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa on Mar. 6, 1992 for hearing before court.

The court further orders that the dft not leave the jurisdiction and not to remove the child from the jurisdiction.

If you fail toappear as provided by this order, an order for custody, partial custody or visitaiton may be entered against you or the court may issue a warrant for your arrest.

The Crawford County Sheriff's Dept. is directed to serve a copy (certified) of complaint and order upon the dft. In the alternative, this petition and order may be served by any competent adult or by cert. mail.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot affore one, go to or telephone the office set forth below to find out where you can get legal help: Court Administrator, Crawford County courthouse
Meadville, Pa. 16335 814 336-1151 ext. 298

3/4/92

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 4, 1992, Praecipe and Petition to Proceed In Forma Pauperis filed.

Mar. 6, 1992 Order filed. This matter is before the Court in this custody action in a rather peculiar state of facts. An unnamed male child was born to the Defendant on February 27, 1992. The Plaintiff is the natural father and is currently incarcerated in the Crawford County Jail.

Apparently when the Defendant and child were released from the Meadville Medical Center on March 1, 1992, the child was turned over to proposed adoptive parents who are believed to be known by the name of Mr. and Mrs. Smith and who are represented by Mercer County attorney, Annabel Jones.

Apparently there may have benn some effort to file an adoption proceeding in Mercer County but there has been no effort to involuntarily terminate the parental rights of the Plaintiff in this matter although at informal hearng this date the Defendant maintains that she and her Juvenile Probation Officer, Linda Stanton, spoke with the Plaintiff at the Crawford County Jail in January and advised him that she intended to place the child for adoption.

In filing this custody action, under the circumstances the Plaintiff requests the following immediate relief:

a. An order returning the child to Crawford County.

b. An order recognizing Crawford County as the county having jurisdiction over the child and not Mercer County.

c. An order requiring the immediate return of the child to the paternal grandmother, Hazel Webster.

d. An order authorizing the Crawford County Sheriff's Department and/or appropriate law enforcement agency to assist in the immediate transfer of the physical custody of said child to the paternal grandmother, Hazel Webster.

e. Reference of this matter to a custody mediator.

After hearing this day, the Court believes it is in the best interest of the child to enter followind order pending further litigation by the parties whether it be in this custody action or in a proposed adoption proceeding:

AND NOW, March 6, 1992, it is ordered as follows:

1. Crawford County has jurisdiction as follows:

2. This custody action is referred to william Pineo, Esquire, for custody mediation at his earliest convenience.

3. Under the circumstances of this case and due to the fact that Plaintiff intends to resist any effort to terminate his rights ot the child, and Court believes that it would not be in the best interest of the child to remain in the custody of the proposed adoptive parents and the Court does not believe a satisfactory alternative exists so the child is adjudicated dependent andis placed in the care of Children and Youth Services of crawford County for foster care placement. All parties shall cooperate in transferring physical custody of the child to Children and Youth Services of crawford County.

4. Kathleen Nelson, Esquire, is appointed guardian ad litem for the minor child.

BY THE COURT:
Anthony J. Vardaro, J

Mar. 6, 1992 copies given or mailed to all atty.s

Mar. 16, 1992 Contemp/Special Relief, filed.

Mar 16, 1992 ORDER filed. Re: Plaintiff's Petition for Contempt/Special Relief. ORDER: 1. Crawford County continues to retain jurisdiction with regard to the minor child.

2. All parties to this action as well as David Michael Smith, Ruth Emily Smith and Annabel Jones, Esq., shall cooperate fully in transferring physical custody of the minor child born to Tina Moore to Children and Youth Services of Crawford County and Children and Youth Services may use the services of the Crawford County Sheriff's Department or any other law enforcement agency it deems proper in obtaining immediate compliance with this order and the order of March 6, 1992.

3. Guardian ad litem, Kathleen Nelson, Esq., is authorized to consent to any medical treatment she deems appropriate with regard to the subject child.

4. A hearing is scheduled for the 24th day of March, 1992, at 9:00 A.M. in Courtroom No. 2 of the Crawfor dCounty Courthoue, Meadville, Crawford County, Pennsylvania, for the purposes of determining whether the Defendant is in contempt of the Court's order of March 6, 1992.

Date: March 16, 1992

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 16, 1992 copies given per Vickie

Record Continued on
Page 457.....

218

1992

pro se

218.

JEFF RANDALL BISHOP

vs.

MARILYN JEAN BISHOP

Filed Mar. 4, 1992
@ 9:40 a.m.

Indigent filing

COMPLAINT IN DIVORCE

Mar. 4, 1992, Affidavit and Motion for Order to Commence and Prosecute Proceedings in Forma Pauperis and order filed.

ORDER WAIVING FEES AND COSTS:

Based on the motion and affidavit o f plaintiff and courts questioning of plaintiff in open court, IT IS HEREBY ORDERED that all filing fees, service fees and court costs which may be incurred by palintiff in the within proceeding are hereby waived.

Dated this 4 day of March, 1992, Subject to the right of court to allocate costs in future if warranted.

Anthony J. Vardaro, Judge

Mar. 5, 1992 copy of order mailed to plff.

Mar. 12, 1998 Important Notice and Court Order filed.

Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 3/4/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998

Mar. 12, 1998 copies mailed by Court Administrator's Office

1992

219.

ORDER OF COURT OF COMMON PLEAS CRAWFORD COUNTY, TO SELECT JURORS

Filed Mar. 4, 1992
@ 10:30 a.m.

ORDER FOR 80 PERSONS TO COME AND SERVE AS JURORS COMMENCING APRIL 13, 1992

To the sheriff and Jury Commissioners of Crawford County: WE command you to draw from jury wheel in accordance with the law, the names of 80 persons to serve as Jurors in Court of Common Pleas, to be held at Court House in Meadville, Pa. commencing April 13, 1992 at 9:00 a.m.,
You the sheriff shall make appropriate return.
BY ORDER OF the HOn. Gordon R. Miller, Pres. Judge at Meadville this 4 dayof March 1992.
Barbara H. King, Pro.

Apr. 20, 1992 ORDER for 80 Jurors. I do hereby make return that I have summoned the 80 persons whose names appear on schedule hereto attached to serve as Jurors at a term of Court to be held at Meadville, Pa., commencing on April 13th, 1992.
So answers, Robert M. Stevens, Sheriff

220

1992

Kathleen R. Nelson

220.

Northwestern Legal Ser.
Gerarl Sullivan

Recd July 7, 1992
from Plaintiff
$75.00

Pd CC. Com 9-14-92
Ck# 7046 Mediation
75.00

JEFFREY D. SMITH

vs.

STEPHANIE L. SMITH

Filed Mar. 4, 1992
@ 10:40 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00
John Fuller, mediator 150.00
Pro Co pd 7-7-92 9.00

PETITION FOR CUSTODY

1 copy (atty)

Mar. 6, 1992 MOTION FOR APPOINTMENT OF CUSTODY MEDIATOR and ORDER filed. ORDER: AND NOW, March 6, 1992, John Fuller is hereby appointed Child Custody Mediator in the above-captioned matter. Anthony J. Vardaro, J.
Mar 10, 1992 copy in box for K. Nelson & J. Fuller

April 16, 1992 AFFIDAVIT OF SERVICE FILED. Fred Garvey, being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. The the Affiant is an adult individual, over the age of eighteen (18) years, and a citizen of the United States of America.

2. That he served a true and correct copy of the Petition for Custody upon Stephanie L. Smith by hand delivering same to her at her place of business at Campbells Studios in Cambridge Springs on April 8, 1992, at approximately 10:01 a.m.

FURTHER AFFIANT SAITH NOT.

Fred Garvy

June 17, 1992 ORDER filed. AND NOW, June 11, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jeffrey B. Smith shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions effecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Jeffrey D. Smith shall be with his mother, from Junel to September 1 each year, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custofy every Saturday FROM 9:30 a.m. on Saturday to 9:30 a.m. on Sunday, beginning June 13, 1992, and every Tuesday and Thursday evening from 6:45 p.m. to 8:45 p.m., beginning June 11, 1992.

III. Physical custody of Jeffrey D. Smith shall be with his father from September 1 to June 1, each year; subject to the following conditions:

A. The mother shall be entitled to visit and take the child into her custody the first 3 full weekends of each month from 5:00 p.m. on Friday to 5:00 p.m. on Sunday and every Tuesday and Thursday evening from 4:00 p.m. to 8:00 p.m.

IV. Holidays shall be defined as Christmas, Easter, and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the father on the aforesaid holidays until 1:00 p.m. and in the custody of the mother on the aforesaid holidays from 1:00 p.m. until 8:00 p.m.

V. Transportation of the child on weekends, weeknights and holidays shall be provided as follows: The parent receiving custody shall provide transportation.

VI. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

VII. Neither mother nor father shall expose the child to any person or situation which maybe harmful to the child's health or well being.

VIII. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephoen number.

IX. This order is a temporary order but shall become a premanent order unless exceptions thereto are filed by either party within thirty days of the date hereof.

X. Cost of the m ediation conference will be divided as follows: one-half of the cost thereof being paid by the father and the remaining one-half to be paid by Crawford County.

Anthony J. Vardaro, J.

June 23, 1992 copy in box for K. Nelson, G. Sullivan, J. Fuller, mailed copy to Plf. & Dft.

1992

Feeman and Mesics
Robert W. Feeman

221.

AGWAY, INC. A DELAWARE CORPORATION

vs.

CARL T. WILLIAMS AND DARLYNE T. WILLIAMS, HUSBAND AND WIFE

Filed Mar. 4, 1992
@ 1:00 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	54.00
Pro Co pd 4/22/92	9.00

COMPLAINT

2 copies (sheriff)

March 23, 1992 Sheriff's Return filed. SERVED CArl T. Williams personally on March 13, 1992 at 3:45 PM in the Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.

SERVED Darlyne T. Williams personally on March 13, 1992 at 3:46 PM in the Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.

So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Apr. 22, 1992 @ 1:58 pm upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the damages are assessed at the sum of Five Thousand Two Hundred Twenty-five and 44/100 plus interest, and cost of suit.

W-201-215 Debt $,5225.44
judgment entered 4/22/92 Judgment
notice of entry mailed 4/30/92 Barbara H. Kings
Prothonotary

EX 1992-49

1992

Barbara J. Walton

222.

SHIRLEY JEAN QUICK

vs.

DENNIS JOSEPH QUICK

Filed Mar. 4, 1992
@ 2:11 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
State paid	10.00
Pro Co pd 3/12/92	9.00 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 4, 1992, Affidavit Under Section 3301(d) of the Divorce code filed. 1 copy (atty)

Mar. 12, 1992 Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Mar. 12, 1992 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Mar. 18, 1992 AFFIDAVIT OF SERVICE filed. A true and correct copy of the Complaint and 3301(d) affidavit filed in the above-captioned matter was served upon the Defendant, Dennis J. Quick, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on March 6, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P. 253 783 780) attached hereto.

Barbara J. Walton

Mar. 18, 1992 AFFIDAVIT OF SERVICE filed. A true and correct copy of the Praecipe to Transmit Record filed in the above-captioned matter was served upon the Defendant, Dennis J. Quick, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on March 16, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 253 783 793) attached hereto.

Barbara J. Walton

March 18, 1992 MEMORANDUM filed. This matter is before the Court on Plaintiff's praecipe to transmit record requesting the entry of a divorce decree pursuant to Section 3301(d) of the Divorce Code. The record is now returned to the Prothonotary for further proceedings consistent with this Memorandum.

1. Return of Service. The record does not include a return of service of any nature. The praecipe to transmit record would indicate that the complaint and the Plaintiff's affidavit were served by certified mail, restricted delivery, on March 6, 1992. If that is the case, an affidavit indicating service pursuant to Pa. R.C.P. 405(d) should be filed with respect to both the complaint and the Plaintiff's affidavit.

2. Notice of Intention to Request Entry of Divorce Decree. Pa. R.C.P. 1920.42(c) (1) states that:

"No decree shall be entered by the Court under Section 3301(d) (1)(i) of the Divorce Code unelss a notice of intention to request entry of divorce decree, substantially in the form prescribed by Rule 1920.73(a) was mailed or delivered at least 20 days prior to the date of the filing of the praecipe to transmit the record, to the attorney of record of the party against whom the decree is to be entered or, if there is no attorney of record, to the party. A copy of the notice shall be attached to the praecipe which shall state the date and manner of service of the notice."

Additionally, Pa. R.C.P. 1920.42(c)(2) requires that attached to such notice there be a counter-affidavit substantially in the form set forth in Pa. R.C.P. 1920.72(d) if there is no attorney of record.

In this case, there is attached to the praecipe a copy of a counter-affidavit, signed by the Defendant on March 6, 1992 indicating that he does not object to entry of the divorce decree but there is no indication that the required notice of intention to request entry of divorce decree was ever sent to the Defendant with the counter-affidavit.

Once both of those items have been properly sent to the Defendant, the praecipe to transmit record may indicate the date and manner of service of the notice (Pa. R.C.P. 1920.42(c)(2).

The other problem is that the praecipe to transmit record was filed on March 12, 1992 and a praecipe cannot be filed until at least 20 days have expired from the date of the notice of intention to request entry of divorce decree has been mailed or delivered to the Defendant.

Additionally, the Court would note that because there is no attorney for the Defendant the proper form of the notice of intention to request entry of divorce decree is the form set forth in Pa. R.C.P. 1920.73(a)(2).

BY THE COURT:
Anthony J. Vardaro, J.

March 18, 1992 Copy of Order given to Atty.Barbara Walton.

April 3, 1992 Upon Praecipe of Plaintiff attorney for Review under Section 201(d) of Divorce Code this case moved to Court.

Apr. 10, 1992 Memorandum filed. This matter is again before the Court on Plaintiff's Praecipe to transmit record requesting the entry of a d ivorce decree purusant to Section 3301(d) of the Divorce Code. The record is again returned to the Prothonotary for further proceedings consistent with this Memorandum.

It appear that the Plaintif fhas now cimplied with Paragraph 1 of the previous Memorandum in that a return of service ha snow been filed evidencing tha tthe Complaint and 3301(d) Affidavit was served on the Defnedna ton March 6, 1992.

However, the Plaintiff has still not complied with Paragraph 2 of the Memorandum and the divorce cannot be granted at this time.

More specifically, instead of sending a notice of intention to reques tthe entry of a divorce decree pursuant to Pa. R.C.P. 1920.42(c)(1), the Plaintiff apparently just served a copy of the praecipe to transmit record onthe defendant on March 16, 1992.

As was quoted in the previous Memorandum, that rule will not allow a divorce decree to be entered under Section 3301(d)(1)(i) of the Divorce Code unless a notice of intention to request entry of divorce decree substantially in the form presecibed by Pa. R.C.P. 1920.73(a) was mailed or delivered at least twenty days prior to the date of filing of the praecipe to transmit record.

That still must be done and this matter cannot be praeciped until 20 days after that has occurred.

The Court would again note as we did in the last paragraph of our previous Memorandum the proper form since the Defendant does not have an attorney is that in Pa. R.C.P. 1920.73(a)(2) and when tha tis served there must be a Counter-Affidavit substantially in the form set forthin Pa. R.C.P. 1920.72(d) attached.

Then when the praecipe to transmit record is filed, a copy of the notices shall be attached to the praecipe and the praecipe shall stat the date and manner of service of the notice as required by Pa. R.C.P. 1920.42(c)(1).

BY THE COURT,
Anthony J. Vardaro, J

Apr. 14, 1992 Copy of order put in box for Atty. Walton

April 20, 1992 Affidavit of Service of Notice of Intention to Request Entry of Decree fo;ed/

May 6, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 14, 1992 AND NOW, May 13, 1992, it is hereby ordered and decreed that Shirley J. Quick, Plaintiff, and Dennis J. Quick, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

223.

R. Charles Thomas

DOMESTIC RELATIONS SECTION
CRAWFORD COUNTY

vs.

CAROL A. BAILEY

Filed Mar. 4, 1992
@ 2:42 p.m.

Tax & entry paid $50.25 ✓
state paid 5.00

APPEAL OF DEFENDANT FROM JUDGMENT OF 30-2-01

Mar. 4, 1992, Rule entered upon plaintiff to file complaint issued.

Mar 6, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

224

1992

David W. Pickens

224.

JOSEPH S. BADAGLIACCA

vs.

DUANE JINDRA AND MARGARET JINDRA

Filed Mar. 4, 1992
@ 3:07 p.m..

Pro King paid $15.00 ✓
plff on orig 9.25

WRIT OF REVIVAL

of

DSB 1987- 152

Revial of Judgment indexed in favor of plaintiff and against the defendants in the sum of Two Thousand Twenty One and 50/100 Dollars with interest form Mar. 4, 1987.

Debt -------$2,021.50

INt. from Mar. 4, 1987

J - 43, 113 JUDGMENT REVIVAL
Barbara King, Pro

Issued (sheriff)

April 24, 1992 SHERIFF's RETURN FILED. Writ returned to Prothonotary unserved April 24, 1992. No instructions or advance costs received by Sheriff's Office.

So answers,

Robert M. Stevens, Sheriff

1992

Paul E. Allen
Allen and Hall

225.

DARLENE R. SWAB

vs.

DENNIS C. SWAB

Filed Mar. 5 1992
@ 9:03 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 9-22-92	9.00
Pro.Co. pd. 10/9/92	5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

2 copies (atty)

June 15, 1992 Praecipe for Reinstatement of Complaint filed by Paul E. Allen, Esq. for Plaintiff.

Sept. 3, 1992, Acceptance of Ser vice filed. I, the undersigned defendant in the above captioned divorce action, hereby accept service ofthe complaint in divorce.
Date: 6/15/92 Dennis C. Swab.

Sept. 22, 1992 Affidavit of Consent of Plaintiff, filed.

Sept. 22, 1992 Affidavit of Consent of Defendant, filed.

Sept. 22, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 30, 1992 AND NOW, September 28, 1992, it is hereby ordered and decreed that **DARLENE R. SWAB**, Plaintiff, and **DENNIS C. SWAB**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 9, 1992 Notice of Election to Retake Maiden Name of DARLENE R. SWAB, to be known as DARLENE R. SPOTTS, filed.

1992

Tamera Ochs Rothschild
Mahany, Roeder and
Rochschild

226.

ROBERT J. NOTZ

vs.

GWEN L. NOTZ

Filed Mar. 5, 1992
@ 11:42 a.m.

Tax & entry paid $50.50
state paid 5.00
Pro.Co. pd 5/26/92 9.00

PETITION FOR ENTRY OF AGREEMENT

ORDER:

AND NOW, March 5, 1992, upon consideration ofthe foregoing Petition and Agreement for Custody between the parties, itis ORDERED AND DECREED that;

1. The parties shall share legal custody of Amanda Lynn Notz and Samantha Jo Notz. Shared legal custody shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall entitle both parents to equal input with regard tothe educational and religious upbringing of the children, as well as elective surgery.

2. Petitioner shall continue to have primary physical custody of the minor children at his residence, subject to respondent's shared physical custody rights. Petitioner presently resides at 120 E. Main st. Apt. 6, Titusville, Pa. 16354. Respondent presently resides at 217 ½ N. Monroe St, Titusville, Pa. 16354.

3. Respondent shall have physical custody fothe minor children on a regular basis according to the following schedule.

A. Mother shall, at a minimum, retain custody of both minor children at least one (1) weekend per minth to commence Mar. 1992. A "weekend" shall be defined as Friday at 6;00 p.,. thru sun. at 6;00 p.m.

1. One (1) week notice of weekend visitation by mother shall be directed by mother to father.

2, It shall be the responsibility of the mother to pick up and return the children or designate another responsible adult to do so.

3. If the mother is unable to arrive by 6:00 p.m.Friday, she agrees to notify the father and make alternative arrangements.

4. If the mother is unable to make arrangements to see the children on a scheduled weekend, she shall notify the father by 9:00 a.m. the Wed. preceding the shceduled weekend.

5. If the weekend custodial parent does not arrive within one hour of the specified time without prior notice and alternative arrangements having been made, he or she relinquishes visitation.

B. The major holidays are defined as Easter, Memorial Day, Independence Daty, Labor Day, Thanksgiving, Christman, New Year's Day, Mother's Day and Father's Day. The holiday visitation periods shall begin at 6;00 p.m. the day preceding the holiday and end at 7;)0 p.m. on the holiday. The father shall have the children for visitation on Easter and the parties shall thereafter alternate the periods.

1. The father shall have custody fo the children every Father's Day and the mother shall have custody ofthe children every Mother's Day.

2. The provisions of this paragraph shall take precedence over the other provisions of this Agreement regarding the custodial and visitation periods.

6. The party having custody ofthe children shall notify the other parent as soon as possible in the event of illness or injuryrequiring medical treatment.

7. Neither party shall take the children into any environment which maight be commonly thought of as detrimental to his development or the development of his character, or which would be commonly thought of as dangerous to his physical safety.

8. The parties will allow the chidren to develop the live and respect a child is entitled to have for a parent and neither of the parents will do anything to blacken the characher of the other parent inthe eyes of the child.

BY THE COURT,
Gordon R. Miller, J.

2 copies
(atty)

May 14, 1992 MOTION FOR ENTRY OF MODIFIED CUSTODY AGREEMENT AS COURT ORDER FILED. AND NOW, May 12, 1992, upon consideration of the foregoing Petition and Agreement for Custody between the parties it is ORDERED and DECREED that:

1. The parties shall share legal custody of Amanda Lynn Notz and Samantha Jo Notz. Shared legal custody shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as elective surgery.

2. Gwen L. Notz shall have primary physical custody of both minor children at her place of residence, subject to Robert J. Notz's shared physical custody rights.

3. Movant shall have physical custody of the minor children on a regular basis according to the following schedule:

A. Father shall retain custody of both minor children on alternating weekends to commence May 8, 1992. A "weekend" shall be defined as Friday at 6:00 p.m. through Sunday at 6:00 p.m.

(1) It shall be the responsibility of the father to pick up and return the children or designate another responsible adult to do so.

(2) If the father is unable to arrive by 6:00 p.m. Friday, he agrees to notify the mother and make alternative arrangements.

(3) If the father is unable to make arrangements to see the children on a scheduled weekend, he shall notify the mother by 9:00 a.m. the Wednesday preceding the scheduled weekend.

(4) If the weekend custodial parent does not arrive within one hour of the specified time without prior notice and alternative arrangements having been made, he or she relingquishes visitation.

B. Father shall retain custody of both minor children every Wednesday of each week beginning May 13, 1992 from 6:00 p.m. to 9:00 p.m.

(1) It shall be the responsibility of the father to pick up and return the children or designate another responsible adult to do so.

(2) If the father is unable to arrive by 6:00 P.m. Wednesday, he agrees to notify the mother and make alternative arrangements.

(3) If the father is unable to make arrangements to see the children on a Wednesday, he shall notify the mother by 9:00 a.m. onTuesday of that week.

(4) If the father does not arrive within one hour of the specified time without prior notice and alternative arrangements having been made, he or she relinquishes visitation.

Continued of Record to Page 462

1992

Lawrence Bolla

227.

MARINE BANK

vs.

BARBARA B. JOHNSON

Filed Mar. 5, 1992
@ 11:51 a.m.

Pro King paid	$15.00 ✓
plff on orig	69.50
Sheriff's Costs	26.00
Pro Co. pd. 4/29/92	9.00 ✓

WRIT OF REVIVAL

of

AD 1990 - 491

Writ of Revival of Judgment indexed in favor of plaintiff and against the defendant in the sum of Eight Thousand Eight Hundred Seventy Nine and 50/100 Dolalrs, with interest from May 11, 1990 at rate of 13.5% and costs of action.

Debt ------$8,879.50
Int. from May 11, 1990
J - 216 JUDGMENT REVIVAL
Barbara King,
Prothonotary

Issued (sheriff)

Mar. 17, 1992 SHERIFF'S RETURN filed. SERVED Barbara B. Johnson by Certified Mail on March 12, 1992 at her last known address, 914 70th Drive E., Sarosota, Fla. 34243. Signed receipt attached.
So answers, Robert M. Stevens, Sheriff

April 29, 1992, 2:50 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of plaintiff and against Defendant per Writ of Revival in the amount of Eight Thousand eight hundred seventy-nine and 50/100 Dollars, plus interest from May 11, 1990, and the costs of this action, interest bearing rate of 13.25%.

J-216
Judgment entered 4/29/92

Debt $8,879.50
Interest from May 11, 1990
Judgment
Barbara H. King, Pro.

May 7, 1992 Notice of entry mailed to defendant.

Revived To:
AD 1996-118

Gregory A. Keenan
Thomas, Truax, spada-
fore and Walker

228.

ROBERT W. COWAN AND KATHLEEN M. COWAN, HIS WIFE

vs.

ELLA M. CURRY, EVELYN V. KLINGENSMITH, GERTRUDE R. BOZIC, PETER TREFILETTI, a/k/a PIETRO TREFILETTI, DR. J. A. MANCUSO, EXECUTOR OF THE ESTATE OF PETER TREFILETTI, DOROTHY M. ISHERWOOD, ANNIE TREFILETTI PEELMAN, MARY TREFIKETTI TURNER, JENNIE TREFILETTI DAVIS, NICK TREFILETTI, SAM TREFILETTI, PETER TREFILETTI, JR., THOMAS N. TREFILETTI, CARMELLA TREFILETTI DIVIDIO, ANTHONY J. DIVIDIO, SR., a/k/a ANTHONY J. DIVIDIO, AND ANTHONY J. DIVIDIO, JR. THEIR PERSONAL REPRESENTA-TIVES, HEIRS AND ASSIGNS,

Filed Mar. 6, 1992
@ 8:52 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00
Pro.Co. pd 1/27/93 9.00 ✓

COMPLAINT IN ACTION TO QUIET TITLE

March 24, 1992 Affidavit of Plaintiff filed.

Mar. 25, 1992 Motion for Leave to Serve by Publication, filed.

Mar. 25, 1992 Order filed. AND NOW, this 25th day of March, 1992 upon Motion of Gregory A. Keenan, Esquire, attorney for Plaintiffs in the above captioned matter, leave is hereby granted to serve all Defendants, their personal representa-tives, heirs and assigns, not found, generally, by publication of a notice of the facts set forth in the Complaint in the Meadville Tribune, a newspaper of general circulation and the Crawford County Legal Journal one time and requiring the said Defendants to plead within twenty days from the last date of publication thereof.

The Plaintiffs shall be required to serve all known Defendants personally pursuant to the appropriate Rule or Rules of Civil Procedure in addition to the published notice. BY THE COURT:
Anthony J. Vardaro, J.

Mar. 26, 1992 copy in box for G. Keenan

Aug. 18, 1992 Motion For Judgment and Order filed. AND NOW, this 17 day of August, 1992, upon presentation of the foregoing Motion and due consideration thereof, it is hereby ordered and decreed that the Defendant, Ella M. Curry, Evelyn V. Klingensmith, Gertrude R. Bozic, Peter Trefiletti, a/k/a Pietro Trefiletti, Dr. J. A. Mancuso, Executor of the Estate of Peter Trefiletti, Dorothy M. Isherwood, Annie Trefiletti Peelman, Mary Trefiletti Turner, Jennie Trefiletti Davis, Nich Trefiletti, Sam Trefiletti, Peter Trefeiletti, Jr., Thomas N. Trefiletti, Carmella Trefiletti Dividio, Anthony J. Dividio and Anthony J. Dividio, Jr., and their respective heirs, personally representatives and assigns, are forever barred form asserting any rights, title, lien or interest inconsisten with the claim of the Plaintiffs to the land herien descrived, to-wit:

ALL that certain piece or parcel of land situate in the Third Ward of the City of Meadville at 1111 Park Avenue and being bounded and described as follows:

On the North by land now or formerly of F. Kebert; on the East by a lot now or formerly of Pio DeSantis and wife; on the South by land now or formerly of C. Diante; and on the West by Park Avenue, having a frontage on Park avenue of forty (40) feet, mor eor less, and extending eastwardly at a uniform width one hundred thirty-nine (139) feet, more or less, having erected thereon a brick dwelling.

Defendants are further barred form in any way attacking the title of the Plaintiffs in siad property, from issuing or continuing any ac tion and taxing the same and from encumbering, mortgaging, or conveying the same or any part thereof, unless the Defendants, their heirs and assigns, take such action as is herein directed within thirty (30) days after the entry of this judgment. It is further ordered and decreed that if no petition to open this judgment or satisfy this decree is presented by the Defendants, their heirs and assigns, within thirty (30) days from and after the entry of this decree, same shall be final. If such action is not taken within said thrity-day period, the Prothonotary shall entry judgment.

Per Curiam,
anthony J. Vardaro

Aug. 20, 1992 Copy of order put in box for Atty. Keenan

And Now, Jan. 27, 1993 upon Praecipe of Plaintiff's Attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants,pursuant to the foregoing Order of Court.

FINAL JUDGMENT
Barbara H. King
Prothonotary

"C-54,K-51,B-26,T-134, M-93,
I-44, P-11, T-114, D-205, T-124,
T-154, T-134, D-36, D-16"

1992

Paul J. Carney Jr.

229.

BENEFICIAL CONSUMER
DISCOUNT COMPANY

vs.

JAMES L. STINE AND
FRANCES E. STINE, HIS WIFE

Filed Mar. 6, 1992
@ 10:21 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	42.00
Pro Co. pd 3/31/92	9.00

COMPLAINT

3 copies (sheriff)

Mar. 16, 1992 SHERIFF'S RETURN filed. SERVED James L. Stine perrsonally on March 9, 1992 at 12:01 PM by handing him a copy of the Complaint at his residence, R.D. 3, Box 39 F, Spartansburg, Crawford County, Pa. 16434

SERVED Frances E. Stine on March 9, 1992 at 12:02 PM by handing a copy of the Complaint to James L. Stine, her husband, at their residence, R.D. 3, Box 39 F, Spartansburg, Crawford County, Pa. 16434.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

March 31, 1992 Notice and Certificate of Mailing of Default judgment filed.

March 31, 1992, 12:56 p.m., AND NOW upon Praecipe of Plaintiff attorney, with copy of Notice of intention to file default judgment attached, judgment is hereby entered in favor of plaintiff and against defendant for failure to file an answer and damages are assessed as follows:

S-95,65 Debt $7,992.07
Judgment entered 3/31/92 Judgment
Barbara H. King, Pro.

EX1992-37

1992

Quinn, Buseck,
Leemhuis, Toohey
and Kroto, Inc.
Lawrence C. Bolla

230.

MARINE BANK

vs.

BERNARD R. WAGNER AND
PATRICIA J. WAGNER

Filed Mar. 6, 1992
@ 11:17 a.m.

Tax & entry paid	$50.50
state paid	5.00
sheriffs costs	31.00
Pro Co. pd. 4/16/92	9.00
Pro Co. pd 8/18/92	5.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Mar. 16, 1992, Sheriffs Return filed. SERVED Bernard R. Wagner personally on Mar. 9, 1992 at 9:53 a.m. by handing to him a copy of the complaint at his residence, R. D. #6, Franklin Pike, Meadville, Crawford County, Pa.

SERVED Patricia Wagner on Mar. 9, 1992, at 9:54 a.m. by handing a copy of the complaint to Bernard R. Wagner, adult in charge at the residence, R. D. #6, Franklin Pike, Meadville, Crawford County, Pa.

So answers, Dale A. Collins, Dep Sheriff
Robert M. Stevens, Sheriff

April 16, 1992, 1:35 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed in the sum of Twelve Thousand three hundred ninety-six and 40/100 plus interest from March 2, 1992 and all costs for failure to answer or otherwise plead, plus late charges, reimbursement for all expenses, enter against all defendants.

W-23,133
Judgment entered 4/16/92

Debt $12,396.40
Judgment
Barbara H. King, Pro.

April 27, 1992 Notice of entry of judgment mailed to defendant.

EX1992-54

August 18, 1992 Upon Praecipe of plaintiff attorney the above case marked satisfied of record.

1992

Voorhies, Rowley,
Wallace, Keck & Karson
Warren R. Keck, III

231.

ROGER A. BATES

vs.

LEIGH ANNETTE BATES

Filed Mar. 6, 1992
@ 11:48 a.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro.Co. pd 10/7/92	9.00

COMPLAINT UNDER SECTION 3301(c) OF DIVORCE CODE

Oct. 7, 1992 GEneral Appearance and Service of the Original Complaint by Leigh Annette Bates, Defendant, filed.
Oct. 7, 1992 Praecipe to Reinstate Complaint filed.
Oct.7, 1992 Affidavit of Consent by Leigh A. BAtes, Defendant, filed.
Oct. 7, 1992 Affidavit of Consent of Roger A. Bates,Plaintiff, filed.
Oct.7, 1992 Upon Praecipe of Plaintiff's Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

October 15, 1992 AND NOW, October 15, 1992, it is hereby ordered and decreed that **ROGER A. BATES,** Plaintiff and **LEIGHT ANNETTE BATES,** Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

232.

1992

Joseph C. Barnhart

232.

MARTHA WANZER

vs.

HENRY L. WANZER

Filed Mar. 6, 1992
@ 1:14 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro. Co. pd 8/14/92	9.00

COMPLAINT IN DIVORCE

Mar. 19, 1992, Acceptance of Service filed. I, Henry L. Wanzer, do hereby acknowledge that I have this date received a true and correct copy of a compalint in divorce as filed in the above captioned matter.
Dated: 3/12/92 Henry L. Wanzer.

July 24, 1992 AFFIDAVIT OF CONSENT OF DEFENDANT, filed.

July 24, 1992 AFFIDAVIT OF CONSENT OF PLAINTIFF, filed.

Aug. 14, 1992 Upon Praecipe of Joseph C. Barnhart, Esquire, Attorney for Plaintiff, to Transmit Record, case moved to Court.

DIVORCE DECREE FILED

August 19, 1992 AND NOW, this 18th day of August, 1992, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Upon consideration of the pleadings and Affidavits filed in the above-captioned matter, the Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed form the date of the filing of the Complaint, and an Affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to §3301(c) of the Pennsylvania Divorce Code.

2. No other matters or causes of actions provided under the Pennsylvania Divorce Code of 1980, as amended, are reserved by either of the parties.

BY THE COURT:
Gordon R. Miller, J.

1992

232A.

BEVERLY K. SIEG

vs.

MICHAEL D. HARVEY

Filed Mar. 6, 1992
@ 2:57 p.m.

Tax & entry Pd 4-1-92 $50.50 ✓
state Pd 4-1-92 5.00
Sheriff's Costs Pd. 4-1-92 25.00
Prw Co Pd 4-1-92 9.00 ✓

Received from Defendant 4-1-92 Sheriffs Costs $25.00

Paid Sheriff 4-1-92 Check # A D 1992-232A Chk # 6746 $25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 6 day of March, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
Defendant shall not contact plaintiff in any way. He shall move from Lot 48. That lot shall be the sole possession and property of plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 16, 1992 at 3:30 p. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. MIller, J.

Mar. 9, 1992 SHERIFF'S RETURN filed. SERVED Michael D. Harvey personally on March 6, 1992 at 4:00 PM by handing him a copy of the Protection from Abuse at his residence, Lot 48, Asbury Manor West, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 18, 1992 ORDER filed. AND NOW, March 16, 1992, at the time fixed for hearing in this matter, both parties appeared without counsel. The Court explainted the proceedings to the Defendant. He agreed that fhe committed the act set forth in the petition and is willing to have an Order entered against him and is further willing to seek counseling for alcohol and/or drug problems so that this sort of thing does not happen again.

Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of her minor children.
2. Since the parties are still reasonably friendly, we are not now entering any Order prohibiting him from going to her home or residence or from contacting her in a civil, non-abusive way, if she is willing to have that contact.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
4. A copy of this Order shall be delivered by the Prothonotary to County Control and to the Meadville Police Department.
5. This Order shall remain in full force and effect for six (6) months from this date or until Sept. 15, 1992 unless modified or terminated by further Order of Court.

The parties are advised that if they get back together that they may want to seek a termination of this Order. In the event that the Defendant continues to be abusive, the Plaintiff may file another petition or motion asking for this Order to be extended after a hearing.

6. The Defendant shall pay court costs in the amount of $89.50 by paying one-half (1/2) thereof this date and the balance no later than Tuesday, March 31, 1992. Payment shall be made to the Prothonotary's Office.
7. The Defendant is reminded that his is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Mar. 18, 1992 copy given to County Control. Mar. 23, 1992 copy mailed to Plf., Dft. & Mdvl. Police Dept.

June 24, 1992 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order filed. You are hereby ORDERED to appear for hearing on: June 26, 1992 at 11:30 A.M. Place: Court Room 1 or 2. William S. Chisholm, District Justice
June 24, 1992 Copy of Order to Beverly K. Sieg

June 25, 1992 Motion to Continue Abuse Hearing and ORDER filed. ORDER: And now, June 25, 1992 hearing reset for july 2, 1992, at 3:30 p.m. in Courtroom 1. For the Corut,
Imogene Yetman, Crt. Adm.
June 25, 1992 copies distributed by Crt. Adm.

July 13, 1992 ORDER filed. AND NOW, July 2, 1992 at the time fixed for hearing on a complaint for indirect criminal contempt for violation of a Protection from Abuse order, Plaintiff appeared with counsel. The Defendant appeared without counsel, and was advised as to the nature of the proceedings and he indicted that he understood them. He was advised of his right to counsel of his own choice and free counsel through the Public Defender's Office if he could not afford it, and he understood that. He waived his right to counsel and agreed to proceed without counsel. The Court explained that the Plaintiff had the burden of proof and the Defendant had no burdens and no responsibilities to present any evidence. The Defendant understood that and admitted that he engaged in the conduct set forth in the complaint.

Record Continued
To Page 232 (B).....

BEVERLY K. SIEG
VS.
MICHAEL D. HARVEY

RECORD CONTINUED FROM PAGE 232 (A)
OF
AD 1992 - 232 A

****

The Court therefore finds as a fact that the Defendant has violated the Protection from Abuse order of March 16, 1992 and accordingly, holds him in contempt of court.

As punishment for this contempt, the Court orders that the Defendant pay the costs of these proceedings, pay attorney's fees to Joan D. Mason, esq., attorney for the Plaintiff in the amount of $300 no later than November 1, 1992, and shall undergo imprisonment in the Crawford County Jail for a minimum term of 30 days and a maximum term of 6 months, with credit for time served from June 23, 1992.

The Defendant shall be automatically entitled to parole at the expiration of his minimum sentence without any further court proceedings, provided his jail conduct is good. If his jail conduct is not good, then the Warden shall not release him until such time as there is a further court order. Release in that event shall not take place until after the Defendant has filed a petition for release and parole, and the Court has held a hearing thereon.

As further punishment for contempt and to provide additional and continuous protection from abuse, it is ordered as follows:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or her minor chidlren.
2. The Defendant shall not go to the Plaintif's place of residence or her place of employment.
3. The Defendant shall not contact the Plaintiff in any way except, with her approval, in writing in a non-abusuve, non-threatening manner. Both parties are advised that the Plaintiff shall not invite the Defendant to have contact by any other means and the Defendant is cautioned that even if the Plaintiff does invite contact, he should not accept that contact because by doing so, it will be he who is violating this court order, not the Plaintiff.
4. In order for the Defendant to contact the Plaintiff, it will be necessary to one or both parties to petition the Court for an amendment, modification, or termination of this order.
5. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this order shall be delivered by the Prothonotary to the Meadville City Police Department and to County Control.
7. This order shall remain in full force and effect for one year from this date; that is, until July 1, 1992, unless modified or terminated by further order of court.
8. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
9. As a further contempt condition, the Court reserves the right to impose additional penalties on the Defendant if he violates this order.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

July 13, 1992 Copy of Order given to County Control; July 16, 1992 Copy of Order to Attys. Joan Mason, Meadville City Police Dept., copy mailed to deft.

Sept. 10, 1992 NOTICE OF ASSIGNMENT OF HEARING DATE, filed. Sept. 10, 1992: Hearing in the above captioned matter has been shceduled for Sept. 15, 1992, at 3:30 p.m. in Courtroom 1 or 2.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

Sept. 10, 1992: copies delivered by Crt. Adm. to Plf, Ddt, Sheriff, J. Mason, Cr. Co. Jail. Pro's Off gave copy to Co. Ctrl.

sept. 17, 1992 Order filed: AND NOW, September 15, 1992, this matter is once again before the Court on an allegation of indirect contempt of a Protection from Abuse Order of March 16, 1992. Previously, Judge Gorodn R. Miller has found the Defendnat in contempt and on July 2, 1992 entered an order with respect to that contempt.

The parties appear represented by counsel and the Court conducts an informal hearing.

It appearins that the Defendant admits the allegations that would constitute a technical violation of numbered paragraph 3 of Judge Miller's o;rder of July 2, 1992 but the court declines to find the Defendant in contempt at this time and defers decisions under the following terms and condtions:

1. The Defendant shall be subject to the orders of March 16, 1992 and July 2, 1992 and all the terms of those orders.
2. As indicated in the order of July 22, 1992 even if invited to the premises of the Plaintiff, the Defendant shall not go to that premise and shall be in immediate violation of this order if he does go there. If he violates the order of July 2, 1992 or the order of March 16, 1992 in that manner or any other manner, this hearing shall be rescheduled for the court to determine whether he is in contempt not only based on any new action on his part, but also based on what has happened to bring this matter before the Court this day.
3. If the Defendant does not commit any further action of contempt with respect to these orders for a period of six months from this date, then this action shall be d ismissed without further action although he shall still be subject to the terms and conditons of the March 16, 1992 order an dthe July 2, 1992 order.
4. A copy of this order shall be provided by the Prothonotary to the Meadville City Police Department and to County control.
5. by agreement of the parties, wihtin a period of then days form this date, the Plaintiff will arrange for someone to deliver the Defendatn's personal effects to his parents home.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Sept. 17, 1992 Copies maield to MCPD and copies put in box for Atty's Mason, Keenan and County control

Jan. 12, 1993Complaint for Indirect Criminal Contempt for Violationof Protection From Abuse Order filed.

Jan. 12, 1993 Notice of Assignement of Hearing date filed. Jan.12, 1993: Hearing in the above captioned matter has been scheduled for January 18, 1993, at 3:30 P.M., in Courtroom 2.

FOR THE COURT,
Imogene Yetman, Court Administrator

Jan. 12, 1993 Copy of Order distributed to the following by Ct. Administrator: Defendant (At Jail) Plaintiff (Lot #48 Asbury Manor (West), Meadville, PA 16335, Sheriff, Joan D. Mason, Esq. for Plaintiff and Gregory A. Keenan, Esq. for Defendant.

Jan. 20, 1993 ORDER filed. AND NOW, Jan. 18, 1993 this matter is again before the Court on an allegation of indirect contempt of a Protection from Abuse order of March 16, 1992. Previously, on July 2, 1992 Judge Gordon R. Miller found the Defendant in contempt and entered an order with respect to that contempt.

We reviewed this matter on another allegation of indirect contempt on Sept. 15, 1992 and entered an order.

It appears that this is a continuing problem in that the parties seem to have a relationship that continues to be ongoing and at times quite bitter while at other times it appears that they continue to see one another.

In an effort to keep the courts out of this matter, our order of Sept. 15, 1992 and paragraph #2 specifically advised the Defendant that he would be in contempt of this order immediately even if he just went to the premises of the Plaintiff upon her invitation. Nonetheless, he admits at th is time with his counsel present that he was once again at her residence, in his opinion with her consent, and in her opinion, without her consent.

The informal testimony does indicate that the parties have been back together on and off since the last order, including apparently when the Plaintiff went to South Carolina to bring the Defendant back after he was arrested for driving under the influence in that state sometime around December 9 or 10 of 1992.

The Court is not totally convinced that incarcerating the Defendant for a long period of time is going to solve the problems, other than the fact that he will n ot be on the streets for these two persons to get back together and accordingly, we find him in contempt once again, and sentence him to ukndergo imprisonment in the Crawford County Jail for a period of 30 days beginning January 10, 1993.

During that period of time, he through his mother and father or through his counsel shall arrange for a mental health evaluation which shall take place within 5 days of the date of his release from incarceration unless it cand be arranged prior to his release from the Crawford County Jail, at which time he may be released for the sole prupose of attending that evaluation.

CONTINUED ON PAGE 232 C

BEVERLY K. SIEG
VS.
MICHAEL D. HARVEY

CONTINUED FROM PAGE 232B
of Record
A.D. 1992 - 232A

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Thereafter, he shall attend any counseling required by the appropriate mental agencies to deal with an apparent infaturation with the Plaintiff and shall not discontinue such counseling without the permission of those agencies or else be considered in contempt of this order.

The Work Release Coordinator for Crawford County is directed to contact C & J Industries to determine whether the Defendant has a j ob evailable at this time, and if so, with the permission of the Work Release Coordinator he is granted work release privileges during the period of his incarceration.

The previous orders entered in this matter, including the order of Sept. 15, 1992; March 16, 1992, and July 2, 1992 shall remain in full force and effect, and the Defendant is strongly advised that if he returns before this Court on another indirect contempt petition of a similar nature, that he can expect that he will be incarcerated for the maximum period of 6 months allowable by law.

BY ORDER OF COURT,
Anthony J. Vardaro, J.

Jan. 20, 1993 copies givento Work Release, Co Control, Dft counsel & Plf.

June 10, 1993 Motion to Amend or Modify a Protection From Abuse Order, filed.

June 10, 1993 Order filed, AND NOW, June 9, 1993, this motion is presented in Motion Court with both parties present without counsel.

After discussing the matter with the parties, a hearing is set for June 18, 1993 at 3:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

A copy of the motion and this order shall be sent by the Prothonotary by regular mail to the Plaintiff at Lot 48, Asbury Manor, Meadville, Pa. 16335 and to the Defendant at 317 Wallace St., Meadville, Pa. 16335.

BY THE COURT:
Anthony J. Vardaro, J.

June 10, 1993 copies mailed to Plf. & Dft.

June 21, 1993 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order filed.

June 21, 1993 Notice of Assignement of Hearing date filed. AND NOW, June 21, 1993: Hearing in the above captioned matter has been scheduled for June 24, 1993 at 9:00 A.M. inCourtroom 2.

FOR THE COURT,
Ann A. Walker, Court Adminstrator

June 21, 1993 Copies to: Plft & Deft.

Jun. 24, 1993 ORDER filed. AND NOW, June 24, 1993 this matter is once again before the Court on a complaint for indirect for violation ofa protection from abuse order.

Apparently on June 18, 1993 the parties were before the Court on request of the Plaintiff and the previous orders were modified with both parties present and the Defendant was advised that he would not be permitted to go to the Plaintiff's residence under any circumstances, even if invited by the Plaintiff.

Apparently the Defendant was found the next day in the Plaintiff's closet after the Plaintiff called the Police. It is obvious that the Defendant is in contempt of this order and the Court believes that this continues to be a situation where the parties want to be together by mutual agreement until things go bad and then the Plaintiff calls the police. Nonetheless the order of June 18, 1993 was absolutely clear and accordingly, the Defendant is adjudicated in contempt of Court.

He is remanded to the Crawford County Jail for a period of 6 months with credit from June 19, 1993.

Said sentence is suspended at this time provided that he purge himself of contempt by abiding by all of the previous orders still in effect, including specifically the order that he not go to the Plaintiff's residence wherever she shall live even if he is invited under any circumstances,and the following:

1. That he perform 200 hours of community service work through the Community Service Coordinator.
2. He immediately begin mental health counseling as previously ordered by thiscourt and he not discontinue the same without permission of theCourt.
3. The Defendant is strongly cautioned that if he violates these orders and specifically if he is found at any time in the residence of the Plaint iff, the suspension of this jail sentence will be lifted and he will be required to serve the six month sentence.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

6-25--93 Copies dist. to Co.Control,MCPD, Pltf. & Deft. Copy given to Bob O'Shea by Judge's secretary.

Jun. 29, 1993 ORDER filed. AND NOW, June 18, 1993, the matter is back before the Court on a motin by the Plaintiff to modify previous Abuse Orders to the end that the Defendnat under no circumstances will come to her place of resdience or go on her property for any purpose whatsoever. Plaintiff professes that the ongoing romance is over and she does not under any circumstances want the Defendant to come to her residence for any reason.

Accordingly, all Orders heretofore entered are modified to the extent that the Defendant even if invited by the Plaintiff to go to her residence will not under any circumstances go the residence of the Plaintiff or go to her property for any purpose whatsoever.

BY ORDER OF THE COURT
P. Richard Thomas, S. J.

6-30-93 Copy of Order to County Control, MCPD, Plft. & Deft.

Aug. 11, 1993 ORDER filed. AND NOW,August 10, 1993, at the time the Court disposes of a harrassment charge against Beverly SEig, the Court, District Attorney, Meadville City Police Department, Beverly Sieg and Michael Harvey all agree that prior Abuse Orders at this term and number have long ago expired, and accordingly, all prior Orders entered by the Court relating to the alleged abuse in this case are hereby declared null and void, and the Police Department of Meadville or any other police department is authorized not to proceed under the terms and conditions of the Orders entered in this case.

BY THE COURT,
P.Richard Thomas, S.J.

Aug. 11, 1993 Copies dist. to MCPD, County Control, DA, Chisholm. Aug. 16, 1993 Copies mailed to Plft. & Deft.

232
-d-

1992

1992

233.

BRENDA L. NICOLS

vs.

ROBERT A. NICOLS

Filed Mar. 9, 1992
@ 10:30 a.m.

Tax & entry Pd 3-27-92 $50.50 ✓
state Pd 3-27-92 5.00
Sheriff Costs 32.00
Pro Co Pd 3-27-92 9.00 ✓

3-27-92 Received from Defendant Sheriff's Costs $32.00

Pd Sheriff 3-27-92 Check No 6737 $32.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 6 day of March, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

Defendant shall not go to plaintiff's residence or place of work. Temporary custody of the children is with plaintiff.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 17, 1992 at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J.

Mar. 9, 1992 SHERIFF'S RETURN filed. SERVED Robert Nicols personally on March 9, 1992 at 9:27 AM by handing him a copy of the Protection from Abuse in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Robert M. Stevens, Sheriff

Mar. 18, 1992 ORDER filed. AND NOW, March 17, 1992 this matter is before the Court on the Plaintiff's petition for relief under the Protection From Abuse Act.

The Plaintiff appears represented by counsel, and the Defendant appears unrepresented. He is advised of his right to counsel and wishes to proceed without counsel, insofar as the parties have reached an agreement with regard to this matter.

Accordingly, the following ORDER is entered without admission on the part of the Defendant to any of the allegations of the Plaintiff's petition.

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. The Defendant shall not go to the residence of the Plaintiff nor shall he go to the place of employment of the Plaintiff at any time. The Defendant is cautioned that even if he shall be invited by the Plaintiff to either one of those locations during the term of this Order, without an amendment, in doing so he shall be considered to be in violation of the terms of the order. He should therefore seek an amendment to the order if he wishes to go to either of those places by invitation of the Plaintiff.
3. The Plaintiff shall have exclusive custody of the minor children pending further order of this Court in this action or any other action, and this award of custody shall not preclude either party from filing an action with regard to custody and visitation.
4. The Plaintiff may go to the marital residence at R.D. 1, Townville, Pa. on March 21, 1992 at 12:00 noon for the purpose of obtaining her personal effects and clothing and the personal effects and clothing of the minor children.
5. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this order shall be delivered to the Police Dept. in the jurisdiction where the Plaintiff resides, and to County Control.
7. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine up to $1,000 and a jail sentence up to six (6) months.
8. The Defendant shall pay costs in this action in the amount of $96.50 to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse by close of business at 4:30 p.m. on March 31, 1992.
9. This order shall remain in full force and effect through March 16, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Mar. 18, 1992 copy given to County Control. Mar. 20, 1992 copy in box for G. Sullivan, mailed copy to Dft. & Grand Valley Police Dept. & Plf.

234.

CYNTHIA RICE

vs.

ANTOINE RICE

Filed Mar. 9, 1992
@ 10:52 a.m.

Tax & entry Pd 10-8-92 $50.50 ✓
state Pd 10-8-92 5.00
Sheriff's Costs 25.00
Praecipe Pd 10-8-92 .50 ✓

10-8-92
Received from
defendant
Sheriff's costs
25.00

10-8-92
Pd Sheriff's
COSTS Ck# 9100
25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 9 day of March, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
The plaintiff shall have exclusive possession of the marital home pending further order of court. Plaintiff shall have temporary exclusive custody fothe minor children with visitation to dft. at plaintiffs discretion. Dft. shall surrender plaintiffs car keys to sheriff or deputies.
3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 17, 1992 at 3:30 p. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J.

Mar. 9, 1992 SHERIFF'S RETURN filed. SERVED Antoine Rice personally on March 9,1992 at 12:20 PM by handing him a copy of the Protection from Abuse at the residence, 403 Forest Green Drive, Meadville, Crawford County, Pa. Defendant was given until 2:00 PM on March 9, 1992 to vacate the residence. The Plaintiff's car keys have been returned. So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 11, 1992, Upon praecipe of plaintiff, this action marked discontinued as the undersigned does not want to preceed further with it.

1992

Northwestern Legal Services
Christopher Brode

235.

LINDA L. STERNER

vs.

ANDY C. NICOLS

Filed Mar. 9, 1992
@ 11:13 a.m.

Tax & entry pd 4-20-92 $50.50
state pd 4-20-92 5.00
Sheriff's Costs 40.00
Pro Co. pd 4-20-92 9.00

Received from Deft. 4-20-92 Sheriff's costs 40.00
Pd Sheriff 4-20-92 40.00
Chk 6780

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 20 day of March, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 20, , 92 at 3:30 p. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J.

Mar. 10, 1992 Sheriff's REturn filed. SERVED ANDY C. Nicols personally on March 10, 1992 at 10:30 AM by handing him a copy of the Protection from Abuse in the Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.
So answers, Barbara Bernoski, Clerk Typist
Robert M. Stevens, Sheriff

Mar. 26, 1992 ORDER filed. AND NOW, March 20, 1992, this matter is before the Court on Plaintiff's petition for protection under the Protection From Abuse Act.

The Plaintiff appears represented by counsel and the Defendant does not appear although he was served by the Sheriff on March 10, 1992.

The Court finds that there is abuse within the meaning of the Act and accordingly enters the following Order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of her minor children named in the petition.

2. The Defendant shall not go to the residence of the plaintiff nor shall he go to Union City High School where she attends classes nor to any place of employment that she may have during the term of this Order.

The Defendant is cautioned that if he does go to any of those places upon invitation of the Plaintiff he shall still be considered in violation of this Order unless or until it is modified by the Court.

3. This Order may be enforced without a warrant of arrest by any lawenforcement officer having reasonable grounds to believe it has been violated.

4. A copy of this Order shall be delivered by the Prothonotary to County Control and the Pennsylvania State Police, Corry Barracks.

5. The Prothonotary of Crawford County shall forward a copy of this Order to the Defendant by certified mail, return receipt requested, addressee only.

6. The Defendant shall pay costs in this matter in the amount of $104.50 to the Prothonotary of Crawford County in the first floor of the Crawford County Courthouse, Meadville, Pe., by the close of business at 4:30 p.m. on March 27, 1992.

7. The Defendant is reminded that h is is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

8. This Order shall remain in full force and effect through March 19, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Mar. 26, 1992 copy given to County Control. Mar 30, 1992 copy in box for C. Brode, mailed copy to Dft., Plf and Pa. State Police Corry Barracks

1992

236.

TAMARA STEVENSON

vs.

DAN WOFFORD

Filed Mar. 9, 1992
@ 1:26 p.m.

Tax & entry Pd 3-16-92 $50.50 ✓
state Pd 3-16-92 5.00

Sheriff's Costs 0.00
Pro Se Pd 3-16-92 5.00 ✓

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 9 day of March, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 20, 1992, at 3:30PM., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony j. vardaro, Judge

Mar. 13, 1992 Sheriff's Return filed. Returning the Protection from Abuse as per Plaintiff's decision to pull the Complaint on March 11, 1992.
So answers, Robert M. Stevens, Sheriff

MAR. 16, 1992, Upon praecipe of plaintiff, this action marked discontinued of record as the plaintiff does not want to proceed further with it.

1992

Thomas, Truax , Spadafore & Walker
R. Charles Thomas

237.

GENEVIEVE E. BOYLES

vs.

KELLOGG COMPANY

Filed Mar. 9, 1992
@ 1:25 p.m.

Tax & entry paid	$50.50
state paid	5.00
sheriffs costs	26.00
Pro Co Pd 6-25-92	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Mar. 18, 1992, Sheriffs Return filed. SERVED Kellogg Company by Cert. mail addressed at their last known address of One Kellogg Square, P.O. Box 3599 Battle Creek Mi.49016 3599. Signed Ret. REc. is attached.
So answers, Robert M. Stevens, Sheriff

June 23, 1992 Upon praecipe of Plaintiff attorney this case is settled and discontinued of record.

238

1992

John V. Gagliotti 238.	KENNETH W. MORIAN vs. SCOTT BEATTY, ET AL Filed Mar. 9, 1992 @ 4:16 p.m. Tax & entry paid $50.25 ✓ state paid 5.00	APPEAL OF PLAINTIFF FROM JUDGMENT OF D.J. CHISHOLM Mar. 11, 1992, Proof of Service filed.

1992

Joseph W. Tinko

239.

DORA L. DAILEY

vs.

WILLIAM C. H. DAILEY, SR.

Filed Mar. 10, 1992
@ 11:43 a.m.

Tax & entry paid $50.50
state paid 10.00
state paid 5.00
Pro Co. Pd 6-11-92 9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 10, 1992, Affidavit of Proof of SErvcie by Personal Delivery on Defendant Pursuant to Pa. R.C.P. No. 405 filed. Before me a notary public on this 10 day of Mar. 1992, comes Joseph Tinko, Esq. who after being duly sworn according to law, deposes and says:

The Complaint for Divorce Under Sect. 3301(c or 3301(d) of the Divorce Code of Pa. was served on dft. William C. H. Dailey, Sr. by per. delivery on Mar. 10, 1992 as evidenced by acceptance of Servcie, attached hereto, and incorporated herein.
Dated: Mar. 10, 1992 Joseph W. Tinko, Esq.

June 11, 1992 Affidavit of Consent of Plaintiff and Defendant filed.

June 11, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

AND NOW, June 17, 1992, it is hereby ordered and decreed that Dora L. Dailey, Plaintiff, and William C. H. Dailey, Sr., Defendant are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

June 22, 1992 copy in box for J. Tinko

240

1992

Gifford, Lay & Johnson
James P. Lay, III

240.

Quinn, Gent, Buseck, and Leemhuis Inc.
JOhn M. Quinn, Jr.
Natalie Dwyer Haller
for dft. Mead. Med. Ctr

~~MacDonald, Illig, Jones & Britton~~
~~J. Douglas Murphy~~ withdrawn
~~for Defendant James R. Macielak~~

Law Office of J. Douglas Murphy
J. Douglas Murphy
James R. Macielak

RONALD L. KENNEDY AND
PATRICIA KENNEDY

vs.

JAMES R. MACIELAK AND
MEADVILLE MEDICAL CENTER

Filed Mar. 10, 1992
@ 11:54 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	36.00
Pro.Co. pd 1/18/94	5.00

COMPLAINT

2 copies (sheriff)

Mar. 10, 1992, Notice of Deposition of Ronald L. Kennedy filed.

Mar. 10, 1992, Motion to Compel Attendance at Deposition and Order filed. ORDER : AND NOW, this 10 dayof Mar. 1992, upon con= sideration of the foregoing Motion, the defendants are hereby directed to obtain counsel to appear on their behalf in the above matter and to attend the deposition fo Ronald L. Kennedy at his residence, R. d. #10, Box 189, Liberty St. Est. Meadville on Tues. Mar. 17, 1992 at 2:00 p.m. The sheriff of crawford County is further directed to serve with the complaint, as expeditiously as possible, a copy of the foregoing MOtion, this order of court and the Notice of Deposition. Anthony J. vardaro,
Judge
2 copies (sheriff)

Mar. 16, 1992 Appearance of Quinn, Gent, buseck and Leemhuis Inc., by John M. Quinn Jr. and Natalie Dwyer Haller, attorneys for Meadville Med. Center, dft. filed.

Mar. 16, 1992 SHERIFF'S RETURN filed. SERVED Meadville Medical Center on March 10, 1992 at 2:34 PM by handing a copy of the Complaint and Notice of Deposition to Nancy Blystone, Administrative Assistant and Person in Charge, at 751 Liberty St., Meadville, Crawford County, Pa.

SERVED James R. Macielak on March 10, 1992 at 2:42 PM by handing a copy of the Complaint and Notice of Deposition to Betty K. Smith, Secretary and Adult in Charge,at 640 Alden St., Meadville, Crawford County, Pa.

So Answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 17, 1992 Appearance of MacDonald, Illig, Jones & Britton by J. Douglas Murphy for Defendant James R. Macielak

Nov. 18, 1992 Appearance of Law Office Of J. Douglas Murphy by J. Douglas Murphy for defendant James R. Macielak filed.

Nov. 24, 1992,, Withdrawal of Appearance of MacDonald Illig JOnes & Britton on behalf of James R. Macielak in the above matter, filed.

May 25, 1993 Notice Of Service Of Interrogatories and Request for Production of Documents filed.

Aug. 24, 1993, Notice of Service of Answers to Interrogatories filed.

Nov. 29, 1993, Preliminary objections to Plaintiffs' Complaint filed.

Nov. 29, 1993, Upon praecipe of plaintiff attorney, Preliminary Objections placed on next argument list.

ON ARGUMENT LIST FOR JANUARY 1994

Dec. 1, 1993 Preliminary Objections to Plaintiffs Complaint, filed on behalf of James R. Macielak, M.D. filed.

Dec. 1, 1993, upon praecipe of defendant attorney, this case placed on next argument list.

Jan. 18, 1994 Upon Praecipe of James P. Lay, III, Esquire, Attorney for Plaintiffs, the above captioned action discontinued with prejudice, filed.

1992

Culbertson, Weiss, Schetroma and Schug PC
JOhn B. Brautigam

241.

CRYSTAL A. REAGLE

vs.

BRUCE E. REAGLE

Filed Mar. 10, 1992
@ 3:11 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Sheriff's Costs	30.00
Pro Co pd 10-11-96	9.00
Pro Co pd 1-16-97	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Apr. 10, 1992 Sheriff's Return filed. SERVED Bruce E. Reagle personally on April 1, 1992 at 1:41 PM by handing him a copy of the Complaint in Divorce while in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Diane Severo, deputy Sheriff
Robert M. Stevens, Sheriff

Sep. 9, 1993 Affidavit of Consent by Crystal A. Reagle, Plaintiff, filed.

June 27, 1996 Praecipe to Enter Appearance on by Watts and Pepicelli PC by Christopher D. Ferry, Esquire for Plaintiff filed.

July 25, 1996 Waiver Of Notice Of Intention To Request Entry of a Divorce Decree Under 3301(c) of the Divorce Code of Defendant filed.

July 25, 1996 Affidavit of Consent of Defendant filed.

Aug. 5, 1996 Motion to Withdraw Claim by Plaintiff and ORDER filed. AND NOW, this 2 day of August, 1996, it is hereby ordered adjudged and decreed that count two, equitable distribution, of the Plaintiff's complaint is withdrawn. BY THE COURT:
Anthony J. Vardaro, J.

Sept. 20, 1996, Waiver of Notice of Intention to Request Entry of a Divorce Decree filed. (dft

Sept. 20, 1996, Affidavit of Consent of defendant filed.

Oct 10, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Oct. 18, 1996 Order filed. This divorce matter has beenreferred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because: The costs in a Protection From Abuse action at A.D. !991 - 1106 must be paid before decree is entered. ($85.75).
Either party may file a praecipe to refer the matter back to thecourt when the record isin such a state that the parties are entitled to a final decree. BY THE COURT,
Anthony J. Vardaro J

10-25-96 Faxed Ferry

Dec. 19, 1996 Praecipe to Transmit Record filed.

DIVORCE DECREE FILED

Jan. 6, 1997 AND NOW, this 6 day of January, 1997, it is ordered and decreed that CRYSTAL A. REAGLE, Plaintiff and BRUCE E. REAGLE, Defendant, are divorced from the bonds of matrimony.
The court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.
BY THE COURT:
Anthony J. Vardaro, J.

Jan 14, 1997 Notice Of Election to Retake Maiden Name - **Crystal A. Reagle** TO BE KNOWN AS **Crystal A. Williams.**

242

1992

242. Bruce A. Barrett	APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT of SHELLY WINGER Filed March 11, 1992	APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT Mental Health Procedures of Act of 1976 Mar. 13, 1992, Certification by Court: The court finds that patient is severely mentally disabled and in need of treatment and shall received inpatient treatment at MMC (Grove St.) for period of 20 days. Patient represented by Bruce Barrett, Esq. (John W. Petruso, MHRO)

Victor j. Kinnunen

Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall

243.

Emil Spadafore Jr.

Culbertson, Weiss, Schetroma and Schug, P.C.
E. Max Weiss
for Dft. Northwest Bus Ser.

VENUS J. FOSHAY, INDIVIDUALLY, AND VENUS J. FOSHAY, ADMINISTRATRIX OF THE ESTATE OF NAOMI C. HEBETS, DECEASED

vs.

SHARON K. DAWES, AN INDIVIDUAL, AND NORTHWEST BUS SERVICE, INC., A CORPORATION

Filed Mar. 12, 1992
@ 1:43 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	50.00
Pro.Co.Pd 11/24/93	7.00

COMPLAINT

3 copies (sheriff)

Mar 19, 1992 SHERIFF'S RETURN filed. SERVED Northwest Bus Service, Inc. on March 18, 1992 at 1:51 PM by handing a copy of the Complaint to Gilbert Bigley, Owner, at 206 St. John St., Titusville, Crawford County, PA 16354. SERVED Sharon K. Dawes on March 19, 1992 at 11:15 AM by handing a copy of the Complaint to Edward L. Dawes, her husband, in the Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335. Signed Acceptance of Service attached. So answers, Dale A. Collins, Deputy Sheriff
Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 30, 1992, Answer Containing New Matter filed.
1 copy (atty)

Apr. 8, 1992 Appearance of Culbertson, WEiss, Schetroma and Schug, P.C. by E. Max Weiss, Esq., for Defendnt Northwest Bus Service, Inc.

April 16, 1992 AFFIDAVIT AND ACCEPTANCE OF SERIVCE . I hereby accept service of a true and copy of the Notice of Filing Wrongful Death Action Pursuant to PA. R.C.P. 2205 together with an exact copy of the Complaint. filed.

Melvin Hebets

Apr. 28, 1992 REPLY TO NEW MATTER OF DEFENDANT SHARON K. DAWES, filed.

April 30, 1992 ANSWER AND NEW MATTER OF DEFENDANT, NORTHWEST BUS SERVICE, INC., to PLAINTIFFS' COMPLAINT FILED.

May 15, 1992 REPLY TO NORTHWEST BUS SERVICE'S NEW MATTER PURSUANT TO PA R.C.P. 2252(d), filed.

May 21, 1992 Reply to New Matter filed.

July 8, 1992 Notice of Service of Interrogatories and Request for Production of Documents, filed.

August 14, 1992 Interrogatories (Second Set) on behalf of Northwest Bus Service, Inc. filed.

Dec. 4, 1992, Certificate of Service of Notice of Scheduling of deposition filed.

Dec 4, 1992 Notice of Deposition of Venus J. Foshay, filed.

Sept. 29, 1993 CERTIFICATE OF SERVICE, filed. I certify that a copy of the Notice of Scheduling of Deposition was serve on the following by United States first class mail on September 28, 1993. Emil M. Spadafore

Nov. 17, 1993 Petition For Leave To Settle and Compromise Actions For Wrongful Death and Survival and Order filed. AND NOW, this 17th day of November, 1993, upon consideration of the within Petition for Leave to Settle and Compromise Actions for Wrongful Death and Survival, and pursuant to the provisions of Pa. R.C.P. 2206, it is ordered, adjudged, and decreed that the following compromise settlement is approved in accordance with this schedule:
A. Venus J. Foshay, individually and as Administratrix of the Estate of Naomi C. Heberts, deceased, is authorized to compromise and settle the above-captioned proceeding, sign a general release, and mark the case settled and discontinued of record, in consideration of a settlement having a total "cost" of $209,165.
B. The sum of $60,000 cash shall be paid to Venus J. Foshay for negligent infliction of emotional distress, subject to counsel fees.
C. The sum of $15,000 cash shall be paid to Venus J. Foshayy for payment of a DPW claim and payment of past and future psychological and psychiatric counseling and medical expenses.
D. The sum of $39,165 shall be structured for Venus J. Foshay to provide monthly payments of $200 for life, guaranteed for 20 years, or a total of $48,000 guaranteed.
E. The sum of $25,000 shall be structured for Courtney D. Hebets, a minor, born November 12, 1985, to provide payments of $10,000 at age 21, $10,000 at age 23, $10,000 at age 25, and $38,650 at age 27, or a total of $68,650 guaranteed.
F. The sum of $25,000 shall be structured for Dennis E. Hebets, II a minor born September 16, 1987, to provide payments of $10,000 at age 21, $10,000 at age 23, $10,000 at age 25, and $48,170 at age 27, or a total of $78,170 guaranteed.
G. The sum of $4,365.82 cash shall be paid to decedent's estate for the survival action to pay out-of-pocket costs, decendent's burial expense, and counsel fees for Venus J. Foshay as additional defendant.
H. The sum of $40,634.18 cash shall be paid for the wrongful death action, to be divided equally between Venus J. Foshay and Melvin O. Heberts, parents of decedent, subject to counsel fees.
I. Counsel fees shall be paid to Fuller, Kinnunen, Petruso, Gamble, Fabian & hall, in the Total amount of $64,721.67, or one-third of $194,165.00

BY THE COURT,
Gordon R. Miller, J

Nov. 17, 1993 3 copies of order given Kinnunen

Nov.24,1993 Upon Praecipe of Victor J.Kinnunen, Esquire, Attorney for Plaintiff, this action settled, discontinued, and ended upon payment of costs only, filed.

244

1992

244.

BILL BRAGG ASSOCIATES

vs.

MECHTRONICS INDUSTRIES, INC.

Filed Mar. 13, 1992
@ 1:48 p.m.

Tax & entry paid $50.25 ✓
state paid 5.00

APPEAL OF DEFENDANT FROM JUDGMENT OF WILLIAM CHISHOLM, MAGISTERIAL DISTRICT 30-3-03

Mar. 13, 1992, Rule entered upon plaintiff to file complaint issued.

Mar. 19, 1992, Proof of Service filed.

1992

Schroeck & Associates, P.C.
William C. VanScyoc
Barbara J. Walton

245.

~~Joseph W. Tinko~~
(withdrawn)

7-5-95 Rec'd mailed dep't $250.00

CINDY SPECK

vs.

RANDY SPECK

Pro Co Pd 12-19-97 9.00

Filed Mar. 13, 1992
@ 4:18 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
Add'l count pd 12/5/94	15.00
User's Fee pd 12/5/94	5.00
master dep't 12-30-94	250.00
Add'l Ct. pd 2/13/95	$15.00
David Pickens, Master	
User's Fee pd 2/13/95	$5.00

1-26-95 Refunded master deposit to Walton #8836 $ 250.00

COMPLAINT IN DIVORE, EQUITABLE DISTRIBUTION, CUSTODY

1 copy (atty

Mar. 18, 1992 NOTICE AND ORDER TO APPEAR filed. YOU, RANDY SPECK, have been sued in Court to obtain custody of ERICA and KENDYL SPECK.

YOU ARE ORDERED to appear for a hearing before William Pineo, Child Custody Mediator, at such time and place as he shall designate.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

Until such time as the mediation hearing takes place, physical custody of the minor children ERICA and KENDYL shall be with Plaintiff CINDY SPECK, with reasonable visitation to the Defendant RANDY SPECK.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville, Pa. 16335
Telephone: 814-336-1151 Ext. 298

BY ORDER OF THE COUR:
Robert L. Walker, S.J.

Mar. 18, 1992 Called Atty. will bring copies for Mediator and service

~~March 18, 1992 MOTION FOR APPOINTMENT OF CUSTODY MEDIATOR AND NOTICE AND~~ ORDER TO APPEAR filed. You, Randy Speck, have been sued in Court to obtain custody of Erica and Kendyl Speck.

YOU ARE ORDERED to appear for a hearing before William Pineo, Child Custody Mediator, at such time and place as he shall designate.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

Until such time as the mediation hearing takes place, physical custody of the minor children ERICA and KENDYL shall be with Plaintiff CINDY SPECK, with reasonable visitation to the Defendant RANDY SPECK.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

See Above:

Plaintiff's Attorney
Barbara J. Walton, Esq.
1111½ Prk Avenue
Meadville, PA 16335
Telephone: (814) 336-4132

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151 Ext. 298

BY THE COURT:
Robert L. Walker, S. J.

Dec. 8, 1993 Affidavit of Consent by Cindy Speck, Plaintiff, filed.

Dec. 20, 1993 Answer To Plaintiff's Complaint In Divorce filed.

Dec. 20, 1993 Appearance of Joseph W. Tinko for Defendant filed.

Dec. 20, 1993 Affidavit of Consent of Defendant filed.

Dec. 20, 1993 Certificate of Service filed. I, the undersigned, hereby certify that on the 20th day of December, 1993, I served a true and correct copy of a document entitled Answer to Plaintiff's Complaint in Divorce on the following party or the following counsel of record for same by United States First Class Mail, pursuant to the Pennsylvaia Rules of Civil Procedure:

Barbara J. Walton, Esquire
310-312 Chestnut Street
Room 334 Masonic Building
Meadville, PA 16335

Joseph W. Tinko

Jun.30, 1994 Petition for Temporary Restraining Order Prohibiting Defendant from disposing of Property during pendancy of action, filed.

Jun. 30, 1994 ORDER filed. **AND NOW**, June 30, 1994, this matter is before the Court on a pro se Petition for Temporary Restraining Order, which the Court has ascertained is actually a Petition for Speial Relief pursuant to the Divorce Code under Rule 1920.43. Insofar as that Rule does refer to Rule 1531 regarding special relief injunctions when the request is for that type of relief,we will treat this as such.

Based on an in-chambers hearing, we do not believe that immediate and irreparable injury would be sustained before notice can be given or hearing can be held and we will decline to issue a preliminary injunction at this time.

HOWEVER, we will schedule a hearing with regard to this matter and treat it as a Request for Preliminary Injunctionbased on a hearing.

Said hearing is set for July 5, 194 at 10:00 o'clock a.m. in Courtroom No.2 at the Crawford County Courthouse..

The purpose of the hearing will be to determine whether a preliminary injunction pursuant to Pennsylvania Rule of Civil Procedure 1920.43 (a) (i) and Pennsylvania Rule of Civil Procedure 1531 shall issue.

The plaintiff shall arrange for serving a true and correct copy of this Order upon the defendant by personal service prior to the time of the hearing.

BY THE COURT,
Anthony J. Vardaro, Judge

6-30-94 Copy to Pltf, Sheriff & Tinko

Jul. 7, 1994 ORDER filed. AND NOW, July 5, 1994, this matter is before the Court for a hearing pursuant to Pennsylvania Rule of Civil Procedure 1531 in which the Plaintiff has requested special injunctive relief.

Essentially at the time of t he hearing both parties appear without counsel and the Defendant confirms that on Friday, July 8, 1994 he is scheduled to receive a Worker's Compensation commutation in the amount of $90,688.00.

Continued to Page 514

246

1992

Barbara L. Walton

246.

SHARANE LINEBAUGH

vs.

RICHARD LINEBAUGH

Filed Mar. 13, 1992
@ 4:19 p.m.

Tax & entry paid $50.50 ✓
state paid 10.00
state paid 5.00
Pro Co Pd 5-18-92 9.00 /

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 13, 1992, Affidavit Under Section 3301(d) of the Divorce Code filed. 1 copy (atty)

April 14, 1992 Affidavit of Service filed. A true and correct copy of the divorce complaint filed in the above-captioned matter was served upon the Defendant, Richard Linebaugh, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on March 18, 1992, as is evidenced by the U.S. Postal Service Return Receipt (Certified No. P 253 783 792) attached hereto as Exhibit A.

Barbara J. Walton, Esq.

Apr. 24, 1992 Affidavit of Service filed A true and correct copy of the Notice of Intention to Request Entry of Divorce Decree and Counter-Affidavit file din the above-captioned matter was served upon the Defendant, RICHARD LINEBAUGH, by certified mail, restricted delivery,purusant to Pa. R.C.P. 412 on April 21, 1992, as is evidenced by the Untied States Postal SErvice Return Receipt (Certified No. P 253783786) attached hereto as Exhibit A.

I verify that the statements made in this Affidavit are true and correct. I understand that falsestatements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

DATE: April 22, 1992 Barbara J. Walton

May 11, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED.

AND NOW, May 18, 1992, it is hereby ordered and decreed that Sharane Linebaugh, Plaintiff, and Richard Linebaugh, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Barbara J. Walton

247.

SARA CADMAN

vs.

PAUL L. CADMAN

Filed Mar. 13, 1992
@ 4:20 p.m.

Tax & entry paid	$50.50
3 counts paid	45.00
state paid	10.00
state paid	20.00
Pro. Co. pd 9/2/92	9.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION, PERMANENT ALIMONY

1 copy (atty)

July 15, 1992 Affidavit Of Service filed. 1. A true and correct copy of the Complaint for Custody and Divorce filed in the above-captioned matter was served upon the Defendant, PAUL CADMAN, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on March 20, 1992, as is evidenced by the United States Postal SErvice REturn Receipt (Certified No. P 253783794) attached hereto as Exhibit A.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

DATE July 15 1992 Barbara J. Walton

Aug. 6, 1992 Affidavit of Consent of Plaintiff filed.

Aug. 24, 1992 Marital Settlement Agreement and Affidavit of Paul L. Cadman, Defendant, filed.

Sep.2, 1992 Upon praecipe of Plaintiff's Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 9, 1992 AND NOW, September 9, 1992, it is hereby ordered and decreed that **SARA CADMAN**, plaintiff, and **PAUL CADMAN**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order hs not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Kathleen R. Nelson

248.

BONNIE J. BRENOEL

vs.

WILLIAM S. BRENOEL

Filed Mar. 16, 1992
@ 9:35 a.m.

Tax & entry paid $50.50
state paid 10.00
state paid 5.00
Pro Co Pd, 6-18-92 9.00
Pro Co Pd 7/6/92 5.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c)

1 copy (atty)

March 24, 1992 Affidavit of Service filed. Kathleen R. Nelson, Esq. being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, William S. Brenoel, on March 18, 1992.

3. The registered mail was sent to William S. Brenoel at 160 N. Franklin Street, Cochranton, PA 16314. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on March 21, 1992. Said Return Receipt card P 067 507 565 is attached hereto, signed by William S. Brenoel, and made a part hereof.

Kathleen R. Nelson, Esq.

June 18, 1992 Affidavit of Consent of Defendant, filed.

JUne 18, 1992 Affidavit of Consent of Plaintiff, filed.

June 18, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 29, 1992 AND NOW, June 26, 1992, it is hereby ordered and decreed that B O N N I E J . B R E N O E L , Plaintiff, and W I L L I A M S . B R E N O E L , Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

July 6, 1992, Notice of Election to Retake Prior Name filed. To Be Known As: BONNIE S. JACKSON.

1992

Fuller, Kinnunen,
Petruso, Gamble, Fabian
& Hall
Gary A. Fabian

249.

JOHN S. HOBSON

vs.

MARY K. HOBSON

Filed Mar. 16, 1992
@ 10:22 a.m.

Tax & entry paid	$50.50
state paid	10.00
1 count paid	15.00
state paid	10.00
Pro Co pd 6-6-95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Mar. 24, 1992AFFIDAVIT OF SERVICE filed. GARY A. FABIAN, being duly sworn according to law, deposes and says that:

1. He is an attorney authorized to practice law within the Commonwealth of Pennsylvania.

2. He is the attorney for the plaintiff in the above-captioned matter.

3. On March 16, 1992, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 899 084 878 as evidenced by Certified Mail Receipt No. P 899 084 878 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Mary K. Hobson said Complaint in Divorce naming Mary K. Hobson as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant,Mary K. Hobson on March 18, 1992, as evidenced by Return Receipt for Certified Mail NO. P 899 084 878 attached hereto and made a part hereof, said receipt being signed by Mary K. Hobson.

June 8, 1994 STIPULATION and ORDER filed. AND NOW, this 8 day of June, 1994, in consideration of the attached Stipulation, it is hereby ordered that:

1. The formermarital residence of the parties located in the Township of Rockdale, Crawford Co., PA., and being more particularly described in Crawford County Record Book 25, Page 31, shall be sold pursuant to Agreement for the sale of said real estate entered into between the plaintiff and defendant as sellers therein and Kevin E. Whitney and Candace H. Whitney as buyers therein, said Agreement being dated Feb. 17, 1994.

2. Deducted from the sale price shall be all expenses and costs of sellers required to be paid by sellers pursuant to said Agreement and any other normal and customary fees and expenses reasonably associated with the sale of said real estate, and the net proceeds of the sale of said real estate, and the net proceeds of the sale shall be deposit into an interest bearing savings account in the names of plaintiff and defendant as a joint account with right of survivorship with any commercial bank to be held in escrow until such time as the final order in equitable distribution is entered in this matter; or until further written agreement regarding distribution and disposition fo such proceeds between the parties, whichever shall first occur.

3. David Devine, Esq. shall act as escrow agent and shall hold the savings passbook pending final distribution of the net proceeds of sale.

4. David Devine, Esq., shall charge no fee for the opening of said account, the closing of said account, or for the delivery of the proceeds. David Devine, Esq., shall be entitled to reasonable and customary hourly fees in the event additional services other than the foregoing services in any event should be required of him.

5. The said escrow account shall be opened under the social security number of the plaintiff, John S. Hobson, to wit: 203-48-8485, but both parties shall be responsible for the reporting of such income to the Pennsylvania Dept. of Revenue and to the Internal Revenue Service, and in the event income tax returns shall fall due, one or more times, prior to the closing of the said escrow account, plaintiff and defendant shall, if they do not file joint income tax returns, each report one-half of the income earned upon such account on their respective individual tax returns.

6. This order is made without prejudice to either party with regard to the final allocation of the net proceeds between the parties which such final allocation shall either be made by further written agreement between the parties, or in in the event the parties cannot so agree, then such allocation shall be made pursuant to further order of court.

BY THE COURT
Anthony J. Vardaro, J.

June 8, 1994 Copy of Order Faxed to Attys. Fabian and Devine.

May 18, 1995, Affidavit of Consent of plaintiff filed.

May 30, 1995, Affidavit of Consent of defendant filed.

June 5, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 9, 1995 1. Divorce: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties on the grounds that the marriage is irretrievably broken and ninety (90) days has elapsed since the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 3301(c) of the PA. Divorce Code.

2. Equitable Property Determination and Distribution

This decree provides that the marital property of the above-named parties shall be divided in accordance with a Marital Settlement Agreement executed by the parties, the effective date of said agreement being May 26, 1995, and said agreement being filed in the Court of Common Pleas of Crawford Co., PA., at the above-captioned number.

The agreement, in part, provides that:

A. Escrow Account. The principal balance in the escrow account representing the net proceeds of the sale of the former marital residence, being the sum of $14,771.09, together with all interest earned on said account since the date of opening said account, shall be paid to and distributed to Wife Defendant. All interest income earned on such account will be reported one-half on the Husband Plaintiff's income tax returns and one-half on Wife Defendant's income tax returns for the tax years 1994 and 1995.

RECORD CONTINUED ON PAGE .....

250

1992

Joseph C. Barnhart

250.

Robert J. Felton

JEFFREY S. GESIN

vs.

JILL M. PATTISON-GESIN

Filed Mar. 16, 1992
@ 11:28 a.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co pd 6/25/92	9.00

COMPLAINT IN DIVORCE

Mar. 23, 1992 ACCEPTANCE OF SERVICE filed. I accept service of the Complaint in Divorce on behalf of Jill M. Pattison-Gesin, Defendant, and certify that I am authorized to do so. Robert J. Felton

June 19, 1992 Affidavit of Consent to Divorce of Jill M. Pattison-Gesin, Defendant, filed.

June 19, 1992 Affidavit of Consent to Divorce of Jeffery S. Gesin, Plaintiff, filed.

June 25, 1992 Upon praecipe of Plaintiff attorney To Transmit Record, this case moved to court.

DIVORCE DECREE FILED

June 30, 1992 AND NOW, this 29th day of June, 1992, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Upon consideration of the pleadings and Affidavits filed in the above captioned matter, the Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint, and an Affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to §3301(c) of the Pennsylvania Divorce Code.

2. No other matters or causes of actions provided under the Pennsylvania Divorce Code of 1980, as amended, are reserved by either of the parties.

BY THE COURT:
Gordon R. Miller, J.

1992

Jorden and White
Harry Faber White, II

251.

LANCE B. CORNELL

vs.

DEBRA L. CORNELL

Filed Mar. 17, 1992
@ 10:22 a.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00

COMPLAINT UNDER SECTION 3301(d) OF DIVORCE CODE

1 copy (atty)

Mar. 17, 1992, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed. 1 copy (atty)

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 3/17/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

James G. Gordon

252.

Baginski and Bashline
Linda L. Pretz for dfts

Tighe, Evan & Ehrman
Gretchen J. Fitzer
for addit. dft. Mid-Mich. Metal Products

~~Stephanie G. Spaulding~~ withdrawn
for Metal Fabricating, Inc add'l dft.

Janet I. Steitz

Wayman, Irwin & McAuley
Janet I. Steitz for add'l dft. Mid-Michigan Metal Products Co., Inc.

LARRY E. BARKER, SR. AND CAROL BARKER, HUSBAND AND WIFE

vs.

BOWMAN DISTRIBUTION, INC. ✓
A DIVISION OF BARNES GROUP, INC.
Original defendant

METAL FABRICATING, INC. ✓
MID-MICHIGAN METAL PRODUCTS,
KEN-KAR COMPANY, INC.,
t/d/b/a
BAY STEEL PRODUCTS COMPANY,
KEN KLEINERT AND KARL KLEINERT
SUCCESSORS IN INTEREST TO
KEN-KAR COMPANY, INC.
t/d/b/a
BAY STEEL PRODUCTS COMPANY
~~MID-MICHIGAN METAL PRODUCTS CO. INC.~~ add'l dft dismissed

Filed Mar. 17, 1992
@ 11:20 a.m.

Tax & entry Pd 5-11-92 $50.50 ✓
state Pd 5-11-92 5.00
Pro Co Pd 4/8/93 #6.00 ✓

JURY TRIAL DEMANDED

CASE TRANSFERRED FROM THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA, AS PER COURT ORDER OF MARCH 3, 1992, McGOWAN, J. GD90-22166

Mar. 17, 1992, Motion to Make Absolute the Rule to show Cause Why Additional Defendant's Preliminary Objection in the Nature of a Petition Raising a Question of Venue Should not be Sustained and this ActionShould No be Transferred to Crawford County and Order filed.

ORDER OF COURT:

AND NOW, to-wit, this 3rd day of March 1992, the Preliminary Objection of Metal fabricating, Inc. raising a question of venue having been argued to this court on Feb. 3, 1992; and a rule to show cause havingbeen issued, returnable within five days, requiring plaintiff to show cause why this case whould not be transferred to crawford County; and it appearing to the court that, under Pa. R.C.P. 1006, the convenience of the parties and the witnesses requires transfer of this aciton to Crawford County and it appearing to the court that, under Pa. R.C.P. 2179(a), venue is improper in Allegheny County; it is ordered that he rule is made absolute; cause has not been shown why this case whould not be transferred to Crawford County; this action is hereby transferred to crawford County, and stricken from the March 27, 1992 trial list.

BY THE COURT,
McGowan, Judge

OTHER ALLEGHENY COUNTY ENTRIES:

Dec. 31, 1990, Complaint in Civil action filed.

Jan. 22, 1991, Notice of Service of Interrogatories filed.

Jan. 22, 1991, Plaintiffs' Request for Production of Documents and Things Upon Defendant filed.

Jan. 22, 1991, Appearance of Baginski and Bashline by Linda L. Pretz, attorneys for dft. Bowman Dist. operating div. of Barnes Group, incorrectly designated as Bowman Distribution, Inc.filed.

Jan. 24, 1991, Proof of Service filed.

Jan. 25, 1991,Notice of Servcie of Supplemental Interrogatories filed.

Jan. 25, 1991, First Request for production of Documents and Materials filed.

Jan. 25, 1991, Notice of Service of Interrogatories to Husband-plaintiff filed.

Feb. 8, 1991, Answer and New Matter filed.

Feb. 20, 1991, Praecipe for WRit to Join Additional Defendant filed.

Feb. 28, 1991, Plaintiff's reply to New Matter filed.

Mar. 7, 1991, Affidavit of Service filed.

Mar. 11, 1991, Motion to Amend Caption filed.

Mar. 25, 1991, Praecipe to Place Case at Issue filed.

Mar. 27, 1991, Original Defendant's REply to Plaintiffs' Request for production of Things and Documents filed.

April 4, 1991, Appearance of Stephanie G. Spaulding, attorney for additional dft. Metal Fabricating, filed.

April 4, 1991, Answers to Plaintiffs' Interrogatories Directed to Defendant-First Set, filed.

April 23, 1991, Notice of Servcie of Interrogatories filed.

April 23, 1991, Plaintiffs' REquest for production of Documents and Things Upon Additional Defendant filed.

May 14, 1991, Notice to Take Oral Deposition of Husband-Plaintiff filed.

May 14, 1991, Notice to Take Oral Deposition of Wife-Plaintiff filed.

June 26, 1991, Praecipe for Writ to Join Additional Defendant filed.

July 10, 1991, Plaintiffs' Second Request for Production fo documents and Things to Additional Defendant, Metal fabricating, Inc. filed.

July 10, 1991, Notice of Service of Second Set of Interrogatories Directed to Bowman Distribution, a Div. of Barnes Group, Inc. filed.

July 10, 1991, Plaintiffs second request for production of Documents and Things to Bowman Distribution, a div. of barnes Group, Inc. filed.

July 10, 1991, Notice of Service of Interrogatories directed to additional defendant, Metal Fabricating, Inc. filed.

Continued on Page 252A

July 11, 1991, Praecipe for Rule to File Complaint filed.

July 11, 1991 Affidavit of Service filed.

Aug. 2, 1991, Notice to Take Oral Deposition filed.

Aug. 2, 1991, Notice to Take Oral Deposition filed.

Aug. 22, 1991, Appearance of Tighe, Evan & ehrman by Gretchen J. Fitzer, attonreys for addit. dft. Mid-Michigan Metal Products, filed.

Aug. 26, 1991, Notice of Servcie of Interrogatories Directed to Additional Defendant, Mid-Michigan Metal Products filed.

Aug. 26, 1991, Plaintiffs' Request for production of Documents and things upon Additional Defendant, Mid-Michigan Metal Products filed.

Sept. 9, 1991, Notice of Deposition filed.

Sept. 9, 1991, Notice of Deposition filed.

Sept. 9, 1991, notice of Deposition filed.

Sept. 9, 1991, Notice of Deposition filed.

Sept. 10, 1991, notice of Service of REquest for production of documents filed.

Nov. 12, 1991, Notice of Deposition filed.

Nov. 12, 1991, Notice of Deposition filed.

Nov. 12, 1991, Notice of Deposition filed.

Nov. 15, 1991, Plaintiffs' First Request for Admission Upon Defendant bowman Distribution, Inc. filed.

Nov. 20, 1991, Notice to Take Oral deposition filed.

Dec. 11, 1991, Defendant's Response to Plaintiff's Request for Admission filed.

Dec. 18, 1991, Notice of service of Interrogatories Directed to Additional Defendant Metal Fabricating, Inc. filed

Dec. 18, 1991, notice of Service of Interrogatories directed to additional defendatn Mid-Michigan Metal Products filed.

Jan. 7, 1992, Original defendant's answers to Interrogatories filed on Behalf of Metal Fabricating, Inc. filed.

Jan. 7, 1992, Complaint Against Additional defendants filed.

Jan. 23, 1992, Preliminary objections to Complaint to Join filed.

Jan. 24, 1992, Complaint to Join Additional defendant filed.

Jan. 24, 1992, Order of court filed.

Feb. 4, 1992, Notice to take Oral deposition filed.

Feb. 4, 1992, Motion for Leave to Join Mid-Michigan Metal Products filed.

Feb. 4, 1992, Preliminary Objections to defendant's Compalint Against Additional defendants filed.

Feb. 10, 1992, Answer to Rule to show Cause Why a Transfer of venue Should not Take Place filed.

Feb. 14, 1992, Praecipe for Entry on the Docket filed.

Feb. 19, 1992 Affidavit in Support of Motion to Make Absolute filed.

Mar. 4, 1992, certificate of Service filed.

(SEE MOTION AND ORDER TRANSFERRING ACTION TO CRAWFORD COUNTY, PA. FILED Mar. 4, 1992 in Allegheny county and filed March 17, 1992 in Crawford County)

Mar. 27, 1992, Certificate of Readiness filed.

ON OCTOBER 1992 TRIAL LIST

APR. 3, 1992 Notice of Oral Deposition of Scott Allen, filed.

Apr. 3, 1992 Notice of Oral Deposition of Bob Davis, filed.

Apr. 13, 1992 Withdrawal of Stephanie G. Spaulding for Defendant, Metal Fabricating, Inc., filed.

Apr. 13,1992 Appearance of Wayman, Irvin & McAuley by Janet I. Steitz for Defendant, Metal Fabricating, Inc., filed.

May 13, 1992 Motion To Consolidate filed.

May 13, 1992 Upon praecipe of Atty. Pretz the above captioned matter is placed on the next available argument list

1992 JUNE ARGUMENT LIST

June 24, 1992 Order of Court filed.AND NOW, to-wit, this 23rd day of June, 1992, upon presentation of the within Stipulation of counsel, it is hereby ORDERED, ADJUDGED AND DECREED that the Complaint to Join Ken-Kar Company, Inc., t/d/b/a/ Bay Steel Products Company, Ken Kleinhert and Karl Kleinert, successors in interest to Ken-Kar Company, Inc., t/d/b/a Bay Steel Products Company as additonal defendants is dismissed.

BY THE COURT,
Gordon R. Miller, J.

June 24, 1992 Copy of order to: James G. Gordon,Esq., Linda L. Pretz, Esq., Janet I. Steitz, Esq.

Continued to page 252 B

252 B

1992

June 30, 1992 ORDER FILED. AND NOW, June 29, 1992, after oral argument on a motion to consolidate these two actions filed by Bowman Distribtuion, said motion is refused because the pleadings at A.D.1992 - 259 have not been completed. This Order is entered without prejudice to the Plaintiff or other interested parties seeking consolidation after the pleadings are closed.

By Order of the Court,
GordonR. Miller, P. J.

June 30, 1992 Copy of the order mailed to Atty. Pretz, Atty. Fitzer, Atty. Gordon, Atty. Steitz.

July 20, 1992 Answer To Bowman Distribution's Complaint Against Metal Fabricating filed.

July 24, 1992 REQUEST FOR ADMISSIONS UNDER PA.R.C.P. 4014 AND ACCOMPANYING INTERROGATORY, filed.

July 24, 1992 INTERROGATORIES DIRECTED TO DEFENDANT BOWMAN DISTRIBUTION, filed.

July 30, 1992, Verification for Answer to Complaint filed.

July 30, 1992, Reply to New Matter filed on behalf of additional Defendant Metal fabricating, Inc. filed.

Aug 7, 1992 PETITIONFOR LEAVE OF COURT TO JOIN ADDITIONAL DEFENDANT and ORDER filed. ORDER: AND NOW to-wit this 6th day of August, 1992, the time within which Metal Fabricating may join Mid-Michigan as an additional defendant is extend ed to the expiration of 60 days after the date of this order. Without limiting Mid-Michigan from filing objections to the order if it desires to, also, since this Motion was not filed with notice or consents as the local rules require, a ture and correct copy of this petition and order shall be served on all interested parties in accordance with local rule 206(b)(4). Gordon R. Miller, P.J.
Aug 11, 1992 copy to J. Gordon, L. Pretz, G. Fitzer & J. Steitz

August 11, 1992 Notice of Video Taped Deposition For Use At Trial on behalf of Bowman Distribution, a division of Barnes Group, Inc., filed.

August 13, 1992 Praecipe to Join Additional Defendant , Mid-Michigan Metal Products Co., Inc.,to above captioned action filed.

August 13, 1992 Complaint Against Additional Defendant, Mid-Michigan Metal Products Company, Inc. filed.

Aug. 24, 1992, REsponse to Request for Admissions Under Pa. R.C.P. 4014 and Accompanying Interrogatory, filed.

Aug. 26, 1992, Verification to Request for Admission filed.

OCTOBER 1992 TRIAL LIST

Sep. 1, 1992 Preliminary Objections to Metal Fabricating, Inc.'s Complaint to Join Mid-Michigan Metal Products filed.
Sep. 1, 1992 Upon Praecipe of Gretchen J. Fitzer, Esquire, the above captioned matter is placed on the next available Argument List.

ON OCTOBER, 1992 ARGUMENT LIST

Sept. 8, 1992 Motion To Strike Certificate of Readiness on behalf of defendant, Metal Fabricating, Inc. filed.

Sept. 14, 1992 Motion to STrike Certificate of Readiness on behalf of Mid-Michigan Metal Products, additional defendant filed.

Sept. 23, 1992 MOTION TO CONTINUE CASE FROM OCTOBER TRIAL LIST and ORDER filed. ORDER: AND NOW, to-wit this 22nd day of September, 1992, the above-captioned case is continued from the October trial list to the February 1993 trial list. Gordon R. Miller, P.J.
Sept. 24, 1992 sent copy to J. Gordon, L. Pretz, G. Fitzer & J. Steitz

ON FEBRUARY 1993 TRIAL LIST

Oct. 5, 1992 Supplemental Interrogatories Directed To Defendant Bowman Distribution filed.

Oct. 14, 1992 Amended New Matter filed.

Nov. 4, 1992 SUPPLEMENTAL INTERROGATORIES DIRECTED TO DEFENDANT BOWMAN DISTRIBUTION, filed.

Dec. 23, 1992, STATEMENT OF FACTS AND ORDER filed. ORDER: AND NOW, Dec. 22, 1992, the preliminary objections of Mid-Michigan Metal Products to the complaint of Metal Fabricating, Inc. joining Mid-Michigan Metal Products as an additional defendant are granted and Mid-Michigan Metal Products is hereby dismissed and removed as an additional defendant.
The request of Mid-Michigan Metal Products for counsel fees and expenses is denied.
BY ORDER OF COURT,
Gordon R. Miller, J.
Dec. 23, 1992, copies mailed to Attys. gordon, Pretz, Fetzer and Steitz.

Jan. 25, 1993 Plaintiffs' First Motion For Continuance and Order filed. AND NOW, this 25th day of January, 1993, upon presentation of and hearing on Plaintiffs' First Motion For Continuance, it is hereby ORDERED, ajduged and Decreed that said motion be an dis hereby granted, that the action at NO. 19920252 be continued form the February, 1993 civil trial ist to the April Trial list. Gordon R. Miller, J
Jan. 25, 1993 Copies mailed to Atty's Steitz, Pretz and Gordon

ON APRIL, 1993 TRIAL LIST

Mar. 29, 1993 Order filed. And Now, this 29th day of March, 1993, following the call of the April Civil Trial List, pretrial conferences are scheduled in the following cases on the following dates and times before the judge indicated below: Pretrial Conference Date and Time: Monday, April 5, 1993, 11:00 A.M.: Miller, P.J.
Counsel are directed to report any change in the status of any case, or any special scheduling needs the Court Administrator at the earliest possible time.
BY THE COURT,
Gordon R. Miller, P. J.

Mar. 29, 1993 Copies Distributed by Court.

Apr. 5, 1993, UPon praecipe of plaintiff attorney, the above captioned case is discontinued against Bowman distribution, a div. of Barnes Group, Inc., orig. dft., and Metal Fabricating, Inc. add'l dft.

Papers on File Cabinet A

1992

Phillips and Galanter
Bret J. Southard

253.

ALBERT E. GEBHARD

vs.

GREGORY A. WASKO

Filed March 17, 1992
@ 1:08 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	30.00
Pro Co Pd 5-27-92	5.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Mar. 30, 1992 SHERIFF'S RETURN filed. SERVED Gregory A. Wasko personally on March 26, 1992 at 5:55 PM at his place of visitation, 815 Brawley Ave., Meadville, Crawford Co. Pa.
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

May 27, 1992 Upon praecipe of Plaintiff attorney the above-captioned action due to the filing of a bankruptcy by the Defendant at United States Bankruptcy Court for the Western District of Pennsylvania, Case No. 91-00904-WWb is settled and discontinued of record.

254

1992

Halliday & Halliday
Michael Halliday

254.

DAVID WILLIAM CALDWELL

vs.

RENEE MARIE CALDWELL

Filed Mar. 18, 1992
@ 10:10 a.m.

Tax & entry paid	$50.50 ✓
1 count paid	15.00 ✓
state paid	10.00
state paid	10.00
Pro.Co. pd 4/8/94	9.00 ✓

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

May 1, 1992 Complaint reinstated.

June 22, 1992 GENERAL APPEARANCE filed. Enter my General Appearance in the above-captioned divorce action. I hereby accept srvice of and acknowledge receipt of a certified copy of the Complaint filed in this action. Renee Marie Caldwell

Apr. 8, 1994 Affidavit of Consent by David Caldwell, Plaintiff, filed.

Apr. 8, 1994 Affidavit of Consent by Renee Marie Caldwell, Defendant, filed.

Apr. 8, 1994 Upon Praecipe of Michael Halliday,Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

April 14, 1994 STIPULATION AND CONSENT DECREE. AND NOW, this 13th day of April, 1994, upon presentation and consideration of the foregoing Stipulation, the Court Orders and Decrees as follows:

I. DIVORCE:

Upon consideration of the pleadings and the Affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above named parties upon the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of filing the Complaint, and an Affidavit has been field by each of the parties evidencing that each consents to the divorce pursuant to Section 3301(c) of the PA. Divorce Code.

II. CUSTODY:

Parties have mutually agreed that legal custody of the children, namely, Sherrie M. Caldwell, born Sept. 13, 1981, and Steven J. Caldwell, born Nov. 28, 1985, shall be with both parties, said parties having joint legal custody of both children.

Parties are agreed that Defendant, Renee Marie Caldwell, shall have physical custody of the child, Sherrie M. Caldwell, and Plaintiff, David William Caldwell, shall have physical custody of the child, Steven J. Caldwell. Both paraties are agreed that liberal rights of visitation shall be granted to the other, and that both parties shall cooperate to the fullest in the visitations occurring jointly with the children together.

BY THE COURT:
Gordon R. Miller, J.

1992

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
JOhn D. Petruso

255.

DOROTHY E. GILL

vs.

RONALD J. GILL

Filed Mar. 18, 1992
@ 10:48 a.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	
Pro.Co. Pd 6/30/92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 19, 1992, Acceptance of Service of Complaint in Divorce Filed. And now, this 19th day of March 1992, and in accordance with Rule ofCivil Procedure 1920.4(e), I hereby accept service of a true and correct copy of the complaint in divorce. Ronald J. Gill.

June 22, 1992 AFFIDAVIT OF CONSENT OF PLAINTIFF, filed.

June 22, 1992 AFFIDAVIT OF CONSENT OF DEFENDANT, filed.

June 30, 1992 Upon Praecipe of John D. Petruso, Esquire, for Review under §3301 of The Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

July 8, 1992 AND NOW, July 7, 1992, it is hereby ordered and decreed that D O R O T H Y E. G I L L, Plaintiff, and R O N A L D J. G I L L, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Shafer, swick, Bailey
Irwin & Stack
James R. Irwin

256.

IN RE:
ASHLEY CHRISTINE POWELL,
A MINOR, BY HER FATHER,
AND CUSTODIAL GUARDIAN,
MILO STEIGER

Filed Mar. 18, 1992
@ 11:05 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00

PETITION FOR CHANGE OF NAME

Mar. 18, 1992 Order filed. ORDER: AND NOW, this 18 day of March 1992, upon presentation of the attached Petition for Change of Name, hearing on said petition is set for the 16th day of Apr. 1992, at 9:00 a.m. in C. R. No. 1 or 2 in the Crawford County Courthouse, Meadville, Pa.

Notice of the filing of the within Petition and of the aforesaid date for hearing shall be published inthe Meadivlle Tribune, and the Crawford County Legal Journal. 1 time.

BY THE COURT,:
Robert 1. Walker, J.

Mar. 18, 1992 copy of order to Atty. J. Irwin.

April 3, 1992 Affidavit of Service filed. I, James R. Irwin, Esquire, being duly sworn according to law, depose and say that I am the attorney of record setting a hearing date for the Petition for Change of Name in theabove matter, signed by the Court of Crawford County, Pennsylvania on Kimberly Powell, the subject minor child's natural mother, by certified mail, addressee only, return receipt requested, dated March 19, 1992. Kimberly Powell acknowledged service on March 23, 1992 by accepting delivery on that dte as evidenced by the attached signed return receipt.

James R. Irwin, Esq.

April 16, 1992 ORDER FILED. AND NOW, this 16 day of April, 1992, at the time set for hearing, the natural father, MILO STEIGER, and the natural mother Kimberly Powell, of the minor child, ASHLEY CHRISTINE POWELL, mutually agree that it is in the best interest of the minor child to change her name from ASHLEY CHRISTINE POWELL, to ASHLEY CHRISTINE STEIGER.

FURTHER, the Bureau of Vital Statistics, Department of Health, Commonwealth of Pennsylvania, is directed to amend the Birth Certificate of the minor child, Ashley Christine Powell, to reflect the change of the sir name from Ashley Christine Powell to ASHLEY CHRISTINE STEIGER.

BY THE COURT:
Anthony J. Vardaro, J

April 23, 1992 copy of Order to James R. Irwin, Esquire.

1992

Michael J. Antkowiak

257.

CHERYLL L. RAY

vs.

RONALD L. RAY

Filed Mar. 18, 1992
@ 11:40 a.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Pd 10/11/96	9.00 ✓
Pro Co. pd 10-17-96	$5.00 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 7, 1992 AFFIDAVIT OF SERVICE filed. I, MICHAEL J. ANTKOWIAK, ATTORNEY for Plaintiff, first being sworn according to law, hereby swear and affirm that I served the Complaint in the above-captioned proceedings upon the Defendant above-named by certified mail, which service was accomplished on March 23, 1992, as shown by the receipt for said certified mail attached hereto and by reference made a part hereof.

Aug. 12, 1996 Amended Complaint in divorce Notice to Defend and Claim Rights and Amended Complaint in Divorce by Plaintiff's Attorney filed.

Aug 19,1996 Affidavit of Service: Michael J. Antkowiak, Esquire, being duly sworn according to law, deposes and says that he served a true and correct copy of the AMENDED COMPLAINT IN DIVORCE and AFFIDAVIT OF PLAINTIFF UNDER SECTION 3301(d) OF THE DIVORCE CODE upon Ronald L. Ray, Defendant in the above-captioned matter, by mailing the same by U.S. Certified Mail, Article Number P 206 281 181, to Ronald L. Ray. Defendant received said document on Aug. 15, 1996, as evidenced by the Certified Mail Return Receipt card which is attached hereto. and marked Exhibit "A".

Oct. 4, 1996, Upon praecipe of plaintiff attorney, with copies of notice of intention to request divorce decree and Counter-affidavit under Section 3301(d) of the Divorce Code attached, and service; this case moved to court.

DIVORCE DECREE FILED

Oct. 16, 1996 AND NOW, this 16 day of October 1996, after review of the above-captioned case, and upon consideration of the pleadings and other documents filed therein, it is

ORDERED, ADJUDGED AND DECREED that:

1. The Plaintiff, CHERYLL L. RAY, and the Defendant, RONALD L. RAY, are hereby divorced from the bonds of matrimony.

2. Plaintiff's prior name is restored and she shall be known as CHERYLL L. SMALLEY hereafter effective upon the payment of the $5.00 fee to the Prothonotary of Crawford County.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 16, 1996 Notice of Election to Retake Prior Name filed. Cheryll L. Ray to be known as Cheryll L. Smalley.

1992

Barrett & Dratler
Bruce A. BArrett

258.

KIMBERLY SUE COSE

vs.

MARK EDWARD COSE

Filed Mar. 18, 1992
@ 2:06 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00
Pro Co pd 6/25/92	9.00
Pro Co pd 8-17-92	5.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE

1 copy (atty)

MArch 24, 1992 Affidavit of Service filed. Bruce A. Barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the Attorney for the Plaintiff in the above captioned action.

2. That a true and correct copy of a Complaint for Divorce under Section 3301(c) was sent by registered mail to the Defendnat.

3. The registered mail was sent to the Defendant at RD 2 Box 239 Dutch HIll, Union City, PA 16438 on March 18, 1992. The Sender's receipt is attached hereto.

4. The Defendant received said registered mail on March 18, 1992. Said receipt card number 320 791 354 is attached hereto and signed by the Defendant Mark Edward Cose.

5. The return receipt card signed by the Defendant was returned after signature to the office of Bruce A. Barrett, Esq., 965 S. Main St., Meadville, PA 16335 on March 20, 1992.

Bruce A. Barrett, Attorney

June 23, 1992 Affidavit of Consent by MaRK Edward Cose, Defendant, filed.

June 25, 1992 Affidavit Of Consent of Plaintiff filed.

June 25, 1992 Upon praecipe of Plaintiff Attornrey To Transmit Record, this case moved to court.

DIVORCE DECREE FILED

July 2, 1992 AND NOW, July 1, 1992, it is ordered and decreed that KIMBERLY SUE COSE, plaintiff, and MARK EDWARD COSE, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

Aug. 17, 1992 Election to Resume Former Name filed. Kimberly Sue Cose to be know as Kimberly Sue Renick.

1992

Baginski and Bashline
Linda L. Pretz

259.

Tighe, Evan & Ehrman
Gretchen J. Fitzer

BOWMAN DISTRIBUTION
A DIVISION OF BARNES
GROUP, INC.

vs.

MID-MICHIGAN METAL PRODUCTS

Filed Mar. 18, 1992
@ 2:59 p.m.

Tax & entry paid $50.50
state paid 5.00

Pro.Co. Pd. 10/11/94 6.00

SUMMONS IN A CIVIL ACTION

Issued (atty)

Mar. 31, 1992, Upon praecipe of defendant attorney, Rule entered upon plaintiff to file Complaint, issued. (issued (atty)

Apr. 6, 1992 ACCEPTANCE OF SERVICE filed. Service of a true and correct copy of the Writ of Summons against MID-MICHIGAN METAL PRODUCTS is hereby accepted this 27th day of March, 1992.
Gretchen J. Fitzer, Esq.

April 13, 1992 Service of Rule is hereby accepted by Linda L. Pretz, attorney,filed.

May 13, 1992 Motion To Consolidate filed. (see paper filed at A.D. 1992-252)

May 13, 1992 Upon praecipe of Plaintiff attorney the above captioned matter is placed on the next availabe argument list (see paper filed at A.D. 1992-252)

1992 JUNE ARGUMENT LIST

June 25, 1992 Complaint filed.

July 15, 1992 Preliminary Objections in the Nature of a Demurrer Filed.

July 15, 1992 Upon Praecipe of Defendant's Attorney the above captioned matter is placed on the next available argument list.

1992AUGUST ARGUMENT LIST

Sept. 11, 1992 Motion to Continue Argument and Order of Court filed. AND NOW, to wit, this 9th day of September, 1992, argument in the above matter set for September 8, 1992, is continued, to be scheduled with argument in a companion matter at A.D.1992-252, for October 26, 1992. The Prothonotary is directed to place this case on the October 26, 1992 Argument List.
By Order of the Court,
Gordon R. Miller, P. J.

Sept. 14, 1992 Copy of the Order mailed to Attys. Pretz and Fitzer.

1992OCTOBER 26, 1992 ARGUMENT LIST

Oct 20, 1992 Amended Complaint, filed.

Nov. 10, 1992 Answer and New Matter filed.

Nov. 16, 1992 Reply To New Matter filed.

Dec. 22, 1992, Motion for Judgment on the Pleadings filed. (on behalf of dft.)

Dec. 22, 1992, Upon praecipe of defendant attorney, for argument, this case listed on next argument list.

ON ARGUMENT LIST FOR JANUARY 1993

Mar. 10, 1993 MEMORANDUM AND ORDER filed. ORDER: AND NOW, March 10, 1993, motion for judgment on the pleadings filed by Mid-Michigan Metal Products is granted in part and denied in part. It is granted as to the claim of Bowman Distribution for contribution but it is denied as to the pllaintiff's claim for indemnity.
BY ORDER OF COURT
Gordon R. Miller, P.J.

Mar. 11, 1993 copies mailed to Fetzer & Pretz

Oct.11,1994 Upon Praecipe of Linda L. Pretz, Esquire, the above case marked settled and discontinued of record.

260

1992

Paul E. Allen

260.

JACQUELINE A. RANDOLPH

vs.

RICHARD LYNN RANDOLPH

Filed Mar. 18, 1992
@ 3:46 p.m.

Tax & entry paid	$50.50 ✓
state paid	10.00
state paid	5.00

Pro Lo pd 6-26-92 9.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

2 copies (atty)

Apr. 10, 1992 Acceptance of Service filed. I, the undersigned Defendnat in the above cpationed action, hereby accept service of the Complaint in Divorce
DATEL 3/20/92 Richard Lynn Randolph

June 25, 1992 Affidavit of Consent of Defendant filed.

June 25, 1992 Affidavit of Consent of Plaintiff filed.

June 26, 1992 Upon praecipe of Plaintiff attorney To Transmit Record, this case move dto court.

D I V O R C E D E C R E E F I L E D

July 8, 1992 AND NOW, July 7, 1992, it is hereby ordered and decreed that **J A C Q U E L I N E A . R A N D O L P H** , Plaintiff, and **R I C H A R D L Y N N R A N D O L P H ,** Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

C. Barton Jones

261.

Barbara J. Walton

ANTHONY FERRARA

vs.

STELLA FERRARA

Filed Mar. 18, 1992
@ 3:54 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co Pd 3/18/92-	9.00
Pro Co pd 9/18/92	15.00
State paid	5.00
Pro.Co. pd 2/17/93	9.00

10-21-92
Recieved from Pltf
Master's deposit
$ 700.00

11-20-92
Recieved from deft
master's deposit
300.00

1-4-93 Pd master
721.50 Ck# 7253

1-4-93 Pd Ct Rep.
Lorraine Wallar 75.00
Ck# 7254

14-93 Pd Pltf
Bal master fees 142.45
Ck# 7255
1-4-93 Pd deft
Bal master fees 61.05
Ck# 7256

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, AND EQUITABLE DISTRIBUTION

Mar. 18, 1992, Affidavit filed. I, C. Barton JOnes, Esq. did mail a true and correct copy of the Complaint in Divorce filed in above matter, by cert. mail. ret. rec. req. to the defendant on Mar. 17, 1992, at her last known address, R. D. # 2 Conneautville, Pa. 16406
Date: 3/17/92 C. Barton Jones Esq

Aug.. 26, 1992, Inventory and Appraisement of Anthony Ferrara filed.

Aug. 26, 1992, Income and Expense Statement of Anthony Ferrara filed.

Sept. 18, 1992 Countercomplaint for Divorce and added counts of Alimony Pendente LIte, etc. and Permanent Alimony filed.

Sept 30, 1992 Affidavit of Consent of Plaintiff, filed.

Oct. 2, 1992 Motion For Appointment Of Master In Divorce filed

Oct. 2, 1992 Order filed. ANDN OW, October 2, 1992, John F. Spataro, esquire, is appointed Master in respect to the following claims: divorce, alimony, alimony pendente lite, distribution of property, counsel fees, costs and expenses.
The plaintiff shall deposit $700 and the defendant shall deposit $300 in the time required by the local rules.
The plaintiff shall complete and file the form required by Pa. R.C.P. 1920.46 within 10 days from this order.
Counsel for the Plaintiff is advised that the motion he filed is not in the form required by the local rules. From this point on he shall comply with the local rules with respect to such filing.
The parties shall each file their pretrial statements within 30 days form this date.
The parties shall file their 201(c) consents wihtin 30 days from this date. If one or both of the parties does not do that then this divorce shall proceed on a fault basis. The Court does not expect the Master, nor the Court, to decide matters ancillary to the to the divorce without deciding the divorce. Normally the consents would have been filed before the motion for the appointmen of a master was filed.
BY ORDER OF COURT,
Gordon R. Miller, J

Oct. 8,1992 Copies put in box for Atty's Jones, Walton and Spataro

Oct. 21, 1992 Pretrial Statement of: Anthony Ferrara Rule 1920.33(b), filed.

Oct. 26, 1992 ANSWER TO DEFENDANT'S COUNTER-COMPLAINT FOR DIVORCE, filed.

Nov. 5, 1992 Pre-Trial Narrative of Defendnt, filed.

Nov. 12, 1992 Affidavit of Service filed. A true and correct copy of the Counter-Complaint for Divorce filed in the above-captioned matter was served upon the Plaintiff ANTHONY FERRARA, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on Sept. 30, 1992,as evidenced by the United States Postal Service Return Receipt (Certified No. P 899097876) attached hereto as Exhibit A.
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.
DATE: Nov. 10, 1992
Barbara J. Walton, Esq.

Nov. 17, 1992 Income and Expense Statement filed.

D ec. 2, 1992, Amended Inventory and Appraisement of Stella Ferrara, filed.

Dec 18, 1992 Master's Report, filed.

Dec. 18, 1992 Notice of Filing Master's Report.

Dec 31, 1992 MOTION and ORDER filed. ORDER: AND NOW, this 31 day of December, 1992, upon consideration of the within Motion, the Prothonotary is directed to issue a check in the amount of $721.50 to John F. Spataro for Master's fees and a check in the amount of $75.00 to Lorraine Dallas for payment of the stenographer fees. The balance remaining shall be distributed to the parties, with the Plaintiff receiving, $142.45 and the Defendant receiving $61.05. Master's fees based on current court rate of $65. an hour.
BY THE COURT,
Anthony J. Vardaro, J.

Jan. 4, 1993 copy to C.B. Jones, B. Walton & J. Spataro

Jan. 14, 1993 PRE-HEARING CONFERENCE SUMMARY, filed.

Jan. 14, 1993 Inventory and Appraisement of Stella Ferrara, filed.

Jan. 14, 1993 Affidavit of Consent of Defendant, filed.

Feb. 17, 1993 UponPraecipe of Defendant Attorney to transmit record, case moved to Court.

RECORD CONTINUED ON PAGE 492.....

Thomas, Truax,
Spadafore & Walker

R. Charles Thomas

262.

DONALD B. HULLEY AND
EMMA E. HULLEY, HIS WIFE

vs.

MARY B. ARMOUR a/k/a
MRS. WILLIAM ARMOUR;
THE MRS. WILLIAM ARMOUR
ESTATE; IDA BELL; AND
CARRIE ARMOUR, AND THEIR
RESPECTIVE HEIRS, PERSONAL
REPRESENTATIVES AND
ASSIGNS,

Filed Mar. 19, 1992
@ 11:43 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00

COMPLAINT - ACTION TO QUIET TITLE

May 20, 1992 Complaint reinstated.

July 13, 1992 Motion for Leave to Serve by Publication and ORDER FILED. AND NOW, this 13th day of July, 1992, upon Motion of R.CHARLES THOMAS, ESquire, Attorney for the Plaintiffs in the above captioned matter, leave is hereby granted to serve Mary B. Armour a/k/a Mrs. William Armour; the Mrs. William Armour Estate; Ida Bell; and Carrie E. Armour, and their respective heirs, personal representatives and assigns, Defendants in said action by publication of a notice of the facts set forth in the Complaint in the Meadville Tribune, a newspaper of general circulation, and the Crawford County Legal Journal, one (1) time and requiring the said Defendants to plead within twenty (20) days from the last date of publication thereof.

BY THE COURT,
Gordon R. Miller, J.

July 13, 1992 Copy of Order to Atty. Thomas.

Aug. 31, 1992 Affidavit Filed.

Aug. 31, 1992 Motion for Judgment and Order filed. AND NOW, this 31st day of August, 1992, upon presentation of the foregoing Motion and due consideration thereof it is hereby ordered and decreed that the Defendants, Mary B. Armour a/k/a Mrs. William Armour; the Mrs. William Armour Estate; Ida Bell; and Carrie E. Armour, and their respective heirs, personal representatives and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the Plaintiffs as set forth in the Complaint in this case,or in any way attacking the title of the Plaintiffs in said property; from issuing or continuing any action and taxing the same and from encumbering, mortgaging or conveying the same or any part thereof; unless the Defendants, their heirs and assigns take such action as is herein directed within thirty (30) days after the entry of this judgment. It is further ordered and decreed that if no Petition to open this judgment or satisfy this decree is presented by the Defendants, their heirs and assigns, within thirty (30) days from and after the entry of this Decree, the same shall be final. If such action is not taken within said thirty (30) day period, the Prothonotary shall enter judgment.

BY THE COURT,
GordonR.Miller, J.

A-114; 174;
B-219; A-34;
Aug. 31, 1992 Copy of Order put in Atty.Thomas box.

1992

Thomas, Truax, spadafore
& Walker

R. Charles Thomas

263.

William J. Gregg

ROBERT C. BOYD AND THERESA L. BOYD, HIS WIFE

vs.

PAUL R. LITWILER

Filed Mar. 19, 1992
@ 11:44 a.m.

Tax & entry paid $50.50 ✓
state pd. 5.00
Sheriff's costs 25.00

Pro Co Paid 4-20-92 9.00 ✓

COMPLAINT IN FORECLOSURE OF AGREEMENT OF SALE

1 copy (sheriff)

March 23, 1992 Sheriff's Return filed. SERVED Paul R. Litwiler on March 20, 1992 at 3:54 PM by handing a copy of the Complaint to Marilyn Litwiler, his wife and person in Charge, at their residence, Mercer Pike, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

AND NOW, April 20, 1992 @ 9:40 a.m. Upon Praecipe of Plaintiff's attorney, judgment is hereby entered in favor of the Plaintiff, and against the defendant for failure to file an answer and damages are assessed as follows: Unpaid principal balance due Two Thousand One Hundred Thirty-eight and 79/100; interest from May 1984 through April 15, 1992, One thousand Eight Hundred Thirty-three and 11/100 Dollars; Real Estate taxes for 1989, 1990 and 1991, Nine Hundred Sixty-six and 85/100 Dollars; TOTAL REAL DEBT, Four Thousand Nine Hundred Thirty-eight and 75/100 Dollars.
L-135
Debt....$4,938.75
JUDGMENT
Barbara H. King
Prothonotary

Apr. 21, 1992 AFFIDAVIT OF NON-MILITARY SERVICE OF DEFENDANT, filed.

May 8, 1992 DEFENDANT's PRELIMINARY OBJECTIONS FILED.

June 29, 1992 Petition for Rule to Show Cause Why Judgment Should Not Be Opened and Order filed. AND NOW, this 29 day of June, 1992, upon consideration of the foregoing Petition, it is hereby ordered that all proceedings on said judgment shall be, and hereby are stayed, effective immediately, pending disposition ofthis application;
AND FURTHER, the Plaintiffs are hereby ruled to show cause why the judgment should not be opened. Said Rule returnable of a time set on the July 1992 Argument list.
Anthony J. Vardaro, J

June 30, 1992 Copies of order to Atty's Thomas & Gregg

Oct. 30, 1992 Memorandum and Order filed. AND NOW, October 29, 1992, the Court converts the petition to open into a motion to strike and the judgment in foreclosure is stricken.
The plaintiffs are granted twenty (20) days from this date to file an amended complaint in this action at this number and term if they so desire.
BY ORDER OF COURT,
Gordon R. Miller, P. J.

Nov. 4, 1992 Copy of Order to Atty. Thomas and Atty.Gregg.

264.

ANNETTE RITENOUR

vs.

JAMES TO SHIFFER

Filed Mar. 19, 1992
@ 2:15 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's costs	25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 19th day of March, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

~~1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.~~

2. Special Conditions: Defendant shall permit Plaintiff to come to pick up her belongings in peace without violence or abuse.

~~3. This Order may be enforced without a warrant of arrest--by any law enforcement officer having reasonable ground to believe it has been violated.~~

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

~~7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.~~

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for March 24, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

March 23, 1992 Sheriff's Return filed. SERVED James T. Shiffer personally on March 20, 1992 at 11:40 PM by handing a copy of the Protection from Abuse to him at his residence, 523 Arch ST., Apt. A, Meadville, Crawford County, Pa 16335. So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 26, 1992 ORDER filed. AND NOW, March 24, 1992, after an informal hearing, the Court finds that on one occasion, the defendant did commit abuse as that is defined by the Act, that is, a brief choking incident.

ACCORDINGLY, the Court finds that the Plaintiff has proven abuse by the preponderance of the evidence and enters the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff in any way.
2. We do not enter any Orders governing or controlling the ability or right of the parties to contact each other in person or by phone, except that the defendant shall not contact the plaintiff in person unless she specifically agrees.
3. A copy of this Order shall be delivered to the Meadville Police Dept. and to County Control.
4. This Order shall remain in effect until Sept. 24, 1992, unlessmodified or terminated by further Order of Court.
5. Costs shall be paid by Crawford County since the parties have very limited income.
6. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Mar. 27, 1992 copy given to County Control. Mar. 31, 1992 mailed copy to Plf. & Dft.and Mdvl. Police Dept.

1992

Shafer, swick, Bailey
Irwin & Stack
Paul D. Shafer, Jr.
Jeffrey K. Millin

265.

David W. Pickens

GLENN D. RUDOLPH t/d/b/a
DAVID JEWELERS

vs.

ANDREA M. MITCHELL

Filed Mar. 20, 1992
@ 11:32 a.m.

Tax & entry paid $50.50 ✓
state paid 5.00 ✓
Pro.Co. pd 7/16/92 15.00 ✓
Pro Co Pd 1-25-93 6.00 ✓

COMPLAINT

1 copy (atty)

April 20, 1992 Answer to Complaint filed.

May 5, 1992 CERTIFICATE OF SERVICE FILED. AND NOW, this 20th day of April, 1992, the undersigned hereby certifies that a copy of the Answer to Complaint was served by First Class, United States Mail, postage prepaid, or hand delivery, addressed as follows;
Jeffrey K. Millin,Esquire
Shafer, Swick, Bailey, Irwin & Stack
360 Chestnut Street
Meadville, PA 16335

David W. Pickens, Esquire

May 6, 1992 Reply To New Matter and Counterclaim filed.

July 16, 1992 Upon Praecipe of Plaintiff Attorney for appointment of Arbitrators, the following Arbitrators are appointed.

~~Nancy Sennett,~~ Chairman Bruce Barrett
Emil M. Spadafore
Barbara J.Walton

August 12, 1992 Arbitrators take Qualifying Oath.

sept. 10, 1992 Notice Of INtention To Offer Documents filed.

Jan. 25, 1993 Upon praecipe of Plaintiff attorney the above-captioned case is settled and discontinued of record.

1992

Shafer, swick Bailey,
Irwin & Stack
Charles J. Swick

266.

AMERICAN FEDERAL SAVINGS AND LOAN ASSOCIATION, FORMERLY VENANGO FEDERAL SAVINGS AND LOAN ASSOCIATION NOW BY MERGER, NORTHWEST SAVINGS ASSOCIATION

vs.

BRIAN R. HANNOLD

Filed Mar. 20, 1992
@ 11:42 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	28.00
Sheriff's Costs	50.00
Pro Co Pd 6-10-92	9.00

H-23
Entered 6/10/92

COMPALINT IN MORTGAGE FORECLOSURE

1 copy (sheriff)

Mar. 24, 1992 SHERIFF' S RETURN filed. NOT FOUND as to Defendant Brian R. Hannold. He moved from address given of R.D. 3, Box 300, Dickson Rd., Meadville, Crawford County, PA, in December of 1991, no forwarding address known.
So answers, Robert M. Stevens, Sheriff

Apr. 21, 1992 Complaint Reinstated.

May 11, 1992 SHERIFF's RETURN FILED. SERVED Brian R.Hannold on May 5, 1992 at 8:47 AM by handing a copy of the Complaint in Mortgage Foreclosure to Julie Shongo, Adult in Charge at the residence, 420 Willow Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 10, 1992 And Now, June 10, 1992 at 11:52 A.M. upon Praecipe of Charles J.Swick, Plaintiff's attorney, judgment is hereby entered in favor of the Plaintiff and against the Defendant Brian R. Hannold, for failure to file an answer and the same is liquidated at the sum of Twenty thousand Three hundred Sixty One and 19/100 dollars, with costs plus interest.

Debt $20,361.19
Interest from January 31, 1992
Judgment
Barbara H. King,
Prothonotary

EXECUTION 1992 - 55

1992

Stephen H. Hutzelman
Plate, Shapira, Hutzelman, Berlin, May, Walsh AND Brabender

267.

SIGNAL CONSUMER DISCOUNT COMPANY

vs.

FRANCIS E. MILLER AND BETTY L. MILLER, HIS WIFE

Filed Mar. 20, 1992
@ 1:24 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Paid 4/1/92	5.00
Sheriff's Costs	31.00

COMPLAINT

2 copies (sheriff)

Mar. 30, 1992, Upon praecipe of plaintiff attonrey, the above captioned action is hereby discontinued of record, without prejudice.

Apr. 13, 1992 SHERIFF'S RETURN filed. NOT FOUND as to Defendants Francis E. Miller and Betty L. Miller. They reside in Erie County, Pa. So answers, Robert M. Stevens, Sheriff

1992

Joseph F. Kulwicki

268.

MATTHEW A. SOKAC

vs.

VIRGINIA A. SOKAC

COMPLAINT UNDER SECTION 201(c) DIVORCE CODE

1 copy (atty)

March 30, 1992 Acceptance of Service filed. I, Joseph Tinko, Esq., do hereby accept service of a certified copy of the Divorce Complaint on behalf of Virginia A. Sokac in connection with the matter above captioned, and certify that I am authorized to do so.

Joseph Tinko, Esq.

Sept. 4, 1992 Affidavit of Consent by Virginia A. Sokac, Defendant, filed.

Sept. 28, 1992 Affidavit of Consent of Matthew A.Sokac, Plaintiff, filed.

Sept. 28, 1992 Upon Praecipe of Plaintiff's Attorney, Joseph F. Kulwicki, for Review of the Divorce Code this case moved to Court.

Filed Mar. 20 ,1992
@ 1:37 p.m.

Tax & entry paid $50.50 ✓
state pd. 5.00

Pro.Co. Pd. 9/28/92 9.00 ✓

Pro Co pd 11/2/92 5.00

DIVORCE DECREE FILED

Oct. 2, 1992 AND NOW, Sept. 30, 1992, it is ordered and decreed that **MATTHEW A. SOKAC**, plaintiff, and **VIRGINIA A. SOKAC**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

Nov. 2, 1992 Notice Of Election To Retake Maiden Name filed. Virginia A. Sokac TO BE KNOWN HEREAFTER AS: Virginia Ann Granat and/or Virginia A. Granat

1992

Ann Hansen Gamble
Joseph M. Walsh III
Hutzelman, walsh and Walsh

269.

Paul J.Carney,Jr.

2-21-97 Rec'd from plff Marshs fee 250a
5-27-97 Rec'd from plff add'l master fee 50a
5-30-97 Rec'd from deft add'l master fee 50a
9-1-97 Rec'd from deft master fee 162.50

KARLA M. BEDOW

vs.

TERRY A. BEDOW

Filed Mar. 20, 1992
@ 2:06 p.m.

Tax & entry paid	$50.50
state pd.	10.00
state pd.	5.00
Pro Co. pd 11-18-97	9.00

David Pickens, Master

COMPLAINT IN DIVORCE

2 copies (atty)

Apr. 24, 1995 Notice of Service of Defendant's Interrogatories Directed to Plaintiff Karla M. Bedow, filed.

May 26, 1995, Appearance of Ann Hansen Gamble, attorney for plaintiff, filed.

June 21, 1995 Amended Complaint in Divorce, filed.

June 21, 1995 Affidavit Under Section 3301(d) of the Divorce Code, filed.

Aug. 27, 1996 Inventory of Terry Bedow filed.

Jan 27, 1997 Petition To Compel Filing of Inventory anbd Income and Expense Statement and Order: AND NOW, this 27 day of January, 1997 upon consideration of the foregoing Petition it is hereby ORDERED that the Plaintiff, Karla M. Bedow, shall, within twenty (20) days of the date of this Order file her Inventory and Income and Expense Statement and file a Praecipe for the Appointment of a Master in the above-captioned matter.
Anthony J. Vardaro, J.
Jan 27, 1997 Faxed Gamble & Carney

Feb. 19, 1997 Plaintiff's Monthly Income and Expense Statement filed.

Feb. 19, 1997 Inventory of Plaintiff filed.

Feb. 21, 1997 Motion for Appointment of Master and ORDER APPOINTING MASTER filed. AND NOW, February 20, 1997, David Pickens, Esq., is appointed master with respect to the following claims: Alimony, distribution of property, counsel fees, costs and expenses.
Deposit required:
By Plaintiff $250.00 By Defendant $_____
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.
Per Curiam,
Anthony J. Vardaro, Judge
Received of Plaintiff $250.00;
forthwith (SEE PAPERS FILED).
Feb. 21, 1997 Order FAXED Attys. Carney, Gamble and Pickens.

Mar. 7, 1997 Notice of Scheduled Pre-Hearing Conference filed.

Apr 4, 1997 Summary of Pre-Hearing Conference and Scheduling Order, filed. (Pickens)

Apr 4, 1997 Pre-trial Statement of Plaintiff, filed.

Apr 4, 1997 Pre-Trial Statement of Terry A. Bedow, filed.

Apr 14, 1997 Notice of Scheduled Master's Hearing, filed.

May 22, 1997 Defendant's Supplementary Pre-Trial Statement filed.

July 7, 1997 Notice of Filing Amended Master's Report filed.

July 7, 1997 Master's Report and Recommendation filed.

Nov. 7, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of Divorce Code of plaintiff filed.

Nov. 7, 1997 Affidavit of Consent of Plaintiff filed.

Nov. 7, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code of defendant, filed.

Nov. 7, 1997 Affidavit of Consent of Defendant, filed.

Nov. 7, 1997 Upon Praecipe of plaintiff attorney for review under Section 3301(c) 3301(d) of Divorce Code, this case moved to court.

DIVORCE DECREE FILED

Nov. 19, 1997 AND NOW, Nov. 19, 1997, it is ordered, adjudged and decreed as follows:
1. The parties shall receive the property as set forth below, which consists of all of the marital property of the parties set forth in the Master's Report and Recommendation:
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has nto yet been entered. Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending. (FOR MORE COMPLETE INFORMATION, SEE PAPERS FILED).
BY THE COURT:
Gordon R. Miller, J.

June 12, 1998 Court Reporter fee, filed.

270

1992

Robert Vincler &
Associates
Robert Paul Vincler

270.

GREEN TREE CONSUMER
DISCOUNT COMPANY

vs.

MICHAEL T. BAKER AND
TRACY BAKER

Filed Mar. 20, 1992
@ 2:26 p.m.

tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	50.00

COMPALINT IN CIVIL ACTION - REPLEVIN

2 copies (sheriff)

Apr. 13, 1992 SERVED Michael T. Baker personally on April 1, 1992 at 11:08 AM by handing him a copy of the Complaint in Replevin at his residence, R.D. L, Box 275B, Titusville, Cr. Co., Pa.

SERVED Tracy Baker on April 1, 1992 at 11:07 AM by handing a copy of the Complaint in Replevin to Michael Baker, her husband; at the residence, R.D. L, Box 275B, Titusville, Cr. Co., Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Gail R. Shearer

271.

MARIE DEETER, ON BEHALF OF HERSELF AND ERIC DEETER, A MINOR

vs.

DAVID DEETER

Filed Mar. 20, 1992
@ 2:59 p.m.

Tax & entry $10.50

ORDERS OF COURT CERTIFIED FROM THE COURT OF COMMON PLEAS OF VENANGO COUNTY, PA. C.P.P.D.1991 - 193

ORDER OF COURT:

AND NOW, Aug. 26, 1991 after hearing at which both parties were present and represented by counsel we entered the following order:

1. The temporary order entered on the 16 day of Aug. 1991, is hereby made permanent and shall remain in effect to the 16th day of aug. 1992.

2. The respondent david Deeter, may go to the premises for the purpose of picking up the children for temporary physical custody and may not leave his vehicle. He will have his temporary physical custody the iirst three weekends of each month, on each Sat. form 12;00 until 5;00 p.m and on each Sun. from 12;00 until 5;00 p.m. The first exercise of temporary physical custody to be sept. 1, 1991 at 12:00 p.m. The parties will also arrancge temporary physical custody by the respondent at such other times as the parties or the children mutually agree.

3. These terms of custody are a temporary arrangement. Either party would be or shall have the opportunity to make a petition for a court determination of custody after hearing.

4. Because this is a negotiated settlement, the court is making no finding of misconduct by either party.

By the Court,
H. William White, Pres. Judge

ORDER OF COURT:

AND NOW, Mar. 5, 1992, the parties appeared through counsel at a hearing scheduled in this matter through counsel, and stipulated that the court enter the following order:

1. The respondent David Deeter, is granted exclusive use and possession of the premises at R. D. #1, Box 59-1, judson Rd. Utica, Venango County, pa.

2. The provisions of the orig. order; that is, that the respondent David Deeter, refrain from engagin in abusive harassing or threatening behavior against the petitioner and the minor children, will remain ineffect until aug. 6, 1992. Respondent, David Deeter, is further enjoined from going to premises occupied by the Petitioner, Marie Deeter, at R. d. #4, Box 88D, Cochranton, Pa. except for purposes of picking up the children for purposes of visitation, inthe same manner as authorized in this court's order of Aug. 26, 1991, at such times provided in said order.

3. Copy of this orde shall be filed in the courty where the petitioner is residing by counsel for the petitioner, and served onthe State police, Seneca Barracks, and barracks servicing the jurisdiction where the petitioner is residing.

4. This order is a product of a negotiated settlement between the parties and the court has made no findings of misconduct with regard to either party.

BY THE COURT,
H. William White, Pres. Judge

Mar. 23, 1992, copy of above orders to County Control of Crawford County.

272

1992

Shafer, Swick, Bailey,
Irwin & Stack
James R. Irwin

272.

KATHY ANN HAGERTY

vs.

MICHAEL RICHARD HAGERTY

Filed Mar. 20, 1992
@ 3:45 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 4-28-94	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

June 30, 1992 Affidavit of Consent by Kathy Ann Hagerty, Plaintiff, filed.

July 10, 1992 Affidavit Of Service filed. I, James R. Irwin, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, PA. on the above named Defendant by certified mail, addressee only, return receipt requested, dated March 20,1992. The Defendant acknowledged service on March 24, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esquire

Oct. 12, 1992 Affidavit of Consent of Plaintiff filed.

Mar. 3, 1994, Plaintiff's affidavit Under section 3301(d) of the Divorce Code filed.

Mar. 24, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

April 4, 1994 AND NOW, this 29th day of March, 1994, upon consideration of the pleadings and affidavit filed in the abovecaptioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the abovenamed parties, on the grounds that the marriage is irretrievably broken and the parties have lived separate and apart for a period of at least two (2) years pursuant to Section 3301(d) of the PA. Divorce code, and that timely Notice of Intention to Request Entry of Divorce Decree pursuant to PA. Rules of Civil Procedure 1920.42 and 1920.73 has been given to the Defendant.

BY ORDER OF THE COURT
Gordon R. Miller, J.

1992

pro se

273

pro se

DORTHY ALICE YUCHA

vs.

FRANCIS GRANAT

Filed March 23, 1992
@ 12:46 pm

Tax & entry paid	50.25
User's Fee paid	5.00

DEFENDANT"S APPEAL FROM DISTRICT JUSTICE
ROBERT LEONHART, 30-3-03

Mar. 23, 1992 Upon rule Plaintiff is hereby ruled to file a Complaint issued.

Mar. 26, 1992, Complaint filed. 1 copy (plff)

Mar. 27, 1992, Proof of Service filed.

April 14, 1992 Affidavit of Service filed.

Apr. 21, 1992 Notice of Default filed by Plaintiff.

April 30, 1992 ANSWER AND NEW MATTER FILED.

July 1, 1992 Plaintiff's Answer to New Matter filed.

1992

Brian J. Lindsay

274

BONNIE L. CORNELL

vs.

CARL H. CORNELL

Filed March 23, 1992
@ 4:15 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 6-3-92	9.00

COMPLAINT IN DIVORCE

1 copy (Atty)

March 25, 1992 Acceptance of Service filed. I, the above named Defendant, hereby accept service of the Complaint, Notice to the Defendant/Plaintiff's Affidavit under Section 3301(d) of the Divorce Code, Defendant's Counter-Affidavit under Section 3301(d) of the Divorce Code, and Notice of Intention to Request Entry of Divorce in the above action.

Carl H. Cornell

Apr. 6, 1992 DEFENDANT'S COUNTER-AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

Apr. 6, 1992 PLAINTIFF'S AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

June 3, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 12, 1992 AND NOW, June 10, 1992, it is hereby ordered and decreed that Bonnie L. Cornell, Plaintiff, and Carl H. Cornell, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Robert J. Felton

275

DUANE W. YASHINSKI and
MARY M. YASHINSKI

vs.

MARK A. YASHINSKI

Filed March 24, 1992
@ 9;44 a.m.

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR RELIEF, STIPULATION AND ORDER
UNDER PROTECTION FROM ABUSE ACT

Order:

AND NOW, this 25 day of March 1992, upon presentation of the foregoing Petition and Stipulation, IT IS HEREBY ORDERED AND DECREED, as follows,

1. That respondent Mark K. Yashinski is immediately and further ordered to refrain from going to Petitioners' residence at 605 east walnut St. Titusville, Pa. and is specifically ordered to remain away from the said premises and to remain away from the person of the Petitioners, Duane w. Yashinski and Mary M. Yashinski, his wife.

2. That respondent, Mark a. Yashinski, is immediately and forthwith Ordered to cease and refrain from harassing and abusing Petitioners, Diane w. Yashinski and Mary M. Yashinski, his wife.

3. this order shall remain in effect for a period of one year from this date. BY THE COURT,
Gordon R. Miller, J

Mar. 26, 1992, SUPPLEMENTAL ORDER filed. AND NOW, Mar. 25, 1992, the court hereby supplements the order entered this date in this case in this case pursuant to the stipulation fo the parties by adding thereto the following, which this court believes is the appropriate under the law.

1. A true and correct copy of this order shall be delivered to the Titusville Police Department and to county control.

2. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

3. The defendant is reminded that this is an ORDER OF COURT and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

BY THE COURT,
Gordon R. MIller P.J.

Mar. 26, 1992, copies of above orders to R. Felton Atty. County Control and Titusville Police.

276

1992

Fuller, Kinnunen,
Petruso, Gamble
Fabian & Hall
Stephen E. Hall

276

LINDA S. HEIM

vs.

ANDREW R. HEIM

Filed March 24, 1992
@ 10:53 a.m.

Tax & entry paid	50.50
User's fee paid	5.00
State paid	10.00
Pro Co. pd 6/9/92	9.00

COMPLAINT UNDER SECTION 3301(c) or 3301(d)
OF THE DIVORCE CODE
1 copy (atty)

June 9, 1992 Upon Praecipe of plaintiff attorney for Review under Section 3301(d) of Divorce Code this case moved to court.

June 16, 1992, Acceptance of Service filed. I, Andrew R. Heim, hereby accept service of the Complaint in Divorce.
I further acknowledge receiving Plaintiff's Affidavit under Section 3301(d) of the Divorce Code.
Andrew R. Heim, Defendant
Date: 3-27-92

DIVORCE DECREE FILED

AND NOW, June 17, 1992, it is hereby ordered and decreed that Linda S.Heim, Plaintiff, and Andrew R.Heim, Defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.
BY THE COURT:
Anthony J. Vardaro, J.
June 22, 1992 copy in box for S. Hall

July 13, 1992 INCOME AND EXPENSE STATEMENT OF DEFENDANT, JOHN W. HARTNER, filed.

July 13, 1992 INVENTORY AND APPRAISEMENT OF DEFENDANT, JOHN W. HARTNER, filed.

1992

Northwestern Legal Sers.
Gerald Sullivan

277

DEBORAH A. ALLEN

vs.

DAVID T. WAGNER

Filed March 24, 1992
@ 11:02 a.m.

Tax & entry	Pd 6-2-92	50.50
user's Fee	Pd 6-2-92	5.00
Sheriff's Costs		37.00
Court Order	Pd 6-2-92	9.00

Received from Deft 6-2-92 $3 for Sheriff's costs
Paid Robert M Stevens Sheriff's costs 6-2-92 $37.00 Ch # 6850

Received from Defendant 9-17-92 Cadet ordered fine of 100.00

Pd 9-29-92 to Plaintiff Ch # 1076 $100.00 Ordered Fine

10-13-92 Received from Clerk of Ct. Criminal Fine David Wagner 10.00

10-13-92 Pd Commissioners Criminal Fine for David Wagner Ck # 7109 100.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 24 day of March, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not assault, harass or threaten.Plaintiff in public at any loca tion.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police *** departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 2, 1992, at 3:30 M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

**Corry PSP & Titusville City Police

Mar. 25, 1992 SHERIFF'S RETURN filed. SERVED David T. Wagner personally on March 25, 1992 PM by handing a copy of the Protection from Abuse to him at the Titusville Police Station, 323 North Franklin St., Titusville, Crawford Co., Pa. So answers, Dale Beach, Titusville Police Dept.
Robert M. Stevens, Sheriff

Apr. 2, 1992 MOTION TO CONTINUE GENERALLY and ORDER filed. ORDER: AND NOW, this 2nd day of April, 1992, upon presentation and consideration of the foregoing Motion, this case is caontinud generally until such time as either party petitions the Court to reschedule a hearing or until such time as a signed consent agreement is presented to the Court for entry as a Court order. The temporary Protection from Abuse order dated March 24, 1992 shall remain in full force and effect until further Order of Cfourt. BY THE COURT,
Anthony J. Vardaro, J.

Apr. 2, 1992 - 2 copies (atty)

May 1, 1992 Stipulation For Entry of Court Order and ORDER filed.AND NOW, this 1 day of May, 1992, upon consideration of the foregoing Stipulation entered into between the parties, an Order is hereby entered in accordance with the terms of the attached Stipulation of the parties.
BY THE COURT,
Anthony J. Vardaro, J.

May 8, 1992 Copy of Order to Atty. Gerald Sullivan and Joseph C. Barnhart.

Aug. 17, 1992 Complaint For INdirect Criminal Contempt For Violation Of Protection From Abuse Order filed.

Aug. 17, 1992 Order filed. August 17, 1992: Hearing in the above captioned matter has been scheudled for August 21, 1992, at 9:00 a.m., in Courtroom 1.

FOR THE COURT,
Imogene Yetman, C.A.

Aug. 17, 1992 Copies of above Order mailed to above parties by Court administrator.

Aug. 24, 1992 ORDER filed, AND NOW, Aug. 21, 1992, after an informal hearing on a complaint for indirect criminal contempt for violation of a Protection From Abuse Order where both parties appeared with counsle and the Defendant admitted that he did push and shove the Plaintiff, pour a beer on her and talked to her, the Court finds as a fact that the Defendant has violated the Protection From Abuse Order entered May 1,1992 without just cause and therefore, is held in contempt of court.

As punishment for this contempt, the Court ORDERS as follows:

1. The Defendant shall undergo imprisonment in the Crawford County Jail for aminimum period of 30 days and a maximum period of three (3) months which said Sentence is suspended provided he fully and completely complies with the Order of May 1, 1992 in all respects. In the event he fails to comply with that Order he shall surrender himself to the Warden of the Crawford County Jail and begin serving his Sentence. If he does not surrender himself to the Crawford County Jail and is in violation of the Order of May 1, 1992, any police officer may arrest him without a warrant based on probable cause and deliver him to the Crawford County Jail to begin serving this Sentence.
2. The order of May 1, 1992 is hereby extended and shall be in full force and effect for 1 year from this date, that is until Aug. 20, 1993.

Continued on Page 468

278

1992

Davis Reilly
Reed J. Davis

278

CHRYSLER CREDIT CORPORATION

vs.

ROBERT W. PETERS, JR and
NANCY JO PETERS

Filed March 24, 1992
@ 11:15 a.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	39.00
Pro Co. Pd. 5-1-92	5.00

COMPLAINT
2 copies (Sheriff)

April 3, 1992 Sheriff's Return filed. SERVED Robert W. Peters Jr. personally on March 26, 1992 at 10:35 AM by handing him a copy of the Complaint while in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.

NOT FOUND as to Defendant Nancy Jo Peters at address given of 130 Peninsula Drive, Meadville, Crawford County, PA. She has moved from address approximately one year ago.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 24, 1992 Upon praecipe of Plaintiff attorney, the above captioned action is marked discontinued of record.

1992

Joseph C. Barnhart

279

Bruce A. Barrett

SHEILA A. HALL

vs.

ROBERT L. HALL

Filed March 24, 1992
@ 11:18 a.m.

Tax & entry paid	50.50
User's Fee	5.00
State paid	10.00
Pro.Co. pd 8/25/92	9.00

COMPLAINT IN DIVORCE

Apr 9, 1992 Acceptance of Service filed: I accept service of the Complaint in Divorce on behalf of Robert L. Hall, Defendant, and certify that I am authorized to do so.
Date: April 7, 1992 Bruce A. Barrett
Attorney for Defendant

July 24, 1992 PLAINTIFF'S AFFIDAVIT OF CONSENT TO DIVORCE, filed.

Aug 5, 1992 Defendant's Affidavit of Consent, filed.

Aug. 25, 1992 Upon Praecipe of Plaintiff's Attorney, Joseph C. Barnhart, to Transmit record, case moved to Court.

DIVORCE DECREE FILED

August 31, 1992 AND NOW, this 28th day of August, 1992, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Upon consideration of the pleadings and Affidavits filed in the above-captioned matter, the Court hereby grants an absolute divorce form the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an Affidavit has been filed by each of the parties evidencing that each of the parteis consents to the divorce, pursuant to §3301(c) of the PA. Divorce Code.

2. No other matters or causes of actions provided under the Pennsylvania Divorce Code of 1980 , as amended, are reserved by either of the parties.

BY THE COURT:
Gordon R. Miller, J.

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Ann Hansen Gamble
280

Brandt,Liotta, Stuttler
& White
D.Shawn White

Joseph W. Tinko

JANE L.BELL

vs.

WILLIAM H. BELL, III

Filed March 24, 1992
@ 11:46 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Bruce Smith, Master	
Pro Co pd 9-7-94	9.00

10-26-92 Received from Plaintiff Masters deposit 500.00

4-1-93 Received from Defendant Masters dep. (typed) $250.00

8-17-94 Pd Plff Master's Refund CK# 850# 750.00

COMPLAINT IN DIVORCE
1 copy (Atty)

Mar. 31, 1992 AFFIDAVIT OF MAILING filed. Ann Hansen Gamble, being duly sworn according to law,deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of Pennsylvania and that on March 25, 1992, she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to William H. Bell, III, R.D. 1, Box 310 B, Oil City, Pa. 16301, the Defendant's last known address. The said receipt being attached hereto.

June 30, 1992 Answer to Plaintiff's Complaint in Divorce filed.

July 7, 1992 Rule To Show Cause filed. AND NOW, upon consideration of the foregoing Petition of Alimony Pendente Lite and Immediate Payment of Attorney's Fees, and on Motion of D. Shawn White, Esquire, Attorney for Petitioner/Defendant, a Rule is granted on the Respondent/Plaintiff, Jane L. bell show cause why she should not pay the Petitioner Alimony Pendente Lite and Immediate payment of Attorney's Fees.

Rule returnable on the 3rd day of August, 1992, at 1:30 p.m., in Court Room #1 of the Crawford County Courthouse, Meadville, Pennsylvania 16335. BY THE COURT,
July 6, 1992 Anthony J. Vardaro, J

July 10, 1992 Copies of order mailed to Atty's. Gamble & White

July 31, 1992 Motion To Continue To a Date Certain and Order filed. AND NOW, this 31 day of July, 1992, hearing on Plaintiff's motion to continue to a date certain is granted. Hearing on the Defendant's peittion for alimony pendente lite, counsel fees, costs and expenses is now set for the 1st day of Oct., 1992 at o'clock, 9:00 a.m.
For The Court,
Imogene Yetman, C.A.

Aug. 5, 1992 Copies of order mailed to Atty's Gamble and White

Aug. 31, 1992 MOTION TO RESET HEARING DATE and ORDER filed. ORDER: AND NOW, this 28th day of August, 1992, the plaintiff's motion to reset the hearing now set for Oct. 1, 1992, at 9:00 a.m. to Sept. 28, 1992, at 1:30 p.m. is granted.
FOR THE COURT:
Imogene Yetman, Crt. Adm.

Sept. 3, 1992 copy to A. Gamble & D.S. White

Sept. 15, 1992 ORDER filed. Upon receipt and review of the defendant's motion objecting to the taking of the deposition of the plaintiff which said motion does not conform to local motions practice, a rule to show cause is hereby issued and directed to the plaintiff to show cause, if any she has, why the request of the motion should not be granted. Said rule is returnable for hearing and/or argument at 4:00 o'clock p.m. on Friday, Sept. 25, 1992 in Courtroom No. 1 or 2 of the Crawford County Courthouse.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Sept. 16, 1992 Copy of Order mailed to Attys. Ann Gamble and D. Shawn White.

Sept. 15, 1992 Motion in Objection to Deposition of a party on behalf of defendant filed.

Sept. 17, 1992 Plaintiff's Monthly INcome and expenses filed.

Sept. 17, 1992 Affidavit of Consent of Plaintiff filed.

Sept. 28, 1992 Inventory Of Plaintiff filed.

Sept. 28, 1992 Defendant's Monthly Income and Expenses filed.

Sept. 28, 1992 Order filed. AND NOW, September 25, 1992, the defendant's motion in objection to deposition of a par ty, which the court treats as a motion for protective order, said mtoion is granted. Plaintiff shall not be permitted to use her own deposition at the hearing or trial in this matter.

Pa. R.C.P. 4020 (a)(5) and Jistarri v. Nappi, Pa. Super. 549 A.2d 210 (1988) by analogy seems to prohibit the use of a party's oral deposition at trial. Williams v. A-Treat Bottling Co., Pa. Super. 551 A.2d 297 (1988) stands for the proposition that a pa rty may not use her own deposition in her own case in chief.
BY ORDER OF COURT
2 copies (atty) Gordon R. Miller, J

Sept. 29, 1992 Order Filed. AND NOW,September 28, 1992, after an informal hearing on the Defendant's counts for alimony pendente lite, counsel fees, costs and expenses, the Court finds that the Plaintiff earns approximately $5,263.87 net take home pay per month, that her expenses appear to be reasonable except for expenses in connection with her mother and except for expenses for vacations-field trips, thus bringing her expenses to approximately $5,125.00 per month. The Court finds that the Defendant has reasonable expenses that approximate $841.00 per month not including charitable contributions and lawyer's fees. The Court further finds that the Defendant's earning capacity is greater than his actual earnings, but it appears that he has attempted to get a job at eighty-one (81) different employers without apparent success.

The Court finds that the Plaintiff has the modest ability to pay alimony and counsel fees since her income is slightly greatr than her proper expenses. We find that the Defendant does not have a need with respect to expenses but does have a need with respect to attorney's fees.

Accordingly, it is ORDERED as follows:

1. The Defendant's request for alimony pendente lite is DENIED.

2. The Defendant's request for anttorney's fees is granted, and the Plaintiff is ORDERED and DIRECTED to pay $150.00 per month for three (3) months to apply on the Defendant's attorney's fees that are incurred from this day forward. SAid payment shall be made on or before the last day of each month commencing with October 31, 1992. Unless the payments are accelerated or unless excused by further Order of Court, the Plaintiff shall make those payments for October, November and December, 1992.

3. This Order shall not affect the ability of a Master or the Court to make further allowances for alimony pendente lite, counsel fees and expenses under the appropriate facts and law.

BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

Sept. 30, 1992 Copy of the Order Mailed to Attys. GAmble and White.

Continued to Page 280A

1992

JANE L. BELL
VS.
WILLIAM H. BELL, III

CONTINUED FROM PAGE 280
of Record
A. D. 1992 - 280

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Oct 7, 1992 MOTION FOR APPOINTMENT OF MASTER and ORDER, filed. ORDER: AND NOW, 10-5-92, Bruce L. Smith, Esq.,is appointed Master in the above matter to hold a hearing and make report upon claims involving: Divorce on fault grounds unless defendant files a 3301(c) consent within 30 days; alimony; alimony pendente lite; counsel fees, costs, exp and equitable distribution.

Deposit required: By Plaintiff $500.00. By Defendant $250.00

The parties shall file pretrial statements in 30 days and follow the new local rules. Plaintiff shall comply with Pa. R.C.P. 1920.46 in 10 days.

PER CURIAM,
Gordon R. Miller, P.J.

Oct 13, 1992 copy to A. Gamble, D.S. White, B. Smith

Oct. 16, 1992 Inventory of Plaintiff filed.

Dec. 14, 1992 Order filed. AND NOW, December 10, 1992, the Prothontoary is directed to file of record the letter from Bruce L. Smith, Esquire, Master inthis case to explain why he has not proceeded. That fact shall not preclude either ofthe parties from taking whatever action he or she wishes to take to move this case forward.

BY ORDER OF COURT,
Gordon R. Miller, J

Dec. 14, 1992 Copies mailed to Atty's White, Gamble and Smith

Dec. 14, 1992 Letter from Master Bruce L. Smith filed.

Aug. 2, 1993 Affidavit of Consent of Plaintiff filed.

Dec. 16, 1993, Appearance of Joseph W. Tinko, attorney for defendant filed.

Dec. 20, 1993 Affidavit Under Section 3301(d) of the Divorce Code of Plaintiff filed.

Aug. 17, 1994 Petition to Return Master's Deposit and ORDER filed. ANDNOW, this 16 day of August, 1994, the Prothonotary of Crawford County is Ordered to refund to Jane L. Bell,Plaintiff in the above captione divorce action the amount of$750.00 for the unused deposit against the Master's costs and fees, less any costs due to Prothonotary.

Anthony J. Vardaro, J.

8-17-94 Faxed to Attys. Gamble, Smith & Tinko

Aug. 23, 1994 Affidavit of Consent of Defendant, filed.

Sept. 1, 1994 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

Sept. 9, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Porthonotary. A final decree will not be entered at this time because:

____X Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. to grant a divorce decree without a resolution of those other issues would be tantamount to an improper bifurcation.

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 9, 1994 copies dist to Tinko & Gamble
Sept. 12, 1994 Faxed to B. Smith

Sept. 14, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 27, 1994 AND NOW, September 22, 1994, it is hereby ordered and decreed that JANE L. BELL, Plaintiff, and WILLIAM H. BELL, III, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

We incorporate the Agreement of the parties dated May 12, 1994 except Paragraph 22 pertaining to support for child which issue is not before this court as part of these proceedings.

BY THE COURT:
Anthony J. Vardaro, J.

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-6-

1992

1992

Barrett & Dratler
Bruce A. Barrett

281

ANDERSON EQUIPMENT COMPANY

vs.

C & K WELL MANAGEMENT, INC.

Filed March 24, 1992
@ 1:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	34.00
Pro Co pd 4/27/92	9.00
Pro. Co. pd 4/7/95	5.00

COMPLAINT
1 copy (Sheriff)

Mar. 27, 1992 SHERIFF'S RETURN filed. SERVED C & K Management, Inc. on March 25, 1992, at 1:40 PM by handing a copy of the Complaint to Agnes Kerr, Secretary and Adult in Charge at business, Box 48, Centerville, Crawford County, PA 16404.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Apr. 27, 1992 @ 1:43 PM upon praecipe of plaintiff's attorney, with Notice of INtention to File Default Judgment attached, judgment is her eby entered in favor of the plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of Six Thousand Eight Hundred Forty-six and 75/100 plus interest, and cost of suit.
C-186
judgment entered 4/27/92
Debt $6,846.75
Int. from 12/31/91
Judgment
Barbara H. King
Ptohonotary

Aug. 27, 1992 Affidavit of Service filed. Bruce A. Barrett, Esq. being duly sworn, deposes and says that the following facts in support of his Affidavit of Sercie are true and correct to the best of his knowledge, information and belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A true and correct copy of a Complaint was sent by registered mail to the Defendant.
3. The registered mail was sent to the Defendant at Box 48, Centerville, PA 16406 on August 25, 1992. The Sender's receipt is attached hereto.
4. The Defendant received said registered mail on August 26, 1992. Said receipt card number 147 768 403 is atached hereto and signed by the Defendant.
5. The return receipt card signed by the Defendant was returned after signature to the office of Bruce A. Barrett, Esq., 965 S. Main Street, Meadville, PA 16335 on August 27, 1992.

Aug. 27, 1992 Bruce A. Barrett, Attorney for Plft.

Sept. 25, 1992 Amended and Corrected Affidavit of Service filed. Bruce A. Barrett, Esquire being duly sworn, deposes and says that the following facts in support of this Affidavit are true and correct to the best of his knowledge, ifnromation and belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A true and correct set of INterrogatories was sent by certified mail to the Defendant.
3. The certified mail was sent to the Defendant, at Box 48, Centerville, PA 16406 on August 25, 1992. The Sender's receipt is attached to an Affidavit of Service previously filed.
4. The Defendant received said certified mail on August 26, 1992. Said receipt card number 147 768 403 is attached to an Affidavitof Service previously filed.
5. The return receipt card signed by the Defendant was returned after signature to the office of Bruce A. Barrett, Esquire, 965 S. Main Street, Meadville, Pennsylvania 16335, on August 27, 1992.

Bruce A. Barrett

Oct. 28, 1992 Motion For Sanctions and ORDER filed. AN DNOW this 27 day of October, 1992, upon consideration of the foregoing Motion for Sanctions, a Rule to Show Cause is hereby granted. The Rule is returnable Dec. 21, 1992, at 9:00 A.M. in Courtroom 1 or 2.

Anthony J. Vardaro, J.

Oct. 30, 1992 Copy of Order placed in Atty.Bruce Barrett's box.

Nov. 24, 1992 Affidavit of Service filed. Bruce A. Barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. The affiant is the Attorney for the Petitioner in the above captioned matter.
2. A copy of the Motions for Sanctions was sent by certified mail to the Defendant in the above captioned matter.
3. The certified mail was sent to Box 48, Centerville, Pennsylvania, 16406 on November 17, 1992. The Sender's receipt is attached hereto.
4. The Defendant received said certified mail on November 19, 1992. Said receipt card number 147 766 782 is attached hereto.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett,Esq., 965 S. Main Street, Meadville, PA 16335 on November 23, 1992.

Bruce A. Barrett, Atty. for Plaintiff

Dec. 23, 1992 Order filed. AND NOW, December 21, 1992 at the time fixed for argument on the Plaintiff's motion for sanctions, the Court finds that the Defendant has failed to comply with the rules of civil procedure by not filing answers to interrogatories that were served on it on August 26, 1992. Said answers shall be completed and served upon counsel for the Plaintiff no later than January 21, 1993. In the event that the Defendant fails to comply with this order, it may be held in contempt of Court and punished further.

Furthermore, the Defendant shall pay to counsel for the Plaintiff the sume of $150 for services he has rendered in connection with these sanctions proceedings. Said payment shall be made to counsel for the Plaintiff no later than January 21, 1993.

A true and correct copy of this order shall be served upon the Defendant in any manner permitted by the Rules of Civil Procedure for service of initial process on a Defendant in a civil action. The Defendant shall also pay the cost of that service upon receipt of a bill indicating the cost of the service or by January 21, 1993, whichever occurs first.

When the Plaintiff serves a copy of this order on the Defendant, it shall attach another copy of the original interrogatories for the Defendant's use.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Dec. 23, 1992 Copies given to Plaintiff and Defendant.

Continued on Page 473

282

1992

Kathleen r. Nelson

282

JAMES D. HARMON, formerly known as RANDY P. HOGAN

vs.

JULIA M. HOGAN

Filed March 24, 1992
@ 1:12 pm

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co pd	9.00

COMPLAINT UNDER SECTION 3301(c)
OF THE DIVORCE CODE
1 copy (atty)

Apr. 3, 1992 AFFIDAVIT OF SERVICE filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Complaint in Divorce and Notice to defend were sent by certified mail to the Defendant, Julia M. Hogan a/k/a Julia Woods, on March 24, 1992.
3. The certified mail was sent to Julia M. Hogan at P.O. Box 113, Guys Mills, Pa 16327. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on March 30, 1992. Said Return Receipt Card P 848 678 906 is attached hereto, signed by Julia Woods and made a part hereof.

July 7, 1992 Affidavit of Consent of Plaintiff, filed.

Feb. 25, 1993 Affidavit of Consent of James D. Harmon, Plaintiff, filed.

Mar. 16, 1993 Affidavit of Service, filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct tothe best of her knowledge, information, and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy fo the plaintiff's 3301(d) Affidavit was sent by registered mail to the Defendant, Julia M. Hogan (Woods), on March 4, 1993.
3. The registered mail was sent to Julia M. Hogan (Woods), P.O. Box 113, Guys Mills, Pa 16327. The sender's receipt is attached hereto.
4. That the Defendant received said registered mail on March 11, 1993. Said Return Receipt card P 238-202-276 is attached hereto, signed by Curtis Douglas, believed to be the Defendant's paramour, and made a part hereof.

Apr. 13, 1993 AFFIDAVIT OF SERVICE, filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Notice of Intention to Request Entry of Divorce Decree and Defendant's Counter-Affidavit was sent by certified mail to the Defendant, Julia M. Hogan (Woods) on April 5, 1993.
3. The certified mail was sent to PO Box 113, Guys Mills, Pa 16327. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on April 9, 1993. Said Return Receipt Card P 238 202 287 is attached hereto, signed by Julia M. Woods and made a part hereof.

May 3, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 14, 1993 AND NOW, May 12, 1993, it is hereby ordered and decreed that JAMES D. HARMON f/k/a RANDY P. HOGAN, Plaintiff, and JULIA M. HOGAN (WOODS), Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Northwestern Legal Services
Christopher Brode

283

MARIE W. BOARDLEY

vs.

ANTHONY W. COLLINS

Filed March 24, 1992
@ 1:57 pm

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 24 day of March, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shallhave temporary custody of minor child pending further order of court. Defendant may visit child at Plaintiff's residence.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 2, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar. 25, 1992 SHERIFF'S RETURN filed. SERVED Anthony W. Collins personally on March 24, 1992 at 2:30 PM at his residence, Meade Inn, 625 Park Ave., Apt. #6, Meadville, Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 6, 1992 ORDER filed. AND NOW, April 2, 1992 at the time fixed for hearing in this matter, the Plaintiff appeared with counsel and the Defendant did not appear. The Court is satisfied that the Defendant was properly served with process in this case and therefore a hearing was held in his absence. After the hearing, the Court is satisfied that the Defendant engaged in abuse as defined by the Act, and accordingly enters the follwing ORDER:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or the minor child named in the petition.
2. The Defendant shall not go to the Plaintiff's residence. The Defendant isadvised that even if the Plaintiff invites him to her residence, he should not go because that may be a violation of this order.
3. The Defendant shall not contact the Plaintiff in any manner unless she permits him to contact her by telephone or mail or through others.
4. Temporary custody of the minor child David Anthony Boardley is awarded to the Plaintiff. The Defendant shall not have visitation rights. This temporary award of custody and denial of visitation rights is entered under 24 Pa.C.S.A. 6108(a)(4), and shall remain in effect until a Court of competent jurisdiction modifies custody or visitation in a custody proceeding brought under the law and Rules.
5. This ordr may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this order shall be delivered to the Meadville City Police Dept. and to County Control.
7. This order shall remain in full force and effect for a period of one year, or until April 1, 1993 unless modified or terminated by further Order of Court.
8. Costs are waived and shall be paid by the county as the Plaintiff does not have sufficient funds to pay costs, and it appears that the Defendant is unable to pay costs.
9. The Defendant is reminded that tis is an order of Court, and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
10. A true and correct copy of this order shall be served upon the Defendant by the Plaintiff or her attorney by certified mail, return receipt requested, with an appropriate proof of service filed with the Prothonotary. That shall be mailed to the Defendant's last known address. If the Plaintiff does that and receives a return of "not found", she shall not be required to attempt further service.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 10, 1992 copies given to C. Brode, and Meadville Police Dept.
Apr. 6, 1992 copy givento County Control

May 7, 1992 PROOF OF SERVICE FILED.

July 8, 1992 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order and Notice of Assignment of Hearing Date filed. July 8, 1992: Hearing in the above captioned matter has been scheduled for July 14, 1992 at 9:00 A.M. in Courtroom 1 or 2.

FOR THE COURT,
Omogene Yetman, Court Administrator

July 8, 1992 Copy of Order given to Att. Brode, Defendant and Sheriff's ofc. and Plaintiff.

July 14, 1992 Upon Praecipe of Plaintiff, Marie W. Boardley, the above number and term is marked discontinued of record.

Continued on Page 466

1992

Thomas, Truax,
Spadafore, & Walker
Gregory A. Keenan

284

KRISTA M. RHOADES

vs.

TIMOTHY K. RHOADES

Filed March 24, 1992
@ 4:19 p.m.

Tax & entry paid		50.50
2 Add'l Counts	paid	30.00
User's Fee paid		15.00
State paid		10.00
Pro.Co. pd 9/3/92		9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE,
CUSTODY and EQUITABLE DISTRIBUTION
1 copy (atty)

July 13, 1992 Affidavit of Consent by Krista M.Rhoades, Plaintiff filed.

Sept. 3, 1992 Affidavit of Consent by Timothy K. Rhoades, Defendant, filed.

Sept. 3, 1992 Upon Praecipe ofKrista M. Rhoades, Plaintiff, for Review under §201 (c) of the Divorce Code, this case moved to Court.

Sept. 14, 1992 MEMORANDUM filed. This matter is before the Court upon a praecipe for review asking the granting of a divorce.

In reviewing the original complaint, we find that there was, in addition to the divorce count under Section 3301(c) of the Divorce Code, a count for custody and a count for equitable distribution.

Those counts have not been disposed of and are not addressed in the Plaintiff's praecipe.

We have contacted by telephone Gregory A. Keenan, Esquire, who is listed as the attorney for the Plaintiff and are advised that he no longer represents the Plaintiff.

We note that the praecipe for review filed by the Plaintiff was done pro se.

Insofar as ATtorney Keenan's appearance has not been withdrawn, the Prothonotary is directed to forward a copy of this Memorandum to him and to the Plaintiff, Krista M. Rhoades, RD # 10, Box 236, Meadville, PA 16335, and to the Defendant, Timothy K. Rhoades at 1039 South Main St., Meadville, PA 16335.

Once the outstanding matters have been dealt with appropriately, the Plaintiff may once again praecipe this matter for review by the Court for the Court to consider the granting of the requested divorce.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 14, 1992 Copyof Order placed in Atty. Keenan's box; copy mailed to Plaintiff and Defendant.

Sept. 18, 1992 Plaintiff's Notorized Agreement filed.

Sept. 18, 1992 Upon Praecipe of Plaintiff For Review Under §201(c) of Divorce Code, this case moved to Court.

Sept. 25, 1992 Motion for Leave to Terminate Representation and Order filed. AND NOW, September 25, 1992, the above Motion is allowed.

By The Court,
Gordon R. Miller, J.

Sept. 25, 1992 Copy of the Order to Atty. Keenan.

DIVORCE DECREE FILED

Sept. 25, 1992 AND NOW, Sept. 22, 1992, it is hereby ordered and decreed that **KRISTA M. RHOADES**, Plaintiff, and **TIMOTHY K. RHOADES**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

JOSEPH F. KULWICKI, III

285

JOHN M. KUHN

vs.

MELISSA A. KUHN

Filed March 25, 1992
@ 12:35 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 3/3/93	9.00

COMPLAINT UNDER §201(c) OF THE DIVORCE CODE
1 copy (atty)

Mar. 31, 1992 Affidavit of Service filed. Stephanie Loper, being duly sworn according to law, deposes and syas she is an adult individual, employed by the law office of Joseph F. Kulwicki Attorney for the Plaintiff, and as such she placed a Certified coy of the Divorce Complaint in the United STates mail on March 25, 1992, being certified mail number P 724 954 558, addressed as follows: Melissa A. Kuhn, 434 May Avenue, Titusville, PA 16354 The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, esq. as having received same on March 26, 1992. Said signature card is attached hereto and made a part hereof.

FURTHER AFFIANT SAITH NOT. Stephanie Loper

Feb. 24, 1993 Affidavit of Consent of Plaintiff, filed.

Mar. 1, 1993 Affidavit of Consent of The Defendant filed.

Mar. 3, 1993 Upon Praecipe of Plaintiff Attorney, to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 12, 1993 AND NOW, March 10, 1993, it is ordered and decreed that **JOHN M. KUHN**, plaintiff, and **MELISSA A. KUHN**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

286

1992

Barbara J. Walton

286

DONNA BOYER

vs.

DAVID BOYER

Filed March 25, 1992
@ 3:06 PM

Tax & entry paid	50.50
User's Fee paid	15.00
Add'l Counts paid	30.00
State paid	10.00
Pro.Co. Pd 7/15/92	9.00

COMPLAINT IN DIVORCE, CUSTODY EQUITABLE DISTRIBUTION
2 copies (atty)

June 25, 1992 Affidavit of Consent of Defendant filed.

June 25, 1992 Affidavit of Service filed. 1. A true and correct copy of the Complaint in Divorce and Custody filed in the above-captioned matter was served upon the Defendant, DAVID BOYER, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on March 27, 1992 at is evidenced by the United States Postal Service Return Receipt (Certified No. P 253783788) attached hereto as Exhibit A.
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.
DATE: June 23, 1992 Barbara J. Walton

July 15, 1992 AFFIDAVIT OF CONSENT by Donna M.Boyer, Defendant, filed.

July 15, 1992 MARRIAGE SETTLEMENT AGREEMENT FILED.
July 15, 1992 Upon Praecipe of Barbara J. Walton, ESquire, to Transmit record, case moved to Court.

July 22, 1992 Memorandum filed. AND NOW, July 22, 1992, this matter is before the Court on the Plaintiff's praecipe to transmit record.
The Plaintiff is requesting a 3301(c) divorce and affidavits of consent have been attached for both parties.
Unfortunately, the affidavit of consent attached to for the Defendant is signed and was file don June 25, June 25, 1992 but is not dated.
Pa.R.C.P. 1920.42(b) requires that the affidavit of consent be executed 90 days or more after the filing of the complaint and that it be filed within 30 days of the date it was executed.
Without the date on the affidavit of consent, we have no way of knowing whether that rule has been complied with.
Accordingly, the file is returned to the Prothonotary and it may be resubmitted upon a proper affidavit of ocnsent being filed for the Defendant.
The Court also notes for the guidance ofthe Plaintiff's cousnel that pursuant to Pa. R.C.P. 1920.72 (which descrives in detail the form ofthe complaint in a 3301(c) or 3301(d) divorce action) there should be a paragraph in such divorce actions indicating that the Plaintiff has been advised that counseling is available andtha tahe Plaintiff may have the right to request that the Court require the parties to participate in counseling.
The Court will not require this complaint to be amended to include that section but just to provide this information for future reference for counsel.
BY THE COURT:
Anthony J. Vardaro, J

July 23, 1992 Copies of order givento atty. Walton

August 7, 1992 Affidavit of Consent of defendant filed.

August 6, 1992 Upon Praecipe of Plaintiff attorney for Review under Section 201(d) of Divorce Code this case moved to Court.

DIVORCE DECREE FILED
August 18, 1992 AND NOW, Aug. 17, 1992, it is ordered and decreed that **DONNA BOYER**, Plaintiff, and **DAVID BOYER**, defendant, are divorced from the bonds of matrimony.
The parties are ordered to comply with the Marriage Settlement Agreement, which is attached and made a copy hereof, and it shall be obeyed in all respects as a court order, with violations of the same subject to contempt and other remedies.
BY THE COURT:
Anthony J. Vardaro, J.

1992

Mahany, Roeder & Rothschild
Tamera Ochs Rothischild

287

Fuller, Kinunen, Petruso, Gamble, Fabian & Hall
Ann Hansen Gamble

ROBERT G. FELDMEYER

vs.

JoANN MANCUSO

Filed March 25, 1992
@ 3:23 p.m.

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR ENTRY OF AGREEMENT (Custody)
1 copy (Atty)

ORDER:
AND NOW, Mar. 31, 1992, upon consideration of the foregoing Petition and Agreemetn for Custody between the parties, IT IS ORDERED AND DECREED that:

1. The parties shall share legal custody fo Robert G. Feldmeyer, Jr. Shared legal custody shall entitle both of the parents to equal access to any records relating to the school and medical records, and shall entitle both parents to equal input with regard tothe educational and religious upbringing of the child, as well as elective surgery.

2. Petitioner shall continue to have primary physical custody fo the minor child at his residence, subject to respondent's shared physical custody rights. Petitioner presently resides at 21479 springcreek Road, Titusville, Pa. 16354. Respondent presently resides at 143 callodine Ave. Eggertsville, N.Y. 14226.

3. Respondent shall hav e physical custody fo the minor child on a regular basis according to the following schedule:

A. Mother shall retain custody fo the minor child one weekend per monthto commence in February 1992. A "weekend' shall be defined as Friday at 7;00 p.m. through Sunday at 5:00 pm.

1. It shall be the responsibility of both parties to meet at the Westfield exit of New York I-90 for pick up and return of the child or the parties may designate another responsible adult to do so.

2. If either party is unable to arrive within thirty(30) minutes of the designated tiem, without prior notice, custody is demmed waived.

3. two (2) week written notice of non-summer, non-holiday visits shall be directed by Mother to Father at his mailing address.

B. During the summer months of June, July and August, the mother shall have the right to have the child the second and third weeks of june, and the second, third and fourth weeks of July. Unless the parties agree otherwise, the week visits shall commence Sun. at 7:00 p.m. and terminate the following sat. at 7:00 p.m. with pick-up and return of the child to be in accordance with Paragraph 5A(1) and (2).

C. The major holidays are denined as Easter, Memorial day, independence day, Labor day Thanksgiving, and christmas.

1. the parties shall alternate easter, Memorial day, Independence Day, Labor day and Thanksgiving with Mother picking the child up at 7:00 p.m. the night of the holiday, or when school permits, the day after the holiday.

2. For Christman, 1992, mother shall have the child from the date school lets out for christmas Vacation ;until dec. 28, 1992. In 1993, mother shall have the child from Dec. 28, 1993 at 12:00 noon until Jan. 1, 1994, at 5:00 p.m. and this schedule shall rotate thereafter.

3. the provisions of this paragraph shall take precedence over the other provisions of this agreement regarding custodial and visitation periods.

6. The party having custody fo the child shall notify the other parent as soon as possible in the event of illness or injury requiring medical treatment.

7. Neither party shall take the child into any environment which might be commonly thought of as detrimental to his development or the development of his character, or which would be commonly thought of as dangerous to his physical safety.

8. The parties will allow the child to develop the love and respect a child is entitled to have for a parent, and neither of the parents will do anything to blacken the characher of the other parent in the eyes of the child.

BY THE COURT,
Gordon R. Miller, J.

Apr. 7, 1992 CERTIFICATE OF SERVICE filed. On April 1, 1992, I mailed a certified coopy of a Petition for Entry of Agreement in the above captioned matter by U.S. First Class regular mail, postage prepaid, to Defendant's counsel of record, Ann Hansen Gamble.

Ann Hansen Gamble, Esq. accepted service on behalf of the Defendant, JoAnn Mancuso, as evidenced on by her Acceptance of Service attached hereto and marked "Exhibit A".

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute. Tamera Ochs Rothschild

288

1992

288

THERESA A. BURCHETT

vs.

DANIEL J. LOWROS

Filed March 26, 1992
@ 11:13 a.m.

Tax & entry	Pd 4-3-92	50.50 ✓
User's Fee	P-4-3-92	5.00
Sheriff's Costs		48.00
Pa Co. Pd	4-3-92	9.00 ✓

Received 4-3-92 from deft Plff Sheriffs costs 48.00

Paid Sheriff 4-3-92 costs Ck# 6761, 48.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 26th day of March, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

~~1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.~~

~~2. Special Conditions:~~

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

~~6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.~~

~~7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.~~

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 3, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 2, 1992 Sheriff's Return filed. SERVED the within Protection from Abuse on 27 Mar. 1992, at 1:45 PM, upon Daniel J. Lowros at place of employment, K & A Body & Frame, R.D. #2, Kunz Rd. Pleasantville, PA by handing to Daniel J. Lowros, in person a true and correct copy thereof and made known to him the contents therein. Gene Price, Sheriff

I hereby deputize the Sheriff of Venango County, Pennsyvlania to serve the within Protection From abuse according to law.

So answers, Robert M. Stevens, Sheriff

Apr. 7, 1992 ORDER filed. AND NOW, April 3, 1992, at the time fixed for hearing in this mattewr, the Plaintiff appeared without counsel, the Defendant appeared without counsel, and the Defendant was advised as to the nature of these proceedings. The Defendant and the Plaintiff entered into an agreement and based upon that agreement it is ORDERED as follows all without an admission or a determination that abuse occurred as that term is defined by the Act:

1. The Defendant will not assault, abuse, harass or threaten the Plaintiff or the minor child.

2. Until further Order of Court in a custody or visitation case, primary custody of Alaina Marie Lowros shall be with the Plaintiff with the Defendant having the following visitation rights under the following terms and conditions:

A. Every Wednesday and Friday between the hours of 5:30 p.m. and 8:30 p.m. Every Sunday between the hours of12:00 p.m. and 8:30 p.m.

B. The Defendant shall call the Plaintiff no later than 8:00 p.m. the night before a scheduled visitation if he does not intend to exercise that visitation so that the Plaintiff and the child can engage in other activities.

C. The parent receiving the child shall provide transportation at the beginning or end of the visitations.

D. When the Defendant picks up the child he will not go to the door of the Plaintiff's residence, but rather the child will leave the residence and got o the Defendant's car.

E. During visitation, the Defendant shall not take the child outside of Crawford Cofunty, Pennsylvnaia or Venango County, Pennsylvania.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.

4. A copy of this Order shall be delivered by the Prothonotary to County Control and the Pennsylvania State Police Barracks that covers Pleasantville, Venango County, Pa.

5. This Order shall remain in full force and effect for one(1) year unless modified or terminated by further Order of this Court or a court of competent jurisdiction over custody and visitation.

6. The Defendant shall pay court costs in the amount of $102.50 forthwith.

7. The Defendant is reminded that hi is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 13, 1992 copy in box for G. Sullivan, mailed copy to Corry State Police Barracks, Plf. & Dft.

1992

GAMBLE, MOJOCK
PICCIONE, PALMER &
GREEN
David T. Mojock

289

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

ELIZABETH RUEGG

vs.

HARRY J. ONSPAUGH, an individual, and SYST-A-MATIC TOOL & DESIGN INC., a corporation

Filed March 26, 1992
@ 2:23 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro Co Pd 12/20/93	6.00

WRIT OF SUMMONS
Issued (Sheriff)

Apr. 8, 1992 Writ Return filed. SERVED Harry J. Onspaugh on March 31, 1992 at 3:09 PM by handing a copy of the Summons to Audrey Onspaugh, his wife, at their residence, 350 Ben Avon Street Meadville, Crawford County, PA.
SERVED Syst-A-Matic Tool and Design, Inc. on March 31, 1992 at 3:45 PM by handing a copy of the Summons to Alden Hills, Owner, at his place of business, 70 Baco Road, Meadville, Crawford County, AP.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 14, 1992 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Jarru K/ Pms½aigj & Sust-A-Matic Tool &-Design Inc.

August 14, 1992 Upon Praecipe of the attorney for defendants, Rule entered upon the plaintiff to file Complaint issued.

Aug. 31, 1992 Service of the foregoing Rule is hereby accepted on 8-18-92 by David T. Mojock

Sept. 3, 1992 Complaint filed.

Oct. 26, 1992 Answer and New Matter filed.

Nov. 10, 1992 Plaintiff's Request for Production of Documents filed.
Nov. 10, 1992 Plaintiff's Reply to Defendants' New Matter filed.

Nov. 18, 1993 Notice to Complete Discovery, filed.

Dec. 20, 1993, UPon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

290

1992

Culbertson, Weiss, Schetroma
and Schug, P.C.
David L. Hotchkiss

Gent, Gent & Snyder
Michael D. Snyder

290

THE FIRST NATION BANK OF PENNSYLVANIA

vs.

JAMES R. BOOKER and VICKI D. BOOKER

Filed March 26, 1992
@ 2:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro Co. pd 5-11-92	6.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (Sheriff)

Apr. 10, 1992 Sheriff's Return filed. SERVED James R. Booker personally on April 2, 1992 at 1:16 PM by handing a copy o;f the Complaint to him in the Sheriff's Office, Crawford County Courthouse Meadville, Crawford County, PA.
SERVED Vicki D. Booker on April 2, 1992, at 1:17 PM by handing a copy of the Complaint to James R. Booker, her Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Crawford County, PA. signed Acceptance of Service attached.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 21, 1992 Answer of Defendants, filed.

May 4, 1992 Upon Praecipe of plaintiff attorney this case marked discontinued of record.

1992

Barbara J. Walton

291

KARLA M. STEWART

VS.

MARK E. STEWART

Filed March 26, 1992
@ 3:50 p.m.

Tax & entry paid	50.50
User's Fee paid	10.00
State paid	10.00
1 Add'l count paid	15.00
Pro.Co. pd. 10/28/92	9.00
Pro Co. pd 11-17-92	15.00
Pro Co. pd 11-17-92	5.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (atty)

April 16,1992 AFFIDAVIT OF SERVICE filed.
1. A true and correct copy of the Protection from Abuse Order filed in the above-captioned matter was served upon the Defendant, MARK STEWART, by certified mail, restricted delivery, pursuant to Pa. R.C.P.412 on March 30, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 253 783 787) attached hereto as Exhibit A.
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C. S.4904, relating to unsworn falsification to authorities.
Barbara J. Walton, Esq.

May 6, 1992 Amended Affidavit of Service, filed. 1. A true and correct copy of the Complaint in Divorce filed in the above-captioned matter was served upon the Plaintiff, MARK E. STEWART,by certified mail, restricted delivery, pursuant to Pa.R.C.P. 412 on March 30, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 253783787) attached hereto as Exhibit A. Barbara J. Walton

Oct.28, 1992 Affidavit of Consent by Karla Stewart,Plaintiff, filed.
Oct. 28, 1992 Affidavit of Consent by Mark E. Stewart, Defendand, filed.
Oct. 28, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

NOv. 6, 1992 MEMORANDUM filed. The record in this case was transmitted to the Court on Nov. 4, 1992 for final decree. We now return the record to the Prothonotary for further proceedings consistent with this memorandum.
The plaintiff filed a complaint containing counts for divorce and custody and no counts involving property matters or equitable distribution of marital property.
At the time she filed a praecipe to transmit the record she also submitted a marriage settlement agreement signed by the parties and containing, inter alia, a provision that the agreement would be submitted to the Court and the Court would enter an order approving the agreement. Unfortunately the agreement includes a settlement of matters int he nature of equitable distribution of marital property. The Court does not have jurisdiction over property matters since such matters were not raised by the complaint or an amended complaint. 23 Pa.C.S.A. 31049a), 3105, 3323(b).
Therefore, the parties have a choice and must give the Court additional instructions. If they wish to have the marriage settlement agreement become part of the divorce decree or a court order they must raise matters raised therein but heretofore not properly raised, either by an amended pleading or petition. Or the parties should withdraw their request to have their marriage settlement agreement become a part of the decree and court order and simply submit this matter for a divorce decree.
The matter shall be returned to the Court after the parties clarify this matter and after another praecipe to transmit the record is filed. BY ORDER OF COURT
Gordon R. Miller, P.J.

Nov. 12, 1992 copy to B. Walton

Nov. 17, 1992 Petition for Related Claims and Amended Complaint for Divorce filed.

Nov. 17, 1992 Upon Praecipe of plaintiff attorney for Review Under Section 201(c) of Divorce Code, this case moved to Court.

Dec. 1, 1992 Motion to Set Aside Property Settlement Agreement and Withdraw Praecipe for Final Decree and Order filed. AND NOW, this 30th day of November, 1992, Motion allowed. Hearing on Plaintiff's Motion to set Aside Property Settlement Agreement is set for Jan. 28, 1993, at 3:00 o'clock A.M. in courtroom 1 or 2 of the Crawford County Courthouse located in Meadville, Pennsylvania. For The Court:
Imogene Yetman, Court Administrator

Dec. 2, 1992 Copy of Order to Atty.Walton.

Jan. 25, 1993 Motion to Dismiss and Praecipe to Transmit the Record and Order filed.

Feb. 5, 1993, DECREE AND ORDER filed. (FINAL DIVORCE DECREE)
AND NOW, February 3, 1993, it is ordered and decreed that Karla Stewart, plaintiff and Mark E. Stewart, defendant are divorced from the bonds of matrimony.
AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that terms, provisions and conditions of a certain marriage settlement agreement between the parties dated October 26, 1992 and attached hereto, are hereby incorporated in this decree and order byreference as fully as though the same were set forth herein at length. said ageement shall not merge with, but shall survive this decree and order.
BY ORDER OFTHE COURT,
Gordon R. Miller,
P.J.

1992

292

Pd Sheriff 4-2-92 30.00 Costs Ck #6750

LORRAINE POPE

vs.

MICHAEL GORMAN

Filed March 26, 1992
@ 4:08 p.m.

Tax & entry pd 4-2-92 50.50
User's Fee Pd 4-2-92 5.00
Sheriff's Costs 30.00
Pro Co Pd 4-2-92 5.00
Sheriff's costs 30.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 26 day of March, , 1992 , upon review of the petition of Plaintiff, the Court entered the following Temporary Order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Defendants shall not go to the Plaintiff's residence pending further Order of Court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 3, 1992 , at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

March 31, 1992 Sheriff's Return filed. SERVED Michael Gorman personally on March 30, 1992 at 10:05 AM at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

April 2, 1992 Upon Praecipe of plaintiff the above case marked discontinued.

1992

Bukac & Toomey
Terry Toomey

293

DAVID N. DUNKLE and MARY A. DUNKLE, his wife

vs.

BERNARD C. TOBIN and CAROL A. TOBIN, his wife

Filed March 26, 1992
@ 4:05 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Pro Co paid	18.00 ✓

CIVIL COMPLAINT
2 copies atty.

And Now, Mar. 26, 1992 @ 4:05 pm upon Plaintiff Attorney, Confession of Judgment in Ejectment For Possession of Real Property at All that certain piece or parcel of land situate in Richard Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit: (See Paper Filed)

T-23-33 JUDGMENT
Barbara H. King
Prothonotary

And Now, Mar. 26, 1992 @ 4:05 PM pursuant to the authority contained in the warrant of attorney, the or igianal of which is attached ot the Civil Complaint filed in this action, I appear for the defendants and confess judgment in favor of the Plaintiffs and agianst the defendants as follows:

Principal Sum	$17,003.61
Attorney's Commission	$ 1,700.36
TOTAL	$18,7003.97

T-23-33 JUDGMENT
Notice of entry mailed to dfts. Debt $18,7003.97
Mar. 30, 1992 & jdugment entered 3/27/92 Barbara H. king
Prothonotary

Mar. 30, 1992 Per request of Plaintiff Attorney, Prothonotary's Office mailed to dfts. Civil Complaint, Judgment in Ejectment and Confession of Judgment.

EX1992-74

December 22, 2004 - see Computers for further entries

1992

pro se

294

ROBBIE ELAINE MOSIER

vs.

PAUL GEORGE MOSIER, JR.

Filed Mar. 27, 1992
@ 9:50 a.m.

Indigent filing
Paper Entry Pd 7-24-92 50.00
State Pd 7-24-92 10.00
User Fee Pd-92 5.00
Pro Co Pd. 7-24-92 9.00

COMPLAINT IN DIVORCE, CHILD CUSTODY AND SUPPORT
1 copy Plaintiff

Mar. 27, 1992 Certificate Of Service filed. I hereby certify that a true and correct copy of the attached Complaint in Divorce was hand delivered on this 3rd day of March, 1992, to Paul George Mosier, Jr., P.O. Box 64, Springboro, PA 16435
Robbie E. Mosier

Mar. 27, 1992 Order Waiving Fees and Costs filed.

Mar. 27, 1992 Order filed. AN DNOW, March27, 1992 the Plaintiff appeared in Court pro se and filed an affidavit and motion for leave to proceed informa pauperis in this divorce action.
She has not complied with rule 240 of the Pennsylvania Rules of Civil Procedure; however, this Court did inquire of her as to the information that she must divulge in accordance with Rule 240, and the Court is satisfied that the Plaintiff is entitled to proceed informa pauperis.
Accordingly, it is ORDERED as follows:
1. The Plaintiff is granted leave of Court to proceed informa pauperis in this action.
2, As required by the rules, she is under a continuing obligation to inform this Court of any improvement in her fianancial condition which would then enable her to pay costs.
3. The Court reserves the right to impose costs on the Plaintiff or Defendant in the future under applicable principles of law and Rules of Court.
BY ORDER OF THE COURT,
Gordon R. Miller, J

Mar. 27, 1992 Copies handed to both parties.

June 29, 1992 AFFIDAVIT OF NON-MILITARY SERVICE, filed.

June 29, 1992 Affidavit of Consent of Defendant, filed.

June 29, 1992 Afficavid of Consent of Plaintiff, filed.

June 29, 1992 Upon praecipe of Plaintiff to transmit record, case moved to Court.

July 20, 1992 MEMORANDUM AND ORDER filed. ORDER: AND NOW, July 20th, 1992, this file is returned to the Prothonotary for action consistent with this Memorandum including:
1. Affidavits of consent to be filed in compliance with the Rules of Court.
2. The parties to enter into a clear agreement with respect to any orders to be entered by the Court with respect to collateral issues including custody, visitation, support and alimony.
3. In light of the fact that it appears that the Defendant may be paying some alimony to the Plaintiff, the Court could infer that Defendant has income and therefore the Court must ascertain whether or not the Defendant should be paying the costs of this action through the country. In order to doso, the Defendant shall be requrieed to file an affidavit on the form required by Pennsylvania Rule of Civil Procedure 240 (which form is available in the Prothonotary's office) so that the Court may ascertain whether to assess costs to the Defendant prior to the entry of the divorce decree.
A copy of this Memorandum should be sent by regular mail by the Prothonotary to both parties.
BY THE CORUT:
Anthony J. Vardaro, J.

July 21, 1992 copies mailed Plf & Dft.

July 24, 1992 Affidavit of Consent of Defendant, filed.

July 24, 1992 Affidavit of Consent of Plaintiff, filed.

July 24, 1992 Agreement, filed.

July 27, 1992 Upon praecipe of Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 4, 1992 AND NOW, August 3, 1992, ti is hereby ordered and decreed that **ROBBIE ELAINE MOSIER**, Plaintiff, and **PAUL GEORGE MOSIER,JR.**, Defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.
BY THE COURT:
Anthony J. Vardaro, J.

1992

Mary Ann Kirkpatrick

295

Douglas W. Ferguson

KIMBERLY A. COUNSELMAN

vs.

BRIAN F. COUNSELMAN

Filed March 27, 1992
@ 12:03 PM

Tax & entry Pd 5-4-92 50.50
Users Fee Pd 5-4-92 5.00
Sheriff's costs 26.60
Pro Co Pd 5-4-92 9.00

Received dept from Sheriff's
5-4-92 326.60
Cash
Pd Robert M. Stevens
Sheriff 5-4-92
26.60
Chk#6809

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 27th day of March, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff or the children in any way either at work or at h[illegible]residence, all visitations are suspended till further Court order. Defnedant shall not visit nor see this children.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 6, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

March 31, 1992 Sheriff's Return filed. SERVED Brian F. Counselman personally on March 27, 1992 at his residence, RD # 2 Box 198 Cochranton, Crawford County, PA. Served at 1:00 PM.
So answers,

Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Apr. 7, 1992 ORDER filed. AND NOW,April 6, 1992, the parties appeared with counsel and agree that an abuse Order would be entered, but had ongoing questions and issues regarding custody and visitation as to which one witness was heard in a more formal setting.

Based upon the parties' agreement that an abuse Order may be entered, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. This Court makes no porvisions with respect to custody and visitation as those items have been decided by this Court in a custody proceeding and there may be further issues raised in that proceeding. That portion of the temporary abuse Order suspending the Defendant's visitations is now deleted and the parties are left to the prior custody Order and nay rules or laws affecting the same. However, the parties did agree with respect to returning the children from a visitation with the Defendant to the Plaintiff. The Plaintiff shall not be required to pick the children up. When the children are returned to the Plaintiff, the Defendant shall drop the children off at a safe place in front of the Plaintiff's home. The Defendant shall not get out of his car at that time and shall not engage in any conversations with the Plaintiff. If at that time he must communicate with the Plaintiff, he should give a note to the children, which can be delivered to the Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
4. A copy of this Order shall be delivered by the Prothonotary to County Control and Cochranton Police Dept.
5. This Order shall remain in full force and effect until April 5, 1993.
6. The Defendant shall pay record court costs in the amount of $91.10 to the Prothonotary no later than May 6, 1992.
7. The Defendant is reminded that his is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
8. The provisions with respect to dropping the children off contained in Paragraph 2 above are subject to modification pursuant ot 23 Pa.C.S.A. 6108(a)(4).

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 7, 1992 copy to County Control. Apr. 13, 1992 copy to Cochranton Police Dept.Plf, Dft., copy in box for M.Kirkpatrick & D. Ferguson.

296

1992

Louis P. Vitti & Assoc P.C.
Louis P. Vitti

296

FLEET NATIONAL BANK,
ASSIGNEE OF LIBERTY MORTGAGE CORPORATION

vs.

ELLIS F. HALPERIN AND ALL OTHER OCCUPANTS

Filed March 27, 1992
@ 1:10 P.M.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co. pd 5/6/92	9.00

COMPLAINT IN EJECTMENT
2 copies (Sheriff)

Apr. 8, 1992 Sheriff's Return filed. SERVED Ellis F. Halperin personally on March 31, 1992 at 3:02 PM by handing him a copy of the Complaint in Ejectment at the residence of 397 Randolph Lane, Meadville, Crawford County, PA.
SERVED Donnell DeRoss on March 31, 1992 at 3:03 PM by handing him a copy of the Complaint in Ejectment at the residence of 397 Randolph Lane, Meadville, Crawford County, PA. DeRoss is an occupant at that address.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 6, 1992, 2:42 p.m., AND NOW upon Praecipe of plaintiff attorney, with Certification of Mailing and Notice of Intention to file default judgment attached, judgment is hereby entered in favor of plaintiff and against Defendant for possession and/or ejectment as a result of the Defendants' failure to file an Answer and/or a responsive pleading.

H-51
Judgment entered 5/6/92

Judgment
Barbara H. King, Pro.

EXECUTION NO. 1992-43

1992

C. Barton Jones
~~Ruthanne Beighley~~ (withdrawn)

297

~~Douglas W. Ferguson~~ withdrawn

10-14-96 Ded from plff master fee 152.50

12-5-96 Ref from dept masters fee 402.50

12-11-96 Pd Waller Atty fee #10416 180.00

12-11-96 Pd Co master # 10417 375.00

KAREN J. EGER

vs.

GEORGE W. EGER

Filed March 27, 1992
@ 1:56 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
1 Add'l Count paid	15.00
User's Fee Pd 4-21-92	5.00
Sheriff's Costs	25.00
Pro pd 12/12/95 (count)	15.00
State paid	5.00
masters fee pd 5-8-96	250.00
Pro Co pd 8-21-96	5.00
Pro Co pd 11-14-96	9.00
Pro Co pd 12-30-96	9.00
Sheriff's Costs	29.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 COPY (Sheriff), 1 copy (Atty)

Apr. 7, 1992 SHERIFF'S RETURN filed. SERVED George W. Eger personally on March 31, 1992 at 3:56 PM by handing a copy of the complaint in Divorce to him at his residence, 758 Vernon St., Meadville, Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 23, 1995 Upon praecipe of C. Barton Jones, Esq., appearance on behalf of plaintiff, filed.

June 27, 1995, Upon praecipe of Ruthanne Beighley, appearance withdrawn.

Dec. 6, 1995, Amended Complaint filed adding award of Alimony Pendente Lite, Alimony, Counsel Fees, and Expenses, filed.

Jan. 22, 1996, Inventory and Appraisemtnt of Karen J. Eger filed.

Jan. 22, 1996, Income and Expense Statement fo Karen J. Eger filed.

May 9, 1996 Notice & Motion for Appointment of Master and ORDER filed. AND NOW, this 8th day of May, 1996, David Pickens, Esquire, is appointed Master with respect to the following claims: All claims raised by Pleading or Petitions.
If not filed already the parties are ordered to filed their prehearing statements within Twenty (20) days from this date.
BY THE COURT:
Gordon R. Miller, JUDGE.

Mayl7, 1996 Notice of Scheduled Pre-Hearing Conference, set for Thursday, June 6, 1996 at 2:00 p.m. in Divorce Master's Office, 898 Park Ave., Meadville, Pa.

May 17, 1996 Notice of Scheduled Master's Hearing, set for Friday, July 12, 1996 at 9:30 a.m. in Green Room of the Crawford County Courthouse.

June 7, 1996 Affidavit of Consent filed. 1) A Complaint in Divorce under Section 3301(c) formerly 201(c) of the Divorce Code was filed on April 1, 1992, and the Amended Complaint was filed on November 15, 1995.
2) The marriage of Plaintiff and Defendant is irretrievably broken and Ninety (90) days have elapsed from the date of filing the Complaint.
3) I consent to the entry of a final decree of divorce.
4) I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities. Karen J. Eger, Pltf.

June 7, 1996 Statement of Plaintiff's Attorney fees filed.

June 7, 1996 Plaintiff's Pre-trial statement Overview filed.

June 7, 1996 Master's Pre-Hearing Conference Summary filed.

June 18, 1996 Affidavit of consent on behalf of Defendant filed.

June 27, 1996 Supplemental Amendment to Plaintiff's Pretrial Statement and Affidavit filed.

July 1, 1996, Affidavit of Robert Higham filed.

Aug. 15, 1996, Scheduling Order filed, from the Divorce Master David W. Pickens.

Aug 19, 1996 Notice of Intention to Resume Prior Name, filed. **KAREN J. EGER to be known as: KAREN J. McKENZIE.**

Aug. 23, 1996 Plaintiff's Brief in Support of Plaintiff's Demands Following the Hearing on July 12, 1996 filed.

Sept. 3, 1996 Sept. 3, 1996 Notice of filing Master's Report filed.

Sept. 3, 1996 Master's Report and Recommendation filed.

Sept 6, 1996 Motion For An Amendment to Master's Recommendation For Distribution Of Marital Property, filed.

Sept. 25, 1996 Motion For Leave To Withdraw Appearance and Order filed. AND NOW, the 25th day of September, 1996, upon presentation and ocnsideration of the foregoing mtoion, the request relief is granted and the appearance of Douglas W. Ferguson, Esquire, is Ordered withdrawn.
BY THE COURT,
Gordon R . Miller, J.

9-25-96 Faxed Jones & Ferguson

Oct. 1, 1996 Praecipe to Withdraw Motion by C. Barton Jones on behalf of Plaintiff filed.

Nov 6, 1996 Motion To Review and Approve Master's Report and Issue Divorce Decree, filed.

Continued on page 490

298

1992

Olin, Neil, &
Haltrecht
Edward J.O'Brien

298

MONTGOMERY WARD CREDIT
CORPORATION

VS.

VIOLA K. CALLADINE

Filed March 27, 1992
@ 2:06 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's costs	25.00
Pro.Co. pd 2/26/93	9.00 ✓

EX1993-116

COMPLAINT
1 copy (Sheriff)

April 3, 1992 Sheriff's Return filed. SERVED Viola K. Calladine on March 31, 1992 at 2:56 PM by handing a copy of the Complaint to Bruce Bedow, Adult in Charge, at the residence, 170 Walnut St., Apt. 3, Meadville, Crawford Co., PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Feb. 26, 1993 at 11:18 A.M. upon praecipe of Plaintiff attorney, with notice of intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of Five Thousand Seven hundred Forty-Three and 57/100 Dollars, plus interest and costs.

	Debt	$5,743.57
C-161:	Interest	294.80
Entered on 3/5/93	Costs	89.50
Atty. O'Brien	Judgment	
Notice to Defendant	Barbara H. King	
	Prothonotary	

1992

Barbara J. Walton

299

JESSE EPPEHIMER

vs.

STACIE EPPEHIMER

Filed March 27, 1992
@ 3:47 pm

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 11/18/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

April 14, 1992 Affidavit of Service filed. A true and correct copy of the divorce complaint filed in the above-captioned matter was served upon the Defendant, Stacie Eppehimer, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on April 1, 1992, as is evidenced by the U.S. Postal Service Return Receipt (Certified NO. P 253 783 781) attached hereto as ExhibitA.

Barbara J. Walton, Esq.

Oct. 23, 1992 Affidavit of Consent by Jesse Eppehimer,Plaintiff, filed.

Nov. 18, 1992 Affidavit of Consent to Divorce by Stacie Eppehimer, Defendant filed.

Nov. 18, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

November 24, 1992 AND NOW, November 23, 1992, it is ordered and decreed that **J E S S E E P P E H I M E R**, plaintiff, and **S T A C I E E P P E H I M E R**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

300

1992

Mason & Mason
Joan D. Mason

300

SHERYL ANN RIDGEWAY

vs.

BRUCE A. RIDGEWAY

Filed March 27, 1992
@ 4:07 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 8/12/92	9.00

COMPLAINT IN DIVORCE
2 copies (atty)

April 30, 1992 AFFIDAVIT OF SERVICE FILED. I Joan D. Mason, Esquire, attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, despose and say that I did on April 23, 1992 mail to the above Defendant, Bruce A. Ridgeway, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on April 27, 1992, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Joan D. Mason, Attorney
for Plaintiff

Aug. 5, 1992, Affidavit of Consent of defendant filed.
Aug. 12, 1992 Affidavit of Consent of Sheryl Ann Ridgeway, Plaintiff, filed.

Aug.12, 1992 Upon Praecipe of Joan D. Mason, ESquire, for Review under §201 (c) of theDivorce Code, this case moved to Court.

DIVORCE DECREE FILED

August 18, 1992 AND NOW, Aug. 17, 1992, it is hereby ordered and decreed that **SHERYL ANN RIDGEWAY**, plaintiff, and **BRUCE A. RIDGEWAY**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

William J. Gregg

301

ARCHIE R. WHITE

and

BONITA JO WHITE

Filed March 30, 1992
@ 9:07 am

Tax & entry paid	50.50
user's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 4-4-94	9 00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

May 3, 1993 Affidavit of Consent of Plaintiff filed.

May 13, 1993 Acceptanc eof Service, filed. I, Gregory A. Keenan, Esquire, accept service of the Complaint in Divorce properly endorsed with the Notice to Defend, on behalf of the Defendant, Bonita J.White, and certify tha tI am authorized to do so.

Feb. 14, 1994, affidavit of Consent of defendant filed.

Mar. 3, 1994 Complaint reinstated.

Mar. 22, 1994 Acceptance of Service filed AND NOW, this 8th day of March, 1994, comes Gregory A. Keenan, Esquire, Defendant's cousnel in the above captioned matter and acknowledges that he received a true and correct copy of the Divorce Complaint which was filed on March 30, 1992, in the above captioned matter,and reinstated on March 3, 1994.

Gregory A. Keenan, Esquire

Mar. 22, 1994 Amended Affidavit of Consent by Archie R. White, Plaintiff, filed.

Mar. 22, 1994 Amended Affidavit of Consent by Bonita Jo White, Defendant, filed.

Mar. 24, 1994 Motion to Withdraw Ancillary Count and Order filed. AND NOW, this 22nd day of March, 1994, the within Motion to Withdraw Ancillary Count in the above captioned divorce actionis hereby granted.

BY THE COURT:
Gordon R. Miller, J

Mar. 25, 1994 Copy of order to Atty. Gregg

Mar. 28, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 6, 1994 AND NOW, April 5, 1994, it is ordered and decreed that ARCHIE R. WHITE, Plaintiff, and BONITA JO WHITE, Defendant, are divorced from the bonds of matrimony.

The court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

302

1992

302

TAMMY GLEASON, a minor by VIRGINIA GLEASON, her mother and guardian ad litem

vs.

STEVEN D. GLEASON

Filed March 30, 1992
@ 1:40 PM

Tax & entry	Pd 4-6-92	50.50 ✓
User's Fee	Pd 4-6-92	5.00
Sheriff's Costs		31.00
Pro Co Pd 4-6-92		5.00 ✓

Recieved from Pltf 4-6-92 Sheriff Costs $31.00
Paid Sheriff 4-6-92 Check # 6756 Costs 31.00 ✓

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (Sheriff)
1 copy Plaintiff

ORDER:

And now, this 30th day of March, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Tammy Gleason nor le with her. He shall not live at 119 North Street, Springboro Pa until further order of court. Defendant shall not go to 119 North Street unless invited by Virginia
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 6, 1992, at 3:30 PM., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 1, 1992 SHERIFF'S RETURN filed. SERVED Steven D. Gleason personally on March 30, 1992 at 3:20 PM at hi splace of residence, 119 North St., Springboro, Crawford Co., Pa. 16435.
So answers,
Edgar D. Householder, Chief Deputy
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

April 6, 1992 Upon Praecipe of Virginia A. Gleason, Guardian for Tammy Gleason the above captioned case is marked discontinued of record.

1992

Northwestern Legal Services
Jonathan J. Williams

303

KARLA CAMPBELL

vs.

JAY DONOVAN

Filed March 30, 1992
@ 2:06 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	37.00

CERTIFICATION OF RECORD FROM VENANGO COUNTY, PENNSYLVANIA OF PETITION FOR PROTECTION FROM ABUSE AND REQUEST FOR SPECIAL EX PARTE RELIEF AND ORDER

2 copies Sheriff

(See paper filed for original order)

Mar. 30, 1992 AMENDED ORDER FILED. AND NOW, this 24 day of December, 1991, it is her eby Ordered, Adjudged, and Decreed as follows:

1. This Court entered a stipulated order dated September 12, 1991 which restricted contact between Jay donovan, the respondent and Carla Campbell, the petitioner.

2. On November 25, 1991 this Court etnered an Order which entitled Barbara Donovan to have the use of the top apartment at the marital residence which is located at R.D. #5, P.O. Box 63, Titusville, Pennsylvania.

3. This Court's prior stipulated Order under the Protection From Abuse Act is hereby amended so as to permit Jay Donovan accress to that area of the marital residence which belongs to barbara and Frank Dnovan, so as to visit with his mother, Barbara Dovovan. In all other respects, this Court's prior stipulated PFA Order which prohibits contact between Carla Campbell and Jay Donovan shall remain in effect.

BY THE COURT,
William H. White, J

Apr. 13, 1992 SERVED Jay Donovan on April 1, 1992 at 10:45 AM by handing c copy of the Amended Order and Protection from Abuse to Paula Donovan, his wife, at the residence, 613 Smock Blvd., Titusville, Cr. Co., Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

304

1992

Thomas, Truax, Spadafore ,
and Walker
David P. Truax

304

Bruce A. Barrett

LININGER DRILLING & PUMPS, INC.

vs.

Richard Jolley

Filed March 30, 1992
@ 2:30 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 5/21/92	15.00
Pro.Co. pd. 10/28/92	5.00

APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE HUBERT VOGAN

April 3, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

April 20, 1992 COMPLAINT FILED. AND NOW, this 17th day of April, 1992 comes the Plaintiff, Lininger Drilling & Pumps, Inc., a Pennsylvania corporation, and by its attorneys, THOMAS, TRUAX, SPADAFORE AND WALKER, David P. Truax, Esquire, files the within claim and cause of action alleging in support thereof as follows:

1. Plaintiff, Lininger Drilling & Pumps, Inc., is a Pennsylvania corporation with its registered and principal place of business at 146 College Avenue, Greenville , Mercer County, Pennsylvania,and is engaged in the business of well drilling maintenance and repair.

2. Defendants, Richard C. Jolley and his wife, are individuals and sui juris residing at East Fallowfield Township, Atlantic, Crawford County, Pennsylvania, 16111.

3. On or about January, 1992, Defendants and Plaintiff entered into an oral contract for materials and services necessary to repair a water well and the water well pump related thereto located at Defendants' residence at East Fallowfield Township,Crawford County, Pennsylvania; the repair and service contract was entered by Plaintiff's agent, servant and employee,Thomas Thurber, acting by and on behalf of the corporation.

4. On or above January 22, 1992, Plaintiff, by and through its agents, servants and employees, commenced work at the Defendants' premises which work was kcompleted on or about January 27, 1992, at which time the well pump was replaced in good and operable condition and providing water to the Defendants' residence; Plaintiff thereby performed and fulfilled all of its obligations and duties under the contract entered between it and the Defendants.

5. On or about January 29, 1992, Plaintiff submitted a billing to the Defendants in the total amount of $3,526.77, consisting of materials in the total amount of $1,258.03, labor and equipment in the total amount of $2,231.00 and applicable sales tax in the amount of $37.74, which billing was due immediately upon receipt; it is alleged that the charges made by Plaintiff for materials, labor and equipment were customary and usual charges and were fair and reasonable.

6. Plaintiff has made numerous requests for payment of the above billing, however, Defendants have refused and neglected to make payment of the same despite such repeated requests.

7.The terms of the contract entered into between Plaintiff and the Defendants was fully performed and the Defendant's well and equipment related thereto was delivered in proper working order and condition; accordingly, Plaintiff has fully performed all of its covenants pursuant to the terms of the oral agreement in good faith and according to the true intent and meaning thereof.

WHEREFORE, Plaintiff demands judgment against Defendants in the amount of $3,526.77, with interests and costs.

David P. Truax, Esquire
Attorneys for Plaintiff

April 29, 1992 AFFIDAVIT OF SERVICE FILED. David P. Truax, Esquire, having been duly sworn according to law, deposes and says as follows:

1. That he is the attorney for Plaintiff in the above case and filed a Complaint with a proper Notice to Plead endorsed thereon on April 20, 1992.

2. That on April 20, 1992, he served by Certified Mail, Return Receipt, upon the Defendants, a true and correct copy of the Complaint, endorsed thereon with a Notice to Plead.

3. That on April 23, 1992, the above Complaint was served upon the Defendants, Mr. and Mrs. Richard C. Jolley by receipt endorsed thereon by Sandy Calvin, Agent for the Defendants; proof of which mailing and service are hereto attached.

Thomas, Truax, Spadafore and Walker
David P. Truax, Esquire

May 15, 1992 Defendant's Answer To Plaintiff's Complaint, filed. 1 copy (atty)

May 21, 1992 Upon praecipe of Plaintiff Attorney For Reference To Arbitrators Are Hereby Appointed as follows:

Theodore Watts, Chairman
E. Max Weiss
William Moore

May 22, 1992 ACCEPTANCE OF SERVICE FILED. I Hereby accept service this 18th day of May, 1992 of the Defendants Answer to Plaintiff's Complaint on behalf of the Plaintiff, as attorney for the Plaintiff.

Thomas, Truax, Spadafore & Walker
David Truax, Esq.

May 29, 1992 Arbitrators take, qualifying oath.

Aug. 19, 1992 Notice of Arbitration filed.

Aug. 26, 1992 Notice of Rescheduled Arbitration, filed.

Oct. 28, 1992 Upon Praecipe of Plaintiff Attorney the above case marked settled and discontinued of record.

1992

Hayt, Hayt & Landau
Arthur Lashin

305

FORD MOTOR CREDIT COMPANY

vs.

DONALD L. SEELEY and
TAMMY M. SEELEY,

Filed March30, 1992
@ 2:47 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	31.00
Pro Co. pd 5/7/92	9.00

COMPLAINT

Apr. 13, 1992 SERVED Donald L. Seeley personally on April 1, 1992 at 3:16 PM by handing him a copy of the Complaint at his residence, 355 Main St., Saegertown, Cr. Co., Pa.

SERVED Tammy M. Seeley personally on April 1, 1992 at 3:15 PM by handing a copy of the complaint to her at the residence, 355 Main St., Saegertown, Cr. Co., Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 7, 1992, 11:19 A.M., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment, affidavit of non-military service attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assesed as follows: Principal balance due, Three Thousand nine hundred seventy-eight and 79/100 Dollars.

Assessment of Damages

Unpaid Balance	$3,127.99
Plus Interest	187.67
Attorney's fees	663.13
TOTAL DUE	$3,978.79

Debt $3,978.79
Judgment

S-41,161
Judgment entered 5/7/92 . Barbara H. King, Pro.
5-13-92 Notice of judgment mailed defendant.

Northwestern Legal Services
Gerald Sullivan

306.

BRENDA L. PETERS

vs.

WAYNE A. PETERS

Filed Mar. 31, 1992
@ 9:08 a.m.

Tax & entry Pd 4-20-92 $50.50
state Pd 4-20-92 5.00
Sheriffs costs 25.00
Pro Co Pd 4-20-92 9.00

Rec. from Sheriff's dept 4-20-92 Costs 25.00

Pd Sheriff 4-20-92 costs check #6779 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 Copy Plaintiff

ORDER:

And now, this 31 day of March, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary exclusive possesion of 1203 Chula Ct. and Temporary exclusive custody of the minor children pending further order of Court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 10, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar. 31, 1992, sheriffs Return filed. SERVED Wayne A. Peters personally on Mar. 31, 1992 at 10:54 a.m. by handing and reading the contents fo the Proteciton from Abuse caomplaint to him at his residence 1203 chula Court Meadville, Pa. Crawford County, pa. 16335
So answers, James Withers, Dep. Constable
Robert M. Stevens, Sheriff

Apr. 13, 1992 ORDER filed. AND NOW, April 10, 1992, this matter is before the Court on plaintiff's Petition for Relief under the Protection From Abuse Act. The plaintiff appears represented by counsel and the defendant appears without counsel. He was advised of his right to counsel and indicates that he wishes to proceed in light of an agreement reached in this matter.

ACCORDINGLY, the parties have agreed that an Order shall be entered without admission by the defendant of the allegations of the petition.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the petition.
2. The defendant shall not go to themarital residence nor to any residence which is occupied by the plaintiff or any of the minor children.
3. The defendant shall within a period of five (5) days from this date make arrangements to sign off the lease with the Plaintiff for the marital residence.
4. The plaintiff shall have temporary custody of theminor children, without prejudice to either party to file an appropriate custody action.
5. The defendant shall pay record court costs in this matter in the amount of $89.50, with one-half of that amount being paid to the Prothonotry of Crawford County on the first floor of the Courthouse, Meadville, Pennsylvania, by 4:30 p.m. on April 20, 1992, and the remainder being paid to that same office by the close of business at 4:30 p.m. on May 4, 1992.
6. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated. In this regard, the defendant is advised that even if he is invited to the marital residence or any residence occupied by the plaintiff, it shall be a violation ofthis Order for him to go to such place and he should seek a modification of this Order if he wishes to go to such residence by invitation. The police shall presume that he is in violation of the order if he does so without further Order of Court.
7. A copy of this Order shall be delivered to the Meadville City Police Dept., as well as to County Control.
8. The defendant is reminded that this is an Order of Court and a violation of this Order may be punishable bya fine of up to $1,000.00 and a jeil sentence of up to six(6) months.
9. This Order shall remain in full force and effect through April 9, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Apr. 20, 1992 copy in box for G. Sullivan, mailed copy to Plf., Dft. & Mdvl. Police Dept.
Apr. 13, 1992 copy given to County Control

May 12, 1992 ORDER FILED. AND NOW, May 11, 1992, the Plaintiff has filed a pro se document which appears to be a motion to amend the Court's protection from abuse order of April 10, 1992 toward a more lenient status for the Defendant.

Accordingly, the Order of April 10, 1992 shall remain in full force and effect except that it is modified as follows;

1. The Defendant may return to the marital residence and accompanied by wife he may have his name placed back on the lease for the marital residence.
2. Legal custody of the parties' minor children shall be shared with physical custody to be arranged by the parties without prejudice to either party to file an appropriate custody action.

BY THE COURT,
Anthony J. Vardaro, J.

May 12, 1992 copy of Order to: Co. Control, Meadville City Police ,Gerald Sullivan, Esq. Brenda and Wayne Peters.

Continued Continued of Record to Page 505

1992

Thomas Truax
Spadafore and Walker

R. Charles Thomas

307.

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

DEBRA D. HENRY

vs.

WILLIAM C. HENRY

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 31, 1992, Plaintiff's Affidavit Under section 3301(d) of the Divorce Code filed.

Sept. 4, 1992 Petition for Related Claims, Equitable Property Determintion and Distribution filed.

Oct. 18, 1993 Affidavit of Service of Complaint in Divorce filed: R. Charles Thomas, Esquire, being duly sworn according to law, deposes and says that onApril 2, 1992, he sent a true and correct copy of the Complaint in Divorce,property endorsed with the Notice to Defend, filed in tthe above action to the Defendant, William C. Henry, at Defendant's last know address of R.D.#2, Guys Mills, Pa. 16327 by Certified Mail No. P899 088 160,postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as April 3, 1992.
Oct. 14, 1993 R. Charles Thomas, Esq.

Oct. 18, 1993 Upon Praecipe of Plaintiff Attorney, R. Charles Thomas, Esquire to transmit record, case moved to Court.

Filed Mar. 31, 1992
@ 2:28 p.m.

Tax & entry paid	$50.50
state paid	10.00
User's Fee pd	5.00
1 Add'l count pd 9/4/92	15.00
State paid 9/4/92	5.00
Pro.Co. pd 10/18/93	9.00

DIVORCE DECREE FILED

Oct. 27, 1993 STIPULATION and FINAL DECREE. AND NOW, this 27th day of October, 1993, it is ordered and decreed that DEBRA D. HENRY, Plaintiff, and WILLIAM C. HENRY, defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

I. EQUITABLE DISTRIBUTION - REAL ESTATE.

1. The Defendant is awarded all that certain piece or parcel of land situate in Randolph Township, Crawford Co. PA. as more specifically described in a certain Deed from Leah M. Gibbens, Widow, to the Plaintiff and Defendant, said Deed being dated July 14, 1988 and recorded in Crawford County Record Book 43, Page 846. The said property is the former marital residence of the Plaintiff and Defendant with a mailing address of RD # 2, Guys Mills, Pa.

2. The Plaintiff is awarded all right, title and interest that the Plaintiff and Defendant acquired and presently own in Ponderosa Park located in the State of Ohio.

II. EQUITABLE DISTRIBUTION - TANGIBLE PERSONAL PROPERTY.

3. The Defendant is awarded the tangible personal property presently located at the former marital residence of the paraties at RD # 2, Guys Mills, Pa. including but not limited to the following: furniture, appliances, miscellaneous personal property used within the home and in conjunction with the occupancy of the aforesaid home by the Defendant. Said property shall become the sole and exclusive property of the Defendant with the exception of certain items of tangible personal property which includes the remainder of the Plaintiff's personal clothing and other personal effects, all of which the Plaintiff will secure within ten (10) days of the filing and entry of this Decree in Divorce.

III. EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY.

4. The Plaintiff is awarded all pension, retirement and employee benefits in which she has participation as an employee of the Greenleaf Corporation.

IV. MARITAL DEBTS.

5. The Defendant shall be solely and exclusively responsible for payment of a certain loan incurred by the Plaintiff and the Defendant in favor of Jean Weismann, now known as Jean Andre, which loan was incurred by the Plaintiff and Defendant in connection with the purchase of the marital home. The Defendant shall make payments due on the aforesaid loan on a regular and timely basis and further shall indemnify and hold the Defendant harmless from any liability on the aforesaid loan. In the event of default by the Defendant in payment of said loan or in the event the said Jean Weismann, now known as Jean Andre, commences legal action against the Plaintiff and Defendant as a result of default, then and in that event the Defendant shall be responsible for payment of any and all counsel fees incurred by the Plaintiff in the defense of said claim.

6. The Defendant shall be solely and exclusively responsible for the payment of a certain loan incurred by the Plaintiff and the Defendant in favor of Equibank, which loan was incurred by the Plaintiff and Defendant in connection with the installation of a swimming pool on the marital premises located t RD # 2, Guys Mills, PA. The Defendant shall pay the monthly payments due on the aforesaid loan on a regular and timely basis and further shall indemnify and hold the Defendant harmless from any liability on the aforesaid loan. In the event of default by the Defendant in payment of said loan or in the event that Equibank commences legal action against the Plaintiff and Defendant as a result of default, then and in that event the Defendant shall be responsible for payment of any and all counsel fees incurred by the Plaintiff in the defense of said claim.

7. The Defendant shall be solely and exclusively responsible for payment of a certain obligation incurred by the Plaintiff and Defendant in favor of the Commonwealth of PA., Dept. of Public Welfare, which oblgiation was incurred by the Plaintiff and Defendant in connection with the application for and receipt of public assistance by the Defendant from the Commonwealth of PA., Dept. of Public Welfare. The Defendant shall pay said obligation as required by the Commonwealth of PA., Dept. of Public Welfare, and shall indemnify and hold the Plaintiff harmless from any liability on the aforesaid loan. In the event of default by the Defendant in payment of said loan or in the event that the Commonwealth of Pa., Dept. of Public Welfare, commences legal action against the Plaintiff and Defendant as a result of said default, then and in that event the Defendant shall be responsible for payment of any and all counsel fees incurred by the plaintiff in the defense of said claim.

V. MISCELLANEOUS.

8. Plaintiff and Defendant shall sign, execute and acknowledge any and all documents necessary to comply with the provisions of this Decree within ten (10) days after the filing and entry of this Decree.

9. That neither the Plaintiff nor the Defendant shall make any further claims against the other hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree.

BY THE COURT,
Gordon R. Miller, J.

1992

~~Withdrawn~~
~~Joseph F. Kulwicki,~~

~~Withdrawn~~
~~Brian J. Lindsay~~

308.

BERNARD WAGNER

vs.

PATRICIA WAGNER

Filed March 31, 1992
@ 3:28 p.m.

Tax & entry paid 4/1/92	$50.50 ✓
state paid	5.00
Bruce Smith, mediator	
Mediation Costs	296.06
Sheriff's Costs	27.00

5-19-94 Rec from pltf Med Fees 296.06
6-23-94 Pd Co 8399 296.06

Pro Co Pd 5-19-94 Pdgw
Pro Co Pd 5-19-94 5a

COMPLAINT FOR CUSTODY

1 copy (mediator)
2 copies (atty)

NOTICE AND ORDER TO APPEAR:
YOU, Patricia Wagner respondent ahve been sued in court to obtain custody, aprtial custody or visitaiton of the children: Sabrina Christine Wagner, born Oct. 7, 1974; Robin beth Wagner, born May 18, 1977; and Cara Wagner born feb. 25, 1983.
You are ordered to appear in person for a conference before BRUCE SMITH ESQ. CHILD CUSTODY MEDIATOR at such time and place as will be determined by themediator.
If you fai to appear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find where you get legal help.
Court Administrator, Crawford County courthouse, Meadville, Pa. 16335, 814 336-1151, Ext. 298.
Mar. 31, 1992 BY THE COURT,
Gordon R. Miller, j.

April 16, 1992 AFFIDAVIT OF SERVICE filed. I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Petitioner, and that as such I am authorized to make this verification; that I did on the 10th day of April, 1992, send to the above named Respondent, by Certified Mail, Return Receipt Requested, a true and correct copy of the Complaint for Custody filed at the above term and number; and that I did on the 15th day of April, 1992, receive a duly executed return receipt dated April 14, 1992.
Brian J. Lindsay, Esquire

May 26, 1992 Respondent's Answer to Petitioner's Complaint for Custody filed.

May 29, 1992 Motion to Withdraw and Order filed. AND NOW, May 29, 1992, upon presentation and consideration of the foregoing MOtion, and Petitioner having joined therein,this Court hereby allows Brian J.Lindsay, Esquire to withdraw his appearance as counsel of record for Petitioner.
BY THE COURT,
May 29,1992 Copy of Order: Brian J.Lindsay,ESq. Gordon R. Miller, J.

June 5, 1992 Temporary Order of Court filed. AND NOW, this 4th day of June, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. the natural parents of Sabrina Christine Wagner, age seventeen, Robin Beth Wagner, age fifteen, and Cara Jeannette Wagner, age nine, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not l limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing ofthe children, as well as to elective surgery.
2. Primary physical custody of the child shall remain with the natural mother, Patricia Wagner. Visitation and temporary custody of the children shall be granted to the father, Bernard Wagner, as follows:
a. The petitioner fater shallhave tempoary physical custody of the children on their birthdays form 9:30 a.m. through 9:00 p.m., prevailing local time. He shall also have temporary physical custody of the childrne on the day of the Wagner family reunion each year during the same time period. He shall have temporary physical custody of the children on the 4th of July each year form 12:00 noon through 7:00 p.m., prevailing local time. He shall also have tmeporary physical custody of the children on Christmas Day from 12:00 noon through 7:00 p.m., prevailing local time.
b. The fther shall pick up and return the children to the mother's residence. Anytime he is more than one hour late for a scheduled transfer of custody, that period of temporary physical custody shall be forfieted.
3. The parent having cusotdy of the children at anytime shall notify the other parent as soon possible in the event of injury to or illness of the children requiring medical treatment.
4. Neither party shal ltake the childrne into any environment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons.
5. Neither parent shall remove the chidren from the Commonwealth of Pennsylvania without advising the other parent as to the duration of the visit outside of Pennsylvania, the address where the children will be located, and the expected date of return to Pennsylvania.
6. the parent are encouraged to discuss arrangements for ph ysical custody of the children; and, if the parties mutually agree to alternative arrangments to accommodate themselves and/or the children's schedule, they may adjust the physical custody arrangments accordingly and are encouraged to do so by mutual consent and agreement.
7. Because the respondent mother currently lives on the former family farm with the three children and the petitioner father operates the farm and is in or near the barn on the farm property almost every day, the children are encouraged to visit and talk with their father on a regular basis.
8. Each of the parents will teach the children to develop and demonstrate that natural love and respect due a parent from his or her children. Neither of the parents will do or say anything to blacken the character of either parent in the eyes of the childrne.
9. This Order shall not prejudice the right of either pa rty to request fruther Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation.
10. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or any of the children resides in the Court's jurisdiction and for at least six months form the date of this Temporary Order.
11. The fee for Child Custody Mediation shall be paid by the petitioner father.
12. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either pa party within thirty days from the date of this Temporary Order.
BY THE COURT
Gordon R. Miller J

June 11, 1992 Copies of order mailed to Plaintiff, Defendant, Atty's Halliday and Smith

Continued on Pg. 308A

1992

Bernard Wagner
vs.
Patricia Wagner

CONTINUED FROM PAGE 308
of Record
A. D. 1992 - 308

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June 29, 1992 ORDER filed. June 26, 1992, hearing is ser for August 20, 1992 at 9:30 a.m., in Courtroom NO. 1.
FOR THE COURT,
Imogene Yetman, Crt. Adm.

June 29, 1992 copies mailed to Halliday & Plf.

July 2, 1992Assignment of Hearing date filed. July 1, 1992, a request for hearing before the court at D.R.1990-212 having been received, hearing is set for August 20, 1992, at 9:30 A.M., which is the date and time heretofore scheduled for hearing on defendant's request for a de novo custody hearing, docketed at A.D.1992-308.
FOR THE COURT,
Imogene Yetman, Court Administrator

July 2, 1992 Copy to Michael Halliday, ESq. and Bernard Wagner.

July 21, 1992 MOTION FOR PRE-HEARING CONFERENCE, filed.

July 21, 1992 ORDER filed. ANC NOW, July 20, 1992, after receipt and review of the plaintiff's motion for prehearing conference, which includes other matters it is ordered as follows:

1. The request for prehearing conference id denied.
2. The request that the defendant list all of the therapists about marriage, her health, or her children in the paost eight years is granted and the defendant is ordered and directed to furnish a full and complete list of the names and addreses of therapists with whom she has consulted about marriage, her health or the children to the plaintiff no later than Aug. 1, 1992. The Court takes no position and makes no pretrial ruling on whether or not the testimony of those therapists would be admissible, subject to any privilege for we are simply permitting the plaintiff to now discover pursuant to Pa.R.C. P. 1915.5(c) the therapists with whom the defendant consulted.
3. All other requests are denied. Some of those requests ask the Court to make trial rulings that the Court will n ot make pretrial, such as whether certain persons should be permitted to testify. Some fo the information requested would not be material to the issues that are presented in the custody action. Whether the Court will require Mr. Halliday to terminate his representation of the defendant will await the hearing and the evidence that is submitted at the hearing. Clearly if an attorney becomes a witness then he may not continue to represent the defendant except under limited circumstances. (Rule 3.7 of the Rules of Professional Conduct.)

BY ORDER CF COURT
Gordon R. Miller, P.J.

July 21, 1992 copies given to Plf & Atty. Halliday

Aug. 17, 1992 Motion to Quash Subpoena and Order filed. AND NOW, this 17th day of August, 1992, the subpoenas issued against Karen Snider, Secretary of Public Welfare and Jack Stuff, State Child Support Director are hereby QUASHED.
Gordon R. Miller, J

Aug. 18, 1992 Copies of order mailed to Atty's Halliday and Manne and B. Wagner

August 19, 1992 Request For Production filed.

August 19, 1992 Motion to Quash Subpoena and ORDER filed. AND NOW, this 19th day of August, 1992, this motion is denied. This witness need not appear until 1:30 pm for August 20, 1992.
Gordon R. Miller, J.

Aug. 20, 1992 Copy of Order to Atty. Brian Lindsay, Michael Halliday and plaintiff.

Aug. 19, 1992 Order filed. AND NOW, August 19, 1992, after receipt and review of the attached Request for Production, said request is denied in part and grante din part.

The Court will not require the defendant to produce telephone records and telephone billings with respect to telephone number 425-7610, as the plaintiff agrees that that is a partnership business telephone involving a partnership where he is a general partner andtherefore would have as such access to the records invovling the use of that phone as would the defendant.

The defendant is ordered and directed to produce long-distance telephone bills and long-distance telephone records for telephone number 425-3955 for the last two years, to the extent that she has those records, to her attorney, who shall bring those records to the Crawford County Courthouse no later than by 8:30 o'clock a.m. on Thursday, august 20, 1992 for review and inspection by the plaintiff.

FURTHERMORE, it is ordered and directed that the plaintiff shallhave the authority to contact the telephone company , believed to be Alltel, and Alltel shal lfurnish at the plaintiff's expense copies of any long-distance telephone records for 425-3955 for the past two years, provided that Alltel is satisfied that that telephone number was a telephone number issued to and provided for Patricia Wagner, the defendant in this case. If at any time during the last two years that telephone number has been used by somebody other than Patricia Wagner, then Alltel is not required to furnish long-distrance telephone records to the defendant.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Aug. 19, 1992 Copies given to Plaintiff and Attorney Halliday

Aug. 20, 1992 ORDER filed. AND NOW, Aug. 20, 1992 at the time fixed for hearing in this matter, is appears that Russell Subject did not appear event hough subpoenaed, bu it appears to the Court that he may not have been required to appear or at least this Cour tcould not issue a bench warrant, since he apparently asked for prepayment of some fees and mileage, and the same was not tendered to him. It well may be that he asked for toomuch, but it appears as a fact that he was not tendered or offered the minimuum amount required by the statute.

Upon tender to or payment to Mr. Subject of cash or a certified check or a cash equivalent in the amount of $5 for one days' witness fee and $.07 per mile, times the number of round-trip miles it is from his home to the Crawford County Courthouse, provided said payment and tender shall be made to him no later than Saturday, Aug. 22, 1992. In such event, if payment is made, the Court orders and firects Russell Subject to appear in these proceedings at 9:00 a.m. on Wednesday, Aug. 26, 1992.

The Plaintiff shall furnish proof of payment of the mileage and witness fee to Mr. Subject in order to gain further enforcement of this order, because payment is a condition upon which Mr. Subject must appear. If it appears that Mr. Subject shouldn't have been subpoenaed or is not able to p resent admissible evidence in this case, then the Court will order and direct the Plaintiff to p ay all of Mr. Subject's expenses, including any lost wages for the time necessary to travel to Crawford County, plus lodging, food and any other miscellaneous expenses to adequately compensate h im for his inconvenience and appearance, if it turns out that it was inappropriate or not necessary.

A true and correct copy of this order shall be sent to Mr. Subject by certified mail, return receipt requested, by the Prothonotary of Crawford County to delaware College, Doylestown, Pa. 18910-2697. That shall be sent no later than 4:30 p.m. this date.

BY ORDER OF THE COURT
Gordon R. Miller, P.J.

Aug. 20, 1992 cert copy mailed by cert mail to Mr. Subject. Aug. 24, 1992 copy to Plf. & Halliday

Aug. 24, 1992 MOTION TO QUASH SUBPOENA and ORDER, filed. ORDER: AND NOW, this 19th day of August, 1992, the within Motionis allowed and the Subpoena is Quashed. Gordon R. Miller, P.J.
Aug. 24, 1992 copy to B. Smith

Continued on Page 308B

1992

BERNARD WAGNER
vs.
PATRICIA WAGNER

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of Record
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Aug. 24, 1992 ORDER filed. AND NOW, Aug. 20, 1992, the Court finds preliminary that it appears that Jayleen Morrell of Freyermuth Rd., Concranton, Pa. has failed and refused to appear in court as ordered and directed by a subpoena and hereby directs that she appear before the Court in these proceedings at 9:00 a.m. on Wednesday, Aug. 26, 1992, and failing the same, a Bench Warrant shall be issued for her immediate apprehension and return to the Court.

A true and correct copy of this Order shall be served upon Ms. Morrell personally, either by the Sheriff of Crawford County or by Richard Stinson. The Sheriff and Mr. Stinson shall make an appropriate Return of Service, indicating under what circumstances and time this was served on Ms. Morrell. The costs of service shall be borne by the plaintiff in order to make certain that the Sheriff and Mr. Stinson get paid. The Court reserves the right to assess costs on Ms. Morrell once she appears and is given an opportunity to explain herself. It very well may be that the Court will impose all these costs on her.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 25, 1992 copy to M. Halliday & Plf.

Aug. 25, 1992 SHERIFF'S RETURN, filed. SERVED Jayleen Morrell personally on Aug. 24, 1992 at 1:37 pm by handing the Court Order to her at her residence, Freyermuth Rd., Cochranton, Crawford Co., Pa.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 28, 1992 Order Filed. AND NOW, August 20, 1992, the Order of August 19, 1992 directed to Alltel is hereby rescinded.

The Court hereby orders and directs that the plaintiff shall have the authority to contact Alltel and Alltel shall furnish at the plaintiff's expense copies of any long-distance telephone records for 425-3419 and 425-7955 for the past two (2) years,provided that Alltel is satisfied that those numbers were numbers issued to and provided for Patricia Wagner during some part or all of the past two years. If either of those nubmers was used by any other customer for any portion of that two-year period, then for the period of time that some other customer had that number or numbers, Alltel shall not furnish information as to long-distance telephone calls for those periods of time. Initially, the cost and expense of obtaining these copies shall be borne by the plaintiff and Alltel shall have the right to impose reasonable restrictions and regulations upon the plaintiff regarding deposits or down payments to secure payment. The Court reserves the right to direct that the plaintiff be reimbursed by the defendant, depending upon the outcome of the search of those records.

For this purpose, the information furnished shall be limited to long-distance telephone calls placed from those numbers or charged to those numbers.

Alltel shall furnish this information as soon as possible. The Court leaves open and reserves the question of whether or not these hearings will be continued further in order to receive the information Alltel will be furnishing to the plaintiff.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 28, 1992 Copy of the Order mailed to Wagner, (w/Certified copy for Alltel) and copy mailed to Atty. Halliday.

Aug. 28, 1992 Order Filed. AND NOW, August 20, 1992, the subpoenas issued by this Court through the Prothonotary's Office in this case for Mr. Fuller, Mr. Tuzynski, Mrs.Brown, Mr. Livi and Mr. Pineo are hereby quashed, reserving, however, unto the plaintiff the right to required their attendance if he can convince this Court that they are reasonably necessary witnesses and can lend any information to the issues we face in these cases.

The plaintiff is ordered and directed to pay to Mr. Fuller,Mr.Tuzynski, Mrs.Brown and Mr. Livi $5.00 each for their appearance this date, plus seven cents a mile round-trip mileage from their place of work or residence, depending on where they came from to get to court today within ten (10) days from the date of this Order unless they indicate in writing that they waive witness fees and mileage.

Mr. Pineo shall not be entitled to witness fees and mileage since he did not appear.

BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

Aug. 28, 1992 Copies mailed to Atty. Halliday and Pltf.

Sept. 1, 1992 MOTION FOR REQUEST FOR PRODUCTION and ORDER, filed. ORDER: AND NOW this 26th day of August, 1992, upon consideration of the within Motion for Request for Production, it is hereby ORDERED AND DECREED that Bernard Wagner produce for the hearing to be held onOctober 7, 1992, at 9:00 a.m., in Courtroom No. 1 of the Crawford County Courthouse Meadville,Pa., the following:

1. Financial records of Bernard Wagner individually and in his capacity as partner in Wagnercrest Farms or in any and all other back accounts in which he has an interest.

2. All checkbooks, checks, bank statements, of any and all banks wherin Bernard Wagner has an account individually or in the name of Wagnercrest Farms or with Patricia Wagner, or any other third person; journal, statements and any and all evidence of all income produced for the years 1991; all statements of income for any cattle, farm animals and machinery or grain or any other assets sold on the farm for the years 1991 and 1992; income tax returns for the years 1990 and 1991.

Are to the extent that Bernard Wagner has these items.

BY THE COURT:
Gordon R. Miller, P.J.

Sept. 4, 1992 copy to Halliday & Plf.

Sept. 9, 1992 Memorandum and ORDER filed. AND NOW, August 31, 1992, the hearing in this matter is continued to Oct. 7, 1992 at 9:00 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.

The plaintiff is ordered and directed to complete his case in chief by 12:00 noon that day.

The defendant is ordered and directed to complete her case in chief between 1:00 o'clock p.m. and 4:30 o'clock p.m. that day.

The Court intends that this matter be concluded on Oct. 7, 1992. The plaintiff represents that the balance of his case shall take no more than three hours. He has already had two full days of court time to present his case. The defendant indicates that her case should take no more than three hours.

BY ORDER OF COURT,
Gordon R. Miller, P.J.

Sept. 10, 1992 Copies of Order mailed to Atty. Halliday and plaintiff.

Sept. 16, 1992 Request for Production filed.

Sept. 16, 1992 ORDER filed. AND NOW, Sept. 14, 1992, after receipt and review of the plaintiff's Request for Production it is ordered as follows:

1. Both parties shall fully and completely comply with the local rules regarding support cases insofar as the furnishing of financial information and records is concerned. Both shall complete an income and expense statement on the forms required. Both shall submit their most recent federal and state income tax returns.

2. To the extent that the defendant has the following information she shall produce it at the time of the hearing on Oct. 7, 1992:

a. Any diary and financial papers which the plaintiff claims she took from his car on August 26, 1992;

b. Copies of all partnership agreements she has;

c. All milk check stubs for January through April 1992;

d. Records and information that was or could be used to complete federal income tax returns for the years 1989, 1990, 1991;

RECORD CONTINUED ON PAGE 308(c).....

BERNARD WAGNER
vs.
PATRICIA WAGNER

RECORD CONTINUED FROM PAGE 308 (b)
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e. Cancelled checks for Wagnercest Farms for the years 1990, 1991 and 1992.
3. In all other respects the plaintiff's request for production is denied.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Sept. 16, 1992 Copy of Order mailed to Atty. Halliday and plaintiff.

Sept. 21, 1992 Transcript of Direct Testimony of Patricia Wagner Taken At Time of Hearing filed.

Oct. 2, 1992 Motion For Taking Testimony Of Kathy berkey, Counselor and Order filed. AND NOW, this 30th day of September, 1992, upon consideration ofthe within Motion for Taking of Testimony, it is HEREBY ORDERED that the testimony of Kathy berkey, Counselor, inthe above-captioned action, shall be taken on the 30 day of October, 1992, at 9:00 o'clock a.m. in Courtroom No. 1 of the crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

Oct. 7, 1992 Copies of order mailed to Plaintiff and Atty. Halliday

Oct. 8, 1992 Order filed. AND NOW, October 7, 1992, at the scheduled for a continuation of the hearing of this case this parties appeared with counsel and indicated a strong desire to amicably settle this case without any further court proceddings. The parties jointly ask for a continuance and jointly agreed to some custody and visitation terms in the meantime. Accordingly, it is ORDERED as follows:

1. The hearing in this case is continued until January 5, 1993 at 9:00 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse. Either party believing that a hearing should be held prior to that date shall have the right to file a motion in keeping with Local Motions practive asking for an earlier hearing and setting forth reasons in support of that request. The Court takes no pos ition at this time as to whether or not an earlier hearing can be or will be given, but this Order shall not prevent the paraties form seeking an earlier hearing if e ither one desires.

2. Pending further Order of Court the Custody Order of June 4, 1992 shall remain in full force and effect except as modifie by this Order, which said modifications here hereinafter set forth.

2. Paragraph 2 of the Order of June 4, 1992 shall remain in full force and effect. The periods of visitation givento the Plaintiff shall remain as listed. However, the Plaintiff shall be given additional reasonable periods of visitation where he may visit and/or take one, two or all of his chidlreninto his custody. These additional periods of visitation shall be agreed upon by the parties form time to time. The parties shall make every reasonable good-faith effort to allow the Plainti additional periods of visitation, and the defendant shall attempt to accommodate the Plaintiff's visitation requests. The Court doe snot now impose specific periods of time on the parties, but does ORDER and DIRECT the parties to amicably work out additional period of visitation for the Plaintiff.

3. The Plaintiff shall not go to the home where the children reside. If he is to pick up the children during any visitation they shall exit the home on their own and meet the Plaintiff in the driveway or some place else.

4. As an addition to Paragraph 5 of the Order of June 4, 1992, the defendant shall not remove the children from Crawford County except for temporary trip or excursions elsewhere. The point is the children shall not live outside of Crawford County until further Order of Court.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Oct. 8, 1992 Copies of order to Atty's Kulwicki and Halliday

Oct. 9, 1992 ORDER FILED. AND NOW, October 7, 1992, after informal hearing where the parties were present and represent by counsel and in furtherance of our Order of September 14, 1992, the Defendan tis ORDERED and DIRECTED to produce and deliver to the Prothonotary a diary which she kept for periods of time frm 1978 until 1984 by 4:30 o'clock p.m. on Thursday, October 8, 1992. The Prothonotary shall immediately seal that diary in an envelope and place a notation on the envelope showing the caption of the case, showing that it is the Defendant's diary, that it is being held as a possible exhibit in these proceedings and that the envelope shall not be opend by anyone and the diary shall not be delivered or truend over to anyone wihtout a further Court Order entered in accordance with the Local Motions Rules.

The diary shall be in the same condition without any alternations or modifications that it was in at the time of the last hearing held in this case on September 14, 1992.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Oct. 9, 1992 Copies of order to Atty's Kulwicki and Halliday

Oct. 20, 1992 Order filed. AND NOW, October 19, 1992, the hearing to take the testimony of Kathy Berkey on October 30, 1992 is hereby cancelled since this case has been continued generally.

The party intending to use Ms. Berkey as a witness shall notify her immediately ofthis cancellation.

BY ORDER OF COURT,
Gordon R. Miller, J

Oct. 20, 1992 Copies given to Atty's. Kulwicki and Halliday

Jan. 6, 1993 Mtoion To Continue and Order filed. AND NOW, December 31, 1992, March 23, 1993, at 9:00 a.m., Courtroom 1.

BY THE COURT,
Gordon R. Miller, J

Jan. 11, 1993 Copies of order to Atty's Halliday and Kulwicki

Mar.22, 1993 Motion to Discontinue and Order filed. AND NOW, this 22nd day of March, 1993, comes Bernard Wagner, by his attorney, Joseph F. Kulwicki, III, Esquire. and requests an Order to discontinue the above-captioned actions for the reason the parties have reconciled and the issues have been resolved.

Order filed. AND NOW, March 22, 1993, this motion is granted. Both actions are discontinued.

BY THE COURT:
Gordon R. Miller, J.

Mar. 25, 1993 Copy of Order to Attys. Halliday and Kulwicki and Defendant. Copy of Order to Atty. Smith

Nov. 3, 1993 Upon Praecipe of Joseph F. Kulwicki, III, Esquire, Attorney for Defendant, his appearance is hereby withdrawn and ORDER filed. AND NOW, this 3 day of November, 1993, motion granted.

BY THE COURT,
Anthony J. Vardaro, J.

11-8-93 Copy of Order to Atty. Kulwicki, & Atty. Smith

Feb. 15, 1995 Exhibits filed.

Apr. 6, 1995 ORDER filed. AND NOW, March 31, 1995, the Court opened the sealed document and reviewed the diary in connection with another custody action involving these parties that is presently before the Court.

We concluded that the diary)Exhibit 17) includes entries from early 1979 and early 1994 and only covers a period of several weeks. The diary does not contain any information that would be the least bit relevant to a custody action. The entaries include daily activities of Mrs. Wagner and the children and her relationship with Mr. Wagner. Even if the information was not stale and was timely it would still be irrelevant in determining the best interests of the children.

CONTINUED ON PAGE 308D

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1992

Wagner v. Wagner A. D. 1992 - 308 CONTINUED FROM PAGE 308c

We see no reason for the Prothonotary to continue to hold this diary. Therefore it is ordered as follows:

1. The Order of Oct. 7, 1992 ordering that the diary (Exhibit 17) be placed in a sealed envelope and not to be opened without further Order of Court is hereby vacated.

2. Exhibit 17, the diary, shall be turned over to Mrs. Wagner by the Prothonotary within the next thirty (30) days. Patricia Wagner shall go in person to the Prothonotary's office, show evidence and proof of identity, shall sign a receipt indicating the return and receipt of the diary and at that point shall be entitled to the diary. If the Prothonotary has difficulty in identifying Patricia Wagner the Prothonotary may bring Patricia Wagner to the undersigned Judge who would recognize her as the Patricia Wagner entitled to receive the diary back.

BY THE COURT
Gordon R. Miller, P.J.

Apr. 6, 1995 dist to Halliday & Dft.
Apr. 13, 1995 Faxed to B. Smith

1992

Fuller, Kinnunen,
Petruso, Gamble, Fabian
& Hall
Ann Hansen Gamble

309

JILL L. KING

vs.

WILLIAM R. KING

Filed April 1, 1992
@ 10:57 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 1/7/93	9.00

COMPLAINT IN DIVORCE
1 copy (Atty)

Apr. 9, 1992 AFFIDAVIT OF MAILING filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of Pa. and that on April 6, 1992, she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to William R. King, 227 Water St., Apt. 212, Titusville, Pa. 16354, the Defendant's lst known address. The said receipt being attached hereto.

Oct 21, 1992 AFFIDAVIT OF CONSETN OF PLAINTIFF, filed.

Jan. 7, 1993 Affidavit of Consent by William R. King, Defendant, filed.

Jan.7, 1993 Upon Praecipe of Plaintiff ATtorney to Transmit Record, case moved to Court.

DIVORCE DECREE FILED

Jan. 13, 1993 AND NOW, January 12, 1993, it is hereby ordered and decreed that **JILL L. KING**, plaintiff, and **WILLIAM R. KING**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

DAVID W. PICKENS

310

Rosenberg, Kirshner, PA
Miles A. Kirshner
McDonald's Corp. d/b/a
Delaware McDonald's
Corp.

Glenn A. Thompson

THE PLANT PLACE OF MEADVILLE
Incorporated

vs.

JOHN A. McCARNEY, JMC
MANAGEMENT, INC., MCDONALD's
CORPORATION, d/b/a DELAWARE
MCDONALD's CORPORATION AND
MCCARNEY ENTERPRISES, INC.

Filed April 1, 1992
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	31.00
Pro.Co. pd 12/22/93 (Settle & Certificate)	6.00
Pro.Co. 1/3/94 (Certificate)	$1.00

COMPLAINT
3 copies (Sheriff)

Apr. 8, 1992 CERTIFICATE OF SERVICE filed. I, David W. Pickens, Esq., of 1044 Liberty St., Meadville, Pa. 16335, certify that on the 6th day of April, 1992, I served a copy of the Notice to Defend and a certified copy of the Complaint on the following:

McDonald's Corporation
One McDonald's Plaza
Oak Brook, Illinois 60521

by first class, certified, United States Mail. I certify under penalty of perjury that the foregoing is true and correct.
Date: 4-6-92

April 13, 1992 Sheriff's Return filed. SERVED John A. McCarney on April 2, 1992 at 8:53 AM by handing a copy of the Complaint to Carol Rictor, Bookkeeper and Adult in Charge, at the place of business, JMC Management, 1009 Water St., Meadville, Crawford Co. Pa.

SERVED JMC Management on April 2, 1992 at 8:52 AM by handing a copy of the Complaint to Carol Rictor, Bookeeper and Adult in Charge, at the place of business, 1009 Water St., Meadville, Crawford Co., PA.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

April 23, 1992 AFFIDAVIT OF SERVICE FILED. I, David W. Pickens, am an attorney duly authorized to practice law in the Commonwealth of Pennsylvania, and on April 6, 1992, I sent a copy of NOtice to Defend, and Complaint filed at the above number, properly endorsed, to McDonald's Corporation, One McDonald's Plaza, Oak Brook, Illinois 60521 last known address, by certified mail No. P398 124 632; and that on April.20, 1992, I received a return receipt for said certified mail signed by See attached and dated 4/13/92, a copy of which is attached hereto.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.§4904, relating to unsworn falsification to authorities.

David W. Pickens

May 13, 1992 Appearance of Rosenberg, Kirshner, PA by Miles A. Kirshner for McDonald's Corporation d/b/a Delaware McDonald's Corporation filed.

May 22, 1992 ANSWER, NEW MATTER and COUNTERCLAIM FILED

June 5, 1992 ANSWER AND NEW MATTER FILED.

June 22, 1992 Plaintiff's Reply to New Matter, filed.

June 22, 1992 Plaintiff's Reply to New Matter I, filed.

June 24, 1992 Reply of Defendants John A. McCarney and JMC Managment, INc.to Defendant McDonald's Corporation's Answer and New Matter filed.

Aug. 3, 1992, Motion for Leave to File Amended Complaint, Order and Amended Complaint filed. ORDER: AND NOW, this July 31, 1992, upon consideration of the foregoing motion, the same is hereby granted. By the Court, Gordon R. Miller, J.
Aug. 7, 1992, copies of order to D. Pickesn, MIles A. Kirshner and Glenn Thompson, attys.

August 7, 1992 Motion for Consolidation Pursuant to Pennsylvania Rule of Civil Procedure 213 and ORDER filed. AND NOW, this 6 day of August, 1992, in consideration of Defendant's Motion for Consolidation, it is hereby ordered as follows:

1. The actions captioned The Plant Place of Meadville Incorporated, Plaintiff, v. John A. McCarney; JMC Management, Inc.; McDonald's Corporation, d/b/a Delaware, McDonald's Corporation, Defendants, at Crawford Co. Court of Common Pleas AD No. 1992-310, and The Plant Place of Meadville Incorporated, Plaintiff, v. John A. McCarney; JMC Management, Inc. McCarney Enterprises, Inc., Defendants, at Crawford Co. Court of Common Pleas AD No. 1992-424, are consolidated into a single action captioned The Plant Place of Meadville, Inc., Plaintiff, v. John A. McCarney, JMC Management, Inc., McDonald's Corporation, d/b/a Delaware McDonald's Corporation and McCarney Enterprises, Inc., Defendants, at Crawford Co. Court of Common Pleas AD No. 1992- 310.
2. The respective pleadings in the actions hereby consolidated shall remain as the pleadings in the consolidated action.
3. Such findings, verdicts and judgments in the consolidated action shall b entered as though the said action had been originally commenced as a single action.

By The Court:
Anthony J. Vardaro, J.
Aug. 11, 1992 Copy of Order to Attys. David Pickens, Miles Kirshner and Glenn Thompson.

Aug. 25, 1992 Certificate of Service of Amended Complaint and Notice to Defend filed. HAS been served upon Glenn A. THompson, Esq. of Culbertson, Weiss, Schetroma and Schug, and Miles A. Kirshner, Esq. of Rosenberg, Kirshner, pgh, Pa. 15219 by U. S. First Class mail, postage prepaid on this 21st dayof Aug. 1992. David W. Pickens, Esq.

Sept. 14, 1992 Preliminary Objections to Plaintiff's Amended Complaint filed.
Sept. 14, 1992Upon Praecipe of Miles A.Kirshner, Esquire, the above captioned matter is placed on the next available Argument List.

ON OCTOBER, 1992 ARGUMENT LIST

Sept. 25, 1992 Amended Answer and New Matter filed.

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310A.....

1992 TERM

The Plant Place of Meadville Incorporated

VS.

John A. McCarney, JMC Management, Inc., et al

Record Continued from Page 310

OF

AD 1992 - 310

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Dec. 2, 1992 Memorandum AND ORDER filed. AND NOW, November 25, 1992, the demurrer of McDonald's Corporation, d/b/a Delaware McDonald's Corporation to Count II of the Amended Complaint alleging unjust enrichment is sustained for the reasons set forth in the attached memorandum.

The plaintiff may file an amended complaint within twenty (20) days from the date of this order if it believes it can properly do so.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Dec. 2, 1992 Copy of Order given to Atty. Glenn Thompson; Dec. 3, 1992 Copy to Attys. David Pickens and Miles Kirshner.

Dec 14, 1992 Second Amended Complaint, filed.

Dec. 16, 1992 Certificate of Service of Amended Complaint and Notice To Defend filed.

Jan. 13, 1993 Preliminary Objections to Plaitniff's Second Amended Complaint filed.

Jan. 13, 1993 Upon praecipe of Glenn A.W.Thompson, Esquire for Defendants John A.McCarney and JMC Management, Inc. the above captioned matter is placed on the next available Argument List.
ON FEBRUARY, 1993 ARGUMENT LIST

Jan. 19, 1993 Joinder In Preliminary Objections of McDonald's Corporation d/b/a Delaware McDonald's Corporation filed.

Mar 5, 1993 MEMORANDUM AND ORDER filed. ORDER: AND NOW, March 1, 1993, McDonald's preliminary objections in the nature of a demurrer to Count II is granted and Count II is stricken as to McDonald's

BY ORDER OF COURT
Gordon R. Miller, P.J.

Mar 5, 1993 copies given to Pickens, Thompson & Kirshner

Mar. 30, 1993 Notice of Service of Plaintiff's Interrogatories Directed to Defendant, filed.

Nov. 3, 1993 Notice To Complete Discovery, filed.

Nov. 12, 1993 Notice of Taking Depositions on OralExamination of John A. McCarney, JMC Management, Inc., filed.

Dec. 7, 1993 NOtice of Taking Depositions on Oral Examination of William Darren,The Plant Place of Meadville, Inc., filed.

Dec.22, 1993 Upon Praecipe of David Pickens, Esquire, Attorney for Plaintiff, the above number and term is hereby marked settled and discontinued of record with prejudice.

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-b-

1992 TERM

1992

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

311

SHARON L. KELSO

vs.

TERRY L. ARTICE

Filed April 1, 1992
@

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo Mediator	127.00
Pro Co Pd 7-16-92	9.00

Received from Plaintiff Med. Fee 7-16-92 # 63.50

Paid cc Comm 9-14-92 Mediation ck#7046 63.50

4-18-94 Rec from dept 63.50 (copy pay)

6-9-94 Pd Co ck#8355 63.50

COMPLAINT FOR CUSTODY

Apr. 1, 1992 ORDER filed. You, TERRY L. Artice, defendant have been sued in court to obtain custody of the child, Joseph J. Kelso.

You are order to appear inperson at a mediation conference at a time, place and date to be established by the custody mediator. William Pineo, Esq. is hereby appointed custody mediator.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

BY THE COURT:
Anthony J. Vardaro, J.

1 copy (atty) 1 copy (med)

Gary A. Fabian, being duly sworn according to law, deposes and says that:

1. He is an attorney authorized to practice law within the Commonwealth of PA.

2. He is the attorney for the plaintiff in the above-captioned matter.

3. On April 30, 1992, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 899 084 849 as evidenced by Certified Mail Receipt No. P 899 084 849 attached hereto and made a part hereof, a true and correct copy of a Complaint for Custody and Order of Court appointing William Pineo, Esq., as custody mediator addressed to Terry L. Artice said Complaint naming Terry L. Artice as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, Terry L. Artice on May 4,1992 as evidenced by Return Receipt for Certified Mail No. P 899 084 849 attached hereto and made a part hereof, said receipt being signed by Terry L. Artice.

Further, Deponent Sayeth Not.

Gary A. Fabian, Esq.

June 22, 1992 TEMPORARY ORDER, filed. AND NOW, this 19th day of June, 1992,after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child is awarded to his mother, the plaintiff.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3a. The father shall have visitation and temporary physical custody every Friday from noon to 6:00 p.m.

b. The subject minor child shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4. The parties shall arrange for reasonable visitation for the father and the subject minor child on the Christmas and Thanksgiving holidays.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growning children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

9. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. Either party may request a review of this Order upon a substantial change in the circumstances of either party or the subject minor child.

13. Costs and fees of this Mediation, which are fixed at $127.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

14. Either party may move the Court for a hearing de novo for 30 days from date hereof. If neither party so moves, this Order shall be considered permanent. By the Court,
Anthony J. Vardaro, J.

June 25, 1992 copy in box for W. Pineo, G. Fabian, mailed copy to Plf. & Dft.

312

1992

Ferguson & Spataro
John F. Spataro

312

DOUGLAS L. GRUMLING

vs.

ELIZABETH A. GRUMLING

Filed April 1, 1992
@ 2:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-25-93	9.00

COMPLAINT IN DIVORCE
1 copy (Atty)

July 9, 1992 Affidavit of Service filed. I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certified mail, addressee only, return receipt requested, dated April 2, 1992. The Defendant acknowledged service on April 3, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt.

John F. Spataro

July 13, 1992 Affidavit of Consent by Douglas L.Grumling, Plaintiff, filed.

Mar. 25, 1993 Affidavit of Consent of Defendant, filed.

Mar. 25, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

March 31, 1993 AND NOW, March 31, 1993, it is ordered and decreed that **D O U G L A S L . G R U M L I N G** , plaintiff, and **E L I Z A B E T H A . G R U M L I N G** , defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

Ferguson & Spataro
Douglas W. Ferguson

313

Sharon J. DeWalt

12-23-92 Received from Pltf Med Dep 150.00

Pd Pltf 2-19-93
Bal Med Fee 41.00
Ch# 7353

4-27-93 Pd Co Comm Ch# 7482
Mediation Fees 100.00

FRED D. DEWALT

vs.

SHARON J. DEWALT

Filed April 1, 1992
@ 2:02 PM

Tax & entry paid	50.50
Add'l Count paid	15.00
User's Fee paid	10.00
State paid	10.00
John Fuller, Mediator pd 12/23/92	$150.00
John Fuller, Mediator	200.00
Pro Co Pd 4-27-93 7483	9.00
Pro. Co. pd 11/3/93	9.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (Atty)

Apr. 8, 1992 AFFIDAVIT OF SERVICE filed. I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pa., on the above named Defendant by certified mail, addressee only, return receipt requested, dated April 2, 1992. The Defendant acknowledged service on April 4, 1992, by accepting delivery on that date as evidenced by the attached signed return reciept. Douglas W. Ferguson

April 20, 1992 Answer to Complaint filed.

Nov. 10, 1992 Affidavit of Consent of Plaintiff, filed.

Dec. 23, 1992 Motion for Appointment of Child Custody Mediator and Order filed. AND NOW, December 21, 1992, the above motion is granted and John Fuller, Esquire, is appointed as Child Custody Mediator in the above-captioned action.

BY THE COURT:
Gordon R. Miller, J.

Dec.30,1992 Copy of Order to Atty.Ferguson & Fuller.

Feb. 19, 1993 ORDER filed. AND NOW, Feb. 17, 1993 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Ryan DeWalt and Heath DeWalt shall be shared between the mother and the father, the plaintiff and defendant herein, kthat is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children

II. Physical custody of Ryan DeWalt shall be with his father, and physical of Heath DeWalt shall be with his mother during the school year from approximately September 1 to J une 1 of the following year, subject to the following conditions.

A. The mother shall bring Heath DeWalt to Crawford County the least weekend of each month and beginning Feb. 28, 1993 and on Saturday morning Ryan shall be in the mothers custody and Heath in the fathers' custody from 9:00 a.m. to 12:00 noon. From 12:00 noon on Saturday until 8:00 a.m. on Sunday both boys shall in the custody of the father and from 8:00 a.m. on Sunday to 6:00 p.m. on Sunday both boys shall be in the mother's custody.

B. Holidays shall be defined as Christmas vacation. Custody of the children shall be with the custodial parent on Christmas Day but the Christmas vacation from December 26 to December 31 shall be alternated.

On even numbered years both of the children shall be in the custody of the father from December 26 to December 31.

On odd numbered years the children shall be in the custody of the mother from December 26 to December 31.

C. Beginning with the Summer of 1993, both of the children shall be in the custody of the mother for a period beginning five days after school is out until July 15 and in the custody of the father from July 15 until five days prior to the beginning of school in the Fall.

D. Transportation of the children on weekends, holidays and Summer visits shall bring Heath to Crawford County the last weekend of each month from September through May, excluding December. The father shall provide all transportation for the summer visits.

E. Neither the mother nor the father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither the mother nor the father shall expose the children to any person or situation which may be harmful to the children's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

H. It is recommended that the father have Ryan evaluated to determine if counseling is in his best interest in the event counseling is recommended. A further order will be entered regarding payment for counseling.

I. Crawford County shall retin jurisdiction of this case with respect to the custody of both boys.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference will be divided as follows: The father shall pay one-half (½) thereof and Crawford County shall pay one-half (½). The Prothonotary of Crawford County is hereby directed to refund the deposit paid in advance by the Plaintiff, less $100.00 and less the cost of the custody order. Anthony J. Vardaro, J.

Mar. 2, 1993 copy to D. Ferguson, J. Fuller, & Dft.

Oct. 29, 1993, Affidavit of Consent of defendant filed.

Nov. 3, 1993 Upon Praecipe of Douglas W. Ferguson, Esquire, Plaintiff Attorney, to transmit record,case moved to Court.

DIVORCE DECREE FILED

Nov. 12, 1993 AND NOW, November 10, 1993, it is hereby ordered and decreed that FRED D. DEWALT, Plaintiff, and SHARON J. DEWALT, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Watts & Pepicelli
Alan L. Pepicelli

314

CANDY M. DUDENHAVER

vs.

BRANDI CORNELL and DONNA N. CORNELL

Filed April 1, 1992
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro.Co. pd.10/22/92	6.00

WRIT OF SUMMONS
Issued Sheriff

May 6, 1992 Sheriff's Return filed. SERVED Brandi Cornell on April 30, 1992 at 1:05 PM by handing a copy of theSummons to her in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.

SERVED Donna N. Cornell personally on April 6, 1992 at 11:32 AM by handing a copy of the Summons to her at her residence, R.D.#1, Townline Road, Meadville, Crawford County, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 22, 1992 Upon Praecipe of Plaintiff Attorney, the above case marked settled and discontinued of record.

1992

Watts & Pepicelli, PC
Alan L. Pepicelli

315

Swensen, Perer, Johnson & McCandless
John W. McCandless

MacDonald,Illig,Jones & Britton
John F. Mizner for
Paul and Gloria Kleitz

CONRAD B. DELP, Administrator of the Estate of KIMBERLY ANN VANDERHOFF DELP, Deceased

vs.

NATIONWIDE MUTUAL INSURANCE COMPANY and MICHAEL R. WOLFE, PAUL KLEITZ and GLORIA KLEITZ

Filed April 1, 1992
@ 3:34 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	75.00
Sheriff's Costs	43.00
Sheriff's Costs	41.00

ACTION FOR DECLARATORY JUDGMENT
3 copies (Sheriff) 1 copy (atty)

April 15, 1992 APPEARANCE OF SWENSEN, PERER, JOHNSON & MCCANDLESS by John W. McCandless, Esquire for Defendant, Nationwide Insurance Company filed.

May 5, 1992 AFFIDAVIT OF SERVICE FILED. SERVED the within COMPLAINT on 4-13-92 at 11:35 A.M. upon Michael R. Wolfe at above; by handing to Paul Kleitz, friend, a true and correct copy thereof and made known to him the contents therein.
Michele Jenkins, Sheriff Allegheny County
See Affidavit of Service endorsed hereon by Sheriff of Allegheny County, Pennsylvania, which is part of this return.
So answers; Robert M.Stevens, Sheriff,Crawford County

May 18, 1992 Answer and New Matter To Complaint In Declaratory Judgment filed.

May 20, 1992 Appearance of MacDonald, Illig, Jones & Britton By John F. Mizner, attorney for defendants Paul and Gloria Kleitz filed.

June 8, 1992 Answer filed.

June 11, 1992 VERIFICATION OF DEFENDANT NATIONWIDE INSURANCE COMPANY TO ANSWER AND NEW MATTER TO COMPLAINT IN DECLARATORY JUDGMENT, filed.

July 7, 1992 Notice of Service of Answers to Interrogatories filed.

July 15, 1992 COMPLAINT REINSTATED.

July 15, 1992 Reply to New Matter filed.

July 17, 1992 Notice of Service of Interrogatories filed.

Aug. 12, 1992 Sheriff's Return andAffidavit of Service filed. DID NOT SERVE the within Complaint on July 29, 1992 at 11:30 A.M. upon Michael R. Wolfe at above address by handing to NO SERVICE MADE - MOVED a true and correct copy thereof and made known to _____the contents therein.
Michele Jenkins, Deputy Sheriff, Allegheny County
Eugne L.Coon, Allegheny County Sheriff
Sheriff's Return filed. NOT FOUND as to Defendant Michael R. Wolfe as per Affidavit of Service of Not Found returned by the Sheriff of Allegheny County, PA. Affidavit attached.
So answers, Robert M. Stevens, Sheriff

Oct. 30, 1992 PRAECIPE TO REINSTATE COMPLAINT, filed.
copy to Sheriff

Dec. 2, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 4030 Liberty Ave., Apt 9, Pittsburgh Pa 15224. Robert M. Stevens, Sheriff
Crawford County, Pa.

AFFIDAVID OF SERVICE: DID NOT SERVE the within Complaint on 11-10-92 at 2:10 p.m. upon Michael R. Wolfe at above address. Defendant moved October 1992. Michele Jenkens,
Eugene L. Coon, Sheriff
Allegheny County, Pa.

NOT FOUND as to Defendant Michael R. Wolfe, as per an Affidavit of Not Served returned from the Allegheny County Sheriff's Office. Michael Wolfe has moved from address of 4030 Liberty Ave., Apt. 9, Pittsburgh Pa address unknown.
So answers, Robert M. Stevens, Sheriff

Feb. 12, 1993, Complaint reinstated.

Feb. 25, 1993 Acceptance of Service in Accordance with Pa. R.C.P. Rule 402(b), filed. I, Michael R. Wolf, hereby accept service of the Complaint for Declaratory Judgment in accordance with Pa. R.C. P. Rule 402(d).

July 22, 1993 Notice of oral depositions, filed.

Feb 8, 1996 Stipulation Regarding Disposition of Declaratory Judgment Action and Order. AND NOW, to-wit: This 7 day of February, 1996, upon consideration of the foregoing Stipulation for Disposition of Declaratory Judgment Action, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Said Stipulation shall be entered of record as part of this Order.
2. It is declared that Michael R. Wolfe was not a resident of the household of Paul Kleitz and Gloria Kleitz on July 5, 1989.
3. It is declared that on July 5,1989 Michael R. Wolfe was not an insured under the policy of insurance issued by Nationwide Mutual Insurance Co. to Paul Kleitz and Gloria Kleitz bearing Policy No. 54B-299-664 and that he is not entitled to coverage, indemnity or a defense by Nationwide Mutual Insurance Co. in connection with the claims asserted by the Plaintiff arising out of the July 5, 1989 automobile accident, including but not limited to the claims asserted in the action filed at No. A.D. 1989 - 746.
4. It is declared that Nationwide Mutual Insurance Co. is not required to provide indemnity or a defense to Michael R. Wolfe for any claims asserted by the Plaintiff arising out of the July 5, 1989 accident, including but not limited to the claims asserted in the action filed at No. A.D. 1989 -746.

Feb 9, 1996 Faxed Pepicelli, Mizner & Vasel, mailed Butler

316

1992

316

MARY STEVENSON

vs.

ROBERT REAM

Filed April 2, 1992
@ 11:54 AM

Tax & entry Pd 5-29-92 50.50
User's Fee 5-29-92 5.00
Sheriff's costs Pd 25.00
Pro Co 5-29-92 9.00

Received from deft 5-29-92 Sheriff's costs $25.00

Paid Sheriff 5-29-92 check #6841 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 2nd day of april, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Defendant shall not go to Plaintiff's residence or placeof work. Sole possession of 1000 Catherine Street is awarded to Plaintiff. Defendant shall not contact Plaintiff in anyway.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 10, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

April 3, 1992 Sheriff's Return filed. SERVED Robert Ream personally on April 2, 1992 at 1:10 PM by handing him a copy of the Protection from Abuse at his place of employment, Avtex Building, Meadville, Crawford County, PA
So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Apr. 13, 1992 ORDER filed. AND NOW, April 10, 1992, this matter is before the Court on a Petition for Protection From Abuse filed by the plaintiff.

At the time of the hearing, both parties appear without counsel and the Court is advised that neither party wishes to have counsel.

The defendant indicates that he will admit the allegations of the petition, and accordingly, the Court finds that there is abuse within the meaning of the Act, and enters the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff at any time or in any place, including, but not limited to, her residence and place of work. It is the Court's understanding that the lease for 1000 Catherine St. has been amended to include only the Plaintiff and she shall have sole possession of that residence.

2. The defendant is advised that he shall not contact the plaintiff and shall not go to her residence if he is invited to do so because that shall be a violation of this Order. If he should ever be invited to Plaintiff's residence, he must obtain an amendment of this Order or the police shall assume that he is in violation if he is so present.

3. The defendant continues to have certain property, including tools and an arm chair, at the residence at 1000 Catherine St. and he shall make arrangements for those items to be picked up from the neighbor's porch between 1:00 p.m. and 3:00 p.m. on April 11, 1992. That neigbor's name is Lynn, and both parties agree that they know whose porch that is.

4. The plaintiff shall make arrangements to place those items on that porch before 1:00 p.m. on April 11, 1992, and if the defendant does not have them picked up during that period of time, the plaintiff shall be under no obligation to care in any manner for those items.

5. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable grounds to believe that it has been villated.

6. A copy of this Order shall be delivered to the Meadville City Police Dept. and to Crawford County Control.

7. The defendant shall pay costs in this matter in the amount of $89.50 by paying one-half of the same to the Office of the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, Pa., by 4:30 p.m. on April 30, 1992, and the remaining one-half at the same location by the close of business on May 29, 1992.

8. The defendant is reminded that this is an Order of Court and that violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

9, This Order shall remain in full force and effect through April 9, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Apr. 13, 1992, copy given to Co. Control. Apr. 22, 1992 copy mailed to Plf. & Dft.also Mdvl. City Police Dept.

1992

Bruce L. Smith

317

SUSAN K. WOLFE

vs.

JOHN E. WOLFE

Filed April 2, 1992
@ 12:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 7/9/92	9.00

COMPLAINT IN DIVORCE UNDER SECTION 201(c)
OF THE DIVORCE CODE
1 copy (atty)

Apr. 8, 1992 Affidavit of Service filed. BRUCE L. SMITH, an Attorney at Law, being duly sworn according to law, deposes and says that on the 3rd day of April 1992, he served the Complaint and NOtice to Defend and Claim Rights in the above-captioned matter on the above-named Defendnat by mailing a true and correct copy of said Complaint an dNotice to Defend and Claim Rights to the Defendnat at his residence at Box 314, Saegertown, Pennsylvania 16433, and that the Complaint and accompanying Notice to Defend and Claim Rights were received by the Defendant on April 6, 1992, as evidence dby REturn Receipt No P-853 732 329 attached hereto, all pursuant to Pennsylvania Rule of Civil Procedure NO. 412.
Bruce L. Smith

July 9, 1992 Affidavit of Consent of Defendant filed.

July 9, 1992 Affidavit of Consent of Plaintiff filed.

July 9, 1992 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

DIVORCE DECREE FILED

July 16, 1992 AND NOW, July 13, 1992, it is ordered and decreed that **SUSAN K. WOLFE**, plaintiff, and **JOHN E. WOLFE**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

318

1992

318

Joseph E. Altomare

MYRL R. DAVIS, d/b/a
DAVIS MACHINE

vs. -

LINDERSON, INC

Filed April 2, 1992
@ 12:37 PM

Tax & entry paid	50.25
User's Fee paid	5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE RONALD COLE

April 2, 1992 Rule entered upon Plaintiff to file a Complaint issued.

Apr. 6, 1992 PROOF OF SERVICE filed. I hereby certify that a true and correct copy of the Notice of Appeal from the judgment of the District Magistrate, together with the Rule to file a complaint was served by mailing same to Plaintiff's address, R.D. 1, Box 172, Titusville, Pa. 16354 by United States certified mail, postage prepaid on 4/3/92. Joseph E. Altomare

1992

Wasson, Egan & Wilson
William G. Martin

319

R. C. Thomas

RHONDA L. MULLEN

vs.

KEVIN G. MULLEN

Filed April. 2, 1992
@ 1:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 4-14-94	15.00
State pd 4-14-94	5.00
Pro.Co. Pd 11/9/95	15.00
State Pd 11/9/95	5.00
Pro Co pd 7.22.96	9.00
Pro Co. PD. 9/10/96	5.00

COMPLAINT IN DIVORCE
12 copies (atty)

May 14, 1992 Complaint reinstated.

Jan. 4, 1994 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Defendant.

April 14, 1994 Motion To Amend Complaint and ORDER filed. AND NOW, this 18th day of April, 1994, upon consideration of the Motion to Amend the Complaint, it is hereby ordered and decreed that Count II - Equitable Distribution of Property is added as a cause of action.

BY THE COURT,
Gordon R. Miller, J.

April 20, 1994 Copy of Order to Attys. Wm. Martin and R. Charles Thomas.

May 25, 1994 Affidavit of Consent of Defendant filed.

Nov. 9,1995 MotiontoAmend Complaint and Count II, Equitable Distribution of Property, filed.

Nov.9,1995 Affidavit filed. I, the undersigned, hereby certify that I served Kevin G.Mullen, the Defendant in the above captioned matter, theComplaint inDivorce by mailing same, certified,restricted delivery, return receipt requested, first class postage prepaid addressed to Kevin G. Mullen, R.D.#1, Box 1012, Meadville,PA 16335. A copy of the receipt is attached herein as Exhibit "1".

WilliamG.Martin, Atty. for Plaintiff

Nov.9,1995 Affidavit of Consent by Rhonda L. Mullen, Plaintiff, filed.

Nov.9,1995 Notice of Intention to Retake Name, filed.

Nov. 9,1995 Praecipe to Transmit the Record filed.

July 31, 1996 Order filed. This divorce matter has been referred totheCourt for review and decree. The Court has reviewed the record andis returning the record to the Prothonotary. A final decree will not be entered at this time because:

As to a 3301(c) divorce: There is no showing that the proper notice required by 1920.42(d)(1) in the form required by 1920.73 was amiled or delivered to a party who is unrepresented or to counsel of a represented party; and/or no copy of said notice is attached to the praecipe to refer or submit; and the parties have not executed and filed with the Prothonotary a waiver of notice substantially in the form set forthinRule 1920.72(c).

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY ORDER OF COURT,
Gordon R. Miller, J

7-31-96 Faxed Martin

Aug. 7, 1996 Affidavit of Service filed. I hereby certify and swear that a Notice of Intention to Request Entry of Divorce Decree and copy of a letter dated Nobember 7, 1995, were mailed by ordinary mail, postage prepaid, to R. Charles Thomas, Esq., counsel for the dfendant, at the address provided on thie Notice of August 5, 1996. True and correct copies of said docuemnts are attached.

William G. Martin

Aug. 12, 1996 Praecipe to Transmit the Record by William G. Martin, Esq. for Plaintiff filed.

DIVORCE DECREE FILED

Aug. 26, 1996 AND NOW, this 26th day of August, 1996, it is ORDERED AND DECREED that RHONDA L. MULLEN, Plaintiff, and KEVIN G. MULLEN, Defendant, are divorced from the bonds of matrimony.

A copy of the Marital Settlement Agreement executed between the parties and dated March 21, 1994, and filed with the record is hereby approved, made a part of this order of court by reference and incorporated into this Decree.

BY THE COURT,
Gordon R. Miller, J.

Sept. 10, 1996 Notice of Election to Retake Maiden Name from:
Rhonda L. Mullen,
To be Known as:
Rhonda L. DeVore
filed.

320

1992

Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall
Stephen E. Hall

320

Theodore H. Watts

EUGENE and ROSEMARY CALVERT

vs.

BRIAN'S AUTO BODY, BRIAN SHAW

Filed April 2, 1992
@ 4:03 PM

Tax & entry paid	50.25
User's fee paid	5.00
Pro Co pd 1-18-93	15.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WILLIAM D. CHISHOLM

Apr. 2, 1992 Rule issued upon Plaintiff to File Complaint filed.

April 3, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

May 7, 1992 Complaint, filed 1 copy (atty)

July 27, 1992 ANSWER TO COMPLAINT IN CIVIL ACTION, filed. 1 copy (atty)

Oct. 13, 1992 Replies to Counterclaims filed.

Jan. 18, 1993 Upon praecipe of Plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.

John Spataro, Chr.
Robert S. Bailey
William Gregg

Feb. 8, 1993 Arbitrators Take Qualifying Oath.

Mar. 29, 1993 And now, the 29th day of March, 1993, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find against the Plaintiffs on the Complaint and against the Defendants on their counterclaims.

John Spataro, Chr.
Robert S. Bailey
William Gregg

Mar. 29, 1993 copies distributed to Hall & Watts

1992

Willian P. Fox

Ely & Smith
Edwin W. Smith

321

Barbara J. Walton

RICHARD L. PROPER

vs.

DEBRA SUE PROPER

Filed April 3, 1992
@ 11:36 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Bruce Smith mediator	243.81
Pro Co	9.00

COMPLAINT FOR CUSTODY

1 copy (med); 1 copy (atty)

ORDER:

You, Debra Sue Proper, defnednat, have been sued in court to obtain custody of April M. Proper and Jefferson S. Proper.

You are ORDERED to appear in person at a time set by Crawford County Courthouse, Meadville, Pennsylvania 16335, on the mediator, 19, at o'clock, .m. for a Conference before Bruce Smith, Esquire, Child Custody Mediator.

If you fail to appear as provided by this Order, an order for custody, partial custody and visitation may be entered against you or the court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext 298

Date: 4/7/92 Anthony J. Vardaro, J

May 11, 1992 VERIFICATION filed. I, Edwin W. Smith, Esq. hereby verify and state that I served a true and correct copy of Plaintiff's Complaint for Custody in the above-entitled case on the defendant by certified mail, return receipt requested, to Debra Sue Proper at her address at 20000 Sweet Gum Circle, Germantown, MD 20874 on April 13, 1992. The return signed by April Proper being attached hereto.

May 19, 1992 VERIFICATION filed. I, Edwin W. Smith,Esquire, hereby verify and state that I served a true and correct copy of Plaintiff's Complaint for Custody in the above-entitled case on the defendant by certified mail, return receipt requested, to Debra Sue Proper at her address at 20000 Sweet Gum Circle, Germantown, MD 20874 on May 13, 1992. The return receipts signed by Debra Sue Proper, being attached hereto.

June 30, 1992 TEMPORARY ORDR OF COURT, filed. AND NOW, this 29th day of June, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of April Proper, age sixteen, born Aug. 31, 1975, and Jefferson ("Jeff") Proper, age thirteen, born Dec. 16, 1978, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal imput with regard to the educational and religious upbringing of the children, as well as to elective surgery.

2. Primary physical custody of the children shall be granted to the natural father, Richard L. Proper. Regular visitation and temporary custody of the children shall be granted to the defendant mother, Debra Sue Proper. Physical custody for the defendant mother shall be as follows:

a. As regards the child Jeff, he shall visit in the mother's home during the entire month of August each year, beginning in 1992, except during years when school in Titusville begins in August. During those years, he shall be returned to the father's residence three days prior to the beginning of school.

b. As regards the child April, she shall vusit in the mother's home each summer, beginning in 1992, seven days after the last day of school in Titusville until seven days prior to the beginning of school in Titusville. The mother shall also be entitled to temporary physical custody of either or both of the children upon a written or telephone notice of thirty-six hours to the father during anytime she is visiting in the Titusville area. This shall include the right to keep the children with her overnight at the home of a relative or friend.

c. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, only the holidays of Easter, Thanksgiving, and Christmas each year will be considered due to the distance between the homes of the father and the mother. The children shall spend the majority of their Easter and Christmas vacations from school with the mother. These visits shall begin within forty-eight hours of the time vacation begins and shall end twenty-four hours before the vacation ends. With regard to Thanksgiving each year, the father shall make every effort to have the children in the mother's custody on Thnaksgiving Day and the day after Thanksgiving each year. With regard to exchange of gifts at Christmas (from the father to the children), the father will make arragnements to give the children their gifts either before their departure or after their return.

d. The father shall pick up and return the children at the mother's residence. If the mother obtains reliable transportation, she shall then be responsible for returning the children to the father's residence. He will then be responsible for only transporting the children to the mother's residence during periods of scheduled visitation.

3. The parent having custody of the children at anytime shall notify the other parent as soon possible in the event of injury to or illness of the children requiring medical treatment. When the children are in the father's home, they shall be permitted to call their mother as follows: In the case of Jeff, once a week, said calls not to last longer than ten minutes. In the case of April, twice a week, said calls not to last longer than ten minutes each. When the children are in the mother's home, each shall be permitted to make a ten-minute telephone call to the father each week. Each parent will be responsible for encouraging and reminding the children to make the telephone calls detailed in this paragraph.

4. Neither parent shall take the children into any environment which might be commonly thought of as determental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consetn and agreement.

CONTINUED ON PAGE 465

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Ann Hansen Gamble

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Mary Ann Kirkpatrick

Jan. 31, 1995 $150.00
deposited by Defendant
4-5-95 Refund from Plf 69.00
— med fee
5-8-95 Pd to Med Fee 210.00
#9166

MARTA J. SNYDER

vs

FRANK H. SNYDER

Filed April 3, 1992
@ 12:46 PM

Tax & entry paid	50.50
User's Fee paid	20.00
Add'l Counts (3) paid	45.00
State paid	10.00
Pro Co 12-13-94	9.00
Pro Co 5-8-95 Pd	9.00
John Spataro, Mediator	210.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, CONSTS AND EXPENSES, CUSTODY, and EQUITABLE DISTRIBUTION

Apr. 10, 1992 Affidavit Of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorize dto practice law in the Commonwealth of Pennsylvania and that on April 6, 1992, she sent a certified copy of the Complaint in Divorce to the defnedna tby certified mail, restricted delivery, postage prepaid, receipt requested, to Frank H. Snyder, RD 2, Union City, PA 16438, the Defendant's last known address. The said receipt being attached hereto.

Ann Hansen Gamble

Oct. 25, 1994, Affidavit of Consent of defendant filed.

Affidavit of Consent of plaintiff filed.

Dec. 8, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 15, 1994 STIPULATION and DECREE. And, Now, December 15, 1994, itis ordered and decreed that MARTA J. SNYDER, plaintiff, and FRANK H. SNYDER, defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

It is further ordered:

Alimony, Alimony Pendente Lite, Counsel Fees, Costs and Expenses:

Each party shall pay his and her own counsel fees, costs and expenses and neither party shall be liable to pay alimony or alimony pendente lite to the other.

Equitable Distribution:

Husband is awarded the marital residence located at RD #2, Union City (Crawford Co), PA. Husband is awarded his retirement benefits with Snap-Tie, Inc. Each party is awarded the personal property in his and her possession. At the time of the entry of this Decree in Divorce husband shall pay to wife the sum of $10,933.00 as equitable distribution.

By the Court:
Gordon R. Miller, J.

Jan. 31, 1995 Motion to Appoint Mediator and ORDER filed. And, Now, January ,1995, John Spataro is appointed custody mediator and will promptly schedule a mediation on the above-captioned matter.

By the Court:
Gordon R. Miller, J.

Jan. 31, 1995 Order FAXED Attys. Gamble, Kirkpatrick and Spataro.

Mar. 24, 1995 TEMPORARY ORDER, filed. AND NOW, this 23rd day of March, 1995, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1) The parties shall share legal and physical custody of the subject minor children, Frank Jerred Snyder, born on April 1,1987 and Mandy Lynn Snyder, born on April 30, 1990.

2) The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3) The mother shall retain primary physical custody of the children, subject to the partial custody rights of the father as follows:

a. Father shall have the right to take the children into his care and custody on the first Saturday following the issuance of this Order from 9:00 a.m. on Saturday until 5:00 p.m. This arrangemetn will continue until Friday April 7, 1995. Commencing on Friday, April 7, 1995, the father shall have the right to take the children into his care and custody every other weekend beginning on Friday at 4:00 p.m. and continuing until Sunday at 7:00 p.m. In addition, the father shall have the right to take the children into his care and custody every other Wednesday, commencisng April 12,1995 from 4:00 p.m. until 7:00 p.m.

b. Summer visitation. The father shall have the right to take the children into his care and custody for a total of 6 weeks during the summer vacation of the children. The parties are encouraged to select the 6 weeks when the father will be permitted to exercise the summer visitation. The parties may arrange for the 6 weeks to be continuous or they may alternate weeks or divide the weeks in any manner they choose. In the event the parties are unable to select the 6 weeks which the father shall be entitled to during the children's summer vacation, then in that event, the father shall be entitled to have the children in his care and custody for a continuous 6 week period commencing on the second day after the commencement of the summer vacation from school. This sprovision is intended to cover Mandy Lynn Snyder as well, even thought she is not old enough to attend school as yet. During father's exercise of his summer extended partial custody of the children, mother shall be entitled to partial custody in the same manner as father has enjoyed during the school year.

c. Sunday School. Father shall transport the children to the Lincolnville Baptist Church on the Sundays when he has partial custody of the children so that the children may attend Sunday school from 9:45 a.m. until 10:45 a.m. Father shall be solely responsible for the pick-up and delivery of the children so that they may attend the Sunday school classes. The provisions of this paragraph will continue to apply in the event mother changes her church affiliation.

4) Holiday, vacation and birthday visitations shall be arranged as follows:

a. Christmas. Mother shall have the children on Christmas Eve until Christmas Day at 10:00 a.m., at which time the father shall have the right to take the children into his care and custody on Christmas Day from 10:00 a.m. until 4:00 p.m.

CONTINUED ON PAGE 322A

Marta J. Snyder
vs.
Frank H. Snyder

CONTINUED FROM PAGE 322
of Record
A. D. 1992 - 322

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b. Thanksgiving. Father shall have the right to take the children into his care and custody on Thanksgiving Day beginning at 9:00 a.m. until 2:00 p.m., at which time the mother shall have the children in her care and custody.

c. Easter. Mother shall have the children on Easter Sunday until 1:00 p.m., at which time the father shall have the right to take the children into his care and custody on Easter Sunday from 1:00 p.m. until 6:00 p.m.

d. Memorial Day and Labor Day. The parties shall alternate having the children for the entirety of Memorial Day and Labor Day beginning at 9:00 a.m., with the mother to have Memorial Day for the year 1995 and the father to have the children on Labor Day, 1995. When applicable, such partial custody will conclude at 7:00 p.m.

c. The children shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and mother's Day with their mother during the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to custody.

5) Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6) With the exception of the Wednesday night visitation and Sunday School arrangements for which father shall have sole responsibility for transportation, the parties shall share responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania. In consideration of the work schedules of the parents, the parties shall be permitted to appoint others who will arrange for the pick-up and delivery of the children, provided that the other parent has been given ample advance notice of who the surrogate driver is who has been appointed.

7) Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8) Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children is being transported or in the bdroom of the children. Neither party shall have a person not related to them by blood or marriage of the opposite sex with them after 11:00 p.m. when said party has either of the children in their care and custody.

9) Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimatiiojn.

10) The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangemetns shall be by mutual consent only, in the absence of which this order shall govern.

11) Either party may request a review of this order upon any material change in circumstances.

12) Costs and fees of this Mediation, which are fixed at $210.00 ($60.00/hr. x 3.5 hrs.) and the $9.00 Court Order filing fee are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13) The deposit required for the appointment of the Custody Mediator was made by the defendant/father. The deposit shall first be applied against the entire costs of mediatin, including the court order filing fee. The mother shall pay to the Prothonotary the sum of $69.00 and shall pay to the father the sum of $40.50 within thirty (30) days of the date of this Order.

14) Either party may move the Court for a hearing de novo within ten (10) days from the date hereof. If neither party so moves, this Order shall be considered permanent.

BY THE COURT,
Gordon R. Miller, P.J.

Mar. 31, 1995 Faxed to Spataro, Kirkpatrick & Gamble, sent to Plf. & Dft.

Apr. 3, 1995 REQUEST FOR HEARING DE NOVO And ORDER filed. AND NOW,this 31st day of March, 1995,hearing on the above captioned action for custody matter is set for the 24th day of May, 1995, at 9:15 o'clock A.M., inCourtroom #1 or 2.

Gordon R. Miller

4-4-95 Faxed Kirkpatrick & Gamble

Apr. 20, 1995, Motion to Discontinue Hearing De Novo and Order filed. ORDER: AND NOW, this 19 day of April hearing on the above captioned action for custody now set for the 24 day of May 1995, at 9:15 a.m. is hereby discontinued.

Anthony J. Vardaro, J.

4/20/95 faxed to Gamble and Kirkpatrick

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B

1992 TERM

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Riehl & Moore
Ralph R. Riehl, III

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Culbertson, Weiss, Schetroma & Schug, P.C.
E. Max Weiss
for Bloomfield Twp.

Jorden & White
Harry F. White
B.J.'s Lakeland, Inn Inc. & E.Woodworth

GREGORY J. BOYCE and
CATHY A. BOYCE, his wife

vs.

BLOOMFIELD TOWNSHIP, EDWARD L. WOODWORTH, JAMES E. COSE, Individually, and JAMES E. COSE d/b/a SEVEN-C'S INN, SEVEN-C'S INN and B. J."S LAKELAND INN, INC.

Filed April 3, 1992
@ 1:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	76.00
Pro.Co. Pd 4/13/95 (4/21/95)	7.00

WRIT OF SUMMONS
Issued (Sheriff)

April 14, 1992 Writ Return filed. SERVED Bloomfield Township on April 10, 1992 at 1:15 PM by handing a copy of the Summons to Cindy Boylan, Township Secretary, RD # 3, Old Lincolnville Road, Union City, Crawford Co., PA.

SERVED Edward L. Woodworth on April 10, 1992 at 2:05 PM by handing a copy of the Summons to Melanie Woodworth, his Wife, at the residence, RD # 3, King Road, Union City, Crawford Co., PA.

SERVED James E. Cose on April 10, 1992 at 1:29 PM by handing a copy of the Summons to Antia Cose, his wife, at the Seven-C's Inn, Canadohta Lake Road, RD # 2, Union City, Crawford Co., PA.

SERVED Seven-C's Inn on April 10, 1992 at 1:28 PM by handing a copy of the Summons to Antia Cose, Adult in Charge, at the place of business, Canadohta Lake Road, RD # 32, Union City, Crawford Co., PA.

SERVED B. J.'s Lakeland Inn on April 10, 1992 at 1:24 PM by handing a copy of the Summons to Brian K. Hamilton, Owner, at the place of business, Canadohta Lake Road, RD # 2, Union City, Crawford Co., PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 12, 1992 Appearance of Culbertson, Weiss, Schetroma & Schug, P.C. by E. Max Weiss, for Defendant Bloomfield Twp.

July 23, 1992 Upon Praecipe of Defendant's Attorney, Rule filed upon Plaintiff to file a Complaint issued.

July 27, 1992 CERTIFICATE OF SERVICE filed. I hereby certify that the original Rule upon the Plaintiff to file a Complaint was issued by the Prothonotary on July 23, 1992 and served upon Ralph R. Reiehl, III, Esq. by mailing the original Rule to his office at 2580 West 8th St., Erie, Pa. 16505 by first class mail on July 27, 1992 E. Max Weiss

Aug. 20, 1992 Complaint in Civil Action filed.

Sept. 15, 1992 Answer To Complaint filed by Defendant James E. Cose, individually, and d/b/a Seven C's Inn and New Matter filed.

Sept. 22, 1992 reply To New Matter of James C. Cose, Individually, and James E. Cose, d/b/a Seven-C's Inn filed

Feb. 17, 1993 Amended Complaint filed.

Feb. 19, 1993 Answer, New Matter and New Matter Cross-Claim to Plaintiffs' Amended Complaint filed.

March 15, 1993 Answer to Amended Complaint filed by Defendant James E. Cose, individually, and d/b/a Seven C's Inn and New Matter filed.

Mar. 24, 1993 Answer to Plaintiffs' Amended Complaint filed.

June 4, 1993, Reply to New Matter filed.

June 29, 1993 Reply to New Matter of Defendant Bloomfield Township, filed.

Aug. 13, 1993, Notice of Service of Interrogatories and REquest for Production to Defendant Bloomfield Township, filed.

Aug. 23, 1993, Answer and New Matter of Defendant Woodworth filed.

Sept. 13, 1993 Reply to New Matter of Edward L. Woodworth, filed.

Sept. 21, 1993 Answers To Interrogatories and Request for Production of Documents filed.

Nov. 17, 1993 Certificate of Service filed. The undersigned hereby certifies that this Supplemental Answer to Plaintiff;s INterrogatories and Request for Production of Documents was served by first class mail upon Ralph R. Riehl, Esquire, Attorney for the Plaintiff on November 17, 1993, by forwarding his a copy of said Supplemental Answer. E. Max Weiss, Esquire

Dec. 2, 1993 Certificate of Service filed. The undersigned hereby certifies that this Supplemental Answer to Plaintiff's Interrogatories and Request for production of Documents was served by first class mail upon Ralph R. Riehl, Esquire, Attorney for the Plaintiff on December 2, 1993, by forwarding him a copy of said Supplemental Answer.

By: E. Max Weiss, Esquire

April 18, 1994 Certificate of Service of Second Supplemental Answers of Bloomfield Township to Plaintiffs' Interrogatories and Request for Production of Documents filed.

May 26, 1994, Notice of Depositions of Gregory J. Boyce and Cathy A. Boyce filed.

Jun. 1, 1994 Notice of Taking Depositions on Oral Examination of Gregory J. Boyce and Cathy A. Boyce, filed.

July 11, 1994 NOtice of Deposition of Mark St. John filed.

Apr.13, 1995 Upon Praecipe Of Ralph R.Riehl, III, Esquire, Attorney for Plaintiff, the above captioned case is marked settled and discontinued of record.

4-25-95 Bill of Costs & Certificates to Attys. Riehl & Weiss

David L. Hotchkiss

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Shafer, Swick, Bailey, Irwin & Stack
Louis J. Stack

Knox, McLaughlin, Gornall & Sennett
Sue A. Beck
Toby Froehlich t/d/b/a Coldwell Banker Froehlich

CURTIS L. BOGDA and BRENDA D. BOGDA, husband and wife

vs.

THOMAS V. HIMES, and TRUDY L. HIMES, and TONY FROELICH t/d/b/a COLDWELL BANKER FROELICH

Filed April 3, 1992
@ 2:31 PM

Tax & entry paid	50.50
Use's fee paid	5.00
Sheriff's Costs	$43.50
Sheriff's Costs	$26.00
Sheriff's Costs	36.00
Pro Co pd 5-13-98	5.00

WRIT OF SUMMONS
Issued Sheriff

April 29, 1992 SHERIFF's RETURN AND AFFIDAVIT OF SERVICE FILED. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is Coldwell Banker Froelich 2961 Peach St., Erie, PA 16508. SERVEDthe within Summons on April 14, 1992 at 1531 hrs. upon Toby Froelich t/d/b/a/ Coldwell Banker Froelich, at residence, 2961 Peach Street, Erie County, Erie, Pennsylvania by handing to Toby Froelich a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff Erie County
Brenda Rufini, Deputy Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania, which is part of this return.
So answers: Robert M. Stevens, Sheriff, Crawford County, Pa.

June 17, 1992 SHERIFF's RETURN FILED. SERVED Thomas V. Himes by Certified Mail addressed to GTE, 6145 West Jefferson Blvd.,Fort Wayne, Indiana 46804. Served on June 8, 1992. Signed return receipt attached.
So answers, Robert M. Stevens, Sheriff

June 25, 1992 Writ reissued.

July 20, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Louis J. Stack for Defendant Thomas V. Himes, filed.

Aug. 13, 1992 Notice of Interrogatories filed.

June 30, 1993 Writ Reissued.

Aug. 9, 1993 Sheriff's Return filed. NOT SERVED As to Defendants Thomas V.Himes and Trudy L. Himes. Attempted service by Certified REstricted mail at their last known address of 15409 Timber Hollow, Fort Wayne,Indiana 56845. Post Office left three notices of the Certified Mail and finally returned them to us being "Unclaimed".
So answers, Robert M.Stevens, Sheriff

Oct. 29, 1993, Complaint filed. 3 copies (aTTY)

Jan. 21, 1994 Appearance of Knox, McLaughlin, Gornall & Sennett, PC by Sue A. Beck for Toby Froehlich t/d/b/a Coldwell Banker Froehlich only, filed.

June 28, 1995, Complaint reinstated.

Nov. 17, 1995 Plaintiff's Motion for Special Order Directing Service by mail upon Thomas V. Himes and Trudy L. Himes and ORDER filed. And Now, this 17th day of November, 1995, upon consideration of the foregoing Motion of Plaintiffs' counsel and supporting Affidavit, a special order is hereby entered pursuant to Pa.R.C.P. 430 authorizing Plaintiffs and Plaintiffs' counsel to serve process upon the defendants, Thomas V. Himes and Trudy L. Himes, directing and authorizing service by regular, First Class Mail, directed to 15409 Timber Hollow Trail, Ft. Wayne, Indiana, 46845.

Service shall be deemed to be complete when Plaintiff's counsel or his staff shall deposit such process in the United States Mail with proper postage affixed to the mailing envelope, whether or not either of such mailings shall thereafter be returned undelivered.

Upon transmitting process to the referenced defendants, by United States Mail, Plaintiffs' counsel shall promptly file an Affidavit of Service with copies of process attached.
Gordon R. Miller, J.

FAXED 11-17-95 Attys. Hotchkiss, Stack, S. Beck.

Nov.17, 1995 Affidavit of Service filed.

Nov. 28, 1995 Complaint reinstated.

Dec. 4, 1995 Affidavit of Service filed. David L. Hotchkiss, Esq., being first duly sworn deposes and says:

1. That he is counsel of record for Curtis L. Bogda and Brenda D. Bodga, Plaintiffs,in the above-captioned action,
2. That he did serve a certified copy of the complaint in this action on Defendant Toby Froelich t/d/b/a Coldwell Banker Froelich bey certified mail onOctober 29, 1993, to the following address: Toby Froelich, Coldwell Bank Froelich, 2961 Peach Street, Erie,Pennsylvania 16508;
3. That the complaint was received and signed for by K. Malone at the address stated above; and,
4. That a copy of the signed U. S.Postal Service Domestic Return Receipt, P.S. Form 3811, is attached hereto.

November 29, 1995 David L.Hotchkiss, Esq.

Dec. 4, 1995 Affidavit of Service filed. David L. Hotchkiss, Esq., being first duly sworn deposes and says:

1. That he is counsel of record for Curtis L.Bogda and Brenda D. Bogda, Plaintiffs, in the above-caaptioned action;
2. That pursuant to Court Order of November 17, 1995, he did serve a copy of the complaint in this action on Defendants Thomas V.Himes and Trudy L.Himes by First Class U.S.Mail on November 29, 1995, to the following address: 15409 Timber Hollow Trail, Fort Wayne, Indiana 46845.
3. That the original, stamped, Certificates of Mailing, U.S.P.S. Form 3817, are attached hereto.

November 29, 1995 David L. Hotchkiss, Esq.

Continued to Page 324 A

1992 TERM

Curtis L.Bogda and
Brenda D.Bogda
vs
Thomas V. Himes and
Trudy L.Himes and Toby
Froehlich t/d/b/a
Coldwell Banker Froehlich

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of Record

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Dec. 14, 1995 Defendants', Thomas V.Himes' and Trudy L.Himes' Preliminary Objections to Complaint, filed.

Jan. 3, 1996 Answer and New Matter, filed.

Feb. 2, 1996 Motion for Relief under the Soldiers andSailors Civil Relief Act, 50 U.S.C. Appendix 521 and ORDER filed. Upon presentation and hearing of the Motion of Thomas V. Himes for a stay pursuant to the Soldiers and Sailors Civil Relief Act, 50 U.S.C.S. Appendix 521, it is hereby Ordered that this action be stayed during period of Defendant's military service as defined in the Soldiers and Sailors Civil Relief Act of 1940, as amended, during the period of such active service in Operation Joint Endeaver and within 60 days thereafter. Thomas Himes and Attorney Stack shall notify the other parties when he returns from active duty.

By the Court:
P. Richard Thomas, S. J.

Feb. 2, 1996 Order FAXED Attys. Stack, Hotchkiss, Sue Beck.

Dec. 17, 1996 Defendants', Thomas V. Himes and Trudy L. Himes', Reply to New Matter to Preliminary Objections filed.

Jan. 6, 1997 Appearance by Knox McLaughlin Gornall & Sennett, P.C. by Timothy M. Zieziula for Defendant, Toby Froehlich, t/d/b/a Coldwell Banker Froehlich filed.

Apr 30, 1998 Upon praecipe of plaintiff attorney the above entitled action is marked settled and discontinued of record.

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B

1992 TERM

1992

Watts & Pepicelli
Alan L. Pepicelli

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Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin
for Hart's etc.

Culbertson, weiss,
schetroma & Schug
E. Max Weiss
King Kutter, Inc.

Elderkin, Martin,
Kely & Messina
Kenneth G. Vasil
Daniel T. Snyder

Fuller, Kinnunen,
Petruso, Gamble, Fabian
and Hall
John D.Petruso , for
Farmers Central Equipment
a/k/a Ford Equipment

DWIGHT L. HALL and CONNIE S. SNYDER, co-Administrators of the Estate of Jolene Hall Deceased

vs.

KING KUTTER, INC., a Corporation and ALLAN HART, JAMES HART, and RON HART, Individually, and t/a/d/b/a ALLAN HART & SONS, and/or t/a/d/b/a HART"S FARM EQUIPMENT, and/or t/a/d/b/a HART"S MACHINERY

vs.

DANIEL T. SNYDER, ADD"L DFT.
Filed April 3, 1992
@ 3:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	50.00
Sheriff's Costs	30.00
Sheriff's Costs	33.00
Pro.Co. pd 10/20/94	6.00

vs.

Daniel T. Snyder and Farmers Central Equipment a/k/a Ford Equipment, Additional Defendants

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

April 14, 1992 Sheriff's Return filed. SERVED Allan Hart on April 10, 1992 at 11:14 AM by handing a copy of the Complaint to Betty Hart, Adult in Charge at the residence, RD # 2, Custards Road, Cochranton, Crawford Co. PA.

SERVED James Hart on April 10, 1992 at 11:16 AM by handing a copy of the Complaint to Betty Hart, Adult in Charge at the residence, RD # 2, Custards Road, Cochranton, Crawford Co., PA.

SERVED Ron Hart on April 10, 1992 at 11:19 AM by handing a copy of the Complaint to him personally at the residence, RD # 2, Custards Road, Cochranton, Crawford Co. PA.

SERVED Allan Hart & Sons on April 10, 1992 at 11:15 AM by handing a copy of the Complaint to Betty Hart, Adult in Charge at the residence, RD # 2, Custards Road, Cochranton, Crawford County, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

April 23, 1992CERTIFICATE OF SERVICE FILED. Alan L.Pepicelli, Esquire, hereby certifies that he is the attorney for the Plaintiffs in the above-captioned case and that a certified copy of the Complaint in Civil Action was sent by certified mail, return receipt requested, addressee only, to the Defendant, King Kutter, Inc. on April 7, 1992 and was received by the same on April 10, 1992 as follows:

King Kutter, Inc., West Industrial Park, Windfield, Alabama 35594
Attention: Lynn Taylor;
King Kutter, Inc. P. O. Box 480, Windfield, Alabama 35594;
King Kutter, Inc., 513 Magnolia Drive, Gallipolis, Ohio 45631
Attention: James Farley.

Copies of the certified mail receipts and the return receipts are attached hereto as Exhibit "A".

WATTS AND PEPICELLI PC
BY Alan L. Pepicelli,Esq.

April 27, 1992 APPEARANCE OF Culbertson, Weiss, Schetroma and Schug, P. C.by E. Max Weiss, Esquire for King Kutter, Inc. filed.

May 6, 1992 Appearance of Shafer, Swick, Bailey, Irwin& Stack by James Irwin for E. Allan Hart, James Hart and ron Hart, Ind., and t/d/b/a Allan Hart & Sons, and/or t/d/b/a Hart's Farm Equipment, and/or t/d/b/a hart's Machinery filed.

May 19, 1992 Writ To Join Additional Defendant Daniel T. Snyder Issued.

May 21, 1992 COMPLAINT OF ORIGINAL DEFENDANT AGAINST ADDITIONAL DEFENDANT, filed.

May 21, 1992 Answer, New Matter and Crossclaim of King Kutter,Inc. to Plaintiff's Complaint filed.

** May 26, 1992 Notice Of Service of Interrogatories and Requests for Production of Documents filed.

** May 22, 1992 Praecipe for Issuance of a Writ to Join Additional Defendant, Tri-Green, Inc. filed.

May 22, 1992 Praecipe for Issuance of a Writ to Join Additional Defendant, Ford Equipment filed.

June 4, 1992 Appearance of Elderkin, Martin, Kelly & Messina by Kenneth G. Vasil for Additional Defendant Snyder filed.

June 4, 1992 SHERIFF's RETURN FILED. SERVED Daniel T. Snyder personally on May 29, 1992 at 11:30 AM by handing to him a copy of the complaint of Original Defendant Against Additional Defendant at his residence, R.D.#3, Box 311, Conneautville, Crawford County, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

June 4, 1992 SHERIFF'S RETURN FILED. SERVED Dan T. Snyder personally on May 29, 1992 at 11:25 AM by handing a copy of theWrit to Join Additional Defendant to him at his residence, R.D.#3, Box 311, Conneautville,Crawford County, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

June 11, 1992 ANSWER AND NEW MATTER OF ADDITIONAL DEFENDANT DAN T. SNYDER, A/K/A DANIEL T. SNYDER, filed.

June 16, 1992 Reply to New Matter filed.

July 14, 1992 Complaint Of Original Defendant, E. Allan Hart, et al. against Additional Defendnat, Farmers center Equipment a/k/a Ford Equipment. filed.

July 14, 1992 Reply To New Matter Of Additional defendant Snyder filed.

July 14, 1992 Answer and New Matter filed.

July 14, 1992 Complaint of Original defnedant Against Additional Defendant filed.

July 15, 1992 Reply of King Kutter, Inc. to Hart Crossclaim filed.

July 20, 1992 ANSWER TO NEW MATTER OF ADDITIONAL DEFENDANT DAN T. SNYDER, A/K/A DANIEL T. SNYDER, TO HART COMPLAINT AGAINST AGAINST ADDITIONAL DEFENDANT, filed.

Aug. 14, 1992 Appearance of Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall by John D. Petruso, ESquire for Farmers Central Equipment a/k/a Ford Equipment, one of the additional Defendants, filed.

Sept. 11, 1992 Reply to New Matter of King Kutter, Inc. filed.

Sept. 11, 1992 Reply to New Matter of Hart filed.

Nov. 9, 1992 Answer of Farmer Center Equipment Company, Inc. to Complaint of E. Allan Hart, et al filed.

CONTINUED TO PAGE 477.

1992

Brian J. Lindsay

326

WILLIAM E. HOLZER

and

JANE E. HOLZER

Filed April 3, 1992
@ 3:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro co pd 4/22/93	9.00
In Error → ~~Pro Co pd 5-5-93~~	~~9.00~~

COMPLAINT IN DIVORCE
2 copies (atty)

Apr. 20, 1993 Acceptance of Service. I, the above named Defendant, hereby accept service of the Complaint in the above action.
Date: April 20, 1993 Jane E.Holzer

Apr. 20, 1993 Affidavit of Consent by Jane E.Holzer, Defendant, filed

Apr. 22, 1993, Affidavit of Consent of plaintiff filed.

Apr. 22, 1993, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

May 5, 1993 ORDER filed. The Court reviewed this record pursuant to the plaintiff's praecipe to transmit the record for final decree in divorce. The record is now returned to the Prothonotasry for proceedings consistent with this memorandum.

The complaint was filed on April 3, 1992. The defendant's acceptance of service is dated April 20, 1993. That is the same date reflected in the plaintiff's praecipe to transmit the record. That is not proper.

Service of the complaint more than thirty (30) days after filing is invalid and does not give the Court jurisdiction over the defendant in a divorce case.

Pa. R.C.P. 401(a) mandates that original process shall be served within thirty (30) days after the filing of the complaint if service is to be made within the Commonwealth. Beyond that the complaint becomes stale, not dead, and must be reinstated before it may be properly served. See Pa.R.C.P. 401(a), 401(b); Lauterbach v. Lauterbach, 202 Pa Super 260, 195A.2d 159 (1963); Blose v. Blose, 21 D & C 2nd 186 (1960); O'Shall v. O'Shall, 22 D & C 2nd 158 (1960).

BY ORDER OF COURT
Gordon R. Miller, P.J.
May 5, 1993 copy distributed to Lindsay

May 12, 1993 Complaint Reinstated.

May 26, 1993, Acceptance of Service filed. I, the above named defendant hereby accept service of the reinstated Divorce Complaint in the above action.
Date: 5/25/93 Jane E. Holzer.

May 27, 1993, Affidavit of Consent of plaintiff filed.

May 27, 1993, Affidavit of Consent of defendant filed.

June 17, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

June 30, 1993 AND NOW, June 23, 1993, it is ordered and decreed that WILLIAM E. HOLZER, plaintiff, and Jane E. Holzer, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore, Jr

327

RONNA HRVIOCH

vs.

KENYON RUSSELL TAYLOR and CLIFFORD BORTZ and MADELINE BORTZ his wife, t/a/d/b/a THE WOODEN KEG

Filed April 3, 1992
@ 3:38 PM

Tax & entry paid	50.50
user's Fee paid	5.00
Sheriff's Costs	44.00
Sheriff's Costs	40.50

WRIT OF SUMMONS
Issued (Sheriff)

April 16, 1992 SHERIFF's RETURN FILED: SERVED Clifford Bortz on April9, 1992 at 3:15 PM by handing a copy of the Summons to Margaret Barnes, Adult in Charge and Bartender at the place of business, Wooden Keg, 856 Water Street, Meadville, Crawford County, PA.

SERVED Madeline Bortz on April 9, 1992 at 3:14 PM by handing a copy of the Summons to Margaret Barnes, Adult in Charge and bartender, at the place of business, Wooden Keg, 856 Water Street, Meadville, Crawford County, PA.

NOT FOUND as to Defendant Kenyon Russell Taylor. He is believed to be in prison, the exact prison is unknown.
So Answers,

Dale A. Collins, Deupty Sheriff
Robert M. Stevens, Sheriff

May 6, 1992 Praecipe to Re-Issue Writ of Summons filed.

May 20, 1992 SHERIFF' S RETURN, filed. SERVED Kenyon Taylor by deputizing the Sheriff of Mercer County, Pa., as per his Affidavit of Service attached. Served on May 15, 1992.
So answers, Robert M. Stevens, Sheriff

Before me, the undersigned authority, personally appeared David E. Hogue, Deputy Sheriff who being duly sworn according to law deposes and says that on the 15th day of May, 1992 at 2:33 p.m. he served Summons upon Kenyon Russell Taylor at the State Regional Correctional Facility-Mercer, 801 Butler Pike, Mercer, Pa. 16137 by handing to Kenyon Russell Taylor personally a true and attested copy of the original summons and making known to him the contents thereof.

David E. Hogue, Dep. Sheriff
William H. Romine, Jr.Sheriff

328

1992

David R. Devine

328

MacDonald, Illig, Jones & Britton
Irving Murphy, Esq.
Susan Fuhrer Reiter
Richard McCauley &
Wayside Inn, Inc

Marsh, Spaeder, Baur, Spaeder & Schaaf
John P. Eppinger
for dft. R. McCauley

EDWARD J. MCCAULIFF and
KATHRYN L. MCCAULIFF,
his wife

vs.

ROBERT E. PARKER and RICHARD MCCAULEY, Defendants
WAYSIDE INN, INC., Terre-Tenant
DAVID M. MEANS, Terre Tenant

Filed April 3, 1992
@ 4:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	$90.00
Pro Co. pd 8/13/92	6.00

ACTION OF MORTGAGE FORECLOSURE
6 cpies (atty)

April 21, 1992. SHERIFF's RETURN filed. SERVED THE Wayside Inn, Inc. Terre-Tenant, on April 9, 1992 at 3:50 PM by handing a copy of the Complaint to Karla Lippert, Part-Owner, at the place of business, R.D.#2, Cambridge Springs, Crawford County, PA.

SERVED David M. Means, Terre-Tenant, on April 9, 1992 at 3:35 PM by handing a copy of the Complaint in Mortgage Foreclosure to Darlene Means, his wife, at their residence, 311 Broad Street, Saegertown, Crawford County, PA.

SERVED Robert E. Parker by deputizing the Sheriff of Erie County, PA as per his Affidavit of Service attached. Served on April 13, 1992.

SERVED Richard McCauley by deputizing the Sheriff of Erie County, PA, as per his Affidavit of Service attached. Served on April 13, 1992.

So answers, Dale A. Collins, Deupty Sheriff
Robert M.Stevens, Sheriff

April 20, 1992 Appearance of MacDonald, Illig, Jones and Britton, by Irvin Murphy, Esquire for Robert E. Parker, Defendant filed.

June 16, 1992 CERTIFICATE OF MAILING, filed.

June 26, 1992 Preliminary Objections To Complaint filed.

June 26, 1992 Appearance of MacDonald, Illig, Jones & Britton by Susan Fuhrer Reiter for Richard McCauley and Wayside Inn, Inc filed.

July 2, 1992 Amended Complaint for Action of Mortgage Foreclosure filed.

July 7, 1992 Appearance of MacDonald, Illig, Jones 7 Britton by Susan Fuhrer Reiter for Defendant Richard McCauley and the Terre-Tenant, Wayside Inn, Inc, filed.

August 6, 1992 Answer and New Matter filed.

Aug.7, 1992, Appearance of John P. Eppinger, Esq. for Marsh, Spaeder, baur, Spaeder & Schaaf, attorneys for Richard McCauley, filed.

August 13, 1992 Answer To Amended Complaint filed by Defendant, Richard McCauley filed.

August 13, 1992 Upon Praecipe of plaintiffs attorney the above-captioned case marked discontinued.

1992

Barbara J. Walton

329

WANDA L. FINK

vs.

DAVID C. FINK

Filed April 3, 1992
@ 4:24 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Pd 10/15/92	9.00

COMPLAINT IN DIVORCE
no copies requested

Apr. 3, 1992 Acceptance of Service filed. I accept service of the Complaint in Divorce. I Also accept jurisdiction of the Pennsylvania Courts. David C. Fink

Oct. 15, 1992 Affidavit of Consent by Wanda L. Fink, Plaintiff, filed.

Oct. 15, 1992 Affidavit of Consent by David C. Fink, Defendant, filed.

Oct. 15, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Oct. 26, 1992 AND NOW, Oct. 22, 1992, it is ordered and decreed that **W A N D A L . F I N K ,** plaintiff, and **D A V I D C . F I N K ,** defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the paraties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

Oct. 28, 1992 Memorandum filed. We write this brief memorandum for instructional purposes to plaintiff's counsel. On October 22, 1992 we entered a divorce decree in this case. However, the complaint was not in proper form. The averment that the plaintiff had been advised of the availability of counseling, etc. required by Pa. R.C.P. 1920.12 (a)(8) was not included in the complaint.

We had the right to refuse the divorce when the complaint is not in proper form. We did not do so in this case. We encourage counsel to make certain in the future, and to be extremely careful, that the pleadings are in proper form.

BY ORDER OF COURT
Gordon R. Miller, P. J.

Oct. 28, 1992 Copy given to Atty. Walton.

Mary Ann Kirkpatrick

330

ROGER L. GILDEA

vs.

SANDRA HYLAND GILDEA

Filed April 6, 1992
@ 9:14 AM

Tax & entry paid	50.50
User's Fee paid	10.00
Add'l Count (1) paid	15.00
State paid	10.00
Pro.Co. pd 2/18/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (Atty)

Apr. 13, 1992 AFFIDAVIT OF SERVICE filed. And Now, April 10, 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Roger L. Gildea, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 899 085 284; postmarked April 7, 1992, to the last known address of the Defendant, Sandra Hyland Gildea, R.D. 8, Box 540, Meadville, Pa. 16335.

3. That the Defendant, Sandra Hyland Gildea, on April 8, 1992, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Serviceof the Complant agaisnt Defendant is therefore effected in accordance with Pa. Rules of Civil Procedure.

May 29, 1992 Motion for Special Equitable Relief and Order filed. AND NOW, this 29th day of May, 1992, upon due consideration of the motion of the parties for special equitable relief it is hereby Ordered that the said motion is granted. Accordingly, any information supplied by Plaintiff to Defendant's counsel shall be kept completely confidential by Defendant's counsel and shall not be disseminated to any person or entity except as may be necessary for the carrying out of the divorce proceeding and the valuing of the assets and activities related directly thereto. Pending further order of court neither party shall attach to or refer to in their pleadings any documents concerning the business interest of the plaintiff.

By the Court,
Gordon R. Miller, J.

May 29, 1992 Copy of the order to Mary Ann Kirkpatrick, ESq.

July 16, 1992 Affidavit of Consent of Plaintiff filed.

Feb. 3, 1993 Affidavit of Consent of Sandra Hyland Gildea, Defendant, filed.

Feb. 18,. 1993 Upon praecipe of Plaintiff Attorney, Mary Ann Kirkpatrick, ESquire, for Review under Section 3301 (c) of the DivorceCode this case moved to Court.

Feb. 22, 1993 Motion to Withdraw Claims and Order. ORDER: And, Now, Feb. 18, 1993, Motion granted.
By/For the Corut:
Anthony J. Vardaro, J.

Mar. 2, 1993 copy to M.A. Kirkpatrick

D I V O R C E D E C R E E F I L E D

March 3, 1993 AND NOW, Feb. 25, 1993, it is ordered and decreed that **R O G E R L . G I L D E A** , plaintiff, and **S A N D R A H Y L A N D G I L D E A** , defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

By the Court:
Gordon R. Miller, J.

1992

Masson, Egan & Wilson
William D. Wilson

COLAVECCHI & RYAN
JOSEPH COLAVECCHI
331 FLORIDA ELKS CHILDRENS' HOSPITAL

EXCHANGE BANK, Divison of FIRST NATIONAL BANK OF MERCER COUNTY Assigned to: FLORIDA ELKS CHILDREN"S HOSPITAL, INC. a/k/a HARRY ANNA vs. CHARITIES, INC

DAVID A. VANDERHOOF and KAREN S. VANDERHOOF, husband and wife

Filed April 6, 1992
@ 9:25 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro.Co.	9.00
Pro Co. pd 1-29-93	9.00

INTERVENORS:
Florida Elks Children's Hospital, Inc.
a/k/a
Harry-Anna Charities, Inc.
Joseph Colavecchi of
Colavecchi & Ryan, attys.

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies (Sheriff)

April 16, 1992 SHERIFF's RETURNED FILED. SERVED Mike Ellis who is the Tenant at 121 Newland Avenue, Titusville, Crawford County, PA, by handing a copy of the complaint in Mortgage Foreclosure to John Delp, his Authorized Agent, at 117 Newland Avenue, Titusville, Crawford County, PA. Served on April 10, 1992 at 3:00 PM. Signed Acceptance of Service attached.

SERVED David A. Vanderhoof by Certified Mail at his last known address of 928 Hampton St. 37, Shelby, NC 28150. Served on April 13, 1992. Signed Return Receipt is attached.

SERVED Karen S. Vanderhoof by Certified Mail at her last known address of 928 Hampton St. 37, Shelby, NC 28150. Served on April 13, 1992. Signed Return Receipt is attached.

So Answers,

Dale A. Collins, Deupty Sheriff
Robert M. Stevens, Sheriff

May 7, 1992 Petition To Intervene and Order filed. AND NOW, this 5th day of May, 1992, upon consideration of the foregoing Petition to Intervene, a Rule is issued and directed to Exchange Bank, a Division of First National Bank of Mercer County, and to David A. Vanderhoof and Karen S. Vanderhoof to show cause why Florida Elks Childrens' Hospital, Inc. a/k/a Harry-Anna Charities Inc., should not be permitted to intervene in this mortgage foreclosure action.

This Rule is returnable before the court the 29 day of June, 1992, at the Crawford County Courthouse in Courtroom Number 1 or 2.

BY THE COURT,
Gordon R. Miller, J

May 13, 1992 Copies mailed to Atty. Wilson and Colavecchi

May 19, 1992 MOTION FOR CONTINUANCE AND ORDER FILED. AND NOW, this 15 day of May, 1992, upon consideration of the foregoing MOtion for a continuance, a Rule is hereby issued and directed to Exchange Bank, Division of First National Bank of Mercer County, and to David A. Vanderhoof and Karen S. VAnderhoof to show cause why Florida Elks' Childrens' Hospital, Inc., a/k/a Harry-Anna Charities, Inc., should not be permitted to Intervene in this mortgage foreclosure action.

This Rule is Returnable before the Court, the 6th day of July, 1992, at 1:30 P.M. at the CrawfordCounty Courthouse in Courtroom No. 1 or 2.

BY THE COURT:
GordonR. Miller, Judge

May 19, 1992 Copy of Order mailed to: Joseph Colavecchi, Esq.and William D. Wilson, Esq.

June 2, 1992 MOTION FOR CONTINUANCE and ORDER, filed. ORDER: AND NOW, this 1st day of June, 1992, upon consideration of the foregoing Motion for a coninuance, this matter is continued to the 20th day of July, 1992, at 1:30 p.m. at the Crawford County Courthouse in Courtroom No. 1 or 2.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

June 9, 1992 mailed copy to J. Egan & J. Colavecchi

AUG. 27, 1992, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 27, 1992, the petition to INtervene filed by the Florida Elks Childrens' Hospital, Inc., a/k/a Harry-Ann Charities, INc. is denied.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 27, 1992, copies mailed to Attys. Egan and Colavecchi

Aug. 28, 1992, copy mailed to defendants.

Dec. 17, 1992 Assignment of Plaintiff to Florida Elks Children's Hospital, Inc. a/k/a Harry Ann Charities, Inc. filed.

Dec. 17, 1992 Aggreement and Assignment of Mortgage and Judgment obtained pursuant To Mortgage Floreclosure Proceedings filed.

Dec. 17, 1992 Voluntary Substitution Of Florida Elks Children's Hospital Inc. as Plaintiff filed.

Dec. 17, 1992 Appearance of Colavecchi & Ryan by Joseph Colavecchi, Esq. for Florida Elks Chidlren's Hospital, Inc., formerly known as Harry-Anna crippled Chidlren's Hospital, Inc. filed

Jan. 29, 1993, 11:40 a.m., AND NOW upon Praecipe of plaintiff Attorney, with copy of Notice of Intention to file default judgmetn attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Principal and Interest	$17,072.00
Late Charges	50.00
Attorney's Fees 10%	1,712.20

Debt $18,834.20
V-43,103
Judgment
Judgment entered
Jan. 29, 1993
Barbara N. King, Pro.
Feb. 2, 1993 Notice of entry to Defendants.

EX1993-17

332

1992

C. Barton Jones

332

DEBORAH A. GUPTILL

vs.

JAMES LEE GUPTILL

Filed April 6, 1992
@ 12:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 4/6/92	9.00
Pro Co pd 3/8/93	5.00

COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE
no copies

Apr. 6, 1992 Affidavit Under Section 3301(d) of the Divorce Code, filed.

Apr. 6, 1992 Counter-Affidavit Under Section 3301(d) of the divorce Code filed.

July 29, 1992 Affidavit of Service by Mail Pursuant to Pa. R.C.P. 1920.4 (a)(1)(ii) filed. I, C.Barton Jones,Esquire, being duly sworn according to law, deposes and says that he is the attorney for Plaintiff James Lee Guptill, and that he did mail a true and correct copy of the Complaint inDivorce andCounter-Affidavit filed in the above matter, by Certified Mail, Return Receipt Requested, to the Defendant,James Lee Guptill, on April 22, 1992, at his last known address, 15908 Avenue C, Channelview, Texas 77530. The signed receipt is attached as Exhibit "A".
Date: July 27, 1992 C. Barton Jones,Esquire

July 29, 1992 Upon Praecipe of Plaintiff's Attorney to transmit record, case moved to Court.

Aug. 18, 1992 Memorandum and Order filed. AND NOW, August 17, 1992, this matter is before the Court upon praecipe ofthe Plaintiff requesting a divorce under Section 3301(d) of the Divorce Code.
In reviewing the file, the Court finds the Plaintiff has file dan affidavit as required by Pa.R.C.P. 1920.42(a)(2) and the form set forth in Pa. R.C.P. 1920.72(c).
However, while there is a conter-affidavit includied having been file don April 6, 1992, th eCourt doe snot find that the Plaintiff has sent notice of intention to request a divorce decree at least 20 days befor ethe praecipe was file dwhich notice would b ein the form set forth in Pa. r.C.P. 1920.73(a)(2) the smae bieng in compliance iwth Pa. r.C.P. 1920.42(c)(1).
Additionally, and more importantly, while the above problem can be corrected by sending the appropriate notice the original complaint file don April 6, 1992 lacks the notice required by Pa.R.C.P. 1920.12(c) inthe form set forth in Pa. R.C.P. 1920.71.
Before this action can proceed any further, the complaint must be reinstated with the required notice attached and the smae must be serve donce again on the Defendant.
Accordinly, this file will be returned to the Prothonotary for the Plaintiff to take action consistent with this Memorandum.

BY THE COURT,
Ahtony J. Vardaro,

Aug. 18, 1992 Copy mailed to atty. Jones

Aug. 24, 1992, Complaint Reinstated. (per order above)

Jan. 6, 1993 NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE, filed.

Feb. 1, 1993 Upon Praecipe of Plaintiff Attorney, to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

March 3, 1993 AND NOW, February 26, 1993, it is hereby ordered and decreed that **D E B O R A H A . G U P T I L L ,** plaintiff, and **J A M E S L E E G U P T I L L ,** Defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 8, 1993 Notice Of INtentionTo Resume Prior Name filed. Deborah Guptill TO BE KNOWN AS Deborah A. condon

1992

Murray A. Felder

333

Hotchkiss

PNC NATIONAL BANK
PNC National Bank

vs.
Jennifer L. Loven and
Eugene G. Loven
JENNIFER L. LOVEN and
EUGENE G. LOVEN

Filed April 6, 1992
@ 1:08 PM

Sheriff's Costs	$25.00
Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 5/18/92	9.00
Pro Co pd 3/24/93	15.00
Pro Co pd 12-6-93	9.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

April 16, 1992 SHERIFF's RETURN FILED. SERVED Eugene G. Loven personally on April 9, 1992 at 3:21 PM by handing a copy of the Complaint to him at his residence, 307 Walnut Street, Apartment 4, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 11, 1992 Answer of Jennifer L. Loven to Complaint in Civil Action filed.

May 18, 1992 Affidavit of Service filed. I, Murray A. Felder, Esq., served true and correct copies of the Complaint In Civil Action on defendant, Jennifer L. Loven, by certified mail on April 13, 1992 at 154 W. Hanover Avenue, Randolph, NJ 07869

Murray A. Felder

And Now, May 18, 1992 @ 11:57 AM upon praecipe of plaintiff's attorney, with Notice Of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant Eugene G. Loven for failure to file an answer and the damages are assessed at the sum of Six Thousand Seventy-six and 66/100 plus interest and cost of suit.

L-53
judgment entered 5/18/92
Notice of entry of judgment mailed on May 19, 1992

Debt $6,076.66
Judgment
Barbara H. King
Prothonotary

May 22, 1992Notice of Deposition in Aid of Execution of Eugene G. Loven filed.

Mar.24, 1993 Upon praecipe of Plaintiff Attorney For Reference To Arbitrators the following are hereby appointed.

Harry White, Ch. ~~Joan D. Mason~~, Chairman
Joseph Tinko
William Walker ~~John Gagliotti~~

Apr. 15, 1993, Arbitrators take the Qualifying Oath.

Oct. 8, 1993 Notice of Hearing of Arbitrators filed.

Dec. 1, 1993, DECISION OF ARBITRATORS filed in which they find judgment for the plaintiff and against the defendant Jennifer L. Loven, in the amount of $5,000.00 in conformity with a consent judgment to be filed subsequent hereto.

Decision entered 12/1/93
L - 53

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

Dec. 1, 1993, decision dist. to Attys. Hotchkiss and Felder

Dec. 6, 1993 With the consent of Defendant, JENNIFER L. LOVEN'S, AAttorney, DAVID L. HOTCHKISS ESQ., kindly enter judgment against Defendant, JENNIFER L. LOVEN, in the amount of $5,000.00.

Entered 12-6, 1993
L - 93

Debt: $5,000.00
JUDGMENT
Barbara H. King, Pro.

334

1992

Mazzotta, McCague & Associates, P.C.
Donald S. Mazzotta

334

CHRYSLER CREDIT CORPORATION INC.

vs.

GERALD HOLES and LISA . HOLES

Filed April 6, 1992
@ 1:42 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	40.00
Pro.Co.Pd.5-21-92	9.00

COMPLAINT -- CIVIL ACTION
2 copies (Sheriff)

April 14, 1992 Sheriff's Return filed. SERVED Gerald Holes personally on April 10, 1992 at 1:04 pm by handing to him a copy of the Complaint at his residence, Route 77, Box 267B, Centerville, Crawford Co. PA.

SERVED Lisa A. Holes personally on April 10, 1992 at 1:05 pm by handing to her a copy of the Complaint at her residence, Route 77, Box 267B, Centerville, Crawford Co., Pa.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, May 21, 1992 at 11:32 A.M. upon praecipe of plaintiff's attorney, with notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for failure to file an Answer and the same is liquidated as follows:

Amount claimed in Complaint	$3,478.00
Interest from 1/24/91 through 5/15/92	758.40
Costs of suit	
TOTAL	$4,236.40

With interest accruing on total balance of $4,236.40 at the rate of 19.95% from date of Judgment.

Debt $4,236.40
Judgment
"H" -71 - 101 Barbara H. King, Prothonotary

July 17, 1992 This judgment satisfied
(See paper filed)

1992

Vollmer, Rulong & Associates, P.C.
Charles J. Vollmer

335

WILCOX PRESS, INC

vs.

NATIONAL TEL-TRONICS, INC.

Filed April 6, 1992
@ 1:49 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 7/7/92	15.00
Pro Co pd 7-14-93	5.00

COMPLAINT IN CIVIL ACTION
no copies

April 15, 1992 Sheriff's Return filed. SERVED National Tel-Tronics, INc. on April 14, 1992 at 11:50 AM by handing a copy of the Complaint to Pat Miller, Accounts Payable Supervisor at the place of business, State Road Hill, Box 667, Meadville, Crawford County, PA. So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 1, 1992 Answer Containing New Matter and Counter-claim on behalf of defendant filed.

June 12, 1992 PLAINTIFF'S REPLY TO NEW MATTER AND COUNTER_ CLAIM, filed.

July 7, 1992 Upon praecipe of Plaintiff Attorney for Appointment of Arbitrators the following are hereby appointed:

Bettie Peterson-Muth, Chairman
Charles Swick
Andrew S. Bacallao

Aug. 14, 1992 Arbitrators take qualifying oath.

Jan. 26, 1993 Notice Of Hearing Before Board of Arbitrators filed.

July 14, 1993 Upon praecipe of plaintiff attorney the above captioned matter is marked settled and discontinued of record.

1992

John F. Spataro
Solicitor

336

COUNTY OF CRAWFORD, by and through the CRAWFORD COUNTY BOARD OF COMMISSIONERS

vs.

AMERICAN MOTORISTS INSURANCE COMPANY

Filed April 6, 1992
@ 2:27 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Pro.Co. pd 2/17/93	6.00 ✓

COMPLAINT
1 copy (atty)

Feb. 17, 1993 Upon Praecipe of Plaintiff Attorney, the above case marked discontinued of record, with prejudice, filed.

1992

pro se

337

RICHARD ALLAN SIRES

vs.

COMMONWEALTH OF PENNSYLVANLIA
DEPARTMENT OF TRANSPORTATION

Filed April 6, 1992
@ 2:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION FOR WRIT OF SUPERSEDEAS
(Appeal of Driver's License)
2 copies (Plaintiff)

Order:

AND NOW, this 2nd day of April, 1992, upon Motion by the Appellant, a hearin gis et on said Appeal for the 4th day of August 1992, at 9:00 o'clock a.m., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, PA.

Further, notice of said Appeal an dof this Orde rof Court are to given forthwtih by Appellant to the appropriate representatives of the Appellee.

Finally, said Appeal shall act as a supersedeas to appellee's suspension of the Appellant's operating privileges.

BY THE COURT,
Anthony J. Vardaro, J

Aug. 5, 1992 Scheduled License Appeal Hearing and Order filed. AND NOW, August 4, 1992, after the Commonwealth's case is presented and the Commonwealth rests and the Petitioner does not appear, the appeal is DISMISSED and the suspension imposed by the Department of Transportation is AFFIRMED.

BY ORDER OF THE COURT,
Anthony J. Vardaro,Judge

Aug. 5, 1992 Copy of the order mailed to Atty.Kuhar, and copy mailed to Plaintiff.

338

1992

William J. Gregg

338

MARGARET M. DYGERT

vs.

ERIC DYGERT and SHANNON DYGERT, his wife

Filed April 6, 1992
@ 2:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	25.00

COMPLAINT
2 copies (Sheriff)

April 14, 1992 Sheriff's Return filed. SERVED Shannon Dygert on April 9, 1992 at 3:30 PM by handing a copy of the Complaint to Quentin Sterling, Adult in Charge at the residence, 340 Grant Street, Saegertown, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 28, 1992 ANSWER, filed. 1 copy (atty)

May 21, 1992 ACCEPTANCE OF SERVICE FILED. AND NOW, THIS 21st day of May, 1992 comes Eric Dygert, Defendant in the above captioned matter and acknowledges that he received the Complaint and Notice to Defend in the above captioned matter by personally picking up same at the office of Attorney William J.Gregg, EastSide Knolls, Rt. 18, Conneaut Lake, Pennsylvania, at 5:35 p.m. on April 8, 1992.

Eric Dygert

1992

William J. Gregg

339

CORTLAND SAVINGS and BANKING COMPANY

vs.

MARTHA A. REEHER

Filed April 6, 1992
@ 2:52 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 5/15/92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy (atty)

April 28, 1992 Affidavit of Service filed. William J. Gregg, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Mortgage Foreclosure were sent by certified mail to the Defendant, Martha A. Reeher on April 9, 1992.

3. The certified mail was sent to Martha A. Reeher at 417 N. 1st St., Midlothian, TX 76065. The sender's receipt is attached hereto.

4. That the Defendant received said certified mail on April 15, 1992. Said Return Receipt Card P 848 678 409 is attached hereto, signed by Martha A. Reeher and made a part hereof.

William J. Gregg, Esq.

And Now, May 15, 1992 upon praecipe of Plaintiff Attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of Twenty-two Thousand One Hundred One and 17/100 plus interest and cost of suit.

R-114
judgment entered May 15, 1992

Judgment

debt $22,101.17
Int. from April 1, 1992
Judgment
Barbara H. King
Prothonotary

EX 1992-65

340

1992

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

340

WILLIAM M. SAULNIER

vs.

BRENDA K. SAULNIER

Filed April 6, 1992
@ 3:09 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 1/13/93	9.00
Pro Co. pd 6/4/99	7.50

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d)
EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
1 copy (atty)

May 11, 1992 Affidavit of Acceptance Of Service filed. I, Kathleen R. Nelson, Attorney for the Defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted service of a true and correct copy of the Complaint in Divorce, on April 14th, 1992 by First Class Mail addressed to me at my office at East Side Knolls, Route 18, Conneaut Lake, PA. 16316.

Kathleen R. Nelson, Esq.

Sept. 23, 1992 Affidavit of Consent of plaintiff filed.

Jan. 13, 1993 Affidavit of Consent ob Brenda K. Saulnier, Defendant, filed.

Jan.13, 1993 Upon Praecipe of Plaintiff Attorney, James R. Irwin, to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Jan. 20, 1993 AND NOW, this 19th day of January, 1993, it is ordered and decreed that **W I L L I A M M . S A U L N I E R ,** plaintiff, and **B R E N D A N K . S A U L N I E R ,** Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated Dec. 21, 1992, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

BY ORDER OF THE COURT
Gordon R. Miller, J.

June 4, 1999 Notice of Election To Retake Maiden Name, Brenda K. Saulnier, To BE Known As: Brenda K. Tingley,filed.

1992

341

Bruce Barrett

APPLICATION FOR EXTENDED
INVOLUNTARY TREATMENT

of

ALBERTA ZIMMERMAN

Filed April 6, 1992

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976

Apr. 13, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. AND NOW, this 13th day of April, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Alberta Zimmerman be committe dto Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on April 15,1992.

BY THE COURT
Anthony J. Vardaro, J.

Apr. 14, 1992 copies to MH/MR, Warren Hosp, B. Barrett

July 8, 1992 Petition for Involuntary Treatment, filed.

July 29, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER; AND NOW, this 29th day of July, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Alberta Zimmerman be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on July, 1992.

BY THE COURT
Gordon R. Miller, P.J.

Aug 4, 1992 copy to MH/MR, Barrett, Warren State

342

1992

Kathleen R. Nelson

342

ELIZABETH J. LINDSEY

vs.

DON MARK LINDSEY

Filed April 7, 1992
@ 9:29 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Pd 5/26/92	9.00

COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE
1 copy (Atty)

Apr. 7, 1992 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Apr. 13, 1992 AFFIDAVIT OF SERVICE filed. KATHLEEN R. NELSON, Esq., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Complaint in Divorce and Plaintiff's Affidavit were sent by certified mail to the Defendant, Don Mark Lindsey, on April 9, 1992.
3. The certified mail was sent to Don Mark Lindsey at R.D. 2, Townline Rd., Linesville, Pa. 16424. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on April 10, 1992. Said Return Receipt Card P 848 678 410 is attached hereto, signed by Don Lindsey and made a part hereof.

May 15, 1992 Affidavit of Service filed. KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. that the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Notice of Intention and Defendant's Counter Affidavit were sent by certified mail to the Defendant, Don Mark Lindsey, on May 5, 1992.
3. The certified mail was sent to R.D. #2, townline Road, Linesville, PA 16424. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on May 5, 1992. Said Return Receipt Card P 848 678 414 is attached hereto, signed by Don Mark Lindsey and made a part hereof.

Kathleen R. Nelson

May 26, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

June 2, 1992 AND NOW, June 1, 1992, it is hereby ordered and decreed that E L I Z A B E T H L I N D S E Y , Plaintiff, and D O N M A R K L I N D S E Y , Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

343

NANCY S. DRONKO

vs.

GREGORY L. DRONKO

Filed April 7, 1992
@ 11:29 am

Tax & entry Pd.4-9-92 50.50 ✓
user's Fee Pd 4-9-92 5.00
Sheriff' s Costs Pd. 25.00 ✓
Pro Co Pd. 4-9-92 5.00 ✓

Received from Plff Sheriff Costs 4-9-92 25.00

Paid Sheriff 4-9-92 25.00 Cash Ck# 6768

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 7 day of April, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: The Plaintiff shall have exclusive possessi of the marital residing (including shed) and exclusive custody of the minor child all pending further order of court.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 14, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro

Apr. 9, 1992 SHERIFF'S RETURN filed. SERVED Gregory L. Dronko personally on April 7, 1992 at 4:02 PM by handing to him acopy of the Protection from Abuse at his residence, Bockman Rd., Saegertown, Pa. Crawford County.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Robert A. Fischer, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 9, 1992 Praecipe to Discontinue Action, filed.

1992

Theodore B. Ely

344

JAMES L. LOVE, Individually and d/b/a J.L. LOVE ELECTRIC, a Sole Proprietorship

vs.

BRIAN L. POST, Individually and d/b/a BRIAN"S GENERAL CONTRACTING, A Sole Proprietorship

Filed April 7, 1992
@ 11:34 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Cost	26.00

July 17, 1992 default Notice filed.

July 17, 1992 Default Notice filed.

COMPLAINT
2 copies (Sheriff)

April 22, 1992 SHERIFF's Return and Affidavit of Service filed. SERVED the within Notice, Complaint, Exhibits on 14APR92, at 1:28 PM upon Brian L. Post at 538 Atlantic Ave., Franklin, Pa. 16323 by handing to Deborah J. Post, Wife, adult in Charge a true and correct copy thereof and made known to her the contents therein.

Gene Price, Sheriff
Venango County

April 22, 1992 Sheriff's Return and Affidavit of Service filed. Served the within NOtice, Complaint, Affidavit, Exhibits on 14Apr92 at 1:30 P.M. upon Brians Gen. Contracting at 538 Atlantic Ave., Franklin, Pa. 16323 by handing to Deborah J. Post, Wife, Adult in Charge a true and correct copy thereof and made known to her the contents therein.

Gene Price, Sheriff Venango County

I hereby deputize the Sheriff of Venango County, Pennsylvania to serve the within Complaint according to law. The Defendants alleged address is 538 Atlantic AVenue, Franklin PA 16323

Robert M. Stevens,
Sheriff, Crawford County, PA

1992

pro se

345

JAMES B. WOODCOCK

vs.

MARY J. WOODCOCK

Filed April 7, 1992
@ 2:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-24-92	9.00

COMPLAINT IN DIVORCE
1 copy plaintiff

April 13, 1992 Affidavit Of Service filed. Before me, the undersigned authority, personally appeared James B. Woodcock, Plaintiff, who, being duly sworn according to law, deposes and says that on April 7, 1992 he sent by Certified Mail, Return Receipt REquested, REstricted Delivery, a true and correct copy of the Complaint in Divorce and Other Relief Under the Divorce Code of 1980 filed in the above-captioned case to the Defendant. Said Complaint was received by Mary Woodcock, Defendant, on The Return Receipt which was signed by the Defendant is hereto attached.

James B. Woodcock

May 7, 1992 Affidavit of Consent of Defendant, filed.

Aug. 20, 1992 Affidavit of Consentof Plaintiff, filed.

Aug. 20, 1992 Upon Praecipe of Plaintiff to transmit record, case moved to Court.

Aug. 28, 1992 Memorandum and Order filed: This matter involves a divorce action which has been filed pro se and now comes before the Court on Plaintiff's praecipe for review seeking a 3301 (c) divorce (formerly a Section 201 (c) divorce).

It appears that the divorce complaint was filed on April 7, 1992 and was properly served by certified mail on April 9, 1992. (The return receipt card actually says April 9, 1991 but we believe that was just a mistake and accept that servcie did occur properly.)

The problem that forbids us from entering a divorce at this time is that the Defendant signed an affidavit of consent on May 1, 1992.

That is clearly impropery under Pennsylvania Rule of Civil Procedure 1920.42 (b)(1) which requires that an affidavit of consent by executed 90 days or more after the filing of the complaint.

Accordingly, we enter the following order: AND NOW, August 28, 1992, this file is returned to the Prothonotary and once a new affidavit of consent is filed by the Defendant the Plaintiff may again once praecipe to transmit the record so that the Court may consider the entry of a divorce decree.

A copy of this Memorandum and Order should be sent by regular mail by the Prothonotary to both parties.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 31, 1992 Copies mailed to Pltf and Deft.

Sept. 2, 1992 Affidavit of Consent by Mary Jane Woodcock, Plaintiff, filed.

Sept. 2, 1992 Upon Praecipe of Plaintiff, James B.Woodcock, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 8, 1992 AND NOW, Sept. 3, 1992, it is hereby ordered and decreed that **JAMES B. WOODCOCK**, Plaintiff, and **MARY J. WOODCOCK**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

346

DONNA M. WAITE

vs.

MICHAEL E. WAITE

Filed April 7, 1992
@ 2:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 7-14-92	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) OR 3301(d)
1 copy (atty)

July 13, 1992 Affidavit of Acceptance of Service filed. I, Michael E. Waite, Defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted personal service of a true and correct copy of the Complaint in Divorce, onApril 7, 1992 at 360 Chestnut Street, Meadville, Pennsylvania 16335.

Michael E. Waite, Defendant

July 13, 1992 Affidavit of consent by Michael E. Waite, Defendant, filed.

July 13, 1992 Affidavit of consent by Donna M.Waite, Plaintiff filed.

July 13, 1992 Upon Praecipe of James R. Irwin, Esquire, for Review under §3301 (c) of the Divorce Code this case moved to Court.

July 27, 1992 Affidavit of Consent of Michael E. Waite, Defendant, filed.

July 27, 1992 Affidavit of Consent of Donna M.Waite, Plaintiff, filed.

DIVORCE DECREE FILED

July 31, 1992 AND NOW, July 28, 1992, it is hereby ordered and decreed that DONNA M. WAITE, Plaintiff, and MICHAEL E. WAITE, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order hs not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

347

GINGER M. SERNIK

vs.

EDWARD A. SERNIK

Filed April 3, 1992
@ 3:46 AM

Tax & entry Pd 6-26-92 50.50
User's Fee Pd-6-26-92 5.00
Sheriff's Costs 30.00
Pro Co Pd 6-26-92 9.00

Received from defendant 6-26-92 Sheriff's costs 30.00

Paid Sheriff 6-26-92 Check #6905 30.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 8th day of April, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence or place of work.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 16, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 9, 1992 SHERIFF'S RETURN filed. SERVED Edward A. Sernik personally on April 8, 1992 at 11:32 a.m. by handing a copy of the Protection Fron Abuse to him at his place of employment, Giering Auto Service, 114 North Chestnut St., Linesville, Crawford County, Pa.
So answers, Robert A. Fischer, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 21, 1992 ORDER filed. ORDER: AND NOW, April 16, 1992, this matter is before the Court on Plaintiff's Petition for Relief under the Protection From Abuse Act.

At the time of hearing the Plaintiff appears with counsel and the Defendant appears without counsel. He indicates that he is unable to afford counsel and wishes to proceed, admitting the allegations of the Petition except that he denies that he fired a gun.

The Court believes his admisions are sufficient to constitute abuse under the Act, and accordingly, the Court enters the following Order:

1. The Defendant shall not assault,abuse, harass or threaten the Plaintiff nor shall he contact her at her home or place of work at any time.
2. The Defendant is advised that if he is invited to the home of the Plaintiff, he would be in violation of this Order if he did go to her home and that if he wishes to go to her home by invitation, he should ask for amodificationof this Order before doing so, because his presence at the home whether invited or not will result in the presumption that he has violated this Order and the police may treat it accordingly.
3. The Defendant shall be responsible for medical bills and lost wages incurred by the Plaintiff as a result of the incident of April 7, 1992 including the following items and any future items that may occur whether they are for services already rendered or future services as long as it is the result of this incident:
   A. Medville Medical Center Emergency Room bill of April 7, 1992, $232.00;
   B. Doctor Richard Moran bill of April 13, 1992, $28.00;
   C. Eckerd Drugs, prescription of April 7, 1992$27.49;
   D. Work loss for a two-week period at Fun For Kids in Vernon Township, $250.00
4. The Defendant shall be responsible for court costs in the amount of $94.50 and he shall pay the same by paying one-half (1/2) to the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, Pa., by the close of business at 4:30 p.m. on May 11, 1992 and the balance by the close of business at the same location by June 15, 1992.
5. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this Order shall be delivered by the Prothonotary to County Control and the police departments in the jurisdiction where the Plaintiff resides.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
8. This Order shall remain in full force and effect through April 15, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Apr. 21, 1992 copy given to Co. Control. Apr. 28, 1992 copy in box for C. Brode, mailed cooy to Plf., Dft. and State Police

348

1992

Blystone & Blystone
Curtis E. Blystone

348

CAMILLA F. TEED

vs.

KEVIN P. TEED

Filed April 8, 1992
@ 2:51 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 7/29/92	5.00
Pro Co pd 7-16-92	9.00

COMPLAINT IN DIVORCE
1 copy Atty

Apr. 16, 1992 AFFIDAVIT OF SERVICE, filed. 1. The undersigned, Curtis E. Blystone, is attorney for the plaintiff, Camilla F. Teed, in the above action in divorce.

2. On April 9, 1992, affiant mailed a true and attested copy of the Complaint in Divorce in the above captioned action, endorsed with Notice to Defend and Claim Rights, to the defendant, Kevin P. Teed, addressed to his mailing address of RD 5, Box 568, Meadville, Pa., 16354, by certified mail item no. P 398 128 753 as indicated by the "Receipt for Certified Mail" attached hereto. Said item of certified mail was restricted for delivery to the addressee only.

3. The aforesaid item of certified mail was delivered to the defendant, Kevin P. Teed, personally on April 13, 1992 as indicated by the return receipt attached hereto and signed by the defendant personally.

I hereby verify that the statements made in this affidavit are true and correct to the best of my knowledge,informatin and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. No. 4904 relating to unsworn falsification to authorities.

July 16, 1992 Affidavit of Consent of Defendant, filed.

July 16, 1992 Affidavit of Consent of Plaintiff, filed.

July 16, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 23, 1992 AND NOW, July 21, 1992, it is ordered and decreed that **CAMILLA F. TEED**,plaintiff, and **KEVIN P. TEED,** defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

July 29, 1992, NOTICE OF ELECTION TO RETAKE MAIDEN NAME FILED.
To Be. Known As: CAMILLA F. REYNOLDS.

Culbertson, Weiss, Schetroma & Schug, PC
David L. Hotchkiss

349

KATHERINE E. CULBERTSON

vs.

JOSEPH DUKAISH a/k/a JOSEPH DUKAICH, ALMA MATHEWS, MILDRED JOSLIN, THEODORE M. DUKAISH, individually and as Administrator of the Estate of HELEN E. DUKAISH, deceased EVELYN RODGERS, STEPHANIE DUKAISH, MARGORIE DUKAISH, STEVEN DUKAISH, and all persons claiming any right, title or interest.

Filed April 8, 1992
@ 3:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	75.00
Pro Pd 12/13/99	13.50

COMPLAINT TO QUIET TITLE
8 copies Atty.

June 10, 1992 Complaint Reinstated.

June 24, 1992 Sheriff's Return filed. SERVED Alma Mathews personally on June 15, 1992 at 11)3 AM by handing her a copy of the Complaint in Action to Quiet Title at her residence, R.D.#3, Conneautville, Crawford County, PA.

SERVED Mildred Joslin personally on June 15, 1992 at 10:50 AM by handing her a copy of the Complaint in Action to Quiet Title at her residence, 206 Center Street, Conneautville, Crawford County, PA.

SERVED Theodore M. Dukaish personally on June 15, 1992 at 11:20 AM by handing him a copy of the Complaint in Action to Quiet Title at his residence, R.D. #3, Conneautville, Crawford County, PA.

SERVED Stephanie Dukaish on June 15, 1992 at 1:07 PM by handing a copy of the Complaint in Action to Quiet Title to Elaine Dukaish, Adult in Charge, at the residence, Broad Street, Saegertown, Crawford County, PA.

SERVED Marjorie Kukaish on June 15, 1992 at 1:08 PM by handing a copy of the Complaint in Action to Quiet Title to Elain Dukaish, adult in Charge at the residence, Broad Street, Saegertown, Crawford County, PA.

SERVED STeven Dukaish on June 15, 1992 at 1:06 PM by handing a copy of the Complaint in Action to Quiet Title to Elaine Dukaish, Adult in Charge at the residence, broad Street, Saegertown, Crawford County, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 6, 1992, Motion for Judgment, Affidavit of Service, Acceptance of Service, Notice, and Order filed. ORDER: AND NOW, the 6 day of July 1992, upon motion ofthe plaintiff and after having determined that no appearance has been entered on the record on behalf of the dft., her heirs or assigns generally, and no communication having been made to the Crawford County Bar Assn. Ser. to the Public Committee, by the dft., her heirs or assigns, or anyone on their behalf, it is hereby ordered and decreed, as follows:

1. The plaintiff is the owner ofthe subject premises described inthe complaint in fee simple absolute as her respective interest may appear, free and clear of all claims ofthe defendant, Evelyn Rodgers, her heirs and assings generally by virtue of the open, notorious, continuous and adverse possession of the subject premises for a period of time in excess of 21 years.

2. The defendant her heirs and assigns generally, are forever barred from asserting any right, lien, title er interest inthe subject premises inconsistent with the interest or claim of the plaintiff as set forth in her Complaint, and from impeaching, denying, litigating or in any way attacking the Plaintiff's title thereto.

3. The fee simple title of the p laintiff herein to the subject premises in confirmed, ordered and decreed, unless the defendant Evelyn Rodgers, or her heirs or assigns, files exceptions to this order within Thirty (30) days form the filing hereof to the Prothonotary of this court.

4. No notice of the filing of this order is required to be given to the defendants or to any other person.

5. If no action is taken by the defendant her heirs or assigns generally, or any one or some of them, within the said thirty day period of time, this order shall become absolute and final, upon praecipe of the plaintiff.

6. The entry of a default judgment under this order in favor of the plaintiff and against the defendant Evelyn Rodgers will not prejudice the rights of any ofthe other defendants in this case.

By the Court,
Anthony J. Vardaro, J.

July 9, 1992, copy to Atty. Hotchkiss.

July 22, 1992 Affidavit of Service filed. And Now, this 22nd day of July, 1992, appeared before me, a Notary PUblic, David L. Hotchkiss, Esquire, who, after being duly sworn according to law, deposes and says:

7. That he is the attorney for the Plaintif fin the abov ecpaitoned Action to quiet Title:

8. that on the 15th day of June, 1992, the Crawford County Sheriff personally served a certified copy of the Complaint with Notice to dEfend on Defendant Alma Mathews:

9. that more than twenty (20) days have passed since service of the Complaint and that no one on behalf of Defendant Alma Mathews or her heirs, devisees, personal representatives, or assigns has appeared or filed an Answer to the Complaint.

10. And further Affiant sayeth naught.

David L. Hotchkiss

July 28, 1992 Motion for Judgment and Order filed. AND NOW, the 27th day of July, 1992,upon motion of the Plaintiff and after having determined that no appearance has been entered on the record on behalf of the Defendant, Alma Mathews, her heirs or assigns generally, it is hereby ordered and decreed, as follows:

1. The Plaintiff is the owner of the subject premises described in theComplaint, and on Exhibit "A" attached hereto, in fee simple absolute as her respective interest may appear, free and clear of all claims of the Defendant, Alma Mathews, her heirs and assigns generally, by virtue of the open, notorious, continuous and advser possession of the subject premises for a period of time in excess of 21 years.

2. The Defendant, Alma Mathews, her heirs and assignes generally, are forever barred from asserting any right, lien, title or interest in the subject premises inconsistent with the interest or claim of the Plaintiff as set forth in her Complaint, and from impeaching, denying, litigating or in any way attacking the Plaintiff's title thereto.

3. The fee simple title of the Plaintiff herein to the subject premises is confirmed, ordered and decreed, unless the Defendant Alma Mathews, or her heirs or assigns, files Exceptions to this Order with Thirty (30) days from the filing hereof to the Prothonotary of this Court.

4. No notice of the filing of this Order is required to be given to the Defendants or to any other person.

5. If no action is taken by the Defendant Alma Mathews, her heirs or assigns generally, or any one or some of them, within the said thirty day period of time, this Order shall become absolute and final, upon Praecipe of the Plaintiff.

6. The entry of a default judgment under this Order in favor of Plaintiff and against Defendant Alma Mathews will not prejuduce the rights of any of the other Defendants in this case.

7. A tue and correct copy of this Order shall be served upon Alma Mathews in Accordance with local rule L206 (B)(4) and a return of service filed of record.

By the Court:
Gordon R. Miller, J.

Continued of Record to Page 503

350

1992

Barbara J. Walton

350

July 8, 1992 paid Sheriff Costs #25.00 ck #6930

DEBORA LYNN JEFFRIES

vs.

JAMES JAY JEFFRIES

Filed April 9, 1992
@ 10:47 am

Tax & entry	pd 7-8-92	50.50
user's Fee	pd 7-8-92	5.00
Sheriff's Costs		25.00
Pro Co	pd 7-8-92	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 9th day of April, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Temporary poseesion ofthe residence is g granted to Plaintiff. Defendant shall move out. defendant shall not contact or visit the Plaintiff in any way. Temporary custody of the children is awarded to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 16, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 9, 1992 Sheriff's Return filed. SERVED James Jay Jeffries personally on April 9, 1992, at 11:18 AM by handing him a copy of the Protection from Abuse at his temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, Crawford County, PA.
So answers,
Dales A. Collins, deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 21, 1992 ORDER filed. AND NOW, April 16, 1992 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse act.

The Plaintiff appears with counsel, and the Defendant, who iscurrently incarcerated in the Crawford County Jail, appears without counsel. The alternatives for proceeding are explained to him, and the Court discusses his version of the allegations set forth in the Plaintiff's petition, and while there are some differences, the Court believe that his admissions constitute what would be abuse within the mention of the protection From Abuse Act.

Accordingly, the following ordr is entered:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. The Plaintiff is granted poseession of the marital residence and the Defendant indicates that there is nothing at the residence he wishes to remove, and accordingly, forthwith he shall not return to the residence for any purpose nor shall he contact the Plaintiff in any way at the residence or at any employment or any other place that she may be. Likewise, he shall not contact the children unless and until there is further order of Court with regard to a custody action or other order of Court regarding custody or visitation.

The exception to this shall be that he may contact the wife and/or children by mail so long as the mail does not contain anything that would be harassing or threatening to any of the parties.

3. The Plaintiff is awarded temporary custody of the minor children until there shall be further order of Court in this proceeding or in a custody proceeding.
4. The Defendant is advised that he should not go to the residence of the Plaintiff even upon invitation by her insofar as that will constitute a violation of this order. If she shall invite him to the residence, he should obtain a modification of this order, because the police shall presume that he is in violation of the order if he shall be in attendance at her residence without a modification ofthis order.
5. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this order shall be delivered to the Police Department in the jurisdiction where the Plaintiff resides, and to County Control.
7. The Defendant shall pay court costs in this matter in the amount of $89.50 in full to the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, Pa. on or before the close of business at 4:30 p.m. of that office on or before June 1, 1992.
8. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence up to six months.
9. This order shall remain in full force and effect through April 15, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Apr. 21, 1992 copy given to County Control & Dft. Apr. 29, 1992 copy in box for C. Brode, copy mailed to Pfl. and Pa. State Police.

1992

351

MARY LOU HYDE

vs.

MORRIS A. HYDE

Filed April 9, 1992
@ 11:29 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	37.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 9 day of April, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

~~-1.-The-Defendant-shall-not-assault,-abuse,-harass-or-threaten-the-Plaintiff-or-any-of-the-minor-children-named-in-the-Petition.---~~
~~-2.-Special-Conditions:--~~

~~-3.-This-Order-may-be-enforced-without-a-warrant-of-arrest-by-any-law-enforcement-officer-having-reasonable-ground-to-believe-it-has-been-violated.--~~

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

~~-7.-The-Defendant-is-reminded-that-this-is-an-ORDER-OF-COURT---and-violation-of-this-Order-may-be-punishable-by-a-fine-up---to-$1,000.00-and-a-jail-sentence-of-up-to-six-months.---~~

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 20, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 10, 1992 Sheriff's Return filed. SERVED Morris A. Hyde personally on April 10, 1992 at 1:25 PM by handing him a copy of the Protection from Abuse to him at the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
so answers, Barbara j. Bernoski, Clerk Typist
Robert M. Stevens, Sheriff

April 24, 1992 ORDER FILED. and now, April 20, 1992 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act. She has appeared previously in chambers seeking a temporary ex parte abuse order in front of the Honorable Gordon R. Miller and the same was refused, but this hearing was scheduled.

After informal hearing at which the Court hears from both parties, the Court is not satisfied that there has been abuse within the meaning of the Protection from Abuse Act, and therefore will decline to enter an abuse order at this time.

The Court does caution the Defendant that due to the fact that the home at which the Plaintiff resides is in her name alone, and due to the fact that she no longer wishes him to come onto that property, he may find himself in other legal difficulties if he does go onto this property and he advises the Court this day that he does not have any intention to do so.

In light of the order entered this date, the county shall pay costs in this matter.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

April 24, 1992 copy of order to Pltf. & deft. ; County Control

352

1992

William J. Gregg

352

CHRISTINE L. SLOZAT, ROBIN D. JESSE, and AVIS A. SMITH, a partnership

vs.

TRAVEL AGENTS INTERNATIONAL INC. and JERRY PETERS, d/b/a TRAVEL AGENTS INTERNATIONAL

Filed April 9, 1992
@ 1:40 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Sheriff's Costs	25.00

COMPLAINT
1 copy Atty
1 copy Sheriff

April 16, 1992 SHERIFF's RETURN FILED. SERVED Jerry Peters on April 13, 1992 at 4:05 PM by handing a copy of the Complaint to Ursula Kaloostian, Travel Agent and Adult in Charge, at his place of business, Travel Agents International, Downtown Mall, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

April 28, 1992 Affidavit of Service filed. William J. Gregg, Esquire, being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint was sent by certified mail to the Defendant, Travel Agents International on April 13, 1992.

3. The certified mail was sent to Travel Agents International at 111 Second Ave., N.E., Fifteenth Floor, Box 31005, St. Petersburg, FL 33731. The sender's receipt is attached hereto.

4. That the Defendant received said certified mail on April 17, 1992. Said Return Receipt Card P 848 678 411 is attached hereto and made a part hereof.

William J. Gregg, Esq.

May 6, 1992 Complaint Reinstated.

May 20, 1992 SHERIFF's RETURN FILED. SERVED Jerry Peters, Owner of Travel Agents International, Inc., on May 18, 1992 at 9:30 AM by handing a copy of the Complaint to Ursula Kaloostian, Travel Agent and Adult in Charge at the business, 900 Water Street, Downtown Mall, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

1992

Paul J. Carney, Jr

353

KAYE M ALTMAN

vs.

VIOLET MAY ALTMAN

Filed April 9, 1992
@ 2:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co Pd 5-26-92	9.00

COMPLAINT IN CIVIL ACTION

And now, April 9, 1992 @ 2:45 pm upon praecipe of plaintiff attorney, this action is indexed against the defendant in judgment index as a Lis Pendens.

A- LIS PENDENS
Barbara H. King
Prothonotary

April 22, 1992 SHERIFF's RETURN FILED. SERVED Violet May Altman by Certified Mail at her last known address of 109 Windsor Avenue, Hopatcong, NJ 07843. Served on April 17, 1992. Signed Return Receipt is attached.

So answers, Robert M. Stevens, Sheriff

And Now, May 26, 1992 @12:13 p.m. upon reaecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and againsnt the defendants for want of an answer and the same is liquidated at the sum of Fourteen thousand, seven hundred seventy-six dollars and forty-nine cents, for a total.

"A-161" Debt $14,776.49
Judgment
Barbara H. King, Prothonotary

1992

Barbara J. Walton

354

SYLVIA SWASTA

vs.

JOHN J. SWASTA

Filed April 10, 1992
@ 8:40 am

Tax & entry paid	50.50
User's Fee paid	20.00
Add'l Counts paid	45.00
State paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS, PERMANENT ALIMONY
1 copy (atty)

Apr. 24, 1992 Affidavit of Service filed. A true and correct copy ;of the complaint for divorce filed in the above-captioned matter was served upon the defendant, John Swasta, personally by me pursuant to Pa. R.C.P. 400 (b)(1) on April 10, 1992.
Paul L. Walton

Nov. 10, 1992 Inventory and Appraisement of Sylvia Swasta, filed.

Mar. 12, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 11/10/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1992

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

355

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

DANIEL J. DILLINGER

vs.

LUTICIA A. DILLINGER-MOOK

Filed April 10, 1992
@ 9:15 am

Tax & entry paid	50.50
Uder's Fee paid	5.00
John Fuller Mediator	150.00
	9.00
	9.00

Pro Co pd 8-5-92
Pro Co pd 9-20-92

Received from
Def 7-31-92
fees
Mediator
75.00

Received from
pltff 8-5-92
mediation fees
$75.00

Paid Cr. Comm
9-14-92 Ch# 7046
mediation $150.00

PETITION FOR CUSTODY (UCCJA)
1 copy (atty)

Apr. 13, 1992 PETITION FOR CUSTODY and ORDER filed. AND NOW, this 10th day April, 1992, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, John Fuller, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as Required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

It is further ordered and decreed that pending final determination by the Court, the aforesaid minor child shall not be removed from the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT:
Gordon R. Miller, P.J.

Apr. 16, 1992 copy in box for J. Irwin, J. Fuller

July 9, 1992 REQUEST FOR HEARIN DE NOVO and ORDER, filed. ORDER: AND NOW, this 9th day of July, 1992 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pa., on the 6th day of Aug., 1992 at 1:30 p.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pa.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

July 13, 1992 copy in box for J. Irwin

July 10, 1992 ORDER filed. AND NOW, July 2nd, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED as follows, to wit:

I. Legal custody of Joshua Dillinger and Jarred Dillinger shall be shared between the mother and the father, the plaintiff and defendant, herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children, subject to the provisions hereinafter set forth in Paragraph II, H.

II. Physical custody of Joshua Dillinger and Jarred Dillinger shall be with their mother, subject to the following conditions:

A. the father shall be entitled to visit and take the children into his custody every other weekend from six o'clock, p.m. on Friday to seven-thirty o'clock, p.m., on Sunday, beginning July 10, 1992.

B. Holidays shall be defined at Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 p.m., and in the custody of the father on the aforesaid holidays from 1:00 p.m., until 8:00 p.m.

C. Beginning with Summer of 1992, the children shall be in the custody of the father for a period of two separate two-week periods. The father shall give the mother reasonable notice of the dates of the summer visits. In 1993, and subsequent years the father shall be entitled to have the children for two separate three-week periods.

D. Transportation of the children on weekends, holidays and Summer visits shall be equally divided as follows: the parent receiving custody shall provide transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well-being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

H. Beginning with the schol yer in the Fall of 1992 Jarred shall attend the school of father's choice (at father's expense if it is a private school) and Joshua shall attend the school of mother's choice (at mother's choice if it is a private school).

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date herof.

IV. Cost of the mediation conference will be divided as follows: one-half to be paid by father and one-half to be paid by mother.

Gordon R. Miller, Judge

July 13, 1992 Copy of Order to Attys. James Irwin, R. Charles Thomas, John Fuller.

Aug. 6, 1992 Motion For Continuance and ORDER filed. AND NOW, this 5 day of August, 1992 upon presentation and consideration of the within Motion, this hearing is rescheduled for the 28 day of Sept., 1992 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crawford Co. Courthouse, Meadville, PA.

FOR THE COURT:
Imogene Yetman, Ct. Adm.

Aug. 11, 1992 Copy of Order to Atty. James Irwin, John Fuller.

Sep. 2, 1992 Petition for Modififcation and Order filed. AND NOW, this 1st day of September, 1992, upon presentation and consideration of the within Petition, a Rule is granted upon the Plaintiff to show cause, if any he has, why the Order heretofore entered on July 2, 1992 should not be modified so as to permit Jared Dillinger to go to the school of his mother's choice.

Returnable and for hearing onthe 28th day of September, 1992 at the time of the de novo hearing in this case.

The Court will not enter an order changing the school without a hearing. This issue will be disposed of at the September 28, 1992 hearing.

BY THE COURT,
Gordon R. Miller, J.

Sep. 2, 1992 Copy of the Order to Attys. Irwin, Thomas & Fuller.

Continued on Page 469

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1992

Ferguson & Spataro
Douglas W. Ferguson

356

HOMER L. GRIFFIS

vs.

FLORENCE M. MILLER

Filed April 10, 1992
@ 11:02 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro.Co. pd 7/23/93	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

1 copy (Sheriff); 1 copy (atty)

April 16, 1992 SHERIFF's RETURN FILED. SERVED Florence M. Miller onApril 15, 1992 at 3:45 PM by handing a copy of the Complaint to A. Richard Miller, her husband and Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Third Floor, Meadville, Crawford County, PA. Signed Acceptance of Service attached.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

July 23, 1993 Upon Praecipe of Plaintiff Attorney, Douglas W. Ferguson, Esquire, the above case settled and discontinued of record.

1992

Gifford, Lay & Johnson
Joseph B. Steele

357

Culbertson, Weiss, Schetroma and Schug, P.C.
E. Max Weiss
for Dfts. A.C. Leadbetter & Son, INc. & Norglass

WAYNE S. FERRARO and ELANA FERRARO, his wife

vs.

PITTSBURGH PLATE GLASS COMPANY a corporation, A.C. LEADBETTER & SON, INC, a corporation, and NORGLASS INC. a corporation jointly and/or severally

Filed April 10, 1992
@ 2:19 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	59.50
Pro Co pd 3-26-93	5.00
Pro Co Pd 4/2/93	1.00

WRIT OF SUMMONS
Issued Sheriff

April 10, 1992 Notice of serving INterrogatories filed.

Apr. 10, 1992 Notice of Serving Interrogatories filed.

Apr. 10, 1991 Notice of Serving Interrogatories filed.

May 14, 1992 SHERIFF's RETURN FILED. SERVED Pittsburgh Plate Glass Company on April 14, 1992 at 1:56 PM by handing a copy of the Summons with Interragotores to Richard Pekala, Supervisor of Security at the company, Works #8, Kebert Industrial Park, Meadville, Crawford County, PA.

Served A.C. Leadbetter & Son, Inc. by deputizing the Sheriff of Dauphin County, PA, as per his Affidavit of Service attached. Served on May 4, 1992.

Served Norglass, Inc. by deputizing the Sheriff of Dauphin County, PA as per his Affidavit of Service attached. Served on May 4, 1992.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 18, 1992 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss for Defendants A. C. Leadbetter & Son, and Norglass, Inc.

Jan. 28, 1993 PRAECIPE FOR THE ISSUANCE OF A RULE TO FILE COMPLAINT, filed.

Mar. 26,1993 Upon praecipe of Plaintiff attorney the above captioned action is discontined of record.

358

1992

358

Thomas, Thruax,
Spadafore & Walker
R. Charles Thomas

MEADVILLE HOUSING AUTHORITY

vs.

FRANCIS RICHARD SMITH and
MICHELE SMITH

Filed April 10, 1992
@ 3:16 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 7/23/92	9.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WILLIAM D. CHISHOLM

Apr. 10, 1992 Rule issued upon Plaintiff to file a Complaint filed.

April 15, 1992 PROOF OF SERVICE FILED.

July 23, 1992 And Now, July 23, 1992 at 10:29 A.M. upon praecipe of Defendants attrney judgment of Non Pros is hereby entered against the named plaintiff for failure to file a Complaint within the required time period.

S-215 - 213;

JUDGMENT OF NON PROS
Barbara H. King
Prothonotary

Oct. 2, 1992 Complaint in Civil Action filed.

1992

Prather, Prather
& Pineo
Mark D. Prather

359

SCOTT A. DEISSLER

vs.

MABEL McCULLOUGH, her heirs, successors and asisgns

Filed April 13, 1992
@ 10:51 AM

Tax & entry paid	50.50
User's fee paid	5.00
Pro.Co. Pd 6/29/92	9.00

COMPLAINT
(Quiet Title Action)
no copies

April 15, 1992 MOTION FOR SERVICE BY PUBLICATION AND ORDER FILED. NOW, this 15th day of April, 1992, upon consideration of the foregoing motion and affidavit, it appearing that the identity and whereabouts of defendant, her heirs, successors and assigns, is unknown to plaintiff, following diligent search and inquiry, it is hereby ordered, adjudged and decreed that service may be made upon defendants by publication in the Meadville Tribune and the Crawford County Legal Journal, one time only, to include a notice requiring the defendants to file answer to said complaint within twenty (20) days following publication thereof.

Per Curiam,
Anthony J. Vardaro,J

April 21, 1992 copy to Atty. Mark D. Prather

May 27, 1992 MOTION FOR JUDGMENT and ORDER, filed. ORDER: NOW, this 27th day of May, 1992, an affidavit of service having been filed, defendant having filed no answer thereto, the court, upon motion of PRATHER, PRATHER & PINEO, attorneys for Plaintiff, hereby orders and decrees that the defendant above named, her heirs, successors and assigns, be and they are forever barred from asserting any right, lien, title, interest or claim, in and to the premises situate in the Second Ward of the City of Meadville, Crawford County, Pennsylvania, consisting of Lot 1 and the western half of Lot 2 of Grand View Heights Allotment (DB 176-701), bounded sixty (60) feet by the north line of Limber Rd. and extending one hundred thirty-one (131) feet northward therefrom.

It is ordered, adjudged and decreed that defendant, her heirs, successors and assigns, be and they are hereby forever barred from asserting any right, title, lien, interest or claim, in the above described premises, inconsistent with the interest or claim of plaintiff, as set forth herein, or from impeaching, denying, or in any way attaching the plaintiff's title to said property; from issuing or maintaining any actions attaching the same, or any part thereof, unless defendants ahall enter their appearance and contest this action within thirty (30) days following entry of this order, upon the expiration of which this order shall become final and absolute.

Per Curiam,
Anthony J. Vardaro, J

June 2, 1992 copy in box for M. Prather

And Now, June 29, 1992 at 9:47 A.M. upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

FINAL JUDGMENT
Barbara H. King
Prothonotary

M-111

1992

Brian J. Lindsay

360

Bettie Peterson-Muth

5-23-94 Rec from deft med dep 150.00
8-12-94 Pd deft-med Bal transmitted ck # 8494 66.00
9-12-94 Pd Co. #8549 75.00

SCOTT ANDREW GARLICK

vs.

MEICY EVERETT

Filed April 13, 1992

Tax & entry paid	50.50
User's fee paid	5.00
Pro.Co.	9.00
John Fuller, Mediator	150.00
Pro Co Pd 9-18-94	9.00

COMPLAINT FOR CUSTODY/VISITATION
1 copy (Med); 1 copy (atty)

ORDER:

You, MEICY EVERETT, Respondent, have been sued in court to obtain custody, partial custody or visitation of the child: Cynthia Rose Garlick, born June 20, 1991.

You are ordered to appear in person at , Crawford County Courthouse, Meadville, Pennsylvania 16335 for a Conference before John Fuller, Esquire, Child Custody Mediator at such other time and place as will be determined by the Mediator.

If you fail to appear as provide dby this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County courthouse
Meadville, PA 16335
814/336-1151, ext. 298

April 9, 1992.

BY THE COURT:
Anthony J. Vardaro, J

Apr. 24, 1992 Affidavit of Service filed. I, Brian J. Lindsay, esquire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Petitioner, and that as such I am authorized to make this verification; that I did on the 15th day of April, 1992, send to the above named Respondent, by Certified Mail, Return Receipt Requested, a true and correct copy of the Complaint for Custody and Notice/Order to Appear filed at the above term and number; and that I did on the 20th day of April, 1992, receive a duly executed return receipt dated April 16, 1992.

Brian J. Lindsay

June 4, 1992 Order filed. AND NOW, June 4, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody ofCynthia Rose Garlick shall be shared between the mother and the father, the plaintiff and defendant herein,that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Cnthia Rose Garlick shall be shared between the parents, as follows:

A. The child shall be in the custody of the mother for a two (2) month period beginning June 1, 1992 . Then the child shall be in the custody of the fther for a two (2) month period beginning August 1, 1992 and ending October 1, 1992. The parents thereafter shall continue to change custody of the child every two months in the same manner as above.

(1) The parent not having custody of the child (the non-custodial parent), during a particular two (2) month period shall be entitled to have the child in his or her custody every eeekend from 6:00 p.m. onFriday until 6:00 p.m. onSunday, with the exception of one weekend each month, to be mutually agreed on between the parents and in the absence of an agreement, the custodial parent shall be entitled to retain custody of the child the second weekend of each month (that being the weekend when the second Friday falls).

B. Holidays shall be defined as the child's birthday, Easter and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of that parent then entitled to custody under Paragraph A above, on the aforesaid holidays until 1:00 p.m. and in the custody of the non-custodial parent on the aforesaid holidays from 1:00 p.m. until 8:00 p.m.

On even numbered years the child shall be in the custody of the mother from 12:00 Noon on December 24th until 12:00 Noon on December 25th and in the custody of the father from 12:00 Noon on December 25th until 12;00 Noon on December 26th.

On odd numbered years the child shall be in the custody of the father from 12:00 Noon on December 24th until 12:00 Noon on December 25th and in the custody of the mother from 12:00 Noon on December 25th until 12:00 Noon on December 26th.

C. Transportation of the child on weekends, holidays and Summer visits shall be equally divided with the parent receiving custody of the child providing transportation.

D. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

E. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions theretofore filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference will be equally divided between the parties with the father paying one-half (½) of the cost thereof and the remaining one-half (½) being paid by Crawford County.

Anthony J. Vardaro, J.

June 4, 1992 Copy of the order to Atty. Muth and Lindsay, and Fuller.

May 25, 1994 Petition to Modify Custody of Child on behalf of defendant, filed.

May 25, 1994 ORDER OF COURT filed. You, Scott Andrew Garlick, have been sued in Court regarding custody of Cynthia Rose Garlick.

This matter is referred to John Fuller, custody mediator, for a conference regarding the issues of custody and/or visitation. Said Mediator will schedule a hearing to investigate the merits of the within petition and make a recommendation for the court regarding said petition.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU GO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator, Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: 5/24/94

BY THE COURT:
Gordon R. Miller, J.

May 26, 1994 Copy of Order Faxed to Attys. Muth and Fuller.

Continued on Page 360A

1992 TERM

Scott Andrew Garlick
vs.
Meicy Everett

CONTINUED FROM PAGE 360
of Record
A.D. 1992 - 360

****

Aug. 11, 1994 ORDER filed. AND NOW, August 11, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

. Legal custody of Cynthia Rose Garlick shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Cynthia Rose Garlick shall be with her mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every weekend from 7:00 o'clock p.m. on thursday to 7:00 o'clock p.m. on Sunday, beginning September 1, 1994.

B. Holidays shall be defined as Christmas, Easter, Thanksgiving and the child's birthday. Custody of the child shall be shared on the aforesaid holidlays and in the absence of an agareement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 8:00 o'clock p.m.

C. Beginning with the Summer of 1995 and each summer thereafter, the child shall be in the custody of the father during the three (3) summer months. The mother shall be entitled to visit and take the child into her custody every weekend from 7:00 o'clock p.m. on Thurdsay, to 7:00 o'clock p.m. on Sunday.

D. Transportation of the child on weekends, holidays and Summer visits shall be equally divided between the parties, with parent receiving custody providing transpsortation.

E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, baut on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto ae filed by either party within ten (10) days fo the date hereof.

IV. Cost of the mediation conference will be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the Defendant, less the cost of the custody order.

Anthony J. Vardaro, J.

Aug. 17, 1994 Faxed to Peterson-Muth, Lindsay & Fuller. Sent to Plf. & Dft.

360
-b-

1992 TERM

1992

Elderkin, Martin,
Kelly & Messina
William J. Kelly

361

Joseph E. Altomare

BRUCE TAYLOR

vs.

JOSEPH E. ALTOMARE, ESQUIRE

Filed April 13, 1992
@ 1:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	40.00
Pro.Co.pd 2/18/94	6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued (Atty)

May 11, 1992 SHERIFF's RETURN FILED. SERVED Joseph E. Altomare, Esquire on May 5, 1992 at 1:45 PM by handing a copy of the Summons to Cynthia Hoovler,Receptionist and Adult in Charge at his place of business, 228 E. Central Avenue, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 8, 1992 Upon praecipe of defendant Attorney rule entered upon Plaintiff to File Complaint Issued.

June 8, 1992 Complaint filed.

June 30, 1992 Preliminary Objections filed.

June 30, 1992 Upon Praecipe of Joseph E. Altomare, Esquire, the above captioned matter is placed on the next available Argument List.

ON AUGUST, 1992 ARGUMENT LIST

July 21, 1992 Complaint filed.

Aug. 10, 1992 Answer and New Matter to Amended Complaint filed.

Aug. 10, 1992 Affidavit of David P. Brandt filed.

Aug. 10, 1992 Motion for Summary Judgment filed.

Aug. 10, 1992 Upon praecipe of Defendant Attorney the above matter is placed on the next available argument list.

ON SEPTEMBER 1992 ARGUMENT LIST

Sep. 1, 1992 Notice of Service of Interrogatories and Request for Production of Documents addressed to Defendant (First Set) filed.

Sep. 1, 1992 Reply to New Matter filed.

Sep. 1, 1992 Answer to Motion for Summary Judgment filed.

Sept. 3, 1992 Affidavit of Bruce Taylor filed.

Sept. 9, 1992 Assignement of Argument Date filed. September 2, 1992, argument in the above matter is hereby set for October 15, 1992, at 1:30 P.M. in Courtroom 1 or 2 before Senior Judge Paul B. Greiner specially assigned by the Supreme Court of Pennsylvania.
FOR THE COURT,
Imogene Yetman, Court Administrator

Sept. 10, 1992 Copy of the Order to Attys. Kelly, Altomare, Crawford County Court Reporters, Paul B. Greiner, S.J. and Gordon R. Miller, P. J.

Sept. 17, 1992 Affidavit of Joseph E. Altomare filed.

Nov. 4, 1992 Memorandum Opinion and Order of Court filed. Now, October 29, 1992, defendant's Motion for Summary Judgment is dismissed. BY THE COURT:
Paul B. Greiner Senior Judge

Nov. 10, 1992 Copy of Order to Attys. Kelly and Altomare.

Jan. 8, 1993 Sixty Day Notice to Complete Discovery filed.

Mar. 12, 1993 Plaintiff's Certificate of Readiness Pursuant to Local Rule L302A(1)(a).

ON JUNE 1993 TRIAL LIST

Mar. 22, 1993 Defendant's Motion In Limine filed.

Mar. 22, 1993 Upon praecipe of Defendant Attorney the above matter is placed on the next available argument list.

19993 APRIL ARGUMENT LIST

May 6, 1993 Certificate of Service of Request for Production,of Documents Addressed to Defendant, filed.

June 9, 1993 Memorandum Opinion and Order of Court filed: NOW, June 1, 1993, in consideration of the defendant's motion in Limine, written briefs and oral arguments, the Court finding no athority to support the claim in paragraph 39(d) of plainitff's complaint, defendant's motion in Limine with respect thereto is granted and said Motion is denied with respect to Paragraph 39(a). BY THE COURT,
Paul B. Greiner, Senior Judge
Specially Presiding

June 17, 1993 Copies of order mailed to Kelly and Altomare.

July 9, 1993 Plaintiff's Motion to Reopen Discovery, filed.

July 9, 1993 Praecipe for Argument List, filed.

ON ARGUMENT LIST FOR AUGUST 1993

Sep. 7, 1993 Defendant's MOtion to Strike from Trial List filed.

Sept. 29, 1993 Motion For Leave To Amend Complaint and Order filed. AND NOW, to-wit, this 30th day of September, 1993, it is hereby ORDERED, ADJUDGED and DECREED that leave is granted to Plaintiff, Bruce Taylor, to file an Amended Complaint within ten (10) days of the date hereof. Paul B. Greiner, S.J.

Oct. 11, 1993 Copies of order to Atty's Geronimo and Altomare

Continued to Page 512

1992

Quinn, Buseck,
Leemhuis, Toohey and
Kroto, Inc.
Lawrence C.Bolla

362

MARINE BANK

vs.

ERIC C. WATSON and
DARLENE C. WATSON

Filed April 13, 1992
@ 3:38 Pm

Pro King paid	15.00
Plff on orig.	62.50
Sheriff's Costs	45.00
Pro.Co. Pd 7/15/92	9.00

WRIT OF REVIVAL OF JUDGMENT

of

A.D. 1992 - 362

Debt----- $19,645.56
Dated---- April 10, 1992
C- 55, 45-----REVIVAL OF JUDGMENT
Barbara H. King, Pro

Issued (sheriff)

Revival indexed in favor of plaintiff and against the defendants in the sumof Ten Thousand Six Hundred Forty-five and 56/100 Dollars plus costs.

May 12, 1992 SHERIFF's RETURN FILED. On April 15, 1992 a Certified Letter, return receipt requested, was mailed to Eric C. Watson at his last known address, 3319 S. Parkhill, Springfield, MO 65807 which was returned Unclaimed after three notices. Returned letter attached to this return.

Not Found as to Darlene C. Watson. The address given, 241 Quigley Lane, Conneaut Lake, PA 16316 is that of her former in-laws. They have not heard from her for 12 years. Her maiden name: Yarosh. Her parents address, 745 High St., Conneaut Lake, PA. Phone 382-7423.
So answers, Robert M. Stevens, Sheriff

AND NOW, July 15, 1992 at 1:10 P.M. upon Praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants, for want of an answer and the same is liquidated at the sum of Ten Thousand Six hundred Forty-Five and 56/100 Dollars, plus interest, and cost of suitand fees.

W-55, 45
Y-44
Entered July 15, 1992
Notice mailed to Defendants

Debt $10,645.56
Int.from 2/28/79,costs of this action, plus fees $1,064.50
Judgment
Barbara H. King
Prothonotary

1992

Christopher Brode

363

MARY JANE BOYDA

vs.

PAUL E. HARVEY

Filed April 13, 1992
@ 4:21 pm

Tax & entry	50.50
user's fee	5.00
Sheriff's Costs	30.00
Pro Co	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 13 day of april, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary exclusive cusotdy of the minor child and temporary exclusive possession of the parties home.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 20, 1992, at 3:30 Pm M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

April 15, 1992 Sheriff's Return filed. Served Paul E. Harvey personally on April 14,1992 at 10:30 AM by handing him a copy of the Protection from Abuse at his place of employment at Redevelopment, Talon Building, Arch Street, Meadville, Crawford County, PA
So answers,
Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

April 21, 1992 ORDER FILED. AND NOW, April 20, 1992, hearing is scheduled with regard to Plaintiff's request for an order under the Protection From Abuse Act for 3:30 P.M. this day.

The Defendant is currently an inpatient at the Mental Health Unit at Meadville MedicalCenter and consequently hearing in this matter is continued to April 29, 1992 at 3:30 P.M.

The temporary order entered on April 13, 1992 shall remain in full force and effect until that hearing.

BY THE COURT:
Anthony J. Vardaro, J.

April 21, 1992 copies sent to Mary Jane Boyda and Paul E. Harvey.

April 27, 1992 ORDER filed. AND NOW, April 24, 1992, the Court is advised that the Plaintiff is lodged in the Crawford County Jail for an alleged contempt of the temporary abuse order entered in this matter.

Hearing on his alleged contemp shall be held at the same time as hearing is currently scheduled to determine whether a permanent order should be entered.

Therefore, the Sherif of Crawford County shall product the Defendant in Courtroom No. 1 or 2 at the Crawford County Courthouse for both hearings on April 29, 1992 at 3:30 P.M.

BY THE COURT:
Anthony J. Vardaro, J.

April 27, 1992 Copies of Order distributed by Court.

May 1, 1992 ORDER filed. AND NOW, April 29, 1992 at the time fixed for hearing on the temporary abuse Order and also, apparently, alleged contempt of the temporary Order, the Defendant appeared without counsel, the Plaintiff appeared with counsel. The Defendant was advised as to the nture of the proceedings and his right to counsel. He understood all of that and agreed to proceed without counsel and agreed without admission to the entry of the following Order:

Accordingly, by agreement of the parties, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor children named in the Petition.
2. Exclusive possession and custody of 28 1/2 Eschnoz Ave., Meadville, Crawford Co., Pa, is awarded to the Plaintiff. The Defendant is hereby excluded from that residence.
3. The Defendant shall be permitted, however, togo to 28 1/2 Eschnoz Ave. to pick up his personal belongings provided he and the Plaintiff arrive at a mutually acceptable time so that the Plaintiff may either leave the place so as to not confront the Defendant or so that the Plaintiff may get responsible adult help to supervise this event and to protect her.

Once the Defendant picks up his belongings, he shall leave and not return until further Court Order.

4. The Defendant shall not go to the Plaintiff's residence for any purpose nor shall he go to her place of employment, the Meadville Medical Ctr., except that he may go to the Meadville Medical Ctr. for his own personal medical and health care needs.
5. Temporary custody of the parties' minor child Clarissa Mae is awarded to the Plaintiff. The Defendant shall have thr right to visit his child every other weekend commencing with the weekend of May 2, 1992 between the hours of 10:00 a.m. and 5:00 p.m. on Saturday and Sunday.

CONTINUED ON PAGE 460

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1992

364

YVONNE E. COTTRELL

vs.

RICHARD L. COTTRELL

Filed April 14, 1992
@ 10:06 AM

Tax & entry pd 7-10-92 50.50
User's Fee pd 7-10-92 5.00
Sheriff's Costs 30.00
Pro Co pd 7-10-92 9.00

Recd 7-10-92 from Plaintiff to Sheriffs Costs.

Paid Robert M. Stevens, Sheriff 7-10-92 #30.00 Ck #6935

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 14 day of April, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary exclusive possession of the marital home.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 23, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

April 15, 1992 SHERIFF'S RETURN filed. SERVED Richard L. Cottrell personally on April 14, 1992 at 12:02 PM by handing him a copy of the Protection from Abuse at the Sheriff's office, Crawford County Courthouse, Meadville, PA
So answers,
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

April 27, 1992 ORDER FILED: AND NOW, April 23, 1992, this matter is scheduled before the Court on Plaintiff's petition for relief under the Protection From Abuse Act.

Both parties appear without counsel and the Defendant is advised of his right to counsel and indicates that he wishes to proceed without counsel.

He admits the allegations of the petition but after discussion between the parties, apparently there are some discussions going on between them that may result in a reconciliation.

The Plaintiff is questioned as to whether she wishes to go forward with an Order and indicates that she does not, and accordingly, the action is DISMISSED.

The Court inquires as to the income of the Plaintiff and finds that she is employed at Rolling Fields Nursing Home and has adequate income to pay court costs in the amount of $94.50. Therefore, she shall pay the same to the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville on or before the close of business at 4:30 p.m. on May 29, 1992.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

April 27, 1992 copy of order to County Control. Plaintiff and Defendant.

1992

365

COMMONWEALTH OF PENNSYLVANIA EX REL., STEVEN TAYLOR SHRYOCK

vs.

JACK BRICKNER, WARDEN, CRAWFORD COUNTY PRISON

Filed April 14, 1992
@ 11:26 AM

PETITION FOR WRIT OF HABEAS CORPUS
2 copies Public Defender

ORDER:

AND NOW, this 14 day of April, 1992, upon consideration of the within Petition in the above matter, an dupon mtoion of David P. Truax, esquire, attorney for Relator, it is hereby ordered that a Writ of Habeas Corpus be issued forthwith and served upon Jack Brickner, Warden of the Crawford County Prison, together with a true an dcorrect copy of the within Petition.

It is further ordered that hearing and argument on the above matter shall be held on the 16 day of April, 1992 at 8:45 A.M. in Courtroom No. 2 at the Courthouse, Meadville, Pennsylvania.

A true and correct copy of the within Petition and Order shall be served forthwith upon the Office of the district Attorney for Crawford County.

BY THE COURT,
Anthony J. Vardaro, J

Apr. 27, 1992 Memorandum and Order filed. AND NOW, April 24, 1992, after hearing with respect to Relator's petition for writ of habeas corpus, the court declines to dismiss the charge of criminal trespass filed against the Defendnat in the Criminal Division of this Court at NO. 1992-176 and the writ is dismissed.

BY THE COURT,
Anthony J. Vardaro, J

Apr. 24, 1992 Copies circulated to counsel by Judge's Secretary

James R. Irwin
~~Barbara J. Walton~~ withdrawn

366

Ferguson & Spataro
Douglas W. Ferguson

WILLIAM L. MILLER

vs.

DIANA SCHLOSSER

Filed April 14, 1992

Tax & entry paid	50.50
user's fee paid	5.00
State Pd 4-14-92	10.00
John Fuller Mediator	150.00 1/
Pro Co. Pd 9-10-92	9.00

Received from Plf 9-10-92 mediation fee 75.00

10-12-92 Pd. Comm Ch# 706 mediator fee 75.00

PETITION FOR CUSTODY

Apr. 14, 1992 Petition for Custody, Motion for Mediator and Order filed. ORDER: You, Diana Schlosser, have been sued in Court to obtain custody of Christopher, Kathrine and Cassandra Miller. You are ordered to appear for a hearing before John Fuller, Child Custody Mediator, at such time and place as he shall designate.

If you fail to appear as provided by this Order, and Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

Until such time as the mediation hearing takesplace, physical custody of the minor children Christopher, Katherine and Cassandra Miller be with Plaintiff William Miller, with reasonable visitation to the Defendant Diana Schlosser, with the provision that neither party remove the children from the state. By the Court:

Dated: April 20, 1992 Anthony J Vardaro, J.

Apr. 14, 1992 1 copy (med) 1 copy (atty)

May 11, 1992 AFFIDAVIT OF SERVICE FILED.

A true and correct copy of the Petition for Custody and Motion for Mediator filed in the above-captioned matter was served upon the Defendant, Diana Schlosser, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on May 4, 1992, as is evidenced by the United States Postal Service Return REceipt (Certified No. P 899097256) attached hereto as EXhibit A.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

Date: May 7, 1992 Barbara J.WAlton, ESq.

May 13, 1992 Answer To Petition For Custody And Counterclaim For Custody, filed.

May 13, 1992 Appearance of Ferguson & Spataro by Douglas W. Ferguson for Defendant.

June 8, 1992 ORDER filed. AND NOW, June 8, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Christopher L. Miller, Kathrine M. Miller and Cassandra L. Miller shall be shared between the mother and the father, the plaintiff and defendant herein, that is, eadchparent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Christopher L. Miller, Kathrine M. Miller and Cassandra L. Miller shall be with their father, subject to the following conditions:

A. The mother shall be entitled to visit and take the children into her custody every other weekend from 3:00 p.m. on Friday to 6:00 p.m. on Sunday, beginning June 5, 1992. The mother's weekend visitation rights shall be increased to three (3) weekends a month beginning Jan. 1, 1993 (with the same hours), those weekends being the weekends on which the first three Fridays fall.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving.

On even numbered years the children shall be in the custody of the mother on Thanksgiving and Easter and in the custody of the father on Christmas Eve and until 12:00 Noon on Christmas Day and in the custody of the mother from 12:00 noon on Christmas Day and for twenty-four (24) hours thereafter.

On odd numbered years the children shall be in the custody of the father on Thanksgiving and Easter and in the custody of the mother on Christmas Eve and until 12:00 Noon on Christmas Day and thereafter in the father's custody.

The parties shall divide custody of the children on the Christmas vacation as equally as possible.

C. Beginning with the Summer lof 1992, the children shall be int he custody of the mother for two (2) two week preiods which periods shall be non-consecutive. The mother shall give the father at least thirty (30) days notice of the dates of the Summer visits,with the exception of the first two week visit, notice of which shall be given by June 10, 1992.

D. Transportation of the children on week ends, holidays and Summer visits shall be equally divided as follows: the parent receiving custody shall provide transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference will be equally divided with the father paying one-half of the cost thereof and the remaining one-half being paid by Crawford County.

Anthony J. Vardaro, J.

June 15, 1992 copy in box for B. Walton, D. Ferguson, J. Fuller, mailed copy to Plf. & Dft.

Sept 30, 1992 Appearance of James R. Irwin for Plaintiff, filed.

Oct. 27, 1994 Petition for Contempt, Notice and Order to Appear and Order filed. Legal Proceedings have been brought against you alleging youhave willfully disobeyed an order of court for custody, partial custody or visitation.

If you wish todefend against the claim set forth in the following pages, you may but are not required to file inwiring with the court your defenses or objections.

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on November 23, 1994 at 9:15 A.M., in Courtroom #2.

IF YOU DO NOT APPEAR INPERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds that you have willfully failed to comply with its order for custody, partial custody,or visitation, you maybe found to be in contempt of court and committed to jail,fined or both.

Continued to Page 366 A

William L.Miller
vs.
Diana Schlosser

Continued from Page 366
of Record
AD 1992 - 366

****

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville,Pennsylvania 16335
(814) 333-7300

BY THE COURT:
Anthony J.Vardaro, J.

10-27-94 Faxed to Attys. Irwin,Walton & Fuller, given to Atty.Ferguson

ORDER. AND NOW, this 26 day of October, 1994, upon considerationof the foregoing Petition for Contempt it is hereby Order andDecreed that a Rule toShow Cause is placed upon the Plaintiff,to show cause, if any he should have, why he should not be held in Contempt of the Court's Order of June 8, 1992, concerning custody of the parties' minor children.

Returnable for hearing & argument the 23rd dayof November, 1994 at 9:15 a.m. in Court-room #2.

Service of a copyof this Petition for Contempt shall be made uponthe Plaintiff through his attorney of record, James Irwin,Esquire,by regular mail.

BY THE COURT:
Anthony J.Vardaro,J.

10-27-94 Faxed to Attys.Irwin, Walton,Fuller & Given toAtty.Ferguson.

Nov. 9, 1994, Motion for Leave to Withdraw Appearance and order filed. ORDER: AND NOW, Nov. 7, 1994, the motion for withdrawal of appearance is granted.

By the Court,
Gordon R. Miller, J.

11/10/94 copies given Walton, Irwin Ferguson and Fuller.

Nov. 29, 1994 Order filed. AND NOW, November 23, 1994, this matter is before the Court with regard to a petition for contempt.

Essentially, the Defendant alleges that the Plaintiff is in violation of the terms of an agreement set forth in a letter from Plaintiff's attorney to defendant's attorney onSeptember 29, 1992 with respect to telephone calls between the mother and children.

It appears that with the exception of a couple of weeks when the parties were aguing about clothing matters with regard to the children the telephone calls took place but inany event with respect to the two weeks that the telephone calls were not permitted we do not find that the Plaintiff is in contempt insofar as the provisions of the letter of September 29, 1992 were never incorporated inthe custody order which is dated June 8, 1992 and we do not find therefore under any factual situation that the Plaitniff could be in contempt.

The parties are encouraged to continue to work matters out to the benefit of the children as they have done for the most part over the last couple of years.

BY THE COURT,
Anthony J. Vardaro , J

Dec. 1, 1994 Faxed copies to Irwin & Ferguson

366
B

1992

1992

Mary Ann Kirkpatrick

367

Shafer, Swick, Bailey, Irwin & Stack
James R. Irsin

WAYNE K. MIDKIFF, JR.

vs.

DENISE MARIE TIDD

Filed April 15, 1992
@ 9:08 AM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller Mediator	150.00
Pro Co. pd 8-5-92	9.00
John Fuller Mediator	150.00
Pro Co. Pd 5-26-94	9.00

Plaintiff paid $75.00 on Aug 5, 1992.

Received from Pltf Atty 9-4-92 Mediation Cost 75.00

Paid Pl Comm 9-14-92 CK 7046 mediation 75.00

~~10-11-92~~ 10-12-92 Pd Comm Ck# 7106 mediation 75.00

3/24/94 $150.00 deposit by Defendant.

5-11-94 refunded dft $75.00 Ck #8292

5-26-94 Rec from Pltf 75.00 med fee

6-9-94 Pd Comm Ck#8355 $150.00

COMPLAINT FOR CUSTODY
1 copy Med; 1 copy atty.

ORDER:
And Now, this matter is referred to John Fuller, Esq., child custody mediator, for further order of the court.
By the Court,
Anthony J. Vardaro, J

Apr. 27, 1992 Affidavit of Service filed. And Now, April 27, 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney for Wayne K. Midkiff, Jr., Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the NOtice and Custody Complaint to be forwarded by Certified Mail, P 899 085 283; postmarked April 15, 1992, to the last known address of the Defendant, Denise Marie Tidd, R.D. #5, Box 512, Meadville, PA 16335.
3. That the Defendant, denise Marie Tidd, on April 23, 1992, personally signed the return receipt card which was affixed to the above-mentioned document in the above matter and which is attached hereto.
4. Servic eof the Notice and Custody Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure. Constance L. Deitman

June 9, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant, filed.

July 6, 1992 ORDER filed. AND NOW, July 2, 1992 after mediation ocnference before John Fuller, Esq., IT IS ORDERED AND DECREED as follows, to wit:
I. Legal custody of Danelle Marie Tidd shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting child such as the education, medical treatment and religious instruction of the subject child.
II. Physical custody of Danelle Marie Tidd shall be with her mother subject to the following conditions:
A. The father shall be entitled to visit and take the child into his custody every other weekend from 5:30 p.m., on Friday until 7:00 p.m. on Sunday, beginning July 10, 1992.
B. Holidays shall be defined as Christmas, Easter and Thanksgiving. The parents shall share custody of the child on Christmas, Easter and Thanksgiving in the following manner. The child shall be in the home of mother every Thanksgiving and Easter until 1:00 p.m. and in the home of the father from 1:00 p.m., until 8:00 p.m.
In 1992 and even years thereafter the child shall be in the home of the mother Christmas Eve and until 1:00 p.m., Christmas Day and in the home of the father Christmas Day from 1:00 p.m., to 8:00 p.m.
In 1993 andn odd years thereafter the child shall be in the home of the father Christmas Eve from 5:00 p.m., and until 1:00 p.m., Christmas Day and the remainder of the day in the home of mother.
C. The father shall be entitled to have the child in his custidy for one week each summer, beginning in 1992, which week shall correspond with father's one week vacation from work (inventory week).
The father shall also be entitled to have the child in his custody fro 7 days during the child's vacation from school at Christmas. The 7 days shall not include Christmas Eve Day or Christmas Day which is otherwise provided for herein.
In addition, the fathe, on reasonable notice shall be entitled to take the child to the Crawford County Fair (not to exceed two (2) visits).
D. Transportation of the child on weekends, holidays and other times shall be equally divided with the mother being responsible for providing transportation of the child to the fahter's home at the beginning of a visit and the father being responsible for providing transportation when the the child is returned to mother's home.
E. Neither mother nor father, nor father's wife shall criticize either parent or the stepmother in the presence of the child.
F. Neither mothe nor father shall expose the child to any person or situation which may be harmful to the child's health or well-being
G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.
III. This order is a temporary order but shall become a permanent order unless exceptions are filed by either party within 30 days of the date hereof.
IV. Costs of the mediation conference shall be equally divided with the father and mother each paying one-half thereof. Anthony J. Vardaro, J.
July 10, 1992 copy in box for J. Irwin, M.A. Kirkpatrick, J. Fuller, mailed copy to Plf. & Dft.

Mar. 24, 1994 Petition To Modify Custody filed.

Mar. 24, 1994 Order filed. AND NOW, this 21st day of March, 1994, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before Mediator John Fuller, at a time to be set by the Mediataor in the Crawford County Courthouse withthe Child Custody Mediator as required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.
It is further ordered and decreed that pending final determination by the Court, the aforesaid minor child shall not be removed fromthe jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court. BY THE COURT,
Gordon R. Miller, J

Mar. 25, 1994 Copies of order to Atty.'s Kirkpatrick Fuller and Irwin

May 11, 1994 ORDER filed. AND NOW, May 10, 1994 after mediation conference before John Fuller Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

CONTINUED ON PAGE 476

368

1992

MacDonald, Illig,
Jones & Britton

368

ERIN KLIBER, a Minor, by THOMAS C. KLIBER and DOLLY A. KLIBER, Parents and Natural Guardians for ERIN KLIBER

vs.

LORRAINE R. FERRICK

Filed April 15, 1992
@ 9:27 am

Tax & entry paid	50.50
User's fee paid	5.00

PETITION TO SETTLE A MINOR"S CLAIM
1 copy (Atty)

ORDER:

AND NOW, this 15 day April, 1992, in consideration of the petition for Settlement of a Minor's Claim filed by petitioners, it is hereby ORDERED, ADJUDGED AND DECREED that:

(a) The settlement of all claims held by the petitioner-minor, Erin Kliber, against Lorraine Ferrick an dher insurance carrier, Erie Insurance Exchange, relating to the dog bite on December 22, 1987, is approved upon the receipt of $1,207.39 cash and evidence of a contract on the life of Erin Kliber in an amount sufficient to satisfy the lump sum payment of $82,500.00 due on September 5, 1987.

(b) The petitioner is authorized and directed to execute a release on behalf of th eminor, Erin Kliber.

Anthony J. Vardaro, J

1992

Kathleen R. Nelson

369

Michael Halliday

VICKI S. JEWELL

vs.

RICHARD L. JEWELL

Filed April 15, 1992
@ 9:41 am

Tax & entry paid	50.50
User's Fee paid	10.00
Add'l Count (1)	15.00
State paid	10.00
Pro.Co. Pd 9/15/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

April 28, 1992 Affidavit of Service filed. Kathleen R. Nelson, Esq., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice to Defend were sent by certified mail to the Defendant, Richard L. Jewell, on April 16, 1992.

3. The certified mail was sent to Richard L. Jewell t Box 651, Greenville, PA 16125. The sender's receipt is attached hereto.

4. That the Defendant received said certified mail on April 21, 1992. Said Return Receipt Card P 848 678 413 is attached hereto, signed by Don Lindsey and made a part hereof.

Kathleen R. Nelson, Esq.

June 17, 1993 Answer, New Matter and Counterclaim filed.

Aug. 27, 1993 Affidavit of Consent of Plaintiff filed.

Sep. 15, 1993 Affidavit of Consent by Richard L. Jewell, defendant, filed.

Sep. 15, 1993 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

STIPULATION and CONSENT DECREE filed. AND NOw, this 23 day of September, 1993, upon presentation and consideration of the foregoing Stipulation, the Court Orders and Decrees as follows:

I. DIVORCE:

Upon consideration of the pleadings and the Affidavits filed in the above captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above named parties upon the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of filing the Complaint, and an Affidavit has been filed by each of the parties evidencing that each consents to the divorce pursuant to 3301(c) of the Pa. Divorce Code.

II. REAL ESTATE:

The parties are owners as tenants by the entireties of real property in West Fallowfield Township, Crawford Co., PA. Defendant shall execute and deliver to the Plaintiff a Quit Claim Deed conveying o Plaintiff all of his right, title, claim and interest in the premises, which deed shall be in recordable form. Plaintiff shall hereinafter pay as her sole obligation all past, present, and future costs, expenses, or liabilities attributable to, or resulting from the ownership of the premises including, but not limited to, all mortgage payments (interest and principal) repairs and maintenance, taxes and utilities, and insurance. Plaintiff shall hold Defendant harmelss in regard to said liabilities and shall have the right to exclusive use of the property.

III. PERSONAL PROPERTY:

The Plaintiff shall retain as her sole and separate property the contents of the marital residence, consisting of household goods and furnishings therein, along with all other items of personal property owned by the paraties during the marriage, including the satellite dish and the riding lawn mower.

IV. DEBTS:

Plaintiff shall be solely responsible for the debt owed to the FNB Credit Corporation and secured by the above mentioned satellite dish. the parties acknowledge that there are no other marital debts owed.

V. EMPLOYMENT BENEFITS:

Plaintiff waives any claims she may have to Defendant's employment benefits with Trinity Industries/Geenville Steel Car/Ampco Pittsburgh. Defendant waives any claims he may have to Plaintiff's employment benefits with Riverside and Bi-Lo Markets.

VI. ALIMONY AND ATTORNEY'S FEES

The parties acknowledge that each has property which is sufficient to meet the reasonable needs of each; therefore, each waives any claim for alimony and/or attorney's fees, pursuant to the Pa. Divorce Code.

BY THE COURT:
Anthony J. Vardaro, J.

370

1992

Phillips & Galanter
Bret J. Southard
Stephanie A.McElwain
Christopher B. Stern
370

DAVID B. ALLEN

vs.

KELLY A. SLAGLE

Filed April 15, 1992
@ 11:59 am

Tax & entry paid	50.50
user's Fee paid	5.00
Sheriff's Costs	$35.00
Pro.Co. Paid	9.00
Pro Co Pd 1-8-92	2.00
Pro Co pd 10-7-97	6.00

COMPLAINT
1 copy (Sheriff)

April 21, 1992 SHERIFF's RETURN FILED. SERVED Kelly A. Slagle on April 16, 1992 at 2:05 PM by handing a copy of the Complaint to Tina Hinderman, Adult in Charge at the residence, 323 East Main Street, Titusville, Crawford County, PA.

So answers, Dale A. Collins, Deupty Sheriff
Robert M.Stevens, Sheriff

And Now, June 16, 1992 at 2:25 P.M. upon Praecipe of Plaintiff's Attorney, judgment is hereby entered in favor of the Plaintiff and against the defendant for want of an answer and the same is liquidated at the sum of One Thousand Seven hundred sixty-four and no/100 dollars, plus costs.

"S-101"
Entered June 16, 1992
Abstract to Atty.McElwain

Debt - $1,764.00
Judgment
Barbara H. King
Prothonotary

Sept 29, 1997 Judgment satisfied (see paper filed).

1992

Jorden & White
Harry Faber White II

371

ROBERT GARTNER

vs.

MARY K. LAKE

Filed April 15, 1992
@ 3:40 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) and 3301(d) OF THE DIVORCE CODE
1 copy (atty)

June 30, 1992 Praecipe to Withdraw Divorce Action filed by Harry Faber White,II, Esquire.

372

1992

Nora Ann Hackett

372

MERLE BRIGGS

vs.

ANITA LOUISE ROBINSON

Filed April 16, 1992
@ 11:44 AM

Tax & entry paid	50.50
user's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co. pd. 7-15-92	9.00
Pro Co Pd 9-22-92 (cert	2.00
Pro Co pd 11-8-96	6.00

CIVIL COMPLAINT
1 copy (Sheriff)

April 22, 1992 SHERIFF's RETURN FILED. SERVED Anita Louise Robinson personally on April 20, 1992 at 4:24 PM at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 15, 1992 And Now, July 15, 1992 @ 11:38 a.m. upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the Plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of One Thousand, Five Hundred, Seventy-Three Dollars and Sixty-Four Cents, plus costs.
Judgment entered - July 15, 1992 Debt: $1,573.64
R.- 205 JUDGMENT
Barbara H. King, Pro.

August 12, 1992 Affidavit of Service Pursuant to PA. R.C.P. 440 filed.

Nov 4, 1996 Upon praecipe of plaintff attorney the above captioned matter having received from Defendant, the full amount of the debt, interest and costs of the above judgment Plaintiff, does hereby authorize, empower and direct the Prothonotary to enter satisfaction of the same on the records.

1992

Barrett & Dratler
Bruce A. Barrett

373

Thomas, Truax, Spadafore
& Walker
R. Charles Thomas

RUTH A. SHECKLER

vs.

WILLIAM H. SHECKLER

Filed April 16, 1992
@ 2:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-6-94	9.00

COMPLAINT UNDER SECTION 3301(c) OF THE
DIVORCE CODE
1 copy (atty)

April 29, 1992 Affidavit of Service filed. Bruce A.Barrett, Esq., being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the Attorney for the Plaintiff in the above captioned action.

2. That a true and correct copy of a Complaint under Section 3301(c) of the Divorce Code was sent by registered mail to the Defendant.

3. The registered mail was sent to the Defendant at Box 303, Cochranton, PA 16314 on April 23, 1992. The Sender's receipt is attached hereto.

4. The Defendant received said registered mail on April 24, 1992. Said receipt card, number 320 791 357 is attached hereto and signed by the Defendant, William H. Sheckler.

Bruce A. Barrett, Attorney

July 28, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas, ESquire for William H. Sheckler, Defendant filed.

Sept. 30, 1994 Affidavit of Consent of Defendant, filed.

Sept. 30, 1994 Affidavit of Consent of Plaintiff, filed.

Sept. 30, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 13, 1994 AND NOW, October 7, 1994, it is ordered and decreed that RUTH A. SHECKLER, plaintiff, and WILLIAM H. SHECKLER, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

374

1992

Watts & Pepicelli
Alan L. Pepicelli

374

WILLIAM DEAN DAVIS and CATHY J. DAVIS, HIS WIFE

vs.

SHAWN GARY MONNIE

Filed April 16, 1992
@ 3:07 pm

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	52.00

WRIT OF SUMMONS
Issued (Sheriff)

June 10, 1992 Writ Return filed. Did not serve the within summons on 5-13, 1992 at 7:25 PM, upon Shawn Gary Monnie at above No service - teempts no answer.
So answers, Deputy Willison
Eugue L. Coon, Sheriff

I hereby deputiz the Sheriff of Allegheny County, Pennsylvania to serve the within Summons according to law.
Robert M. Stevens,
Sheriff

NOT FOUND as to Derfendant Shawn Gary Mo;nnie as per Affidavit of Service returned from Allegheny County, PA, attached.
So answers, Robert M. Stevens,
Sheriff

June 22, 1992 Praecipe for Reissuance of Writ of Summons in Civil Action filed.

Sept. 15, 1992 SHERIFF'S RETURN, filed. Summons returned to Prothonotary's Office 9-15-92 unserved. No instructions or advance check received by Sheriff's Office.
So answers, Robert M. Stevens, Sheriff

1992

Mason & Mason
Joan D. Mason

375

BETH C. GORDON

vs.

WILLIAM C. GORDON

Filed April 16, 1992
@ 3:13 PM

Tax & entry paid	50.50
user's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE
1 copy (Atty)

May 20, 1992 Complaint Reinstated

June 22, 1992 AFFIDAVIT OF SERVICE, filed. I, Joan D. Mason, Esq., attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, despose and say that I did on June 10, 1992 mail to the above Defendant, William C. Gordon, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on June 11, 1992, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Aug. 5, 1992 Affidavit of Consent of plaintiff filed.

Mar. 12, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 8/5/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

376

1992

Brian J. Lindsay

376

JANET C. COLLIER

vs.

MARK DAVID COLLIER

Filed April 16, 1992
@ 4:01 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 5-3-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (Atty)

May 11, 1992 AFFIDAVIT OF SERVICE FILED. I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby cerify that I am the attorney of record for the above named plaintiff, and that as such I am authorized to make this verification; that I did on the 22nd day of Apri, 1992, send to the above name defendant, by Certified Mail, Return REceipt Requested, a true and correct copy of the divorce complaint filed at the above term and number; and that I did onthe 29th day of April, 1992, receive a duly executed return receipt dated April 27, 1992.

Brian J. Lindsay, Esquire

Sept. 15, 1992 Affiavit of Consent of Plaintiff filed.

Sept. 15, 1992 Affidavit of Consent of Defendant filed.

Apr. 29, 1994 Upon praecipe of Plaintiff's attorney to transmit record case moved to Court.

DIVORCE DECREE FILED

May 9, 1994 STIPULATION and CONSENT DECREE filed. AND NOW, this 4th day of May, 1994, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that:

1. Divorce

Upon consideration of the pleadings and affidavits filed in the above captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to 3301(c) of the Divorce Code of Pennsylvania.

2. EQUITABLE Property Determination and Distribution

The realty at Lafayette Street shall be sold for marked value and both parties shall cooperate in executing any and all documents necessary to the sale of the realty.

The ent proceeds generated by the sale shall be equally distributed between the parties.

The 1986 Dodge Van shall be transferred to wife's name only, at such time as the lienholder, Integra Bank, permits transfer of title or at the time Integra Bank is removed as lienholder.

Each fo the parties' bank accounts, savings plans, pension plans, IRA's and stocks or bonds shall remain the sole and exclusive property of each party.

BY THE COURT:
Gordon R. Miller, J.

1992

Barbara J. Walton

377

KAREN CONSLA

vs.

WILLIAM A. CONSLA

Filed April 16, 1992
@ 4:08 PM

Tax & entry paid	50.50
User's fee paid	15.00
2 Add'l Count paid	30.00
State paid	10.00

COMPLAINT IN DIVORCE, CUSTODY,
EQUITABLE DISTRIBUTION
1 copy (atty)

Apr. 24, 1992 Affidavit of Service filed. A true and correct copy of the Complaint for Divorce, Custody and Equitable Distribution filed in the above-titled cause was personally served upon the defendant, WILLIAM CONSLA, JR., by me, pursuant to Pa. R.C.P. 400(b) on April 16, 1992. Paul L. Walton

June 3, 1992 Motion for Hearing, Petition for Special relief and Order filed. ORDER OF COURT, And now, June 2, 1992 Hearing on the attached Petition for Special Relief is set for June 5, 1992 at 3:30 P.M., if time permits.

For the Court,
Imogene Yetman, Court Administrator

June 3, 1992 Copy of Order to Barbara J. Walton, Esq.

June 9, 1992 ORDER filed. AND NOW, June 5, 1992, the Petition for Special Relief is denied as an appropriate Order is being made in the companion case at 1992 - 511 regarding exclusive possession of the marital residence for the next three weeks.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Juen 15, 1992 copy in box for B. Walton & G. Keenan

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 6/9/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J

Mar 12, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

James Irwin

Alison G. Baumann
& Associates
Alison G. Baumann

Bukac & Toomey
Terry A. Toomey

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Peters, Lindsay, Lewis
& Gagliotti
~~Brian J. Lindsay~~ withdrew

John Gagliotti

Bruce Barrett

2-6-95 Rec from Atty
med dep 150.00

5-4-95 Pd Atty
med Refund #9166 3 8.54

8-16-95 Pd to Medifee
#9358 132.46

JOHN R. CASELLA

vs.

BRENDA CASELLA

Filed April 16, 1992
@ 4:15 PM

Tax & entry paid	50.50
User's fee paid	5.00
Kathleen Nelson, Mediator	264.92
Pro Co Pro Cd 8-16-95	9.00

COMPLAINT FOR PARTIAL CUSTODY
3 copies (atty)

Apr. 16, 1992 Notice nad Order of Court filed. You, Brenda Casella, defendan thave been sued in Court to obtain custody of the children: Avenlea Marie Casella.

You are ordered to appear in person for a conference at such time and place as may be set by William Pineo, Esq., Child Custody Mediator.

If you fail to appear as provided by this Order, an Order for custody may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
Telephone (814) 336-1151, ext. 298

Date: 4/16/92

BY THE COURT,
Anthony J. Vardaro, J

Apr. 16, 1992 Motin For Special Relief and Order filed. AND NOW, this 16 day of April, 1992, upon consideration of Plaintiff's Motion for Special Relief, IT IS HEREBY ORDERED that neither party shall take the minor child Avenlea Marie Casella form the commonwealth of Pennsylvania until further Order of court.

BY THE COURT:
Anthony J. Vardaro, J

May 7, 1992 Motion For Substitution Of Custody Mediator and ORDER OF COURT filed. AND NOW, pursuant to a Motion by Plaintiff's counsel to substitute a different child custody mediator in light of conflicts of interest cited by William Pineo, Esq., the Court hereby appoints John Fuller to act as child custody mediator. The parties are ordered to appear in person for a conference at such time and place as may be set by the Child Custody Mediator.

dated: May 6, 1992

BY THE COURT
Gordon R. Miller, J.

May 13, 1992 Copy of Order to Attys. Alison Baumann and Terry Toomey.

June 2, 1992 AFFIDAVIT OF SERVICE, filed. I, John J. Sutton, III, after being duly sworn according to law, do hereby state the following:

I served the Defendant, Brenda Casella, with a certified copy of a Child Custody Complaint, a Motion for Special Relief and Order granting the same, and a Notice and Order of Court appointing a Child Custody Mediator.

I served the Defendant by: Personally handing to the Defendant the above documents at 120 East Main St, on April 17, 1992 at 11:20 a.m.

June 11, 1992 Affidavit of Service, filed. Before me, the undersigned authority, personally appeared ALISON G. BAUMANN, who, being duly sworn by me according to law, deposed and said that on June 9, 1992, she effected service of the Complaint for Partial Custody in the aforementioned suit upon David Rankin by certified mail. The certificate indicating receipt of the Complaint is attached hereto as Exhibit "A".

June 16, 1992 MOTION TO VACATE APPOINTMENT OF CUSTODY MEDIATOR and ORDER, filed. ORDER: And now, June 15, 1992, after consideration of thewithin motion, the appointment of John Fuller, as Custody Mediator, is hereby vacated.

The Court having been advised that William Pineo, Bruce L. Smith and John Fuller, Custody Mediators, have now or in the past disqualified themselves in this matter, hearing in this matter is hereby set for the 14th day of July, 1992, in Courtroom 1 or 2 of the Crawford County Courthouse, at 10:30 a.m.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

June 16, 1992 copies mailed to Dft. and Atty. Walker, put copy in box for Atty Toomey

June 24, 1992 Motion For An Expedited Hearing Date and Order filed. AND NOW, tO-wit, this 23 day of June, 1992, upon consideration of Plaintiff's Motion for an Expedited Hearing Date:

IT IS HEREBY ORDERED that the hearing now scheduled for July 14, 1992 shall be rescheduled to the 13 day of July, 1992 at 9:00 a.m. o'clock

for the court,
Imogene Yetman, CA.

1 copy atty

July 15, 1992 ORDER filed. AND NOW, July 13, 1992, upon agreement of the parties insofar as the child Avenlea is concerned and after hearing insofar as the child Lauren Rankin is concerned, the followisng Ofer is entered as to the child Avenlea:

1. Shared legal custody is awarded to the parties and each party shall have equal access to any records relating to the child's well-being held by any third party including but not limitd to shcool and medical records, and each parent shall have the right to have input in regard to matters of importance to the child's life including but not limited to education, medical treatment and religious upbringing.

2. Basic physical custody is awarded to the mother, Brenda Casella, subject to the visitation rights that are herein after set forth.

3. The father shall have custody every other weekend from 10:00 a.m. Saturday until 6:00 p.m. Sunday and shall further have custody on Tuesday and Thursday of each week from 4:00 p.m. until the following morning before the father is required to report for his employment.

4. The father shall have custody for four (4) weeks during the summer, one (1) week in the monthe of June of each year, one (1) week in the monthe of July of each year and two (2) weeks in the month of August of each year, provided that the June and July weeks shall not form a consecutive two-week period.

5. Each parent shall have one-half of the Christmas vacation as established in the schcol district in which the mother lives even though the child is not yet attending school. The Christmas vacation shall be divided in equal numbers of days with the first portion of the said vacation being awarded to the father at Christmas of 1992 and the first half of the vacation being awarded to the mother in Christmas of 1992 and alternating thereafter.

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John R. Casella
vs.
Brenda Casella

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6. The following holiday schedule shall be observed: The father shall have the child for Thanksgiving of 1992 which shall commence on Wednesday evening at 7:00 p.m. and continue until Thanksgiving Day at 7:00 p.m.

The father shall have custody over the Memorial Day weekend of 1993 running from Friday at 5:00 p.m. until Memorial Day at 7:00 p.m.

The mother shall have custody over the Independence Day holiday in 1993 beginning at 5:00 p.m. on the day before Independence Day or if Independence Day falls on a weekend, then on the preceding Friday and ending at 7:00 p.m. on Independence Day or the day celeberated as Independence Day in the event the actual holiday is on a weekend.

The father shall have custody for the Labor Day week end in 1993 from 5:00 p.m. the Friday before Labor Day until 7:00 p.m. on Labor Day.

In all instances, the weekend of Father's Day from 5:00 p.m. Friday to 7:00 p.m. Sunday is awarded to the father and the week end of Mother's Day during the same periods of time is awarded to the mother.

In construing this Order, holiday visits shall take precedence over ordinary weekend visitation schedule, but to the extent possible adjustments shall be made between the parties to keep the approximate visitation times as intended by th is Order.

7. Each party shall have reasonable telephone access to the child once she is capable of using the telephone provided that such access shall not be available to the mother on the father's week end visits except in case of emergency.

Insofar as the child Lauren Rankin is concerned, the following Order is entered:

Visitation with Lauren Rankin is awarded to the Plaintiff once each month on a Saturday when he has his child, Avenlea, from 10:00 a.m. until 7:00 p.m. that same day. Because of the various interconnected Orders regarding visitation of the various parents, this Order shall only be in effect at a time when the Plaintiff has custody of his own two (2) sons froma prior marriage and at a time when it will not interfere with the custody rights of David Rankin the natural father of the child.

It is believed that having given this general statement the parties will have to work out the inter-relating Orders in a manner best for all. This Order is being entered in part because we believe an ongoing relationship not only with John Casella but with his children, the stepsiblings of the subject child, is important.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

July 17, 1992 copy mailed to A. Baumann & E. Carmichael

Aug. 13, 1992 REQUEST FOR A HEARING DE NOVO, PETITION TO MODIFY and ORDER filed. ORDER: Aug. 13, 1992, hearing in the foregoing matter is hereby set for Sept. 29, 1992, at 1:30 p.m., in Courtroom 1 or 2.

For the Court,
Imogene Yetman, Crt. Adm.

3 copies (Atty)

Sept. 3, 1992 Motion to withdraw appearance and Order filed. and now, this 2nd day of September, 1992, upon presentation and consideration of the foregoing motion,counsel of record, Brian J. Lindsay, Esquire, is hereby granted leave to withdraw.

BY THE COURT,
Gordon R. Miller, J.

Sept. 3, 1992 Copy of the Order to Atty. Toomey, Atty. Lindsay and Atty. Baumann.

Sept. 3, 1992 Motion to Withdraw Petition to Modify and Request for a Hearing de Novo and Order filed. AND NOW, this 2nd day of Sept., 1992, upon presentation and consideration of the foregoing motion, request to withdraw Petition to Modify andHearing de Novo are hereby granted.

BY THE COURT,
Gordon r. Miller, J

Sept. 9, 1992 Copies of order to Atty's Lindsay and Baumann

Sept. 23, 1992 REQUEST FOR HEARING DE NOVO, PETITION TO MODIFY and ORDER filed. ORDER: And now, Sept. 21, 1992, hearing on the foregoing Request for Hearing De Novo and Petition to Modify is set for Dec. 4, 1992, at 9:30 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Sept. 24, 1992 copy to J. Gagliotti, T. Toomey & A. Baumann

Dec 10, 1992 ORDER, filed. AND NOW, Dec. 4, 1992, after a formal hearing on the Defendant's petition to moify, it is ORDERED as follows:

1. With repect to Avenlea, the natural child of the parties, the parties have agreed to a modification of the order of July 13, 1992 and based upon that agreement, said order with respect to Avenlea shall remain in full force and effect without change or modification except as hereinafter provided.

A. Paragraph 3 of the order of July 13, 1992 is deleted and in its place the following shall be sugstituted:

"3. The father shall have custody every other weekend from 10:00 a.m. on Saturday until 6:00 p.m. Sunday."

B. The visitation periods accorded to the Plaintiff shall only take place if he calls or writes the Defendant and advises her at least 24 hours prior to a visitation that he intends to exercise it. The Plaintiff may do this by writing to the Defendant and telling her in advance that he intends to excerise several period of visitation all in one notice if he wishes. In the event that the Plaintiff does not appear for a visitation, even after he has given notice, and is 30 minutes late, unless the Defendant agrees to an extension, then that particular visitation shall be deemed canceled and the Defendant may go about her business with the child and said period of visitation shall be lost to the Plaintiff, and there shall be no substitute granted unless the Defendant agrees.

2. As to Lauren Rankin, the natural daughter of the Defendant and the stepdaughter of the Plaintiff by reason of his marriage with the Defendant, the Court finds that there has been a change in circumstances, even though Judge Walker's oreder was flexible. Therefore, the mandatory visitations with respect to Lauren Rankin are hereby terminated. For the record, the change in circumstances are

(1) there have been visitation periods established which have been canceled, largely or solely because the Plaintiff did not have custody of his own sons at that time and therefore had to can cel, but this Court believes that there should be more certainty and stability with respect toLauren's visitations, unless the parties can agree otherwise; and

(2) Lauren for some reason would prefer not to visit the Plaintiff since she apparently spends time visiting her natural father.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Dec. 16, 1992 copy to J. Gagliotti, T. Toomey, A. Baumann, Plf., W. Pineo

Feb. 6, 1995 Petition To Modify Custody and Order filed. AND NOW, this 3rd day of February, 1995, it is ordered that all parties in thea bove captioned case and their counsel shall appear for a mediation conference before Mediator Kathleen Nelson Esquire, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator in the Crwaford County Courthouse with the Child Custody Mediator as required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

Feb 6, 1995 copies dist to Nelson& Irwin, (faxed Toomey, Bauman & Pineo)

May 4, 1995 TEMPORARY ORDER, filed. AND NOW, May 2nd, 1995, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1. Legal custody of the subject minor child, Avenlea Marie Casella, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the child held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the child such as education, religions instruction and medical treatment.

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John b. Casella
vs.
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2. Primary physical custody of Avenlea M. Casella shall be with her Mother, subject to the following conditions:

a. Beginning with the summer of 1995, the child shall be in the custody of the Father for a period beginning one week after school is out in the Spring and ending one week prior to the resumption of school in the Fall.

b. Holiday visitations shall be arranged as follows:

i. Christmas: The child shall be in the custody of the Father every Christmas from December 26the at 1:00 p.m. through December 31st at 6:00 p.m.

3. The responsibility and expense of transportation for the summer visits shall be shared between the parties, and in the absence of an agreement, the party receiving custody of the child shall be responsible for providing and paying for trenaportatiion.

4. The parent not having physical custody shall have the right to telephone the child at reasonable times and for reasonable lengths of time and such conversations shall not be unreasonably monitored by the parent having physical custody.

5. Neither parent shall use illegal drugs or alcohol at any time when that parent has the care and custody of the subject minor child.

6. Neither parent shall say or do anything in an attempt to turn the child against the other parent, nor shall either parent permit others to do so, but rather each parent shall do everything in their power to promote a favorablee and loving attitude on the part of the child toward abaoth parents.

7. Neither parent shall expose the child to any person or situation which may be harmful to the child's health, safety or well being.

8. Each parent shall inform the other parent immediately of any illness or injur7y regarding the child and both parents shall furnish the other with a current address and telephone number.

9. The parents are encouraged to make additional or alternative arrangements regarding physical custody of the child and may modify the herein custody arrangements if said modifications are by mutual consent only; otherwise, the provisions contained herein shall govern.

10. The cost of the mediation conference shall be equally divided between the parties. The deposit paid in advance by the Father shall first be applied to his share of the costs and the remainder refunded to him, less the cost of the court order.

11. This Order is a Temporary Order but shall become a Permanent Order unless exceptions thereto are filed by either parent within 10 days of the date hereof.

BY THE COURT:
Gordon R. Miller, P.J.

May 8, 1995 Faxed Irwin, Gagliotti & Nelson, sent to Plf. & Dft.

May 15, 1995 Request for Hearing De Novo and ORDER filed. AND NOW, this 12th day of May, 1995 upon presentation and considerationof the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County,Pennsylvania, on the 20th day of July, 1995 at 9:15 o'clock A.M.in Courtroom No.1 or 2 of the Crawford County Courthouse, Meadville,Pennsylvania.

BY THE COURT:
Gordon R.Miller,J.

5-15-95 Faxed Irwin & Gagliotti

June 1, 1995 Defendant's Petition to Determine Venue and Jurisdiction and Order, filed. AND NOW, this 31st day of May, 1995, upon consideration of the foregoing Petition a hearing is set for the 29th day of June, 1995, at 3:00 o'clock P.M. in Courtroom 1 or 2.

Gordon R. Miller, P.J.

June 1, 1995 Faxed Gagliotti, Barrett, Nelson & Irwin

Jul.14, 1995 Motion to Withdraw Request for Hearing De Novo and ORDER filed. AND NOW, this 12thday of July, 1995,upon consideration of the within Motion, Plaintiff's Request for Hearing De Novo is hereby withdrawn.

BY THE COURT:
Gordon R.Miller,J.

7-14-95 Faxed Irwin & Barrett

July 21, 1995 Motion to Withdrawl Defendant's Peittion to Determine Venue and Jurisidction and Order filed. AND NOW, July 20, 1995 the above motion allowed.

Gordon R. Miller, J

July 21, 1995 Faxed Barrett & Irwin

July 21, 1995 Motion To Continue and Order filed. AND NOW, this 20th day of June, 1995 upon presentation and consideration of the within Motion the same is denied since it is moot since the petition has been withdrawn.

BY THE COURT:
Gorodn R. Miller, J

July 21, 1995 Faxed Barrett & Irwin

1992

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Victor J. Kinnunen

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NORTHWEST SAVINGS BANK PA.
S. A., formerly NORTHWEST
MUTUAL SAVINGS ASSOCIATION

vs.

JERRY L. PROCTOR and
VICKIL. PROCTOR, his wife

Filed April 20, 1992
@ 9:15 am

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	78.45
Sheriff's Costs	47.50
Pro.Co. Pd 7/2/92	9.00

COMPLAINT IN CIVIL ACTION
2 copies (atty)

May 6, 1992 Complaint reinstated.

May 7, 1992 SHERIFF's RETURN FILED. SERVED Jerry L. Proctor personally on April 30, 1992 at 4:25 PM by handing a copy of the Complaint in Mortgage Foreclosure to him at his residence, R.D.#3, Spartansburg, Crawford County, PA.

NOT FOUND as to Defendant Vicki L. Proctor at last known address of R.D.#3, Spartansburg, PA. Has moved to 111½ Kelso Drive, Erie, PA.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 26, 1992 SHERIFF's RETURN AND AFFIDAVIT OF SERVICE FILED. SERVED the within Complaint on May 18, 1992, at 1539 Hrs. upon Vicki L. Proctor at 111½ Kelso Drive, ERie County, ERie, Pennsylvania by handing to Vicki L. Proctor a true and correct copy thereof and made known to her the contents therein.

Robert N. MIchel, Sheriff Erie County
Brenda Rufini, Deputy Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Erie County Pennsylvania, which is part of this return.

So answers; Robert M. Stevens,
Sheriff, Crawford County, PA

And Now, July 2, 1992 at 3:35 P.M. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and assessment of damages at Forty Five thousand Six hundred Ninety four and 76/100 dollars, plus interest, late charges, costs, advances and attorneys's commission.

Debt $45,694.76
Int. through March 21, 1992 at $12.7075 per day
late charges from March 21, 1992 at $24.70 per month.
Judgment
Barbara H. King, Pro.

P-94-164

Entered July 2, 1992

Abstract to V.J.Kinnunen,ESq.

July 2, 1992 Notice of Entry of Default Judgment filed.

EXECUTION 1992 - 60

1992

Thomas, Truax,
Spadafore, Vardaro
& Walker
R. Charles Thomas

380

Barbara J. Walton

DONNA L. PROPER

vs.

G. EUGENE PROPER

Filed April 20, 1992
@ 10:28 am

Tax & entry paid	50.50
user's fee paid	15.00
2 Add'l Counts	30.00
State paid	10.00
Pro.Co. pd 2/17/94	9.00
Pro Co pd 3-29-94	5.00

2-3-93 Received from Deft. Master deposit $600.00

9-13-93 Received from pet/ Master dep. $400.00

1-12-94 Pd Lois Conklin (Miller) Ck# 8018 $843.00

1-12-94 Pd Atty Millin Ck # 8019 $157.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS, PERMANENT ALIMONY
1 copy (atty)

Sept. 18, 1992 Appearance of Barbara J. Walton for Defendant filed.

Oct 2, 1992 Counter-Complaint For Divorce, filed.

Nov. 4, 1992 Inventory and Appraisement of G. Eugene Proper, filed.

Nov. 20, 1992 PETITION FOR SPECIAL RELIEF and ORDER, filed. ORDER: Nw. Nov. 21, 1992 a rule to show is hereby entered and returnable for hearing and argument on Nov. 25, 1992 at 1:00 pm in Courtroom 1. Gordon R. Mille,r P.J.
Nov. 20, 1992 copy to R.C. Thomas & B. Walton

Nov. 25, 1992 Order filed. AND NOW, November 25, 1992, after an informal hearing and argument on the defendant's petition for special relief the Court hereby enters the following order recognizing that there is no specific section of the Divorce Code that permits this relief prefinal distribtuion except for the general equitable powers of the court under 23 Pa.C.S.A. 3323(f); that is appears that the only specific powers the court has to allocate or protect assets prefinal deistribution is the awarding is the awarding of the marital home to one of the parties (23 Pa. C.S.A 3502(c)) and preventing the removal or disposition of property (23 PaC.S.A. 3505); that we will not sanction piecemeal equitable distribution; and we will not become a court where parties may simple appear, from time to time, to seek orders with respect to particular assets before there has been a final resolution. However there does not appear to be any practical reason why the defendant should not have the right to use certain assets which are peculiar to him if we can protect the plaintiff's equitable distribution interests.
Accordingly it is ordered as follows:
1. The defendant shall have the right to pick up and take into his possession for normal, customary and reasonable use a 222 Remington rifle with scope; 30/30 Winchester rifle; one hunting coat; one hunting hat; reloading equiptment; compass; hot seat; and hunting knife between the hours of 10:00 o'clock a.m. and 12:00 o'clock a.m. on Friday, November 27, 1992.
2. The defendant shall not sell or dispose of said equipment or items without the advance written consent of the plaintiff or further order of court.
3. The defendant shall make these items available to the plaintiff or her attorney for inventory or value purposes.
BY ORDER OF COURT,
Gordon R. Miller, J

Nov. 25, 1992 Copies given to Atty's Walton and Thomas

Dec. 16, 1992 Motion For Appointment Of Master and Order filed. AND NOW, December 15, 1992, Jeffrey K. Millin, Esquire is appointed Master in respect to the following claims: Divorce, Equitable Distribution, Alimony, Alimony Pendente Lite, Counsel Fees, Costs. Deposit required: By Plaintiff $400 By Defendant $600.
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.
Per Curiam,
Anthony J. Vardaro, J

Dec. 18, 1992 Copies of order to Atty's Walton, Thomas and Millin

Dec. 16, 1992 Affidavit of Consent To Divorce Of Defendant filed.

Feb. 1, 1993 Inventory and Appraisement of Donna L. Proper, Plaintiff, filed.

Feb. 24, 1993 Notice of Filing Answer to Interrogatories and Request for Production of Documents, filed.

Jan. 5, 1994 Master's Report filed.

Jan. 5, 1994 Transcript of Proceedings, filed.

Jan. 5, 1994 Transcript of Proceedings, filed.

Jan. 11, 1994 Motion For Payment of Master's Fees and Stenographic Costs and Order filed. AND NOW, this 7th day of January, 1994, the Master's Report in the above case having been filed. the Court Orders and directs that the Prothonotary is further Ordered and directed to pay over to Lois Conklin Reporting Service, the stenographer, the sum of $843.00.
The Prothonotary is further Ordered and directed to pay the remaining amount over to Jeffrey K. Millin, Esquire, Master, and the parties shall be responsible for additional payment of Master's Fees in the amount of $1040.00, to be paid $416.00 by Plaintiff and $624.00 by Defendant. Said payment to be made within thirty (30) days from the date of the Court.
BY THE COURT,
Gordon R. Miller, J

Jan. 13, 1994 Copies of order to Atty's Walton, Thomas and Millin

Feb. 1, 1994 Affidavait of Consent of Plaintiff, filed.

Feb. 17, 1994 Affidavit of Service of Complaint in Divorce filed. R. Charles Thomas, Esquire, being duly sworn according to law, deposes and says that on April 20, 1992, he sent a true and correct copy of the Complaint in Divorce,properly endorsed with the Notice to Defend, filed in the above action to the Defendant, G.Eugne Proper, at Defendant's last known address of P.O.Box 367, Springboro, PA 16435, by Certified Mail No. P899 088 136,postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as 4/23/92.
Feb. 17, 1994
By: R. Charles Thomas, Esquire

Continued to Page 380 A

Donna L.Proper
vs.
G. Eugene Proper

Continued from Page 380
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Feb. 17, 1994 Upon Praecipe for Review Under 3301 (c) of the Divorce Code of R. Charles Thomas,Esquir e, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Feb. 23, 1994 AND NOW, this 22 day of February, 1994, upon consideration of the Report and Recommendations of the Master appointed in this case, the Court enters the following Decree:

I. DIVORCE

The necessary Affidavits of Consent to divorce under Section 3301(c) of the Divorce Code having been filed, it is ordered and decreed that DONNA L. PROPER and G. EUGENE PROPER are divorced from the bonds of matrimony.

II. EQUITABLE DISTRIBUTION - REAL ESTATE

1. Donna L. proper is hereby awarded all right, title and interest in and to the parties' marital home and outbuildings located at RD# 2, Springboro, Crawford Co., PA. as more specifically described in a certain Deed from Gard E. Proper and Donna L. Proper, his wife, and others, to Gard E Proper and Donna L. Proper, his wife, said Deed being dated May 6th, 1974 and recorded in Crawford County Deed Book 483, Page 100. G. Eugene Proper (one and the same person as Gard E. Proper) will transfer all of his right, title and interest in the aforesaid marital home to Donna L. Proper by Quit Claim Deed within ten (10) days from the date of the entry of this Decree. The Plaintiff, Donna L. Proper, shall be solely and exclusively responsible for the payment of the outstanding balance of a certain Mortgage encumbering the marital home with Mellon Bank, having an approximate principal balance due thereon as of Sept. 27, 1993 of $5,823.41. The Plaintiff Donna L. Proper shall have the right to make said payments to Mellon Bank pursuant to the payment schedule as set forth in the Mortgage documents or to prepay the principal balance at any time.

2. The Defendant, G. Eugene Proper, is hereby awarded all right, title and interest in and to a certain vacant lot located in Lee County, State of Florida,and as identified as Lot 17, Block 72, Unit 8, Section 2, Township 44 South, Range 26 East, in a subdivision known as Lehigh Acres, Florida, according to the map or plan thereof on file in the Office of the Clerk of the Circuit Court recorded in Plan Book 15, Page 59 of the public records in Lee County, FL; said parcel of land having been acquired by G. Eugene Proper and Donna L. Proper, husband and wife, by Deed dated March 10th, 1982 and recorded in Book 1596, Page 2368. Donna L Proper shall transfer all of her right, title and interest in and to the aforesaid real estate to G. Eugene Proper by Quit Claim Deed.

III. EQUITABLE DISTRIBUTION - TANGIBLE PERSONAL PROEPRTY

1. The Plaintiff, Donna L. Proper, is awarded the following: Baseball card collection; the coin collection; and the stamp collection.

2. The Plaintiff, Donna L. Proper, is awarded all tangible personal property presently located in the former marital home located at RD # 2, Box 9-A, Springboro, PA. (Spring Twp.) with the exception of those items of tangible personal property as more specifically described in Paragraph 11(a) through Paragraph 11(w) as set forth on the Master's Report, which items of tangible personal property shall become the sole and exclusive property of the Defendant, G. Eugene Proper. The Defendant, G. Eugene Proper, shall remove the aforesaid items of tangible personal property from the marital home within thirty (30) days after the entry and filing of this Decree in Divorce. If any of the items as identified in Paragraph 11(a) through 11(w) as set forth on the Master's Report shall remain in the marital home or on the marital premises at RD #2, Box 9-A, Springboro, PA. after the thirty (30) day period, they shall become the sole and exclusive property of the Plaintiff, Donna L. Proper.

3. The Plaintiff, Donna L. Proper, is awarded a 1986 Buick Century motor vehicle. The Plaintiff, Donna L. Proper, shall be solely and exclusively responsible for the balance due on a certain loan incurred by the Plaintiff and Defendant with the First National Bank of Pennsylvania at Hermitage, PA. and which is an encumbrance on the aforesaid motor vehicle and the Plaintiff, Donna L. Proper, shall make regular and timely payments on account of the aforesaid loan.

4. The Defendant, G. Eugene Proper, is awarded a certain 1987 Dodge Pickup Truck.

IV. EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY

1. The Plaintiff, Donna L. Proper, is awarded a certain life insurance policy issued by the Combined Insurance Company of America, being Policy No. 7AT47293 issued on May 21, 1974 and amended as of May 21, 1978 in the face amount of $4,800.00. The Plaintiff, Donna L. Proper is awarded a certain policy issued by the Combined Insurance Company of America on the 12th day of December, 1984, being Policy No. 7DA 15999 in the face amount of $2,400.00.

2. The Defendant, G. Eugene Proper, is awarded a certain life insurance policy issued by the Combined Insurance Company of America, being Policy No. 7AT47292 issued on May 21, 1974 and amended as of May 21, 1978 in the face amount of $4,800,00.

3. The Defendant, G. Eugene Proper, is awarded a certain life insurance policy issued on Dec. 12, 1984 by the Combined Insruance Company of America and identified as Policy No. 7DA 15976 in the face amount of $2,400.00.

4. The Defendant, G. Eugene Proper, commenced employment with a corporation known as Meadville Forging Company as of Dec. 5, 1983. As of Aparil 1, 1992 the monthly pension amount to which G. Eugene Proper would have been entitled for normal retirement at age 65 would be in the amount of $143.12 per month. The Plaintiff, Donna L. Proper, shall receive as a marital share of said monthly payment, commencing on the date when payments begin pursuant to a Qualified Doemstic Relations Order to be entered in this matter. The share of the Plaintiff, Donna L. Proper, shall be fifty percent (50%) of the monthly pension amount of $143.12 to be paid to the Defendant, G. Eugene Proper, by the corporation Meadville Forging Company as calculated as of April 1, 1992 or $71.56 per month. The exact figures as set forth in this Decree are subject to modification as may, of necessity, be required in obtaining Meadville Forging Company's approval of a Qualified Domestic Relations Order for execution by the Court.

V. ALIMONY, COUNSEL FEES & COSTS

1. The request of the Plaintiff, Donna L. Proper, for permanent alimony is denied.

2. The Plaintiff, Donna L. Proper, shall be solely and exclusively responsible for paymetn of her own attorneys fees.

3. The Defendant, G. Eugene Proper, will be solely and exclusively responsible for payment of his own attorneys fees.

4. Additional Master's fees shall be paid pursuant to the Order of Court entered on Jan. 7, 1994 by President Judge Gordon R. Miller.

VI. MISCELLANEOUS

1. The Plaintiff and Defendant will sign, execute and acknowledge any and all documents necessary to effectuate the terms and conditions of this Decree including but not limited to Deeds, titles to motor vehicles, forms from insurance companies to change ownership of insurance policies.

2. A certain spousal support Order for the benefit of donna L. Proper and payable to Donna L. Proper through the Domestic Relations Office of Crawford Co. shall terminate upon the entry of this Decree in Divorce at DR 1993-317.

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 21, 1994 Petition for Special Relief and Order filed. AND NOW, this 21 day of March, 1994, upon consideration of the enclose Petition for Special Relief it is hereby ordered that the Petitioner, G. Eugene Proper shall be granted an extension of a deadline to retrieve his personal property. The deadline shall be extended until the date of: April 22, 1994. This shall only pertain to all property outside the residence. All indoor prperty shall be removed as required by the original decree. ** Note: See Reese v. Reese 406 Pa Super 214, 593 A2d 1312(1991) for authority to enter this order.

BY THE COURT:
Anthony J. Vardaro, J

Mar. 22, 1994 Copies of order to Atty.s Walton and Thomas

_____TERM

Proper vs. Proper Divorce A.D. 1992 - 380

Mar. 28, 1994 Notice of Election To Retake Maiden name filed. Donna L. Proper
TO BE KNOWN AS: Donna L. Powell

Apr. 29, 1994 Petition for Contempt and Rule to Show Cause Order filed. AND NOW, this 29th day of April, 1994, upon consideration of the enclosed Petition for Contempt it is hereby entered ordering and directing the Plaintiff, Donna L.Proper, to show cause, if any she has,why said Petition for Contemp should not be granted. The said Rule to Show Cause is returnable for hearing and/or argument on the 25th day of May, 1994, at 11 o'clock A.M. prevailing time, in Courtroom Number 1 or 2, in the Crawford County Courthouse located at 903 Diamond Park, Meadville,Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.

5-3-94 Copy of Rule to Show Cause to Attys. Walton, Thomas & Millin

Jun. 1, 1994 ORDER filed. AND NOW, May25, 1994,at the time set for hearing with respect to the Defendant's petition for cont empt, the Court is unable to informally resolve this matter and, accordingly, the Court Administrator is directed to schedule it for further hearing for the purpose of taking formal testimony.
This matter should be scheduled for one half day.

BY THE COURT:
Anthony J.Vardaro, J.

6-1-94 Copies dist. to Thomas & Walton & Ct. Adm.

Jun.6, 1994 Motion toWithdraw Appearance of Barbara J.Walton,Esquire, Attorney for the Defendant and ORDER filed. And Now, June 6, 1994, the motion for withdrawal of appearance is denied. Rule L1012B has not been followed.

By the Court:
Anthony J. Vardaro, J

6-6-94 Faxed copy to Attys. Thomas & Walton

Jun. 7, 1994 Motion to Withdraw Appearance and ORDER filed. And Now,June 7, 1994, the motion for withdrawal of appearance is denied. Please read Rule L 1012B.

By theCourt:
Anthony J. Vardaro, J.

6-7-94 Copy to Attys. Walton& Thomas

June 13, 1994 ORDER filed. AND NOW, June 7, 1994, the Court Administrator having been directed by the Court to set a hearing in the above case with respect to Defendant's Petition for Contempt, and hearing is hereby set for July 6, 1994 at 9:15 AM in Courtroom No.2, before the Honorable Anthony J. Vardaro, Judge, Crawford County Courthouse, Meadville, PA.

FOR THE COURT,
Ann A. Walker, Ct. Administrator

June 14, 1994 Copy given to Attys. Thomas and Walton.

June 17, 1994 Amended Motion for Leave to Withdraw Appearance and ORDER filed. And Now, June 16, 1994, the motion for withdrawal of appearance is granted.

By the Court:
Anthony J. Vardaro, J.

June 17, 1994 Copy of Order distributed to Attys. Walton and Thomas.

Jul. 6, 1994 Motion of G.Eugene Proper to withdraw from the Appeal for Contempt of Court, filed.

1992

Thomas, Truax, Spadafore & Walker,
R. Charles Thomas

381
Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin

ERNEST E. CARRARA

vs.

ANGELA H. CARRARA

Filed April 20, 1992
@ 10:40 AM

Tax & entry paid	50.50
User's fee paid	5.00
State paid	10.00
Add'l counts pd 2/28/94	45.00
State paid 2/28/94	15.00
Pro Co pd 8-7-95	9.00

COMPLAINT UNDER SECTION 3301(c) or 3301(d)
OF THE DIVORCE CODE
1 copy (atty)

Aug. 5, 1992, Affidavit of Consent of plaintiff filed.

Oct. 9, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin, Esquire for Angela H. Carrara, Defendant, filed.

Feb. 28, 1994 Answer & Coutnerclaim to Complaint in Divorce, filed. (1 copy Atty.)

Mar. 4, 1994, Notice to the Defendant - Plaintiff's Affidavit Under Section3301(d) of the Divorce Code and Defendants Counter Affidavit filed.

Dec.5, 1994 Income and Expense Statement of Ernest E. Carrara, filed.

Dec. 5, 1994 Inventory and Appraisement of Ernest E.Carrara, filed.

Dec. 5, 1994 Affidavit of Service of Complaint in Divorce filed. R. Charles Thomas,Esquire, being duly sworn according to law,deposes and says that on April 20th, 1992, he sent a true and correct copy of the Complaint in Divorce, properly endorsed with the Notice to Defend, filed in the above action to the Defendant, Angela H.Carrara, at Defendant's last known address of R.D.#5, Box 526, Meadville,Pa. 16335, by Certified Mail No. P 899 088 161, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as April 23, 1992.
Nov. 29, 1994 R. Charles Thomas,Esq.

Dec.5, 1994 Affidavit of Service Re Notice to Defendant - Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Coed filed.

R. CHARLES THOMAS, Esquire,being duly sworn according to law, deposes and says that on March 4, 1994 he sent tothe Defendant, Angela H. Carrara, a Notice to the Defendant - Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code, at the Defendant's last known address of R.D.#5, Box 526, Meadville,Pennsylvania 16335, by Certified Mail No. P 100 659 563, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as March 7, 1994.
November 29, 1994 By: R.Charles Thomas, Esquire

Dec. 28, 1994 Affidavit of Non-Military Service filed.

July 26, 1995 Affidavit of Consent of defendant filed.

Aug 3, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

AND NOW, this 11 day of August, 1995, it is ordered and decreed that ERNEST E. CARRARA, Plaintiff, and ANGELA H. CARRARA, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

1. EQUITABLE DISTRIBUTION-TANGIBLE PERSINAL PROPERTY.

1. The Defendant, Angela H. Carrara, is awarded a certain Hollypark Mobile Home presently located in a mobile home park located at RD # 5, Box 526, Meadville, PA 16335.

2. The Defendant is awarded all tangible personal property presently located in the Hollypark mobile home at RD # 5, Box 526, Meadville, PA.

3. The Defendant is awarded a certain 1977 Oldsmobile motor vehicle, which vehicle has heretofore been traded by the Defendant in connection with the acquisition of another motor vehicle.

4. The Plaintiff is awarded a certain 1989 Ford Pickup Truck, which motor vehicle has heretofore been traded by the Plaintiff in connection with the acquisition of another motor vehicle.

5. The Plaintiff is awarded all tangible personal property presently in the custody and control of the Plaintiff and located at the Plaintiff's residence at RD # 4, Davis Rd., Meadville, PA. and which tangible eprsonal property was formerly located at the marital residence at RD # 5, Box 526, Meadville, PA. 16335.

II. EQUITABLE DISTRIBUTION-INTANGIBLE PERSONAL PROPERTY.

6. The Plaintiff is awarded all retirement benefits available to him as an employee of Werner Co., 93 Werner Rd., Greenville, PA., and in which the Plaintiff participates as an employee of Werner Co. including the pension plan of Werner Co.; the 401K plan sponsored by Werner Co. with Fideltiy Investments and any and all life insurance provided to the Plaintiff by his employer, the Werner co.

7. The Defendant is awarded any and all retirement benefits to which the Defendant is entitled as an employee of Marriott EDUC Services Inc., including but not limited to pension benefkts and life insurance benefits.

III. ALIMONY, ALIMONY PENDENTE LITE, COSTS AND EXPENES.

8. The Defendant's request for alimony pendente lite is denied.

9. The Defendant's request for permanent alimony is denied.

10. The Defendant will be solely and exclusively responsible for payment of all costs and expenses incurred by the Plaintiff in the processing of this divorce action.

11. The Plaintiff shall be solely and exclusively responsible for payment of all costs and expenses incurred by the Plaintiff in the processing of this divorce action.

IV. COUNSEL FEES.

12. Counsel fees in the amount of $500.00 are awarded to the Defendant and shall be paid by the Plaintiff to Defendant's counsel, James R. Irwin, Esq., within sixty (60) days after the filing and entry of this Decree in Divorce.

Record Continued on Page 482

382

1992

pro se

382

SHIRLEY J. MAURER, wife
and GLENN H. MAURER

vs.

WANYE and BRENDA HOLT

FILED April 20, 1992
@ 3:14 pm

Tax & entry apid	50.50
User's fee paid	5.00
Sheriff's Costs	54.80
Pro.Co. Pd 9/30/93	6.00

WRIT OF SUMMONS
Issued (Sheriff)

May 12, 1992 SHERIFF' RETURN AND AFFIDAVIT OF SERVICE FILED. SERVED the within Summons on 29 Apr, 1992, at 12:50 PM, upon Wayne Holt at Box 596Electra Ln., Cooperstown, PA 16317 by handing to Brenda Holt-Adult in Charge (wife) a true and correct copy thereof and made known to her the contents therein.
Terry L. Schultz, Deputy Sheriff
Venango County
See Affidavit of Service endorsed hereon by Sheriff of VEnango County, Pennsylvania, which is part of this return.
So answers, Robert M.Stevens, Sheriff

Sep. 30, 1993 Upon Praecipe of Glenn H. Maurer, the above case is discontinued. A full and final settlement of any and all claims has been reached in this case; it is therefore concluded.

1992

Mason & Mason
Joan D. Mason

383

SUZANNE MARIE KRUMM

vs.

RANDALL FLOYD KRUMM

Filed April 20, 1992
@ 3:54 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00

William Pineo, Mediator

5-3-93 Received from Plff mediator Fees 150.00

COMPLAINT IN DIVORCE
3 copies (atty)

May 13, 1992 AFFIDAVIT OF SERVICE FILED. I, Joan D.Mason, ESq. attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, despose and say that I did on April 22, 1992 mail to the above Defendant, Randall Floyd Krumm, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. SAid notice was received on May 4, 1992, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Joan D. Mason, Atty. for Plaintiff

Apr. 2, 1993 Petition to Amend Divorce Complaint/Order and Order, filed. ORDER: AND NOW, this 22nd day of April, 1993, consideration of the attached Petition to Amend Divorce Complaint, the Court hereby allows said Amendment of Divorce Complaint to take place as requested in the attached Petition. Plaintiff shall properly the amended complaint on the defendant.

Gordon R. Miller, P.J.

AMENDED ORDER: Now April 7th, 1993 this order is amended to read, and the defendant shall be serve dwith a true copy of the amended complaint. Gordon R. Miller, p.J.
Apr 7, 1993 copy to J. Mason

Apr. 2, 1993, Amended Divorce Complaint filed. 2 copies (atty) (adds Custody count)

Apr. 2, 1993, Plaintiff's affidavit Under Section 3301(d) of the Divorce Code filed.

Apr. 22, 1993 Complant Reinstated

May 11, 1993 Motion to Appoint a Custody mediator and Order of Court filed. And Now, May 11, 1993, William Pineo, Esq. is appointed mediator for the custody county in the above-captioned divorce action. Counsel for plaintiff is directed to complete and serve upon defendant or his counsel the attached notice and order to appear as prescribed by the local rules.

Gordon R. Miller, J.
May 11, 1993 Copy of Notice & Order to Atty. Mason & Pineo.

Dec. 14, 1993 Amended Divorce Complaint reinstated.

April 1, 1996 Amended Divorce Complaint reinstated, filed.

May 3, 1996, Affidavit of Service filed. I Joan D. Mason atty. for plff, depose and say that I did on Apr. 1, 1996 mail to dft. by cert. mail #Z727 903 636, ret. rec. req. del. to addressee only, a complaint in above action. Said notice was received by Randall Floyd Krumm on Apr. 8, 1996 as indicated by the ret. rec. card which was returned to office & attached hereto.

Joan D. Mason Esq.

May 21, 2004 See Computer for further entries.

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1992

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

384

Thomas,Truax,Spadafore
and Walker
R. Charles Thomas

LISA K. ROGERS

vs.

MARK A. ROGERS

Filed April 20, 1992
@ 4:25 pm

Tax & entry paid	50.50
User's fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro.Co.pd 8-3-93	9.00
Pro Co pd. 8/13/93	5.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, CHILD CUSTODY,
1 copy (atty)

June 25, 1992 Affidavit of Service filed. I, JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy ofthe Complaint in Divorce certified by the Prothonotary of Crawford Country, Pennsylvania on the above named defendnat by certified mail, addressee only, return receipt requested, dated April 21, 1992. The defendant acknowledged service onApril 24, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt

James R. Irwin

August 12, 1992 Appearance of Thomas, Truax, Spadafore and Walker By R. Charles Thomas, Attorney for defendant filed.

July 16, 1993 Stipulation and consent To Entry of Custody Order filed. AND NOW, this 13th day of July, 1993, upon presentation of the Stipulation and Cosnent ofthe parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that;

1. Legal and physical custody of the parties' two (2) minor children shall be shared between the mother, Lisa K. Rogers and the father, Mark A. Rogers.

2. The natural father, Mark A. Rogers, shallhave custody of the aforementioned minor children every Tuesday and Thursday evening from 4:30 p.m. until 7:45 am

4. On or before May 1st of each year, both parties will be entitled to designate a two (2) week vacation period with the children.

5. Holiday visitation shall be arranged as follows:

A. Christmas holiay visitation. The parties agree to split the Christmas holiay visitation each year. The children shall be in the custody of the natural mother Christmas Eve until 11:00 a.m. Christmas Day each year. Father shallhave the children from 11:00 a.m. until 8:00 p.m. each Christmas Day.

B. Easter holiday visitaiton. The natural father shall have custody for 1994 and the parties shall alternate this holiday visitation each year thereafter.

C. Thanksgiving holiday visitation. The natural father shallhave custody for 1993 and the parties shall alternate this holiday vistiation each year thereafter.

D. The other holidays to be observed are: Memorial Day, Fourth of July, and Labor Day. Father shallhave visitation each year from 10:00 a.m. until 8:00 p.m. on these holidays, except for the Fourth of July, when the holiday visitation shall be extended until 11:00 p.m. so that the chidlren may watch fireworks.

E. The children shall spend Mother's Day each year with mother and Father's Day each year with Father.

6. The holiday visitation schedule shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

7. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

8. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her chilren.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children is being transported or in the bedroom of the children.

10. Any person transporting the children shall make sure that seat belts or other restraints are used in accordance with the law of Pennsylvania.

11. Neither party shall do or say anything to blacken the character of theother in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation perios and are strongly encouraged to do so if it were to be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which, this order shall govern.

BY THE COURT,
Gordon R. Miller, J

July 19, 1993 Copies of order to Atty's Irwin and Thomas

July 21, 1993 Affidavit of Consent of Defendant, filed.

Aug. 3, 1993 Affidavit of Consent by Lisa K. Rogers,Plaintiff, filed.

Aug. 3, 1993 Upon Praecipe of James R. Irwin, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

August 6, 1993 AND NOW, this 6 day of August, 1993, it is ordered and decreed that LISA K. RODGERS, Plaintiff, and MARK A. ROGERS, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated July 13, 1993, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

BY ORDER OF THE COURT
Anthony J. Vardaro, J.

Aug. 13, 1993, Notice of Election to Retake Maiden Name filed. To Be Known As: LISA K. GREENE.

1992

John S. Kookogey

385

MARY E. MOREHEAD

vs.

RICHARD G. HUNT and LIZABETH D. HUNT, his wife

Filed April 21, 1992
@ 1:54 p.m.

Pro King ~~~ paid $9.00
Plff. on orig. 9.50

AGREEMENT TO REVIVE

of

DSB 1987 - 263

Revival of Judgment indexed by Prothonotary in favor of Plaintiff and against the defendant in the sum of Six Thousand Four Hundred Twenty one and 85/100 plus costs.

Debt --- $6,421.85
Dated -- April 17th, 1992
H-143, 103 --- JUDGMENT

Barbara H. King
Prothonotary

386

1992

George R. Gray

386

DORIAN PHILLIP DENMAN

vs.

ROBIN LYNNE DENMAN

Filed April 21, 1992
@ 2:00 PM

Tax & entry paid	50.50
user's Fee paid	5.00
State paid	10.00
Pro Co. pd 8-24-92	9.00

COMPLAINT UNDER SECTION 3301(c) or 3301(d) OF THE DIVORCE CODE
1 copy (atty)

August 18, 1992 Motion To Amend Complaint and ORDER OF COURT filed. AND NOW, this 17 day of August, 1992 after consideration of Plaintiff's Motion to Amend the Complaint it is hereby ordered, adjudged, and decreed that the Complaint be regarded as naming Robin Lynne Denman as defendant and that all pleadings,papers, and orders reflect the correct spelling of this individual's name.

BY THE COURT
Anthony J. Vardaro, J.

Aug. 18, 1992 Copy of Order to Atty. George Gray.

Aug. 24, 1992 Acceptance of Service filed. I accept service of the Complaint under Section 3301(c) or 3301(d) of the Divorce Code.
Date: 4-2-92 Robin Lynn Denman

Aug. 24, 1992 Affidavit of Consent of plaintiff filed.

Aug. 24, 1992 Affidavit of Consent of defendant filed.

Aug. 24, 1992 Upon Praecipe of plaintiff attorney for review under Section 3301(c) of Divorce Code this case moved to court.

DIVORCE DECREE FILED

August 31, 1992 AND NOW, to wit, this 28th day of August, 1992, the Court, having reviewed the above-captioned case, finds that the marriage between Dorian Phillip Denman and Robin Lynne Denman is irretrievably broken, that ninety (90) days have elapsed from the date of filing the above-captioned Complaint in Divorce, and that Dorian Phillip Denman and Robin Lynne Denman each filed an affidavit consenting to the divorce:

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Dorian Phillip Denman, the plaintiff, and Robin Lynne Denman, the defendant, be and hereby are divorced from the bonds of matrimony heretofore contracted between them.

This DECREE OF DIVORCE constitutes a FINAL ORDER as to all pending claims herein.

BY THE COURT:
Gordon R. Miller, J.

1992

Brian J. Lindsay

387

RAE ANN DAVIS

vs.

FRANKLIN JAMES DAVIS

Filed April 21, 1992
@ 2:33 PM

Tax & entry paid		50.50
user's Fee paid		10.00
State paid		10.00
1 Add'l Count paid		15.00
John Fuller, Mediator		150.00
Pro Co		9.00
Pro Co	pd 6/6/94	9.00

10-13-93 Fee from Plff Med. Dep #150.00

12-13-93 Pd Plff Ck# 7953 150.00

COMPLAINT IN DIVORCE, CUSTODY/VISITATION
1 copy (atty)

June 4, 1992 Verification of Service Filed. I,Brian J. Lindsay, Esquire, do hereby verify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 22nd day April, 1992, send to the above named Defendant, by Certified Mail, Addressee Only,Return Receipt Requested, a true and correct copy of the divorce complaint filed at the above terms and number; and that I did on the 5th day of May, 1992, receive a duly executed return receipt dated May 1, 1992.

Sept. 3, 1992 Affidavit of Service of Brian J. Lindsay, Esquire filed.

Oct. 7, 1993 Moton To Appoint A Mediator and Order, filed. ORDER: AND NOW, this 11th day of October, 1993, upon presentation of the foregoing motion, this Honorable Court appoints John Fuller as Mediator, parties shall appear before said Mediatoar at which time and place is determined by the Mediator.

BY THE COURT:
Gordon R. Miller, P.J.

Oct. 21, 1993 copy to B. Lindsay, J. Fuller

Dec. 3, 1993 Affidavit of Consent by Rae Ann Davis, Plaintiff, filed.

Dec. 3, 1993 Notice of INtention to Request Entry of Divorce Decree, filed.

Dec. 10, 1993 ORDER filed. AND NOW, December 9, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal and physical custody of Shawna Rae Davis shall be with her Mother, Rae Ann Davis.

II. This Order is entered without prejudice to the right of Franklin James Davis to srequest a further mediation conference provided that such request is made within thirty (30) days of the date of this Order, and provided that Franklin James Davis asserts under oath that he did not receive notice of the mediation conference held on December 2, 1993.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof.

IV. Cost of the mediation conference shall be paid by Crawford County. The Prothonotary of Crawford County is hereby directed to refund any deposit paid in advance by the Plaintiff.

Anthony J. Vardaro, J.

Dec. 21, 1993 copy to B. Lindsay, J. Fuller, Plf. & Dft.

Dec. 23, 1993 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

Jan 24, 1994 Memorandum and Order, filed. ORDER: AND NOW, January 21, 1994, we decline to enter a divorce decree at this time and this file is returned to the Prothonotary so that the Plaintiff may take action consistent with our accompanying Memorandum before he may present this matter to the Court again.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 26, 1994 copy to B. Lindsay, J. Fuller

Feb. 23, 1994 Affidavit filed. AND NOW, comes Rae Ann Davis, Plaintiff in the above captioned matter, and states under oath and with knowledge that she could be prosecuted for false statements under the crimes code, that Franklin James Davis, Defendant in the above captioned action, is no longer a memberof theU.S. Military and has not been a member of the military for some time.

Please find attached as Exhibit "A" a military document confirming Plaintiff's information and belief that Defendant has been discharged from the military.

Feb. 23, 1994

Rae Ann Davis

Feb. 23, 1994 Upon Praecipe of Brian J. Lindsay, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Mar. 3, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

x As to a 3301 (d) divorce:

x There is no indication that the 3301 (d) affidavit was properly served on the responding party.

x There is no showing that the proper noticed by 1920.42 (c)(1) in the form provided by 1920.73 to a party who is unrepresented or to counsel of a represented party was properly mailed or delivered; and/or a copy of said notice is not attached to the praecipe to refer or submit.

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY ORDER OF COURT
Anthony J. Var daro, J.

3-7-94 Copy of Order to Atty. Lindsay & Deft.

Mar. 17, 1994 Affidavit of Service of Notice of Intention to Request Entry of Divorce Decree and Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, and a copy of Plaintiff's Affidavit under Section 3301(d).

Mar. 17, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

Continued on Page 470

387 A

1992

387A

BETH GORDON

vs.

WILLIAM GORDON

Filed April 21, 1992
@ 3:45 AM

Indigent Filing

ORDER OF COURT CERTIFIED FROM THE COURT OF COMMON PLEAS OF VENANGO COUNTY, PA. C.P.P.D. 1992 - 61

ORDER OF COURT:

AND NOW, April 13, 1992, persuant to an agreement of the prties and open court, it is Ordered and Decreed that;

(1) Beth Gordon is granted exclusive possessionofthe premises H.R.C.O. 5, Box 96B, Wayattville, Franklin, Pennsylvania, 16323.

(2) William Gordon shall not go to said premises, nor to the Rocky Grove High School or her place of employment.

(3) This order is to continue in effect until April 5, 1993, unless the parties agree and petition the Court to revoke said order.

(4) Counsel for Beth Gordon shall deliver a copy of this order to the Sheriff of Venango County, the Pennsylvania State Police, Sugarcreek Borough Police, and the Venango Central Registry.

BY THE COURT,
William E. Breene, Senior Judge

Apr. 23, 1992 Copy of order to County Control

1992

Mary Ann Kirkpatrick

388

GERI FLUTY SHREFFLER

vs.

RONALD SHREFFLER

Filed April 22, 1992
@ 9:41 AM

Indigent Filing

COMPLAINT IN DIVORCE
1 copy (atty)

Apr. 22, 1992 Petition For Leave To Proceed In Forma Pauperis filed.

Apr. 22, 1992 Order filed. And Now, April 22, 1992, Plaintiff is permitted to proceed without payment of costs in this divorce.

By the Court,
Gordon R. Miller, J

Apr. 22, 1992 Copy of order put in box for Atty. Kirkpatrick

Apr. 28, 1992 AFFIDAVIT OF SERVICE filed. And Now, April 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Geri Fluty Shreffler, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail P 899 085 266; postmarked Apr. 24, 1992, to the ast known address of the Defendant, Ronald Shreffler, 202 Asbury Manor East, Meadville, Pa. 16335.

3. That the Defendant, Ronald Shreffler, on Apr. 27, 1992, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. Rules of Civil Procedure.

August 14, 1992 Petition for Subsequent Claims on behalf of plaintiff filed.

Sept. 4, 1992 Affidavit of Consent of Defendant filed.

Sept. 4, 1992 affidavit of Consent of Plaintiff filed.

Sept. 9, 1992 Affidavit of Service of Constance L.Deitman filed.

Sept. 22, 1992 Upon Praecipe of Mary Ann Kirkpatrick, Esquire, Attorney for Plaintiff, for Review under §3301 (c) of the Divorce Code, this case moved to Court.

Sept. 22, 1992 Motion To Withdraw Petition for Subsequent Claims for Alimony Pendente Lite, Alimony, Counsel Fees, Costs and Expenses and ORDER filed. And Now, this 21st day of September, 1992, the within Motion to Withdraw Petition for Subsequent claims for Alimony Pendente Lite, alimony, Counsel Fees, Costs and Expenses is allowed.

By the Court:
Gordon R. Miller, J.

Sept. 23, 1992 Copy of Order put in Atty. Kirkpatrick's box, copy mailed to defendant.

DIVORCE DECREE FILED

Sept. 25, 1992 AND NOW, September 22, 1992, it is hereby ordered and decreed that **GERI FLUTY SHREFFLER**, Plaintiff, and **RONALD SHREFFLER**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 7, 1992 Notice to Retake Prior Name of GERI FLUTY SHREFFLER, to be Known as: GERI FLUTY, filed.

1992

Mason & Mason
M. Dan Mason

389

JAMES R. MORELLI and SHARON V. MORELLI, his wife

vs.

CHARLES C. HARRY, his heirs, personal representatives and assigns

Filed April 22, 1992
@ 10:23 am

Tax & entry paid	50.50 ✓
user's Fee paid	5.00
Sheriff's Costs	221.97
Pro Co pd 8-20-92	9.00 ✓

COMPLAINT
no copies

Apr. 22, 1992 Motion For Leave To serve By Publication and Order filed. AND NOW, this 22nd day of April, 1992, on Motion of M. Dan mason, attorney for Plaintiffs, in the above caption matter, leave is hereby granted to serve Charles C. Harry, his respective personal representatives, heirs and assigns, generally, Defendant in said action, by publication of a Notice of the facts set forth in the Complaint in the Meadville Tribune, a newspaper of general circulation, and the crawford County Legal Journal, one time, and requiring the said Defendant, his respective personal representatives, heirs, or assigns, to plead within twenty (20) days from the last date of publication thereof.

Per Curiam,
Gordon R. Miller, J

Apr. 23, 1992 Copy of order put in box for atty. Mason

Apr. 22, 1992 Affidavit of Diligent Search for Defendant filed.

June 24, 1992 Sheriff's Return filed. SERVED by publication once only in the Crawford County Legal Journal on Wdnesday, April 29, 1992, as per Proof of Publication attached.
SERVED by publication once only in the Meadville Tribune on Wednesday, May 6, 1992, as per Proof of Publication attached.
So answers, Robert M. Stevens, Sheriff

July 15, 1992 Motion For Judgment and Order filed. AND NOW, this 15th day of July, 1992, an Affidavit o fthe service ofthe Complaint with Notice to Plead having been filed an dno answer having been made by the Defendants, this Court now, upon Motion of MASON and MASON, attorney for the Plaintiffs, hereby Orders and decrees that the Defendant abaove named, his heirs, executors administrators and assigns, be, and they are forever hereby, barred form asserting any right lien title, interest or claim to the premises situate in wayne Township, Crawford County, Pennsyvlania, bounded and described as follows, to-wit:

ALL that certain piece or parcel of land situate in wayne Township, crawford County, Pennsylvani bounded and described as follows, to-wit; On the North by land now or formerly of J. Girard; on the East by land now or formerly of R. Doubet, on the South by land now or formerly of H. Messerall West-containing 30 acres, more or less. Said 30 acre parcel is also described as follows:

BEING thirty (30) acres off of the Southwest corner of Lot No. 117, being the same piece of land conveyed by A. Johnson to Joseph Yoset and by the said Yoset conveyed to Josephine Porchie, bounded on the North by land now or formerly owned by Kighlinger Flager, now Dan Hollabaugh; on the East by land of A. Doubet; o;n the South by Lot No. 116; and on the West by Lot No. 118.

It if further Order, Adjudged and decreed that the defendant, his heirs, executors, administrators and assigns, be, and they are hereby forever barred form asserting any right, lien, title or interes tin the aforementioned premises, inconsistant withthe interest or claim of the Plaintiffs as set forth in the Plaintiffs' Complaint; or from impeaching, denying, or in any way attacking the Plaintiff's title to said proper ty; form issuing or maintaining an action attacking the same or any part thereof, unless the defendnat shall enter an appearance and file an Answer to the Complaint, or Petition to Open Judgment within thirty (30) days after the entry of this Order. Upon the expriation of the said thrity (30) days, if no action or contest of these proceedings is entered on behalf of the defendant, then the Prothontoary of Crawford County, Pennsylvania, upon Praecipe ofthe Plaintiffs', shall enter a Final Judgment against the said Defendant, his heirs executors, administrators and assigns.

PER CURIAM,
Gordon R.Miller, J

July 16, 1992 Copy of order put in box for Atty. Mason

July 15, 1992 Affidavit filed. M. Dan Mason, Esquire, being duly sworn according to law, deposes and says that he is the attorney for the Plaintiffs, and that he has served the Complaint in the matter above cpationed upon the defendant, his heirs, personal representatives and assigns on May 6, 1992, by publication, including notice to plead in accordance with Pa. R.C.P. 1064 per sheriff's return of service duly filed.

Further, Affiant deposes and says that since the complaint was servee aforesaid, the defendnat have neither entered an appearance, nor filed an answer, and that the time for doing so has fully elapsed, the last day for filing an answer or appearance being the 26th day of May, 1992.

M. Dan Mason

And now, August 17, 1992 @ 1:21 upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

H-34

FINAL JUDGMENT
Barbara H. King, Pro

Prothonotary

J

390

1992

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

390

pro se

MARY PETRUCELLI

vs.

KATHARINE PETRUCELLI

Filed April 22, 1992
@ 10:31 am

Tax & entry paid	50.25
User's Fee paid	5.00
Sheriff's Costs	34.00

APPEAL OF DEFENDANT FROM DECISION
OF DISTRICT JUSTICE ROBERT J. LEONHART

Apr. 22, 1992 Rule entered upon Plaintiff to File a Complaint Issued.

April 24, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT FILED.

May 12, 1992 Complaint In Ejectment Filed.

May 28, 1992 SHERIFF's RETURN FILED. SERVED Katherine Petrucelli personally on May 20, 1992 at 3:00 PM by handing to her a copy of the Complaint in Ejectment in the Crawford County Courthouse on the second Floor Hallway, Diamond Park, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 19, 1992 Answer to Complaint in Ejectment filed.

1992

Cauley & Conflenti
William J. Begley

391

RAMONA LEA PETERGAL and
ANTHONY PETERGAL

vs.

JOSEPHINE E. ADAIR,
individually and trading as
T & R GRILL a/k/a ADAIR"S
T & R BAR & GRILL

Filed April 22, 1992
@ 1:32 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 3/31/93	6.00

COMPLAINT IN CIVIL ACTION
1 copy (sheriff)

April 29, 1992 SHERIFF's RETURN FILED. SERVED Josephine E. Adair, Individually and trading as Adair's T & R Bar and Grill by handing a copy of the complaint to Tammy Mailliard, Bartender and Adult in Charge, at the business, 279-281 North Street, Meadville, Crawford County, PA. Served onApril 23, 1992 at 3:11 PM.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 6, 1992 Appearance of Watts and Pepicelli, PC by Christopher D. Ferry, Esq. for Defendant filed.

July 6, 1992 ANSWER AND NEW MATTER, filed.

Nov 5, 1992 PRAECIPE FOR NOTIFICATION OF COUNSEL'S CHANGE OF ADDRESS, filed.

Mar. 31, 1993 the above-encaptioned matter is hereby marked settled and discontinued of record.

392

1992

392

LOUISA SMOUSE

vs.

MARK MCSWEENEY

Filed April 22, 1992
@ 2:02 PM

Tax & Entry	50.50
User's Fee	5.00
Sheriff's Costs	20.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 22nd day of April, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go to or call the Greenhouse. Defendant shall not contact Plaintiff in anyway. Defendant shall not go to Plaintiffs house. Temporary possession of 179 walker dr. is awarded to Plaintiff. Temporary custody of Mark is awarded to Plaintiff
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 30, 1992, at 3:30 PM M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 28, 1992 Sheriff's Return filed. SERVED Mark McSweeney personally on April 23, 1992 at 9:52 PM by handing a copy ofthe Protection from Abuse to him at his residence, 151 Walker drive, Meadville, crawford County, PA.
So answers,

Sgt. terry Prenatt, Meadville City PD
Robert M. Stevens, Sheriff

May 5, 1992 Order filed. AND NOW, April 30, 1992, at the timed fixed for hearing in this matter, the plaintiff appeared with counsel, the defendnat appeared without counsel but was advised as to the nature of the proceedings andhis right to counsel if he desired it. He indicated he understood all of that.

The plaintiff and defnedna thave entered into an agreement, and based upon that agreement, the Court enters the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or their minor child Mark.
2. Possession of their former joint residence at 179 Walker Drive, Meadville, Pennsylvania, is granted to the plaintiff solely. The defnednat shall not live there.
3. The defendant shall not contac tthe plaintiff in any way except as hereinafter provided. He shall not go to her place of residence or place of employment. He shall not contact her in person or by telelphone. He may contact her in writing.
4. The defendant has belongings at the plaintiff's residence. He shall remove his belongings within the next two (2) weeks. Before going to her residence to pick up his belongings, he shall give her forty-eight (48) hours advance notice in writing so that she may make appropriate plans to receive him. That notice shall indicate the date and time upon which he intends to pick up his belongings. He shall pick up his belongings during daylight hours.
5. Custody of the parties' minor child Mark is awarded to the plaintiff. The defendant shall be permitted to visit said child every Friday, commencing with Friday, May 1, 1992, between the hours of 11:00 o'clock a.m. and 3:00 o'clock p.m. at the plaintiff's residence. The plaintiff's mother Emma Smouse, shall be there during these visitations. The defendant shall not remove the child from the home, but shall be given reasonable opportunities for provacy within the home so he may enjoy and visit with his child.
6. In view of the fact that the defendant receives Social Security and is disabled and since the plaintiff is unemployed and receiving welfare, costs in this case are waived and shall be paid by Crawford County.
7. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violated.
8. A copy of this Order shall be delivered to the Meadville City Police Department and to County Control.
9. This Order shall be in full force and effect for one (1) year; tha tis, until April 29, 1993, unless modified or terminated.
10. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six (6) months.
11. The defnedant doe snot admit to the allegations set forth in the Complaint.
12. Both parties are advised that the plaintiff should not invite the defendant back to her home even if they decide to rconcile until this Order is changed. If the defendant returns to the plaintiff's residence, even if invited by her, he is in violation of this Court Order an dmay fact contempt of court action and possible arrest. The Court will modify this Orde rupon the written and filed consent and agreement of both parties, and thereafter, upon motion or petition ofthe Court.
13. The provisions with respect to custody and visitation are made subject to cahnge in an appropriate custody action as provided for in 23 Pa. C.S.A. 6108(a)(4).
14. The defendant shall be served with a copy of this Order at an address that he will give to the Prothonotary forthwith.

BY ORDER OF THE COURT,
Gordon R. Miller, J

May 12, 1992 Copies of order to Atty. Brode, Defendant, County Control and Meadville City Police

1992

393

DONNA J. McKEE

vs.

RAYMOND W. McKEE, I

Filed April 22, 1992
@ 2:02 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	20.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 22 day of April, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary phsyical custody of the minor children pending further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 30, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Apr. 28, 1992 Affidavit of service filed. SSERVED the within Protection from abuse on April 23, 1992, at 5:00 p.m. upon Raymond W. McKee, sr at his residence, SR. RT. 2, Box 219, Tionesta, by handing to Raymond w. McKee, Sr. a true and correct copy thereof and made known to raymond W. McKee Sr. the contents therein. Harry e. Tucker, Sheriff

I hereby deputize the Sheriff of Forest County, Pennsylvania to serve the within Protection from Abuse according to law.

So answers, Robert M. Stevens, Sheriff

May 5, 1992 Order filed. AND NOW, April 30, 1992, at the time fixed for hearin gin this matter, the plaintiff appeared with counsel, the defendant appeared without counsel and was advised as to the nature of the proceedings, including his right to counsel, all of which he understood.

Without admission of liability or the facts in the petition, the defendant and the plaintiff are willing to agree to the following Order:

ACCORDINGLY, it is ORDERED as follows:

1. The defendant will not assault, abuse, harass or threaten the plaintiff or any of the minor childre named in the petitio
2. The defendant shall not go to the plaintiff's residence or place of employment under any circumstances, even if he is invited by the Plaintiff.
3. Temporary custody of the minor children is awarde dto the plaintiff, subject to the following visitation rights in the defendant: Commencing with Friday, May 8, 1992, the defendant shallhave the right to visit with his children and take theminto his custoyd from 5:00 o'clock p.m. on Friday evening to 5:00 o'clock p.m. on Sunday evening. He shall pick up the chidlren and return them on time. Until advised otherwise by the plaintiff as to the location of the pickup and return, the defendant shall pick up the children at 5:00 o'clock p.m. at McDonald's Restaurant on Park Avenue in Meadville, Pennsylvania. The plaintiff shall have the children at McDonald's Restaurant at least ten minutes before 5:00. If the defendant does not appear by 5:30, the plaintiff may assume that weekend visitation is cancelled and no substitute weekend will be given in exchange for that cancelled weekend. The defendant is responsible for all transportation to pick and return the children. There shall be no altercations, assault, aubse, harassment or the like during these exchanges. The parties shall be cordial toward one another, expcially during these exchanges. This provision with respect to visitation is subject to 23 Pa. C.S.A. 6108(a)(4). It shall be for the duration of this Order, unless modified or change dby another Order.
4. The Defendant shall make arrangements to have the childme's clothing and personal belongings delivered to the plaintiff as soon as possible. But in no event, no later, than Sunday, May 10, 1992, when he returns the children from his first weekend visitation.
5. This Orde rshall not prevent the defendant from contacting the plaintiff by telephone or by mail so long as he acts civily toward her.
6. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violate.
7. A copy of this Order shall be delivered to the Meadville City Police Department and to Courtn Control.
8. This Order shall remain in full force and effect until April 29, 1993, unless modified or terminated by further Order of Court.
9. The defendan tis reminded that this is an Order of Court and violation of this Orde rmay be punishable by a fine of up to $1,000.00 and a jail sentence up to six (6) months.
10. The Defendan tis advised that even if the plaintiff invites him to resume cohabitiation, he should not do so, for by doing so, he will be violating this court Order and subject himself to possible contempt proceedings. In the event that they reconcile, the parties should seek a modification of this Orde rin an appropriate manner.
11. In view of the fact that the defendant is unemployed, faces significant fines and penalties in Warren County and is going to school, cost sin this casre are waived and shall be paid by Crawford County.

BY ORDER OF THE COURT,
Gordon R. Miller, J

May 12, 1992 Copies of order to Atty. Sullivan, Defendant, County Control and Meadville City Police

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1992

Mary Ann Kirkpatrick

394

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

ERIC RALPH BEERS

vs.

DONNA BRUMBAUGH BEERS

Filed April 23, 1992
@ 9:19 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Pd 11/18/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Apr. 27, 1992 Acceptance of Service filed. I accept service of the Divorce Complaint filed.

May 20, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendant filed.

Sept. 4, 1992 Affidavit of Consent of Plaintiff filed.

Oct. 2, 1992 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Nov. 18, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Nov. 24, 1992 AND NOW, November 24, 1992, it is ordered and decreed that **E R I C R A L P H B E E R S ,** plaintiff, and **D O N N A B R U M B A U G H B E E R S ,** defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

Edgar M. Snyder &
Associates, P.A.
Michael H. Rosenzweig
395

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore, Jr.

MARLENE and EDWARD VAMOS

vs.

ROBERT KERN

Filed April 23, 1992
@ 11:47 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff;s Costs	28.00
Pro Co pd 12-11-92	6.00

WRIT OF SUMMONS
Issued Sheriff

May 1, 1992 Sheriff's Return filed. SERVED Robert Kern personally on Aprifl 28, 1992 at 4:08 P.M. by handing a copy of the Summons to him at his residence, R.D.#3, Saegertown, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. STevens, Sheriff

Aug. 31, 1992 Appearance of Thomas, Truax, Spadafore & Walker by Emil M. Spadafore, Jr. for Defendant, filed.

Aug. 31, 1992 PRAECIPE FOR A RULE TO FILE A COMPLAINT, filed. issued atty

Sept. 10, 1992 Certificate of Service of Rule to File Complaint filed.

Dec 11, 1992 Upon praecipe of Plaintiff attorney the above-captioned action is settled and discontinued of record.

1992

Shafer, Swick, Bailey,
Irwin & Stack
James R. Irwin
~~Bettie J. Peterson Muth~~
Withdrawn

396

Mason & Mason
Joan D. Mason

MARCIA L. GREATHOUSE

vs.

LARRY L. GREATHOUSE

Filed April 23, 1992
@ 1:31 PM

Tax & entry paid	50.50
User's fee paid	15.00
2 Add'l Counts	30.00
State paid	10.00
William Pineo Mediator	202.00
Pro Co Pd 10-12-92 Ch# 7107	9.00
Curtis Blystone, Master	
Pro.Co. Pd 11/1/95	9.00

Received from Deft 9-1-92
$159 mediator deposit

10-2-92 Paid Defendant Refund Bal Med. Dep. Ch# 7089 40.00

10-12-92 Pd Co Comm Ch#7106 Mediation Fee 10.00

Received from Plff 11-5-92 Partial Med. Payment 20.00

11-20-92 Paid Comm. Med Fees Ch# 7186 20.00

12-8-92 Received from Plff Partial Med Fees 20.00

12-15-92 Pd Comm Med Fees Ch# 7222 20.00

1-11-93 Received from Plf Med Fee Bal 6.00

3-16-93 Pd Co Comm Med Fee Ch# 7385 6.00

7-1-94 Rec'd from plf Master Fees 400.00

8-15-94 Rec'd from deft Master Fee 400.00

3-8-95 Pd Ct Rep #8991 78.00

3-8-95 Pd Master #8992 558.20

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
1 copy (atty)

Sept. 1, 1992 MOTION TO APPOINT CUSTODY MEDIATOR and ORDER, filed. ORDER: And now, Aug. 31, 1992, William Pineo is appointed Custody Mediator. Anthony J. Vardaro, J.
Sept. 4, 1992 copy to B. Muth, J. Mason & W. Pineo

Oct 1, 1992 TEMPORARY ORDER field. AND NOW, THIS 30TH DAY OF September, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Marcia, Leah, Alicia, and Corey Greathouse.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Helth care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The father shall have primary physical custody of Leah Greathouse and the mother shall have primary physical custody of Marcia, Alicia, and Corey Greathouse.

b. The children shall spend alternate weekends with each parent, the hours of visitation and temporary physical custody beginning on Friday at 4:00 p.m. and ending Sunday at 8:00 p.m. The mother shall have Leah for visitation for the weekend beginning Friday, Oct. 2, 1992, and the father shall have visitation and temporary physical custody with Marcia, Alicia, and Corey for the weekend beginning Friday, Oct. 9, 1992, and the parties shall thereafter alternate the weekends.

c. Beginning with the summer of 1993, there shall be four bi-weekley periods of visitation and temporary physical custody, the first beginning at 5:00 p.m. of July 1 and ending at 5:00 p.m. of July 15 and the next three periods beginning and ending at two week intervals thereafter, the last period ending at 5:00 p.m. of Aug. 19. The mother shall have visitation and temporary physical custody of all of her children during the first period, and the father, the second, and the parties shall thereafter alternate. The weekend visitations shall be suspended during the summer visitation schedule.

d. The subject minor children shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4a. The holidays to be observed are Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve, and Christmas. Holiday visitation shall be between the hours of 8:00 a.m. and 8;00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shall have visitation and temporary physical custody of the subject minor children for Thanksgiving, 1992, and the parties shall thereafter alternate the holiday periods.

b. The children shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and Mother's Day with their mother, during the same hours.

c. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancella tions shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties whall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receivign the children in the exercise of thi sor her rights picking up the children at the home of the other.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs of be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. Any person transporting the children shall make sure that the seat belts or other restrainrs are use in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. Each parent shall be responsible primarily for the discipline and instruction of his or her children while they are in his or her care and custody and shall not delegate this responsibility to any other person.

13. The mediator notes for the court that the father is presently living with his girlfriend of some years. The parties shall not expose the children to the company of persons of the opposite sex, other than the father's present girlfriend, to whom they are not related by blood or marriage between the hours of 9:00 p.m. and 8:00 a.m. Each party shall take care to be discreet in his or her relationships with members of the opposite sex and neither party shall expose the children to the more intimate aspects of such relationships at any time.

14. The parties shall arrange for counseling for themselves and their chidlren in order that the parents be led to understand their responsiblities to their children and how to govern their relationships to the children's best advantage, and so that the children can be led to understand their situation as children of separated parents.

Continued on Page 396A

1992

MARCIA L. GREATHOUSE
VS.
LARRY L. GREATHOUSE

CONTINUED FROM PAGE 396
of Record
A. D. 1992 - 396

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15. Costs and fees of this Mediation, which are fixed at $202.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

16. The deposit required for the appointment of the custody mediator was mde by the plaintiff mother. The deposit shall be disposed of as follows:

Said deposit shall first be applied against her share of the costs and the remainder remitted to her. The father shall pay his share to the Prothonotary of Crawford County.

17. Either party may move the Court for a hearing de novo. for 30 days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, P.J.

Oct 6, 1992 copy to W. Pineo, B. Peterson-Muth, J. Mason, Plf. & Dft.

Oct. 26, 1992 Motion to schedule a De Novo hearing and Order of Court filed. And Now, October 26, 1992, De Novo hearing set for January 8, 1993 at 9 AM in CourtRoom 1 or 2.

Anthony J.Vardaro, J

Oct. 26, 1992 Copy of the Order to Attys.Pineo, Peterson-Muth, J. Mason, Plt & Dft.

Oct. 26, 1992 Motion to Amend the Temporary Order of September 30, 1992 and Order of Court Filed. And Now, October --, 1992 The Prothonotary shall refund $40 to Defendant and bill Plaintiff for her balance.

Anthony J.Vardaro , J.

Oct. 26, 1992 Copy of the Order to Attys.Pineo,Peterson-Muth, J. Mason, Plt. &Dft.

Jan. 8, 1993 Exhibits Filed.

Mar. 5, 1993 Motion to Reschedule continuation of Hearing De Novo and Order filed. AND NOW, March 4, 1993, the hearing scheduled for March 31, 1993 is hereby continued to June 2nd, 1993 at 9:00 a.m., in Courtroom 2.

FOR THE COURT,
Ann A. Walker, CA

Mar. 10, 1993 Copies of order to Atty's. Pineo, Muth and Mason

June 3, 1993 Order filed. AND NOW, June 2, 1993, this matter has been scheduled for hearing for this entire day, which was a continuation of a previous beginning of the hearing.

It appears that we cannot conclude this day and this hearing will require approximately two more hours.

ACCORDINGLY, this matter is continued until June 10, 1993 at 3:00 o'clock p.m. in Courtroom No. 2 before the undersigned.

BY THE COURT,
Anthony J. Vardaro, J

June 3, 1993 Copies dist. to Muth & J. Mason

June 14, 1993, Exhibits filed. (6 photos in envelope)

June 14, 1993 MEMORANDUM AND ORDER filed. ORDER: AND NOW, June 14, 1993, after de novo hearing in the above captioned matter, the temporary order of the court dated Sept. 30, 1992 is affirmed except tot he extent that it is hereinafter modified. The modifications we make will be numbered in such a manner to correspond to those of the temporary order.

1. The parties shall share legal and physical custody of the subject minor children, Leah, Alicia and Corey Greathouse.

3. a. Effective immediately, the father shall have primary physical custody of Leah Greathouse and Corey Greathouse and the mother shall have p rimary physical cusotyd of Alicia Greathouse.

b. The children shall spend alternate weekends with each parent, the hours of visitation and temporary physical beginning on Fri. at 4:00 p.m. and ending Sunday at 8:00 p.n. The mother shall have Leah and Corey the next weekend she would have normally had Leah pursuant tot he temporary order of Sept. 30, 1992 and the next weekend after that father shall have Alicia and the weekends shall thereafter alternate.

5. Should it be necessary for either party tocancel or modify the visitations as set out in this order or as previously a rranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Shoud a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

If either party shall schedule some appointment for a child during the period that the child will be with the other parent, the scheduling parent will notify the other paREnt within 48 hours of the time the same has been scheduled and in no event less than 72 hours before the appointment is scheduled to take place. The par ent who will have custody of the child during the scheduled appointment shall have the ption of rescheduling the same provided it is in the best interest of the child.

12. Ea ch parent shall encourage the children to understand that when they are in the other parent's home they are to abide by the rules of that home.

13. Ea ch party shall take care to be discreet in his or her relationships with members of the opposite sex and neither party shall expose the children to the more intimate aspects of such relationships at any time.

14. It is obvious to the court that both parties as well as the children are in need fo counseling in order for them to function appropriately. While we will not specifically mandate a cer tain type of counseling, it is highly recommended by the court that the parties seek counseling to allow them to be better able to deal with one another and communicate with respect to what is in the best interest of these children to be able to help their children understand better their life as children of separated parents.

15. This paragraph of the temporary order of Sept. 30, 1992 is now deleted.

16. This paragraph of the temporary order of Sept. 30, 1992 is now deleted.

17. This paragraph of the temporary order of Sept. 30, 1992 is now deleted.

BY THE COURT,
Anthony J. Vardaro, J.

june 14, 1993 , copies distributed by J. Vardaro's sec.

Sep,. 17, 1993 Petition for Special Relief and ORDER filed.AND NOW, September ___, 1993, hearing on Plaintiff's Petition for Special Relief is scheduled for September 24, 1993 at 8:45 A.M. o'clock in Court Room 2 of the Crawford County Courthouse in Meadville, Pennsylvania.

By the Court:
Anthony J. Vardaro, J.

9-17-93 Copy of Order to Attys. Muth & Mason.

Sept. 21, 1993 Answer To Petition For Special Relief filed.

Sept. 21, 1993 Affidavit of Service by Mail filed. Bettie J. Peterson-Muth, Esquire, being duly sworn according to law, deposes and says that she is the attorney for the plaintiff, Marcia L. Greathouse, and that she did mail a true and correct copy of the Complaint in Divorce file din the above matter, by certified mail, return receipt requested, restricted delivery, to the Defendant, Larry L. Greathouse, on April 24, 1992, at his last known address, P.O. box 142, Sheakleyville, PA 16151. The signed receipt is attached hereto as Exhibit "A'.

Bettie J. Peterson-Muth

Continued of Record to Page 396 B

1992

Sep.24, 1993 Upon Praecipe of Bettie J.Peterson-Muth, Esquire her apperance is hereby withdrawn.

Sep. 24, 1993 Appearance of Shaf er, Swick, Bailey, Irwin & Stack by James R. Irwin, Esquire for Marcia L. Greathouse, plaintiff, filed.

Sept. 28, 1993 Order filed. AND NOW, September 24, 1993, at a time set for hearing on a petition for special relief file dby the Plaintiff, the parties also enter into discussions informally with respect to a problem with the Court's Order of June 14, 1993 regarding custody. Accordingly, that Order of June 14, 1993 is affirmed, except that it shall be modified to the extent that the exchange of the children in each case shall occur at the end of the driveway of the party from whom the children is being received, and the party receiving the chidlren shall remain at the end of the other party's driveway and honk their horn so that the children can be brought to them, and at the end of a visitation, the party picking up the children shall, likewise, stay at the end of the driveway and honk their horn so that the chidlren can br brought out to them to return to that party, it being the Court's intentionso there be no need for the parties go to up to the home of the other party and the parties are so directed.

Additionally, for exchanges under this new arrangement, if either party wishes to send another adult, in each case apparently their current boy friend or girl friend, that is acceptable with the understanding that no one involved shall make an effort to argue or cause ill feelings with any other party involved in this matter.

BY ORDER OF THE COURT,
Anthony J. Vardaro

Sept. 28, 1993 Copies dist. to Mason, Irwin & Pineo

Sept. 28, 1993 Order filed. AND NOW, September 24, 1993, this matter is before the Court for special relief on behalf of the Plaintiff. First of all, we note that Plaintiff is now represented by Attorney James Irwin and her former attorney will be withdrawing her appearance.

Both parties appear represented by their current counsel and we proceed informally.

First of all, the 1991 real estate taxes for the marital property in which the Plaintiff and one (1) minor child currently reside have not been paid and the property is scheduled for Treasurer's Sale on September 29, 1993. The amount of taxes due to avoid that sale are $1,670.29.

The parties agree that an escrow account in the amount of $1,312.00 currently held by Attorney Muth as well as $188.00 held by the Plantiff will be used toward those taxes for a total of $1,500.00. The remaining $170.29 of taxes will be paid by the Plaintiff so that the Treasurer's Sale is avoided.

The Plaintiff also recognizes that since she has been in essentially exclusive possession of the marital home for 1993 and 1993, she shall be responsible for taxes, mortgages, homeowner's insurance and normal upkeep for each of these years an dinto the future so long as the current arrangement shall continue.

The Order directing the parties to comply with the above based on their agreement this day is without prejudice to either party to argue to the Master or ultimately to the Court with respect to an appropriate allocationof the funds being used as well as litigation with respect to who should be responsible for the 1991 taxes as well as taxes, mortgages, homeowner's insurance and normal upkeep for future years including 1992 and thereafter.

It is not the Court's intention to ultimately decide the issues presented, but only to make sure that the property is saved from a Treasurer's Sale for the benefit of both parties.

Next the Plaintiff seeks exclusive possession of the marital home. Essentially, she has had exclusive possession informally since early 1992 and there does not appear to be any reason with an exception we will set forth in this Order for the Defendant to have to go to the marital property at this time other than to pick up and deliver children with respect to periods of temporary custody.

Accordingly, exclusive possession of the marital home and property is awarded to the Plaintiff, again without the Court intending that this be in any way a litigated determination that ultimately the property should be given to the Plaintiff as part of the marital distribution. It is only the Court's intention that at the current time it appears to be appropriate for the Plantiff to have exclusive possession of the marital property.

Neither party shall at any time destroy, dispose of, dissipate or in any way reduce the value of any marital property, including the real estate and any personal property that may be in the possession of either party.

The Defendant wishes to have a real estate appraisal done of the marital property, apparently by Frank Urbanick. The Plaintiff shall allow such appraisal to occur, which shall be arranged by Defendant's consel contacting Planitiff's counsel and providing at least forty-eight (48) hours notice to arrange a time for Mr. Urbanick to tour the property.

At the time the property is toured by Mr. Urbanick, both Plaintiff and Defendant shall be present and they are DIRECTED to communicate only with Mr. Urbanick and not with one another in an effort to try to allow as peaceful an appraisal as possible.

At the time the appraiser goes onto the property, the Plaintiff's friend, William Henry, shall not be in the house or anywhere on the property, and he shall not go to the property at any time while the appraiser and the Defendant are present. However, the Plaintiff may have another adult of her choice present throughout the appraisal while the Defendant is on the property.

During the appraisal which is aforesaid, the appraiser shall be allowed to do everything that a normal appraiser would be allowed to do including but not limited to completely touring all of the property and taking photographs at his discretion of any or all of the property.

BY ORDER OF THE COURT,
Anthony J. Vardaro

Sept. 28, 1993 Copies dist. to Mason and Irwin

Oct. 28, 1993, affidavit of Consent of plaintiff filed

Nov. 12, 1993 Petition For Leave To Take Discovery Pursuant To Pa. R.C.P. Section 1920.22 and Order, filed. AND NOW, this 12th day of November, 1993 the Plaintiff's Request for Production of Documents is granted, and the Defendant shall provide to the Plaintiff all documents described in Plaintiff's Request for Production for Plaintiff's inspection and copying on NOvember 29, 1993 at 1:00 o'clock p.m. at the office of counsel for Plaintiff at 360 Chestnut Street, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, P.J.

NOv. 16, 1993 copy to J. Irwin and Mason

Dec. 30, 1993 Petition for Contempt and RULE TO SHOW CAUSE filed. AND NOW, this 29 day of December, 1993 upon consideration of the within Petition for Contempt, a Rule is granted upon Defendnat, Larry L. Greathouse, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 27th day of January, 1994, at 2:30 P.M. in Courtroom 1 or 2 or the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 7, 1994 Copy of Order to Attys. Mason, Irwin & Pineo.

Feb. 28, 1994 Inventory of Marcia L. Greathouse filed.

Mar. 3, 1994, Affidavit of Consent of defendant filed.

Mar. 28, 1994 Plaintiff's Affidavit Under Section 3301(d) of The Divorce Code filed.

Continued to Page 396 -C-

Jun. 17, 1994 Motion to Appoint Master in Divorce and ORDER APPOINTING MASTER filed. AND NOW, June 17, 1994, Curtis Blystone, Esquire is appointed Master in respect to the following claims:
Divorce and Distribution of Property
Deposit required: Plaintiff $400 Defendant $400
If not filed already, the parties are ordered to file their pretrial statements within thirty (30) days from this date.
PER CURIAM:
Anthony J. Vardaro, Judge

6-22-94 Faxed to Attys. Irwin, Blystone & J. Mason

Jun. 21, 1994 ORDER filed. AND NOW, June 21, 1994, this matter is before the Court on a motion for appointment of master in divorce filed by the Plaintiff.
This is a 1992 divorce and the Defendant has not yet filed his inventory and appraisement.
Accordingly, Defendant is ordered to do so within 30 days of the date of this Order.
BY THE COURT:
Anthony J. Vardaro, J.

6-22-94 Copies dist. to Irwin, Mason & Blystone

Jul. 21, 1994 Inventory and Appraisement of Larry L.Greathouse, filed.

Jul.25, 1994 Petition for Contempt, Notice and Order to Appear and Order filed. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court.
If you wish to defend against the claim set forth in the following pages,you may but are not required to file in writing with the Court your defenses or objections.
Whether or not you file in writing with the court your defenses orobjections, you must appear in person in court on the 19th day of August, 1994 at 1:30 o'clock p.m.in Courtroom No. 2 of the Crawford County Courthouse.
IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.
If the court finds that you have willfully failed to comply with its order, you may be found to be in contempt of court and committed to jail, fined or both.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Date: July 22, 1994
Gordon R. Miller, J.

7-25-94 Faxed to Attys.Irwin & J. Mason

Jul. 25, 1994 ORDER filed. AND NOW,this 22 day of July, 1994, it is hereby ORDERED ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant,Larry L. Greathouse, to show cause why he should not be held in contempt of Court.
Said Rule is returnable on the 19th day of August, 1994, in Courtroom No.2 of the Crawford County Courthouse, Meadville Pennsylvania at 1:30 o'clock p.m.
BY THE COURT:
Gordon R. Miller, J.

7-25-94 Faxed toAttys. Irwin & J. Mason

Aug. 10, 1994 Petition for Contempt filed.

Aug. 10, 1994 ORDER filed. AND NOW, this 10 day of August, 1994, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, Larry L. Greathouse, to show cause why he should not be held in contempt of Court.
Said Rule is returnable on the 19 day of Aug., 1994, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 1:30 o'clock p.m.
BY THE COURT:
Anthony J. Vardaro, J.

8-10-94 Faxed to ATtys.Irwin & Mason.

Aug. 19, 1994 Petition for Contempt and ORDER filed. AND NOW, this 19th day of August, 1994, upon consideration of the attached Petition for Contempt, hearing is scheduled for the 19th day of August, 1994, at 1:30 o'clock P.M. in courtroom #2, Crawford Co. Courthouse, Meadville, PA.
* this was filed the day of the hearing on other matters. The hearing judge may ultimately decide that this petition should be heard at a later date.
Per Curiam,
Gordon R. Miller, J.

Aug. 19th, 1994 Order FAXED to Attys. J. Mason and J. Irwin.

Aug. 23, 1994 Petition For Leave To Take Discovery and ORDER filed. AND NOW, this 23 day of August, 1994 upon presentation and consideration of the foregoing Petition for Leave to Take Discovery, a hearing is scheduled with the Court of Common Pleas of Crawford County, PA., on the 7th day of October, 1994 at 2:00 o'clock P.M. in Courtroom 2 of the Crawford County Courthouse, Meadville, Pa.
BY THE COURT:
Anthony J. Vardaro, J.

Aug. 23, 1994 Order FAXED to Attys. J. Mason and J. Irwin.

Aug. 23, 1994 ORDER filed. AND NOW, Aug. 19,1994, this matter is before the Court on a petition for contempt filed by the Plaintiff on July 25, 1994.
This petition pertains to an incident which occurred on July 15, 1994 in which in some manner apparently the Defendant ended up in the marital home, which is currently in the exclusive possession of the Plaintiff, and Defendant and Plaintiff's boy friend ended up in a struggle causing apparent injury to both of them.
It appears that this petition would require extensive testimony including from the thee children of the parties, and in an effort to resolve this matter without the necessity of that testimony the parties agree that we will continue this hearing and since it appears that the main problem the Plaintiff would like addressed is that a door entrace to the home be adequately prepared for winter, we will enter the following Order:
1. Each party shall within thirty (30) days of this date obtain estimates from two (2) general contractors who are in the business of providing such services but who are not personal friends of either party with the estimates to be what is necessary for the door in question, which is the front entrance door to the residence to be properly sealed in a manner that is appropriate to keep out the weather in winter. In order to aid each contractor, each shall be provided prior to making their estimate with a copy of this Order with the above language concerning the purpose of the estimate highlighted.
Each contractor shall be required to submit a written proposal with the work that they feel is necessary to accomplish that purpose set forth in reasonable detail and the total cost of doing that work.
2. The Defendant since he is not in possession of the marital home shall make arrangements to send his two contractors through his attorney in communication with Plaintiff's attorney. The Defendant shall not be present when the estimate is made and the Plaintiff shall not explain any of the complaints with respect to the door to the Defendant's contractors other than to show them the door that is the subject of their estimate. It shall be the responsibility of the Defendant to supply a copy of this order to his contractors prior to them going to the marital residence. The Plaintiff may not unreasonably limit the Defendant's contractors from coming to the residence, it being the Court's intention that all four contractors visit the residence within thirty (30) days of the date of this Order.

Record continued on Page 396 -d-

3. Once a party has an estimate from their contractor, they shall provide it to the other party's counsel within five (5) days. Once all four contractors have given their estimate, the parties shall determine whether they can agree that the Defendant will pay for the work to be done in the amount of the lowest estimate.

4. If the parties cannot agree for whatever reason including that the Defendant believes the lowest estimate is too high or the Plaintiff believes that the lowest estimate does not adequately address the problem, the parties should advise the Court in some sort of a written letter or motion and this matter will be scheduled for further hearing on Oct. 7, 1994 at 2:00 p.m. in Courtroom No. 2 when other matters are scheduled.

5. Pending any further Order of Court, the Plaintiff remains in exclusive possession of the marital home and the parties shall abide by our Order of Sept. 24, 1993 in regard to that issue as well as any other issues addressed by that Order.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Aug. 23, 1994 Copies distributed to Attys. J. Mason and J. Irwin.

Aug. 23, 1994 ORDER filed. AND NOW, Aug. 19, 1994, this matter is before the Court on a petition for contempt filed by the Plaintiff on Aug. 10, 1994.

The petition alleges that contrary to our Order of June 17, 1994, requiring the Defendant to make a $400.00 deposit with teh Prothonotary for Master's fees and to file his pretrial statement within thirty (30) days from the date of that Order he did not do so.

Apparently as of Aug. 16, 1994 the Defendant did pay the $400.00 deposit but he has not filed his pretrial narrative and we have inquired this day as to when his attorney will be doing so and she indicates that she has many other items on her schedule and can give us no specific time as to when she intends to do so.

We recognize that attorneys and particularly in the Domestic Relations field are busy but we are bound to require compliance with the Domestic Relations rules promulgated at the State level.

We find as a fact that the pretrial narrative has not been filed by the Defendant contrary to our Order of June 17, 1994, which required that it be done within thirty (30) days from that date.

Accordingly, the Defendant is found in contempt of our Order of June 17, 1994. He may purge himself of contempt by doing the following:

1. Within thirty (30) days paying the sum of $200.00 to the Plaintiff's attorney; and 2, filing a pretrial narrative within twenty (20) days of this date.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Aug. 23, 1994 Copies given to Attys. Irwin and J. Mason.

Sept. 1, 1994 Plaintiff's Preliminary Objections To Defendant's Petition For Contempt, filed.

Sept. 7, 1994 Notice of Prehearing Conference filed.

Oct. 11, 1994 Petition for Contempt and ORDER filed. AND NOW, this 6 day of October, 1994,it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant,Larry L.Greathouse, to show cause why he should not be held in contempt of Court.

Said Rule is returnable on the 7th day of Oct. 1994, in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 2:00 o'clock P.M.

BY THE COURT:
Anthony J.Vardaro,J.

10-7-94 Faxed Attys. Irwin & Mason

Oct. 11, 1994 ORDER filed. AND NOW, October 7, 1994,before the Court at this time is a Petition for Contempt filed by the defendant against the plaintiff, a Petitionfor Contempt filed by the plaintiff against the defendant, and a Petition filed by the plaintiff with respect to a discovery request concerning items at the home of the defendant.

After informal hearing, the parties agree to withdraw their respective Contempt Petitions and they further agree to abide by the previous Orders regarding custody of the children and to make every effort to better communicate with one another as is evidenced by their efforts in court this day.

With regard to thePetition for Discovery, the parties will attempt to arrange for both of them to go throughthe residence where the defendant lives with Darlene Peterson to ascertain what property must be considered by the Master as marital property of the defendant; and if that has not been accomplished within 45 days, immediately after the expiration of 45 days,the defendant shall allow Sherman Allen to go through his residenceby himself and appraise all property at that residence.It shall then be up to the parties to litigate with respect to what is marital, non-marital and property of Darlene Peterson.

BY THE COURT,
Anthony J.Vardaro,Judge

10-12-94 Faxed to Attys. Irwin & Mason

Nov. 1, 1994 Summary of Prehearing Conference filed.

Nov.1,1994 Notice of Master's Hearing filed.

Jan. 6, 1995 Notice of Rescheduled Masters Hearing filed.

Jan. 6, 1995 Motion for Continuance filed.

Feb. 2, 1995 Notice of Rescheduled Master's Hearing, filed.

Mar. 3,1995 Transcript of Narrative Before Master Curtis E.Blystone at the Crawford County Courthouse,Meadville, Pennsylvania, February 21, 1995, filed.

Mar. 8, 1995 Motion for Payment of Stenographic Expense and for Determination and Payment of the Master's Fee filed.

Mar. 8, 1995 ORDER filed. AND NOW, this 8 day of March, 1995,upon presentation and consideration of the Master's Motion for Payment of Stenographic Expense and for determination and payment of the Master's fee, it is hereby ordered and directed with respect to the funds currently on deposit in this matter as follows:

1. The Prothonotary shall forthwith pay to Rains Reporting Service the sum of $78.00 for stenographic services.
2. The Master's fee and out-of-pocket expense to date is set in the amount of $558.20 and the Prothonotary is directed to forthwith pay said sum to the Master, Curtis E. Blystone, Esq.
3. The Prothonotary shall retain the remaining funds on deposit pending further order of this Court.

By the Court:
Anthony J. Vardaro, J.

3-15-95 Faxed to Attys.Irwin & Mason & Blystone

Nov. 1,1995 Upon Praecipe of James R.Irwin, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Continued to Page 396 -E-

-F I N A L D E C R E E -

Nov. 6, 1995 FINAL DECREE AND NOW, this 2nd day of November, 1995, it is Ordered, Adjudged and Decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. The parties' property and debt will be distributed in accordance with the terms, conditions and provisions of the attached transcription of their settlement agreement and the same is incorporated herein as if set forth in full.
3. The issue of child as been resolved at the within case number.
4. The parties will execute any and all documents necessary toeffectuate this agreement inaccordance with the attached settlement agreement.
5. The reported has submitted a bill for taking down the notes of testimony and transcribing the settlement agreement in the amount of $78.00 which has been paid by the Prothonotary by order of this court dated March 8, 1995 to Rains Reporting Service.
6. The Master's fees of $558.20 has beenpaid to the Master, Curtis E.Blystone, by order of this court dated March 8, 1995.

BY THE COURT:
Gordon R.Miller,J.

Nov. 21, 1995 Motion to Reconsider and Strike Final Decree filed.

Nov. 22, 1995 ORDER filed. AND NOW, November 20, 1995, upon receipt and review of the defendant's motion to reconsider and strike final decree and motion to strike praecipe the Court observes and orders as follows.

1. The motions are defective. The motion to strike the praecipe is not signed by counsel. Both motions contain facts not of record and therefore cannot be called "motions" but should be "petitions" with the facts sworn to as being true and accurate by the defendant himself. The Court will not deny these motions in view of these technical flaws but does require that the defendant sign a verification or affidavit to each "motion", that counsel for the defendant sign the motion to strike the praecipe whereupon the Court will consider said "motions" to be "petitions." We do this very reluctantly but we are inclined to address the matters raised by these filings rather than to summarily dismiss them, as we should, for technical, but important defects.
2. A rule to show cause is hereby issued and directed to the plaintiff to show cause, if any she has, why these "motions" should not be granted. In view of the fact that the decree which is the subject of these "motions" was entered on November 2, 1995, time is of the essence. Therefore said rule is returnable for hearing and/or argument on the 28th day of November, 1995 at 11:00 o'clock A.M. IN Courtroom No. 1 of the Crawford County Courthouse. Counsel are advised to be prepared to proceed efficiently and to be prepared to furnish the Court with accurate legal authorities for any legal principles to be advanced.
3. At this point the Court is not reconsidering the decree of November 2, 1995. We will make that determination after the hearing and/or argument.

BY THE COURT
Gordon R. Miller, P.J.

Nov. 22, 1995 Copy in Attys. Irwin & J. Mason mailbox.

Nov. 30, 1995 ORDER filed. AND NOW, November 28, 1995, the defendant's motions for reconsideration and to strike the final decree are denied.

BY THE COURT
Gordon R. Miller, P.J.

11-30-95 Irwin & Mason.

Nov. 30, 1995 AMENDED ORDER filed. AND NOW, November 28, 1995, the final divorce decree entered by this court on November 2, 1995 is amended by adding thereto the following language provided for in Pa.R.C.P. 1920.76:

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

In all other respects the final decree of November 2, 1995 shall remain in full force and effect as originally entered without change or modification.

BY THE COURT
Gordon R. Miller, P.J.

11-30-95 J. Mason & Irwin.

1992

1992

Ann Hansen Gamble for Plaintiff

Joseph C. Barnhart
Shafer, Swick, Bailey Irwin & Stack
James R. Irwin
Fuller,Kinnunen,Petruso Gamble, Fabian & HALL
397
Thomas, Truax, Spadafore & Walker
R. Charles Thomas

BOBBIE R. SEE

vs.

ROBERT C. SEE

Filed April 23, 1992
@ 3:50 PM

Tax & entry paid	50.50
user's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
John Fuller Mediator	150.00
Pro Co 11-20-92 Pd	9.00
Pro.Co. pd 4/18/94	9.00

Received from defendant 7-28-92 mediation deposit $150.00

10-12-92 Paid Defendant Bal of Med Fee Ck# 7105 65.00

11-20-92 Paid Comm Med Fee Ck# 7186 75.00

5-10-94 Recd $75.00 from Plff.
5-9-94 Pd Cr Co Ck#8355 75.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION and DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS and EXPENSES
CHILD CUSTODY
2 copies (atty)

May 7, 1992 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Defendant, filed.

June 26, 1992 Affidavit of Service filed. I, JAMES R. IRWIN, Esquire, bieng duly sworn according to law, depose and says that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of crawford County, Pennslylvania on the above named Defendant by certified mail, addressee only, return receipt requeste dated April 24, 1992. The Defendant acknowledged service on April 25, 1992 by accepting delivery on that date as evidenced by the attached signed return re ceipt. James R. Irwin

July 27, 1992 MOTION FOR APPOINTMENT OF CUSTODY MEDIATOR and ORDER filed. ORDER: Anmd now, July 24, 1992 John Fuller, Esq., is appointed Custody Mediator in the above entitled case.
Gordon R. Miller, P.J.

Aug. 4, 1992 copy in box for J. Irwin, R.C. Thomas & J. Fuller.

Sept. 11, 1992 Appearance of Joseph C. Barnhart, Esquire for Bobbie R. See, Plaintiff, filed.

Oct 9, 1992 ORDER filed. AND NOW, Oct. 8, 1992, after mediation conference before John Fuller Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT.

I. Legal custody of Brian See and Becki See shall be shared between the mother and the father the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions effecting the children such as the education, medicial treatment and religious instruction of the subject children.

II. Physical custody of Becki See shall be with her mother, subject to the following conditions:

A. The father shall be entitled to visit and take Becki into his custody every other weekend from 10:00 a.m. on Saturday until 7:00 p.m. on Sunday, beginning Oct. 10, 1992.

B. The father shall be entitled to visit and take Becki into his custody two evenings each week from approximately 4:00 p.m. until 8:00 p.m., the exact times and the particular days to be agreed on by the parties.

III. Physical custody of Brian See shall be with his father, subject to the following conditions:

A. The mother shall be entitled to visit and take Brian into her custody for a minimum of one hour each Saturday. Both parents shall encourage Brian to increase the duration of these visits.

IV. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the father on the aforesaid holidays from 8:00 a.m. until 1:00 p.m. and inthe cutody of the mother on the aforesaid holidays from 1:00 p.m. until 6:00 p.m.

V. Beginning with the Summer of 1993, Becki shall be entitled to spend days at the home of the father , or the father's parents, as she has in the past.

VI. A. Transportation of the children on weekends, holidays and Summer visits shall be equally divided between the parties, as they agree.

B. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

C. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

D. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

E. The parents shall provide counseling, as needed, for Brian and Becki, and shall share the costs thereof, equally.

VII. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

VIII. Cost of the mediation conference will be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund one-half of the deposit paid in advance by the Defendant less the cost of the custody order. Anthony J. Vardaro, J.
Oct 16 1992 copy to R.C. Thomas, J. Barnhart, J. Fuller, Plf. & Dft.

July 23, 1993 Answer and Counterclaim on behalf of Robert C. See, filed.(1 copy Atty.)

Oct.6, 1993 Appearance of Fuller, Kinnunen,Petruso, Gamble, Fabian and Hall by Ann Hansen Gamble, Esquire for Bobbie R. See,Plaintiff, filed.

Apr. 18, 1994 Affidavit of Consent by Robert C.See, Defendant, filed.

Apr. 18, 1994 Affidavit of Consent by Bobbie R. See, Plaintiff, filed.

Apr. 18, 1994 UponPraecipe of R. Charles Thomas, Esquire, Attorney for Defendant to transmit record, Case moved to Court.

Mfay 4, 1994 Memorandum filed. This file has been referred to the Court for a final divorce decree. The Court will not grant a decree until the plaintiff pays $75.00 towards custody mediation costs that were ordered on or about Oct. 9, 1992.

Once the costs are paid the Prothonotary or the attorneys shall alert the Court and the Court will review the matter and enter a final decree. BY ORDER OF COURT
Gordon R. Miller, P.J.

May 4, 1994 copies faxed to Thomas & Gamble

RECORD CONTINUED ON PAGE 513.....

398

1992

pro se

398

RAYMOND E. SKORNICKEL

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Tax & Entry Pd 5-1-92 50.00
user fee Pd 5-1-92 5.00

PETITION FOR WRIT OF SUPERSEDEAS

Apr. 24, 1992 Petition For The Appointment of Counsel in a Civil Action, filed.

Apr. 27, 1992 Order filed. AND NOW, April 24, 1992, the Court is presented with a petition for appointment of counsel in a civil action which petition seems to also include a request to proceed in forma pauperis.

The petitioner's request for appointment of counsel is denied as is his request to proceed in forma pauperis.

Accordingly, he shall pay the appropriate filing fees in this matter to the Prothonotary of Crawford County no later than May 4, 1992.

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 27, 1992 copies circulated to Skornickel & J. Gagliotti

April 23, 1992 Motion, Petition For Writ of Supersedeas and ORDER filed. AND NOW, this 23 day of April, 1992, upon Motion by the Appellant, a hearing is set on said Appeal for the 4th day of August, 1992, at 11:00 o'clock A.M., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, PA.

Further, notice of said Appeal and of this Order of Court are to be given forthwith by Appellant to the appropriate representatives of the Appellee by forwarding a true and correct copy of same to the Appellee by First Class, U.S. Mail, postage prepaid.

Finally, said Appeal shall act as a supersedeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT:
P. Richard Thomas, S. J.

Apr.23,1992 Copy of Order given to plaintiff (2 copies); May 8, 1992 copy mailed to defendant.

July 29, 1992 MOTION TO QUASH APPEAL, filed.

Aug. 3, 1992, ORDER filed. August 3, 1992, Petitioner, Raymond E. Skornickel, appeared in the court Administrator's Office this date and reported that he would be going into the hospital this date. The Court Admin. could observe that Mr. Skornickel was quite ill and she advised Mr. Skornickel that she would prepare an order continuing the hearing sc heduled for Aug. 4, 1992 to a later date. Therefore, the hearing inthe above matters is hereby continued to Oct. 28, 1992 at 10:00 a.m.

BY ORDER OF THE COURT,
Anthony J. vardaro, J.

Aug. 3, 1992, copy of above order mailed to petitioner by Ct. Adm. Aug. 7, 1992 copy of order mailed to Wm. Kuhar Esq.

Oct. 30, 1992 ORDER filed. AND NOW, Oct. 28,1992 at the time set for hearing, the Court notes that the Commonwealth, through its counsel and in reliance on the rather unusual Commonwealth Court opinion in Dept. of Transportation vs. Andrews, 143 PA Cmwlth 601, 600 A.2d 622 (1991), filed a motion to quash the petitioner's appeal. It appears that the notice the petitioner got in this case notified him that it he did not produce proof of insurance on the vehicle in question by a certain date h is license would be suspended for a period of three months. Andrews specifically held that this type of notice was not a final decision from which an appeal may be taken.

Accordingly, the Commonwealth moves to quash the petitioner's appeal and requests the Court to direct the reinstatement of his operating privileges arising from this incident.

The petitioner is unrepresented by counsel, and attorney for the Department and the Cofurt explain this unusual Andrews decision and the procedures to be followed in this case.

Counsel for the Department agrees that if the petitioner wishes to perfect an appeal from the future notic eof suspension he will receive, he may file a brief petition with the Court asking the Court to schedule a hearing on his appeal from the new suspension and incorporate by reference all of the allegations contained in his original petition filed April 24, 1992 with the same force and effect as if a new petition containing the same allegations were refilled.

Accordingly, we enter the following **ORDER:**

AND NOW, Oct. 28, 1992 the Department of Transportation's motion to quash the appeal is granted and the petitioner's appeal from the imposition of a three month license suspension is quashed. The Department is directed to restore the operating privileges of the petitioner and return hi operator's license to him. If the Department of Transportation wishes to p ursue the suspension issue in this case, they must forward a new notice to thepetitioner Raymond E. Skornickel, worded in suchlanguage as to make it a final suspension notice from which an appeal shall be taken.

If the Department intends to pursue this matter by issuing a new suspension notice in accordance with the Andrews case, they must do so within 60 days of this date of this Cour twill conclude and the petitioner may conclude that the Department does not wishs to pursue the suspension issue in the petitioner's case.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Oct. 30, 1992 copies of the order given to Skornickel & Kuhar

1992

Cauley & Conflenti
William J. Begley

399

Watts and Pepicelli
Alan L. Pepicelli

RAMONA LEA PETERGAL and
ANTHONY PETERGAL

vs.

JAMES ADAIR

Filed April 24, 1992
@ 11:45 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co pd 3/31//93	6.00

WRIT OF SUMMONS
Issued Sheriff

April 29, 1992 SHERIFF's RETURN FILED. SERVED James Adair on April 27, 1992 at 1:39 PM by handing a copy of the Summons to Josephine Adair, his Wife, at the residence, 293 Poplar Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 11, 1993, Appearance of Watts and Pepicelli, PC by Alan L. Pepicelli, attorney for defendant filed.

Feb. 11, 1993, Rule entered upon plaintiff to file Complaint issued. (rule to Atty. Pepicelli)

Mar. 31, 1993 the above-encaptioned matter is hereby marked settled and discontinued of record.

1992

Bettie J. Peterson-Muth

400

SUSAN F. HOBAN

vs.

MARK E. HOBAN

Filed April 24, 1992
@ 2:39 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co.pd 7/29/92	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

July 29, 1992 Affidvait of Service filed. Personally appeared before me, a Notary Public in and for the said Commonwealth and County, at Meadville, Pennsylvania, Bettie J. Peterson-Muth, an attorney admitted to practice in the Commonwealth of Pennsylvania, who being duly sworn according to law deposes and says that she served a true and attested copy of the Complaint in Divorce on Mark E. HOban, the Defendant, personally at 3:30 P.M. on May 15, 1992, at said Attorney's place of business, Star Route 27, Meadville, Pennsylvania by reading the same to him and making known the contents of same and leaving said true and attested copy with him.
July 24, 1992 Bettie Peterson-Muth

July 29, 1992 Acceptance of Service filed. I, Mark E. Hoban, hereby accept service of the Complaint in Divorce filed in the above captioned matter.
Date: May 15, 1992 Mark E. Hoban

July 29, 1992 Affidavit of Consent by Susan F. Hoban, Plaintiff, filed.

July 29, 1992 Affidavit of Consent by Mark E. Hoban, Defendant, filed.

July 29, 1992 Upon Praecipe of Defendant's Attorney to transmit record, case moved to court.

DIVORCE DECREE FILED

Aug. 7, 1992 DECREE AND ORDER filed. AND NOW, this 6 day of August, 1992, the Court, by virtue of the authority vested in it by law, decrees that

SUSAN F. HOBAN and MARK E. HOBAN

are hereby divorced from the bonds of matrimony, and all the duties, rights and claims accorded to either of the said parties at any time heretofore, in pursuance of said marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, pursuant to Pa. R.C.P. 1920.1, et seq. & 23 P.S. §1, et seq., "The Divorce Code", that the terms, provisions, and conditions of a certain property settlement agreement between the parties dated July 24, 1992, and attached to this Decree and Order as Exhibit "A" is hereby incorporated into this Decree and Order by reference as fully as though the same were set forth herein at length. Said agreement shall not merge with but shall survive this Decree and Order.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 31, 1994 Stipulation for the Entry of Domestic Relations Order and ORDER filed. The parties, Susan F.HOban, now known as Susan F.Stallard, Plaintiff, and Mark E.Hoban, Defendant, do hereby Agree and Stipulate as follows:

1. The Defendant, Mark E.Hoban, is a member of the Commonwealth of Pennsylvania State Employes' Retirement System (hereinafter referred to as "Member").

2. The State Employes' Retirement System (hereinafter referred to as "SERS"), as a creature of statue, is controlled by the State Employes' Retirement Code, 71 Pa. C.S.Section 5101 et seq., (hereinafter referred to as the "Retirement Code").

3. The Member's date of birth is February 2, 1958, and his Social Security number is 179-56-9848.

4. The Plaintiff, Susan F.Hoban, now known as Susan F. Stallard, is the former spouse of the Member (hereinafter referred to an "Alternate Payee"). The Alternate Payee's date of birth is January 16, 1959, and her Social Security Number is 178-54-3649.

5. The last known mailing address of the Member, Mark E. Hoban, is R.D.#1, Box 91, Guys Mills, Pennsylvania.

6. The current mailing address of the Alternate Payee, Susan F.Stallard, is R.D.#2, Box 724, Meadville, Pennsylvania 16335. It is the responsibility of the Alternate Payee to keep a current mailing address on file at all times with SERS.

7. (a) The marital property component of the Member's retirement benefit is (1) the Coverture Fraction times (2) t he Member's accrued retirement benefit on the effective date of his retirement. (b) the Coverture Fraction is a fraction with a value less than one. T he numerator is the amount of the Member's service as defined by SERS for the period of time from April 26, 1980 to April 24, 1992. The denominator is the total amount of the Member's service according to SERS' definition of service on the effective date of the Member's retirement. (c) 50 percent (50%) of the marital property component (coverture fraction of the Member's retirement benefit is to be allocated to the Alternate Payee as her equitable distribution portion of this marital asset.

8. The Member's retirement benefit is defined as all monies paid to or on behalf of the Member by SERS including any lump sum withdrawals or scheduled or ad hoc increases, but excluding the disability portion of any disability annuties paid to the Member by SERS or any deferred compensation benefits paid to the Member by SERS. The equitable distribution portion of the retirement benefit shall be payable to the Alternate Payee and shall commence as soon as adiministratively feasible on or about the date the Member actually enterspay status.

9. The Member shall nominate the Alternate Payee as a beneficiary to the extent of her equitable distribution portion for any death benefits payable by SERS. The Member shall execute and deliver to Atlernate Payee an authorization, in a form acceptable to SERS, which will authorize SERS to release to Alternate Payee all information concerning the Member's retirement benefits including but not limited to his current nomination of beneficiary form for death benefits. Alternate Payee shall delivery the authorization to SERS which will allow the Alternate Payee to check that she has been and continues to be properly nominated under this paragraph.

10. The normal term of the regular monthly retirement benefit payments to the Alternate Payee is dependent upon which option (s) is (are) selected by the Member at retirement. The Member and alternate Payee expressly agree that the Member may select any retirement option offered by SERS under the Retirement Code at the time that the Member files a retirement application. The Alternate Payee may not exercise any right,privilege or option offered by SERS. SERS shall issue individual tax forms to the Member and Alternate Payee for amounts paid to each such person.

Continued to Page 400 A

Susan F.Hoban
vs.
Mark E. Hoban

Continued from Page 400
of Record
AD 1992 - 400

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11. In the event of the death of the Alternate Payee before she receives her payments from SERS under this Order, any death benefit or retirement benefit payable to Alternate Payee by SERS shall be paid to her estate to the extent of her equitable distribution portion as set forth inparagraphs 7, 8 & 9.

12. In no event shall the Alternate Payee have greater benefits or rights other than those which are available to the Member. The Alternate Payee is not entitled to any benefit not othereise provided by SERS. The Alternate Payee is only entitled to the specific benefits offered by SERS as provided in this Order. All other rights,privileges and options offered by SERS not granted to Alternate Payee are preserved for the Member.

13. It is specifically intended and agreed by the parties hereto that this Order:

a. Does not requre SERS to provide any type or form of benefit, or any option not otherwise provided under the Retirement Code;

b. Does not require SERS to provide increased benefits (determined on the basis of actuarial value) undess increased benefits are paid to t he Member based upon cost of living or increases based on other than actuarial values.

14. The parties intend and agree that the terms of this Stipulation shall be approved, adopted and entered as an Order of Court.

15. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction to amend this order but only for the purpose of establishing it or maintaining it as a Domestic Relations Order; provided, however, that no such amendment shallrequire SERS to provide any form of benefit, or any option not otherwise provided by SERS, and further provided that no such amendment or right of the Court to so amend will invalidate this Order.

16. A Certified copy of this Order and the attendant documents shall be served upon SERS forthwith. Said Order shall take effect immediately upon approval of the Order and documents by SERS and remain in effect until further Order of Court.

BY THE COURT:
Gordon R. Miller, Judge

Sept. 28, 1994 Petition for Contempt and RULE TO SHOW CAUSE, filed. AND NOW, this 28 day of Sept., 1994, upon consideration of the within Petition for Contempt, a Rule is granted upon Respondent, Mark E. Hoban, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 17 day of October, 1994, at 2:45 p.m. in Courtroom No. 1 or 2, Meadville, PA. The Counsel for plaintiff shall serve notice of this hearing upon the Defendant.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 28, 1994 Three (3) copies to Atty. Muth.

Oct. 19, 1994 Motion to Withdraw Petition For Contempt and Order, filed. AND NOW, October 18, 1994, the Petition for Contempt is hereby deemed withdrawn. Said Petition may be refiled by the Plaintiff should the Defendant fail to follow said Order.

Anthony J. Vardaro, J.

Oct. 19, 1994 Faxed Muth

1992

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

401

Shafer,Swick,Bailey,
Irwin & Stack
James R.Irwin

4-27-94 Rec from Plaintiff Masters fees #375.00
5-3-94 Rec from deft Masters Fees 375.00
Bal $750.00

Nov 17,1994 paid Master Pickens $383.00 Ck # 8678

Nov 17,1994 paid Plf 183.50 ck 8679

Nov 17,1994 paid Dft. $183.50 ck 8680

LAURA J. ORDWAY

vs.

LAWRENCE R. ORDWAY

Filed April 24, 1992
@ 2:55 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
2 Add'l Counts pd 7/27/92	30.00
State paid 7/27/92	10.00
Pro Co pd 10-25-94	9.00
Pro Pd 11/16/94-	5.00

David Pickens, Mediator

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

June 4, 1992 AFFIDAVIT OF SERVICE OF COMPLAINT IN DIVORCE, FILED. Gregory A. Keenan, Esq., being duly sworn according to law, deposes and says tht on April 26, 1992, he sent a true and correct copy of a Complaint in Divorce, properly endorsed with the Notice to Defend, filed in the above action, to the Defendant, Lawrence R. Ordway, at Defendant's last known address of R.D. 2, Box 28, Meadville, Pa. 16335, by Certified Mail No. P 899 088 151, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is duly executed return receipt card showing date of delivery as April 29, 1992.

July 27, 1992 Petition Raising Economic Claims, Alimony/Alimony Pendente Lite,and Counsel Fees, Costs and Expenses filed.

Aug 3, 1992 REQUEST FOR HEARING and ORDER filed. ORDER: AND NOW, this 3rd day of Aug, 1992 upon presentation and consideration of the foregoing REquest for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pa., on the 29th day of September, 1992 at 9:00 a.m. in courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

FOR THE COURT:
Imogene Yetman, Crt. Adm.

Aug 7, 1992 copy in box for G. Keenan & J. Irwin

Sept. 3, 1992 Plaintiffs' Income and Expense Statement filed.

Sept. 16, 1992 Affidavit of Service of Plaintiff's Income and Expense Statement filed.

Sept. 28, 1992 Motion For Continuance and Order filed. AND NOW, September 29, 1992, upon consideration of Plaintiff's Motion To Continue the hearing on Defendant's Petition For Related Claims set for September 29, 1992, at 9:00 a.m., the Court hereby grants Plaintiff's request to continue this atter until after such time as counsel has been provided with the Defendant's Income and Expense Statement pursunt to Pa. R.C.P. 1920.23. The Attorney for the Defendant having received timely notice ofthis mtoion does not appear to contest this motion. This will be reset on motion of either party.

By the Court:
Anthony J. Vardaro, J

Sept. 29, 1992 Copies of order put in box for Atty's Keenan and Irwin

Feb. 16, 1993 Affidavit of Consent of Defendant filed.

Feb. 26, 1993 Income and Expense Statement of Defendant filed.

Feb. 26, 1993 Defendant's Inventory filed.

Nov. 4, 1993 Affidavit of Consent of defendant filed.

Dec. 9, 1993 Affidavit of Consent of Plaintiff

Dec. 22, 1993 Inventory of Laura J. Ordway, filed.

Jan. 4, 1994 Motion to Appoint Master, filed.

Jan. 4, 1994 Memorandum and Order filed. ORDER: AND NOW, January 4, 1994, the Defendant's motion for appointment of master is denied and the Plaintiff shall file her income and expense statement and inventory and appraisement within 30 days from this date.

Thereafter, any party may move the Court for appointment of a master in divorce provided it is done in the form prescribed by Exhibit L1920.74 of the Crawford County Civil Local Rules.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 5, 1994 copies dist ato Keenan & Irwin

Apr. 13, 1994 Motion for Appointment of Master in Divorce and ORDER APPOINTING MASTER, filed. AND NOW, this 12 day of April, 1994, David Pickens, Esquire is appointed Master in respect to the following claims:

Deposit required: By Plaintiff $375, by Defendant $375.

If not filed already, the parties are ordered to file their pretrail statements within thirty (30) days from this date.

Per Curiam,
Anthony J. Vardaro, Judge

4-14-94 Copy of Order to Attys. Keenan, Irwin & Pickens.

Sept. 6, 1994 Summalry of Pre-Hearing Conference Held on July 20, 1994 at 10:00 AM, filed.

Sept. 6, 1994 Pre-Trial Narrative of Defendant, filed.

Oct. 3, 1994 Master Report and Recommendation, filed.

Oct. 21, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case move to Court.

DIVORCE DECREE FILED

Oct. 27, 1994 AND NOW, Oct. 26, 1994, itis ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. Wife shall retain the 1987 Dodge Charger, her McCrosky pension, the two diamond rings, the computer, and the printer.
3. Husband shall pay Wife $2,000 within 30 days of the entry of the divorce decree plus make monthly payments of $200 for 12 months commencing with the month following the month in which the divorce decree is entered.
4. Upon final payment by Husband to Wife as set forth above, Wife shall execute any and all documents necessary to convey to Husband her interest in the marital residence as well as a right-of-way from Duane and June Shilling. All costs associated with the recording of documents will be born by Husband.

RECORD CONTINUED ON PAGE ~~401~~ 519

402

1992

Barbara J. Walton

402

Ferguson & Spataro
John F. Spataro

TAWNYA J. CONSLA

vs.

GARY SCOTT DEETER

Filed April 24, 1992
@ 3:18 PM

Tax & entry paid	50.50
User's feepaid	5.00
William Pineo, mediator	152.00
Pro Co	9.00

Pro co pd 12-15-95

Received from defendant 7-29-92 $150.00 Mediation Dep.
8-12-92 Pd Comm Ck #7106 Med. Fees 150.00
9-20-95 Rec'd from deft med fee dep. 150.00
12-7-95 Pd deft med refund #9609 50.00
12-15-95 Pd Co #9625 9.00

COMPLAINT FOR CUSTODY
1 copy (atty)

June 19 1992 PETITION OF GRANDPARENTS FOR PARTIAL CUSTODY AND/OR VISITATION, filed.

June 19, 1992 ANSWER TO PETITION FOR CUSTODY, filed.

July 29, 1992, Motion for appointment of Child custody Mediator and Order filed. ORDER: July 28, 1992, WILLIAM PINEO, ESQ. is appointed Custody Mediator inthe above case.

BY ORDER OFTHE COURT,
Gordon R. Miller J.

Aug. 4, 1992, copies to B. Walton, John Spataro and W. Pineo.

Sept. 21, 1992 TEMPORARY ORDER, filed. AND NOW, this 18th day of September, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Josie Deeter.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3a. The mother shall have primary physical custody of subject minor child. The father shall have temporary physical custody and visitation each week, except for the last full week of each month, from Saturday at noon through Tuesday at noon. A full week is defined in which the period from Sunday through the following Saturday occurs within the same month.

b. The subject minor child shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4a. The holidays to be observed are Easter, Independence Day, Halloween, Thanksgiving, December 11 (the day before Josie's birthday), December 12 (Josie's birthday), and Christmas. The visitation periods for Easter, Thanksgiving, December 11, and December 12, shall be between the hours of 9:00 a.m. and 8:00 p.m. For Christmas, the visitation period shall begin at 10:00 a.m. Christmas Eve and end at 10:00 a.m. Christmas Day. For Independence Day, the visitation period shall be from 9:00 a.m. to 11:00 p.m. so that J osie may watch the fireworks. For Halloween, the visitation period shall be between the hours of 5:00 p.m. and 8:00 p.m. Halloween is further defined as either the Eve of All Saints Day or, if the local municipality has provided a different day for trick ore treating, then it shall be that day. The father shall have visitation and temporary physical custody for Halloween, 1992, and the parties shall thereafter alternate the holidays.

b. The child shall spend Father's Day with her father from 9:00 a.m. to 7:00 p.m., and Mother's Day with her mother, during the same hours.

c. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

9. Any person transporting the child shall make sur ethat the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other ina polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties. The deposit required for the appointment of the custody mediator was made by the father. Said deposit shall first be applied against the costs and fees which have accrued in this case. The mother shall pay the difference between the depcsit and the total costs. The mother shall reimburse the father the difference between her share of the costs and the amount she is required to pay to the Prothonotary.

13. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, P.J.

Sept. 22, 1992 copy to B. Walton, J. Spataro, W. Pineo, Plf. & Dft.

Jun. 25, 1993 Petition to have Respondent Held in Contempt for Failure to Comply with Custody Order filed.

Jun. 25, 1993 Reply to Petiton to Have Respondent Held in Contempt filed.

Continued to Page 510

1992

Donald E. Lewis

403

LISA DANIELLE SANDERSON

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed April 24, 1992
@ 4:09 PM

Tax & entry paid	50.50
User's Fee paid	5.00

NOTICE OF APPEAL
2 copies (atty)

May 4, 1992 Petition for Writ of Supersedeas and Order filed. AND NOW, this 24 day of April, 1992, upon Motion by the Appellant, a hearing is set on said Appeal for the 4th day of August, 1992 at 10:00 o'clock A.M., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

Further, notice of said Appeal and of this Order of Court are to be given forthwith by Appellant's attorney to the appropriate representatives of the appellee by forwarding a true and correct copy of same to the Appellee by Frist Class, U. S. Mail, postage prepaid.

Finally, said Appeal shall act as a supersedeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT:
Anthony J. Vardaro, J.

May 4, 1992 Copy of order to Donald E. Lewis, Esq.

June 23, 1992 MOTION TO QUASH APPEAL and ORDER, filed. ORDER: AND NOW, to-wit: this 22nd day of June, 1992, upon consideration of the foregoing Motion, it is hereby ORDERED that a Rule of issued against the appellant, Lisa Danielle Sanderson, to show cause, if any, as to why the above=captioned appeal should not be quashed for having been untimely filed.

Said rule is returnable at the time of the de novo hearing on this appeal , which is scheduled for Aug. 4, 1992 at 10:00 a.m.

BY THE COURT:
Anthony J. Vardaro, J.

June 25, 1992 copy in box for D. Lewis

Aug. 5, 1992 Scheduled Hearing on Motion to Quash Appeal and License Appeal Hearing and Order filed. AND NOW,August 4, 1992, the attorney for the petitioner appears in open court and advises the Court that the appeal will be withdrawn, and accordingly, the appeal is DISMISSED and the action taken of the Department is AFFIRMED.

BY ORDER OF THE COURT,
Anthony J.Vardaro, Judge

Aug. 5, 1992 Copy of the order to Atty. Kuhar and Atty. Lewis

404

1992

Thomas, Truax,
Spadafore & Walker
David P. Truax

404

IN RE: PROPOSED PRIVATE SALE OF TAX CLAIM LAND, TIMOTHY J. TROUTMAN, ASSESSED OWNER, SITUATE IN BEAVER TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA, ASSESSMENT NO. 1208-024-70001

Filed April 24, 1992
@ 4:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION FOR DISAPPROVAL OF PRIVATE TAX CLAIM SALE AND FOR HEARING

ORDER:

AND NOW, this 24 day of April, 1992, upon consideration of the within Petition For Disapproval of Private Tax Claim Sale and For Hearing, the proposed private tax claim sale of the above described real estate to Rick Bayles is hereby stayed and a hearing on the same is set for the 29 day of May, 1992, in Court Room #1 or 2 at 11:15 a.m. in the Courthouse in Meadville, Pennsylvania; all proceedings to be stayed pending said hearing.

Counsel for Petitioners is directed to forthwith serve a copy of the within Petition and Order upon Frederic Wagner, Director of the Crawford County Tax Claim Bureau and upon Rick Bayles, the current bidder at his last known address an dupon Timothy J. Troutman, the last assessed owner at his last known address both by regular mail and file an Affidavit of Service thereon.

By The Court,
Anthony J. Vardaro

Apr. 27, 1992 Affidavit of Service filed. David P. Truax, Esquire, bein gduly sworn according to law, deposes and says:

1. That he is the attorney for the Petitioners, Dale H. Blood and Ethel M. Blood, his wife, in the above case;
2. That on April 24, 1992, he filed a copy of a Petition For Disapproval Of Private Tax Claim Sale and For Hearing with the court requesting a hearin gdate on the Petition which was scheduled for Friday, May 29, 1992, at 11:15 a.m.;
3. Tha t;on April 24, 1992, you deponent personally served Diana Leonard of the Crawford County Treasurer's Office with a true and correct copy of the Petition and Order effecting service of such Petition upon Frederic Wagner, the Director of the Crawford County Tax Claim Bureau;
4. That on April 27, 1992, you Petitioner served, by ordinary mail, a true and correct copy of the Petition upon Timothy J. Troutman, of R.D. 2 Box 204, Albion, PA 16401, the assessed owner of the subject premises and upon Rick Bayles, of R.D. 1 Box 299, Beaver Blacktop, Springboro, PA 16435, the current bidder onthe subject real estate.

David P. Truax

May 29, 1992 Order filed. AND NOW, May 29, 1992, at the time set for hearing on this Petition for Disposal of Private Tax Claim Sale and for hearing with regard to the same, it appears that the original proposed purchaser of the property no longer is interested in purchasing the same and does not appear at the time of the hearing.

ACCORDINGLY,the Court determines that the minimum amount set for the purchase of the property shall be Nine Hundred Dollars ($900.00) , and in so far as the petitioners are the only parties that appear interested in the purchase of the property, the Crawford County Tax Claim Bureau is DIRECTED to sell the property to the petitioners, DALE H. BLOOD and ETHEL M. BLOOD, for the sum of $900.00, which shall be paid forthwith.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

May 29, 1992 Copy of the order to:Gregory A.Keenan, Esq. ; John F. Spataro, Esq.

1992

Thomas, Truax
Spadafore & Walker
R. Charles Thomas

405

THOMAS J. BEST

vs.

JULIE A. BEST

Filed April 27, 1992
@ 9:09 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 12/24/92	9.00
Pro Co pd 6-29-93	5.00

COMPLAINT IN DIVORCE
1 copy (atty)

Oct. 26, 1992 Affidavit of Consent by Thomas J.Best, Plaintiff, filed.

Nov. 12, 1992 Affidavit of Consent of Plaintiff, filed.

Nov. 12, 1992 Affidavit of Consent of Defendant, filed.

Dec. 24, 1992 Upon praecipe of Plaintiff Attorney, R. Charles Thomas for Review under §3301 (c) of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

Dec. 31, 1992 AND NOW, December 30, 1992, it is hereby ordered and decreed that **T H O M A S J . B E S T** plaintiff, and **J U L I E A . B E S T** , defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

June 29, 1993 NOTICE OF ELECTION TO RETAKE MAIDEN NAME, filed. Julie A. Best TO BE KNOWN AS Julie A. Whitman.

406

1992

406

ROSE ANN BENTON

vs.

RUSSELL WAYNE BENTON

Filed April 27, 1992
@ 10:52 am

Tax & entry paid	50.50
User's Fee	5.00
Sheriff's costs	30.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 27 day of April, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have tempo ary exclusive possession of the marital home. The Defendant shall not bother wife at place of work and shall not abuse, or harass wife's daughters livilng in marital home at any place.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 6, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

April 28, 1992 Sheriff's Return filed. SERVED Russell Wayne Benton personally on April 27, 1992 at approximately 7:00 PM at his residence, RD # 3, Box 191, Conneautville, Crawford County, PA.
So answers,

Tpr. Wolber, PA State Police
Robert M. Stevens, Sheriff

May 11, 1992 Motion For Continuance and Order filed.May 12, 1992, motion granted.

By the Court,
Gordon R. Miller, J

May 29, 1992 Copy of order put in Atty. Walton's box.

1992

407

MARJORIE A. KRASA

vs.

WILLIAM D. KRASA

Filed April 27, 1992
@ 11:33 am

Tax & entry Pd 5-7-92 50.50
User's Fee Pd 5-7-92 5.00
Sheriffs Cost 25.00
Pro Lo Pd 5-7-92 9.00

Received from Sheriff Dept 5-7-92 Sheriff costs 25.00.

Paid Sheriff 5-7-92 Chk # 6812 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies sheriff
1 copy Plaintiff

ORDER:

And now, this 27 day of April, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff may accompany the Sheriff's Duputies to remove her personal proper ty and that of the minor children. Besides normal clothin etc. she may remove children's bicycles, pots & pans, dishes, wood rocker, chidlren' dressers (app pre-marital property of wife) and 2 chidlren's beds (marital property)
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 6, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

April 28, 1992 Sheriff's Return filed. SERVED William D. Krasa personally on April 27, 1992 at 4:30 PM by handing him a copy of the Protection from Abuse in the Sheriff's Office, Crawford County Courthouse, Meadville, PA. Defendant left a key for Plaintiff to get personal belongings out of the residence.

So answers, Robert M. Stevens, Sheriff

May 8, 1992 ORDER FILED. AND NOW, May 6, 1992, at the time this abuse matter is set for hearing before the Court, the parties appear before the Court and advise the matter has been amicably resolved and that the plaintiff wishes to withdraw the originally filed abuse petition. Accordingly, the case is marked settled and the defendant agrees to pay costs forthwith upon being advised by the Prothonotary's Office of the amount thereof.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

May 8, 1992 copy of order to: Barbara J. Walton, Esq., County Control, Police Department, Plaintiff and Defendant.

1992

Prather, Prather
& Pineo
Mark D. Prather

408

RICHARD D. FOREMAN AND
MARJORIE L. FOREMAN,

vs.

ALEXANDER FOREMAN, JAMES H. FOREMAN, and ELDA GIFFORD their heirs, successors and assigns

Filed April 27, 1992
@ 2:25 PM

Tax & entry paid	50.50
user's Fee paid	5.00
Pro.Co.paid 6/29/92	9.00

COMPLAINT

Apr. 29, 1992 MOTION FOR SERVICE BY PUBLICATION and ORDER, filed. ORDER: NOW, this 29th day of April,1992, upon consideration of the foregoing motion and affidavit, it appearing that the identity and whereabouts of defendants, their heirs, successors and assigns, is unknown to plaintiffs, following diligent search and inquiry, it is hereby ordered, adjudged and decreed that service may be made upon defendants by publication in the Meadville Tribune and the Crawford County Legal Journal, one time only, to include a notice requiring the defendants to file an answer to said complaint within twenty (20) days following publication thereof.

Per Curiam,
Gordon R. Miller, P.J.

May 8, 1992 copy in box for M. Prother

May 27, 1992 Motion for Judgment and Order filed. NOW, this 27 day of May, 1992, an affidavit of service having been filed, defendants having filed no answer thereto, the court, upon motion of PRATHER, PRATHER & PINEO,attorneys for plaintiffs, hereby orders and decrees that the defendant above named, their heirs, successors and assigns, be and they are forever barred from asserting any right, lien, title,interest or claim, in and to the premises situate in Hayfiled Township, CrawfordCounty, Pennsylvania, bounded and described as follows, to-wit:

COMMENCING at a post at the northest corner; thence south 86° 30' east eighty-four and seven tenths (84.7) perches along lands formerly of Richard Morris and Conrad Cole to a post; thence south 3°30' west along lands of Henry DeRoss and the center of a public road one hundred ninety-five and eight tenths (195.8) perches to a post; thence north 6°east thirty-nine and two tenths (39.2) perches to a post; thence north 78° west forty and five tenths (40.5) perches to a post; thence north 19° east thirty-three (33) perches to a post; thence easterly three (3) perches to a post; thence north 4° east along land of James Hannah and land formely of William Foreman one hundred fourteen and four tenths (114.4) perches to the place of beginning,and containing ninety-six and one-half (96½) acres of land, more or less, excepting therefrom the condemned Interstate 79 right-of-way.

Being the same land conveyed to plaintiffs by deed dated March 25, 1992, recorded April 22, 1992, in Crawford County Record Book 151, page 748, from Gladys Green Foreman.

It is ordered, adjudged and decreed that the defendants, their heirs, successors and assigns, be and they are hereby foreever barred from asserting any right, title, lien, interest or claim, in the above described premises, inconsistent with the interest or claim of plaintiff, as set forth herein, or from impeaching, denying, or in any way attaching the plaintiff's title to said property; from issuing or maintaining any actions attaching the same, or any part thereof, unless defendants shall enter their appearance and contest this action within thirty (30) days following entry of this order, upon the expiration of which this order shall become final and absolute.

Per Curiam,
Anthony J.Vardaro, Judge

May 27, 1992 Copy of Order to Mark D. Prather, Esq.

And now, June 29, 1992 at 9:47 A.M. upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

FINAL JUDGMENT
Barbara H. King
Prothonotary

F-14, 94, G-54

1992

409

APPLICATION FOR EMERGENCY EXAMINATION and TREATMENT

of

JOHN P. BRKICH

Filed April 27, 1992
@ 2:24 PM

PETITION FOR INVOLUNTARY EMERGENCY EXAMINATION and TREATMENT
Mental Health Procedures Actio of 1976 Section 302

410

1992

Shafer, Swick, Bailey
Irwin & Stack
Paul D. Shafer, Jr

410

ESTATE OF EUGENE H. CALL by
CAROL CALL, EXECUTRIX

vs.

NORMAN F. BURROWS and
REBECCA A. ROSSEY

Filed April 27, 1992
@ 3:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	34.00

COMPLAINT AND CONFESSION OF JUDGMENT FOR
AMICABLE EJECTMENT
2 copies (Sheriff)

May 1, 1992 Sheriff's Return filed. SERVED Rebecca A. Rossey personally on April 28, 1992 at 3:35 PM by handing her a copy of the Complaint and Confession of Judgment for Amicable Ejectment at her residence, R.D.#2, Box 286A, LuceRoad, Guys Mills, Crawford County, PA.

SERVED Norman F. Burrows personally on April 28, 1992 at 3:36 PM by handing a copy of the Complaint and Confession of Judgment for Amicable Ejectment to him at his residence, R.D.#2, Box 286A, Luce Road, Guys Mills, Crawford County, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

1992

Brian J. Lindsay

411

DENNIS M. CURLEY

vs.

LINDA J. CURLEY

Filed April 27, 1992
@ 4:04 PM

Tax & entry paid	50.50
user's fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro.Co. pd 10/30/92	9.00

COMPLAINT IN DIVORCE, CUSTODY/VISITATION, EQUITABLE DISTRIBUTION
1 copy (atty)

May 5, 1992 Acceptance of Service filed. I, the above named defendant, hereby accept service of the Complaint in the above action filed..
Date: 5/1/92 Linda J. Curley

Sept. 30, 1992 Affidavit of Consent of Defendant, filed.
Oct. 1, 1992 Affidavit of Consent of Dennis M.Curley, Plaintiff, filed.

Oct. 19, 1992 Consent Custody Order and Order filed. AND NOW, upon presentation and considerationof the foregoing, and the parties hereto having executed same, the foregoing agreement is entered as an Order of this Court.

BY THE COURT,
Date 10-19-92 Gordon R. Miller, J
3 copies Atty.

Oct. 30, 1992 Stipulation Filed.
Oct. 30, 1992 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Nov. 10, 1992 CONSENT DECREE filed. AND NOW, this 9th day of November, 1992, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that:

1. Divorce

Upon consideration of the pleadings and affidavits filed in the above captioned case, this Court hereby grants an absolute divorc4 from the bonds of matrimony to the above named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to §201(c) of the Divorce Code of Pennsylvania.

2. Equitable Property Determination and Distribution

A. The Plaintiff shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in his possession and defendnt shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in her possession.

B. Plaintiff shall pay the sum of $6,900.00 to defendant for the purpose of assisting defendant in the purchase of a trailer and the electric, sewage and water utility hookups necessary for the habitability of the trailer.

C. The 1978 Chevrolet impala shall be the sole and exclusive property of defendant and plaintiff shall execute any and all documents necessary to transfer title to defendant.

D. Each of the parties shall be the sole and exclusive owner of their respective annuities, life insurance policies, pensions, IRA accounts, or profit sharing accounts.

E. The parties are the owners of two parcels of real estate, one of which is the marital residence situate on Shartle Road, Crawford County, PA., and the second of which is a cottage located in Erie County, PA. Plaintiff shall become sole and exclusive owner of these parcels of real estate and shall assume and hold defendant harmelss from any all liabilities including, but not limited to: any mortgages, liens, encumbrances, real estate taxes, municipal liens and insurance payments associated with these properties. Defendant shall execute any and all documents necessary to the transfer of title to these two parcels of rela estate from herself and husband to husband. Defendant's obligation to execute the documents necessary to transfer of title shall remain executory and shall be triggered at the time any mortgagee or lien holder consents to such transfer. Further, plaintiff agrees to execute any and all documents necessary to release defendant from any underlying mortgage or promissory note at the time the mortgage or not holder or note payee consents to said release.

4. Child Custody

The issue of child custody has been resolved through a Consent Agreement of the parties, which was entered as an Order of this Court.

BY THE COURT:
Gordon R. Miller, J.

412

1992

Ferguson & Spataro
Douglas w. Ferguson

412

DONNA J. NOVAK

vs.

RAYMOND M. NOVAK

Filed April 28, 1992
@ 9:44 AM

Tax & entry paid	50.50 ✓
User's Fee paid	15.00 ✓
2 Add'l Counts paid	30.00 ✓
State paid	10.00
Pro.Co. pd. 10/22/92	9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
COUNSEL FEES, COSTS AND EXPENSES
2 copies (atty)

June 3, 1992 AFFIDAVIT OF SERVICE, filed. I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defenddnat by certified mail, addressee only, return receipt requested, dated May 4, 1992. The Defendant acknowledged service on May 6, 1992, by accepting delivery on that date as evidenced by the attache d signed return receipt. Douglas W. Ferguson

Oct. 22, 1992 Affidavit of Consent by Donna J. Novak, Plaintiff, filed.

Oct. 22, 1992 Affidavit of Consent by Raymond M. NOvak, Defendant, filed.

Oct. 22, 1992 Upon Praecipe of Douglas W. Ferguson, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 29, 1992 AND NOW, this 28th day of Oct., 1992, the Court Orders and Decrees that:

DIVORCE

D O N N A J . N O V A K , Plaintiff, and **R A Y M O N D M . N O V A K ,** Defendant, are divorced from the Bonds of Matrimony.

MARITAL PROPERTY

The marital property of the parties is awarded to the Plaintiff and Defendant as follows:

a. The Plaintiff and Defendant shall become the sole and exclusive owners of all marital property presently in his or her possession with no claim by the other against the same. The parties acknowledge that they have executed certain deeds for property located in Hayfield Township, Crawford Co., PA. to the Defendant and certain property located in Georgetown Co., South Carolina to Plaintiff. Said real property shall become the respective sole and exclusive property of either Plaintiff or Defendant.

HUSBAND'S PENSION PLAN AT ALLTEL SERVICE CORPORATION

Defendant/Husband shall become the sole and exclusive owner of a certain pension through his employment at Alltel Service Corporation with the exception of wife being able to receive the sum of $156.94 per month payable to the Plaintiff/Wife, Donna Novak. To effectuate wife receiving said sum the Defendant/Husband shall execute a certain Qualified Domestic Relations Order which shall be incorporated as part of this Decree for submission to Alltel Service Corporation to reflect that wife is entitled to receive $156.94 per month payable at the commencement of payments to the Defendant/Husband.

WIFE'S PENSION PLAN AT OHIO RUBBER COMPANY

Plaintiff/Wife shall become the sole and exclusive owner of any and all pension benefits she may be entitled to as an employee of Ohio Rubber Company, Conneautville, PA., or its successor to the exclusion of any interest by the Defendant/Husband.

COUNSEL FEES, COSTS AND EXPENSES

Plaintiff and Defendant shall be equally responsible for the payment of all costs and expenses incurred by wife's attorney, Douglas W. Ferguson in the representation of the Plaintiff/Wife. The Plaintiff and Defendant shall also split equally all Court costs of record in regard to this divorce action.

This order shall be effective immediately.

BY THE COURT:
Anthony J. Vardaro, J.

May 4, 2006 (See computer for further docket entries)

413

PAULA MAY

vs.

FREDERICK F. MAY, JR.

Filed April 28, 1992
@ 2:00 PM

Tax & entry	50.50
user's Fee	5.00
Sheriff's Costs	23.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 28th day of April, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go to Plaintiff's residence. Defendant shall not contact Plaintiff in any way. Temporary custody of children is awarded to Plaintiff
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 8, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 12, 1992 ORDER FILED. AND NOW, May 8, 1992, at the time scheduled for hearing on this abuse matter, neither Plaintiff nor Defendant appear. Accordingly, this Court considers the Plaintiff to have abandoned her petition and the Court considers the case discontinued.

The Prothonotary is directed to forward a bill to the Plaintiff for any filing fees and service costs in this case and the Court directs that the same be paid within fifteen days of receipt of the bill.

BY THE COURT:
P. Richard Thomas, J.

May 12, 1992 copy of Order to: County Control, Plaintiff.

May 20, 1992 SHERIFF, filed. NOT SERVED as to Defendant Frederick F. May, Jr. Service was attempted by Certified Mail addressed to Frederick F. May, Jr. c/o Navaree Furniture, 5 West Canal St., Navarre, OH 44662, the letter is unclaimed. Returned letter attached.
So answers, Robert M. Stevnes, Sheriff

414

1992

Joseph E. Altomare

414

INTEGRA NATIONAL BANK/NORTH

vs.

JOHN R. CASELLA and
LYNN A. CASELLA

Filed April 28, 1992
@ 2:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro.Co. Pd 6/16/92	9.00

COMPLAINT IN CIVIL ACTION
no copies

May 15, 1992 Sheriff's Return filed. SERVED John R. Casella personally on May 6, 1992 at 2:15 PM by handing a copy of the Complaint to him at his place of Employment, Keystone Honing Corporation, Titusville Industrial Park, Titusville, Crawford County, PA.
So answers, Dale A. collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 20, 1992 Acceptance of Service filed. I hereby acknowledge receipt of a true and correct of the above-captioned complaint, and accept service thereof hereby this 14 day of May, 1992.

Lynn A. Casella

And Now, June 16, 1992 at 1:46 P.M. upon praecipe of Plaintiff's Attorney, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Fifty-eight thousand eight hundred fifty-six and 59/100 plus interest and costs of suit.

Debt	$58,856.59
Int.from 5/1/92	
Judgment	

"C-91 and 101"
Entered June 16, 1992

Barbara H. King
Prothonotary

EX 1992-69

1992

pro se

415

William A. Kuhar Jr.

DANE E. MILLER

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed April 28, 1992
@ 4:14 PM

Tax & entry paid	50.50
User's fee paid	5.00
Pro. Co. pd 7/1/92	5.00

NOTICE OF APPEAL
2 copies plaintiff

ORDER:

AND NOW, this 29th day of April, 1992 upon motion by Appellant, a hearing is set for the 2nd day of July at 1992 in Courtroom Number 1 or 2. Wherefore, Petitioner request the issuance of a writ of Supersedeas staying the suspensionof his vehicle registration priveledges until a hearing and determination of the merits of peittioner's grounds for appeal of the Crawford County Court Courthouse, Meadville, Pennsylvania. A true and correct copy of this appeal and order shall be served on the Department forthwith and an appropriate proof of service filed of record.

Gordon R. Miller, J

May 19, 1992 Motion To Quash Appeal and Order filed. AND NOW, to-wit: this 15th day of May, 1992, upon consideration of the foregoing Motion, it is hereby ORDERED that a Rule be issued against the appellant, Dane E. Miller, to show cause, if any, as to why the above-ca ptioned appeal should not be quashed for having been untimely filed.

Said rule is returnable at the time of the de novo hearing on this appeal, which is scheduled for July 2, 1992 at 9:30 a.m.

BY THE COURT,
Gordon R. Miller, J

May 20, 1992 Copies mailed to William Kuhar and plaintiff

July 1, 1992. I, Dane E. Miller, herewith withdraw my appeal in the above matter and request the case be discontinued of record.

July 1, 1992 Dane E. Miller

416

1992

pro se

416

JOHN O. TAYLOR, M.D.

vs.

WYLLIS C. HOFFMAN
RUTH M. HOFFMAN

Filed April 28, 1992
@ 4:23 PM

Pro King paid 15.00 ✓
Plff. on orig. 9.25

Sheriff's Costs 28.00
Sat Pd 4/29/96 5.00 ✓

WRIT OF REVIVAL OF JUDGMENT

of

DSB 1986 - 546

Debt ---- $1236.50
Dated --- April 28, 1992
H - 142-172 ---- REVIVAL OF JUDGMENT

Barbara H. King, Pro

Issued (Sheriff)

Revival indexed in favor of plaintiff and against the defendants in the sum of One Thousand Two Hundred Thirty-Six and 50/100 dollars plus costs.

May 11, 1992 SHERIFF's RETURN FILED. SERVED Wyllis C. Hoffman personally on April 29, 1992 at 2:20 PM at his residence, 887 Ernst Place, Meadville, CrawfordCounty, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 26, 1996 This Judgment Satisfied (see paper filed)

1992

Mason & Mason
Joan D. Mason

417

SARA E. RITCHIE

vs.

JAMES F. RITCHIE

Filed April 29, 1992
@ 11:05 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-17-92	9.00

COMPLAINT IN DIVORCE
2 copies (atty)

May 13, 1992 AFFIDAVIT OF SERVICE FILED. I, Joan D. Mason, ESq attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, despose and say that I did on May 1, 1992 mail to the above Defendant,James F. Ritchie, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on May 4,1992 as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.
Joan D. Mason, Atty. for Plaintiff

Aug. 6, 1992 Affidavit of Consent by Sara A. Ritchie, Plaintiff filed.

Aug. 17, 1992 Affidavit of Consent of Defendant, filed.

Aug. 17, 1992 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

August 24, 1992 AND NOW, August 19, 1992, it is ordered and decreed that **SARA E. RITCHIE,** plaintiff, and **JAMES F. RITCHIE,** defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1992

Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
Richard A. Blakely

418

MARTIN W. HECKER

vs.

BORLAND LUMBER COMPANY,
its successors, assigns and
all persons claiming title
to, through or under them

Filed April 29, 1992
@ 3:18 PM

Tax & entry paid	50.50
user's Fee paid	5.00
Pro.Co. pd 7/13/92	9.00

COMPLAINT IN ACTION TO QUIET TITLE
! COPY (atty)

May 5, 1992 Motion For Leave To Serve By Publication filed.

May 5, 1992 Order filed. AND NOW, to-wit, this 1st day of May 1992, upon consideration of the foregoing Motion and Attorney's Affidavit, leave is granted to serve the Defendant in the within case by publication of a notice of the facts set forth in the Complaint, one (1) time in a newspaper of general circulation and one (1) time in the Crawford County Legal Journal, and requiring the Defendant to plead thereto within twenty (20) days pursuant to Crawford County Court Local Rules. Gordon R. Miller, J

May 12, 1992 Copy of order mailed to Richard Blakely

June 10, 1992 Motion for Judgment for Want of Appearance and and Answer and Order filed. AND NOW, to-wit, this 10th day June. upon consideration of the foregoing Motion and Affidavit, and it appearing that service has been made on the above-named Defendants pursuant to theRules of Civil Procedure, and it further appearing that no Appearance has been entered nor Answer made to the Complaint by or on behalf of the above-named Defendant, Borland Lumber Company, its successors, assigns and all persons claiming title to, through, or under them, in the property descirbed in said Complaint:

THEREFORE, judgment is hereby givenfor the Plaintiff, Martin W.Hecker, against the Defendant, Borland Lumber Company, it successors, assigns and all persons claiming title to, through, or under them, and generally against all persons, and it is hereby ORDERED and DECREED that the said Defendant,their heirs, assigns, and all persons claiming title to, through, or under them, and all other persons, be and are hereby barred from asserting any right, lien, claim, title, or interest in and to the following premises:

All that certain piece or parcel of land situate in the Township of Bloomfield, County of Crawford and State of Pennsylvania, being Lot 14, of a sub-division of Wayne Thomas, being more particularly bounded and described as follows, to-wit:

Beginning at a stake in the north line of the public highway leading from Lincolnville to Riceville, thirteen hundred fifty (1350) feet east of the southeast corner of land now or formerly owned by Charles Parkhurst, it being the southeast corner of Lot 13; thence north on a line parallel to the east of land of the said Charles Parkhurst and along the east line of Lot 13, two hundred (200) feet to a stake; thence east on a line parallel to the north line of the siad public highway leading from Lincolnville to Riceville, one hundred (100) feet to a stake in the west line of Lot 15; thence south on a line parallel to the east line of the said land of Charles Parkhurst and along the west line of Lot 15, two hundred (200) feet to a stake in the north line of the said public highway leading from Lincolnville to Riceville; thence west along the north line of the said public highway leading from Lincolnville to Riceville,one hundred (100) feet to a stake, the southeast corner of Lot 13, and the place of beginning.

The title of the Plaintiff, Martin W.Hecker, is hereby declared valid and indefeasible as against Borland Lumber Company, its successors, assigns and all persons claiming title to, through, or under them, unless the Defendant or any persons claiming by or through them shall bring an Action of Ejectment within thirty (30) days from the entry of this judgment.

Gordon R. Miller, J.

June 10, 1992 Copy of Order to: Richard A. Blakely, Esq.

July 13, 1992 AND NOW, July 13, 1992 at 3:39 P.M. upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

FINAL JUDGMENT
Barbara H. King, Prothonotary

B-184

1992

Devine & Kuftic
Dennis G. Kuftic

419

Daniel Kuhn

LeANNE SANNER

vs.

DOUGLAS SANNER

Filed April 29, 1992
@ 3:47 PM

Tax & entry paid	50.50
User's fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
Pro.Co. Pd 2/2/93	9.00

COMPLAINT IN DIVORCE, ALIMONY, MARITAL PROPERTY
ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES
3 copies (atty)

Sept. 21, 1992 Affidavit of Service filed. Before me, the undersigned Notary Public, personally appeared dennis G. Kuftic, Esquire, attorney for Plaintiff, LeAnne Sanner in the above-captioned case. The affiant deposes and states that he mailed a true and certified copy of a Complaint in Divorce in the above-captioned case to defendant at R.D. #2 Fry Road, Box 128 Cambridge Springs, PA 16403 by certified mail, pursuant to Rule 412 of the pennsylvania Rules of Civil Procedure. The original of the return receipt is attached to this Affidavit and made a part hereof.

Dennis G. Kuftic

Sept. 29, 1992 Motion for Alimony Pendente Lite, Counsel Fees and Expenses and Order filed. AND NOW, to-wit, this 25 day of September, 1992, upon consideration ofthe within Motion, it is hereby ordered that a Rule to Show Cause be granted against the Defendant to show cause why the within relief should not be granted and a hearing is hereby scheulded on the amtter for the 30 day of October, 1992, at 1:30 o'clock p.m.

Gordon R. Miller, J

Oct. 2, 1992 Copy of order mailed to Atty. Kuftic

Oct 30, 1992 ORDER filed. AND NOW, Oct. 30, 1992, this matter is set for hearing on Plaintiff's petition for alimony pendente lite, counsel fees and expenses. The parties do not appear and no attorney appears for either party.

The offices of the attorney for the Plaintiff are contacted and advise us that they are unaware of this hearing. A review of the Prothonotary's file in this matter as well as the docket indicates that notice of the hearing was mailed to the attorney for the Plaintiff on October 2, 1992.

Additionally, a review of the file indicates that neither party has filed those items required to be filed within 30 days of the filing of a pleading containing a request for alimony pendente lite or counsel fees, costs and expenses. Those items include a copy of the most recent federal tax return, pay stubs for the precedign six months and a completed income and expense statement [see Pa. R.C. P. 1920.31(a)(1)].

This action was filed on April 29, 1992 and served upon the Defendant on May 4, 1992.

Either party may move for the rescheduling of this hearing but nonly if the moving party has filed the above items in compliance with that rule of court and once a hearing date is set the other party shall file the same required items at least 15 days prior to the day set for the hearing.

Additionally, the party obtainign the hearing date shall comply with all state and local rules regarding notice to the other party including providing that party with a copy of the order setting the hearing.

The Prothonotary is directed to send a copy of this order to the attorney for the Plaintiff and to the Defend ant at his last known address of R.D.D 2, Fry Rd., Box 128, Cambridge Springs, Pa. 16403, both by regular mail.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 30, 1992 copies of order mailed to Atty Kuftic & Dft.

Nov. 9, 1992 Plaintiff's Income and Expense Statement Pursuant to Pa. R.Civ.P. 1920.31 (a)(1) filed.

Dec. 2, 1992 Motion for Alimony Pendente Lite, Counsel Fees and Expenses and Order filed. AND NOW, to-wit, this 30th day of November,1992, uponconsideration of the within Motion, it is hereby ordered that a Rule to Show Cause be granted against the Defendant to show cause why the within relief should not be granted and a hearing is hereby shceduled on the matter for the 23rd day of December, 1992, at 2:30 o'clock p.m.

Anthony J.Vardaro, J.

Dec. 7, 1992 Copy of Order to Atty. Kuftic.

Dec. 16, 1992 Motion for Continuance and ORDER filed. AND NOW, to-wit, this 15 day of December, 1992, upon consideration of the within Motion for Continuance, it is hereby ordered that the hearing on the Motion for alimony Pendente Lite, Counsel Fees, Costs of Litigation and Court Costs is rescheduled to December 29, 1992, at 1:30 p.m.

Imogene Yetman, Ct. Adm.

Dec. 18, 1992 Copy of Order to Atty. Dennis Kuftic and copy mailed deft.

Jan. 5, 1993 Certification Re: Attorney's Fees, Court Costs and Costs of LItigation filed.

Jan. 5, 1993 Motion for Alimony Pendente Lite, Counsel Fees and Expenses and Order filed. AND NOW, December 29, 1992, this matter is before the Court on plaintiff's request for alimony pendente lite, counsel fees and costs.

The defendant appears with counsel, but it appears that counsel has only recently been retained and is not prepared to go forward at this point and has not filed an income and expense statement.

The defendant moves to continue this matter and the Court continues this hearing and directs the Court Administrator to attempt to schedule further hearing within 30 to 45 days from this date.

In the interim, the defendant shall be responsible for paying alimony pendente lite to the plaintiff in the amount of $200.00 per month, commencing on January 1, 1993.

This Order is entered without prejudice to either party at the time full hearing is held and it is not the Court's intention to establish the $200.00 a month as a personal figure for alimony pendente lite insofar,as the Court has not considered anything beyond plaintiff's additional pleading request for that amount in making this temporary Order.

BY ORDER OF THE COURT,
Anthony J.Vardaro, Judge

Jan.5, 1993 Copies mailed to Attys.Kuftic & Kuhn & Ct. Adm. by Court.

Jan. 12, 1993 Assignment of Hearing Date filed. January 8, 1993: The Court Administrator having been directed by the Court to set a hearing inthe above matter, hereby sets a hearing for February 26, 1993, at 2:00 P.M. inCourtroom 2.

FOR THE COURT,
Imogene Yetman,Court Administrator

Jan. 13, 1993 Copies mailed to Attys.Kuftic & Kuhn

Continued to Page 489

420

1992

Barrett & Dratler
Bruce A. Barrett,

420

LARRY ROBERT HENRY

vs.

DIANE L. HENRY

Filed April 29, 1992
@ 4:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-23-92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

May 7, 1992 Affidavit of Service filed. BRUCE A. BARRETT, Esquire, being duly sworn , deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of a Complaint under Section 3301(c) of the Divorce Code was sent by registered mail to the Defendant.
3. The registered mail was sent to the Defendant at RD 2 Box 167 B Saegertown, PA 16433 on Apri 29, 1992. The Sender's reciept is attached hereto.
4. The Defendant received said registered mail on May 5, 1992. Said receipt card number 320 791 359 is attached hereto and signed by the Defendant, Diana L. Henry.

Bruce A. Barrett

Sept. 21, 1992 Affidavit of Consent of Plaintiff filed.

Oct. 23, 1992 Affidavit of Consent of Defendant, filed.

Oct 23, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 29, 1992 AND NOW, Oct. 28, 1992, it is ordered and decreed that **LARRY ROBERT HENRY,** Plaintiff, and **DIANA L. HENRY,** defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, J.

1992

Berger, Kapetan,
Meyers, Rosen, Louik
& Raizman, PC
Neil R. Rosen

421

DAVID MANROSS, Administrator of the Estate of FRANCIS BARNES and DIANA TOTH

vs.

JOSEPH C. BARNHART

Filed April 30, 1992
@ 1:32 PM

Tax & entry paid	50.50
user's Fee paid	5.00

WRIT OF SUMMONS
Issued (Atty)

May 15, 1992 Acceptance of Service of Praecipe for Writ of Summons in Civil Action by Joseph C. Barnhart, filed.

422

1992

Bernstein & Bernstein,
Susan W. Laatsch

422

THE GLIDDEN COMPANY

vs.

JOSEPH P. LaBRUZZO

Filed April 30, 1992
@ 2:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. Pd 6/22/92	9.00
Sat paid 9/30/94	5.00

COMPLAINT
1 copy (sheriff)

May 11, 1992 SHERIFF's RETURN FILED. SERVED Joseph P. LaBruzzo on May 4, 1992 at 11:24 AM by handing a copy of the Complaint to Rose LaBruzzo, Adult in Charge at the residence, 736 LIberty STreet, Meadville, C rawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

And Now, June 22, 1992 at 1:19 P.M. upon Praecipe of plaintiff's attorney, with Notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the same is liquidated at the sum of Four thousand four hundred forty-nine and 18/100 dollars, plus interest, and cost of suit.

Debt	$4,449.18
Int. from 5/16/92-6/16/92 (Included)	18.85
Judgment	
Barbara H. King	
Prothonotary	

Entered June 22, 1992
Abstract to Atty. Krawec

Sept. 27, 1994, upon praecipe of plaintiff attorney, this judgment is satisfied of record.

1992

Barbara J. Walton

423

PAMELA KAY LYNN

vs.

ROBERT J. ALTER, JR

Filed April 30, 1992
@ 2:41 PM

Tax & entry paid	50.50
User's fee paid	5.00
John Fuller Mediator	150.00
Pro Co Pd 10-12-92 Ch# 7107	9.00

Received from Plf Mediation Petition 6-3-92 $150.00

10-2-92 Paid Plaintiff Refund Ch# 7098 Med. Dep Bal 66.00

10-12-92 C.C. Comm Mediator Fee Ch# 7106 75.00

PETITION FOR CUSTODY
1 copy (atty)

June 3, 1992 MOTION FOR APPOINTMENT OF CUSTODY MEDIATOR and NOTICE AND ORDER TO APPEAR filed. ORDER: YOU, ROBERT ALTER, have been sued in Court to obtain custody of COLTON THOMAS ALTER.

YOU ARE ORDERED to appear for a hearing before John Fuller, Child Custody Mediator, at such time and place as he shall designate.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

until such time as the mediation hearing takes place, physical custody of the minor child COLTON THOMAS ALTER shall be with Plasinitff PAMELA LYNN, with reasonable visitation to the Defendant ROBERT ALTER. Date: June 2, 1992 BY THE COURT:
Anthony J. Vardaro, J.

June 3, 1992 - 1 copy (Mediator)

June 9, 1992 Affidavit of Service, filed. 1. A true and correct copy of the Motionfor Appt. of Mediator, filed in the above-captioned matter was served upon the Defendant, ROBERT J. ALTER, by certified mail, restricted delivery, pursuant ot Pa. R.C.P. 412 on May 19, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097905) attached herto as Ex. A.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities. B. Walton

July 8, 1992 ORDER filed. AND NOW, July 6, 1992, after mediation conference before John Fuller, Esquire, II IT IS ORDERED AND DECREED as follows, to wit:

I. Legal custody of Colton Thomas Alter shall be with his mother, Pamela Kay Lynn.

II. Physical custody of Colton Thomas Alter shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other Sunday from 11:00 a.m., to 5:00 p.m., on Sunday, beginning July 12, 1992. Such visits shall either take place at the home of the mother or at the home of the father's parents, as the father elects.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays until 1:00 p.m, and in the custody of the father on the aforesaid holidays from 1:00 p.m.,, until 5:00 p.m.

C. Transportation of the child on week ends and holidays shall be provided by the father.

D. Neither mother nor father shall say or do anything in an attempt to turn the child agaisnt the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

E. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well-being.

F. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference shall be divided as follows: 1/2 to be paid by the mother and 1/2 by Crawford County. Anthony J. Vardaro, J.

July 13, 1992 copy in box for B. Walton & J. Fuller, mailed copy to Plf. & Dft.

Oct 1, 1992 MOTION FOR REFUND OF MEDIATION DEPOSIT and ORDER filed. ORDER: And Now, Sept. 30, 1992, this Court orders that the Prothonotary's Office refund to Plaintiff's attorney for Plaintiff the amount of $66.00 which is the amount of unused mediation deposit.

By the Court:
Gordon R. Miller, P.J.

Oct 6, 1992 copy to B. Walton

424

1992

David W. Pickens

424

Culbertson, Weiss
Schetroma & Schug
Glenn A.W. Thompson

The Plant Place of Meadville, Incorporated
WILLIAM W. DARRIN

vs.

JOHN McCARNEY and JMC MANAGEMENT, INC

Filed April 30, 1992
@ 3:48 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. Certificate Pd 1/3/94	1.00
Pro.Co. Certificate Pd 1/3/94	1.00

APPEAL OF DEFENDANT FROM DECISION FROM DISTRICT JUSTICE WILLIAM CHISHOLM 30-2-01

Apr. 30, 1992 Rule entered upon Plaintiff to file a Complaint issued.

May 1, 1992 Proof of Service of NOtice of Appeal and Rule to File Complaint filed.

May 20, 1992 Complaint filed. 1 copy (atty)

June 12, 1992 Answer and New Matter of Defendants John A. McCarney JMC Management, Inc. and McCarney Enterprises, Inc. to Plaintiff's Complaint, filed.

June 26, 1992 Reply filed.

Aug. 7, 1992 (See Consolidation of case and papers filed at AD 1992-310)

Dec. 22, 1993 Upon Praecipe of David Pickens, Esquire, Attorney for Plaintiff, the above number and term is hereby marked settled and discontinued of record with prejudice.
(See paper filed at AD 1992-310)

1992

Watts & Pepicelli
Alan L. Pepicelli

425

Knox,McLaughlin,
Gornall & Sennett, P.C.
Mark E. Mioduszewski

LORETTA T. LONGO and OSCAR LONGO, her husband

vs.

RALPH J. MERENDA, individually and t/a/d/b/a MERENDA FURNITURE and MARY V. MERENDA, individually and t/a/d/b/a MERENDA FURNITURE

Filed April 30, 1992
@ 4:10 Pm

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	37.00
Pro. Co. pd 8/10/93	6.00

WRIT OF SUMMONS
Issued (Sheriff)

May 12, 1992 SHERIFF's RETURN FILED. SERVED Ralph J. Merenda personally on May 5, 1992 at 10:43 AM by handing copy of Summoms to him at his place of business, Merenda Furniture, 1728 Conneaut Lake Rd., Meadville, Crawford County, PA.
SERVED Mary V. Merenda on May 5, 1992 at 10:44 AM by handing copy of Summons to her husband and partner, Ralph J. Merenda, at their place of business, Merenda Furniture, 1728 Conneaut Lake, RD., Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 21, 1992 APPEARANCE OF KNOX, McLAUGHLIN, GORNALL & SENNETT, P.C. by Mark E. Mioduszewski, Esquire for Defendants, Ralph J. Merenda and Mary V. Merenda, individually and t/d/b/a Merenda Furniture, filed.

May 21, 1992 Upon Praecipe of Defendant's Attorney Rule filed upon Plaintiff to file Complaint issued.

June 2, 1992 PROOF OF SERVICE OF RULE TO FILE COMPLAINT,filed.

Jan. 28, 1993 Complaint In Civil Action filed.

Jan. 28, 1993 Notice Of Service of Answers to Interrogatories and Request for Production to Plaintiffs filed.

Jan. 28, 1993 Notice Of Service filed. Alan L. Pepicelli, Esquire, hereby certified that a certified copy of the Complaint in Civil Action, an original Requests for Prodcution of Documents and an original and two sets of Interrogatories were served upon the above Defendants via regular U.S. mail sent to their counsel, Mark E. Mioduszewski, Esquire, 120 West Tenth Street, Erie, PA 16501-1461, on January 28, 1993. Alan L. Pepicelli

Apr. 8, 1993, Answer and New Matter filed.

Apr. 21, 1993 Notice of Depositions of Brent Gaydosh and Ralph J. Merenda filed.

Aug. 10, 1993 Upon Praecipe of Alan L.Pepicelli,Esquire, Attorney for Plaintiff, the above captioned case settled and discontinued of record

1992

Scott, Vogrin &
Riester
Alexander J. Jamiolkowski

426

GALE COULTER, Administratrix of the Estate of LOIS A. COULTER, deceased

vs.

JOHN RAYMOND McGEE and
RAYMOND C. McGEE

Filed May 1, 1992
@ 11:48 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 8-7-92	6.00

WRIT OF SUMMONS
Issued (atty)

May 27, 1992 PETITION TO SETTLE AND COMPROMISE ACTIONS FOR WRONGFUL DEATH AND SURVIVAL and ORDER, filed. ORDER: AND NOW, to-wit, this 27th day of May 1992, upon consideration of the within Petition, it is hereby ORDERED, ADJUDGED AND DECREED that:

a. plaintiff has received an offer of settlement in the case in the amount of Fifty Thousand Dollars ($50,000.00) which represents that policy limits of defendant's available insurance, in return for the execution of a Joint Tort-Feasors Release;

b. plaintiff has also received an offer of settlement in the amount of Twenty-Five Thousand Dollars ($25,000.00) which represents the limits of underinsured motorists coverage available from decedent's insurance company;

c. the compromise settlements as set forth in paragraphs a and b are hereby approved;

d. Gail A. Coulter, Administratrix of the Estate of Lois A. Coulter, deceased, is hereby authorized to accept the amounts set forth in paragraphs a and b as settlement of plaintiff's causes of action against the defendants, John Raymond McGee and Raymond C. McGee together with any and all claims against State Farm Mutual Automobile Insurance Company;

e. the law firm of SCOTT, VOGRIN & RIESTER, attorneys for petitioner, is hereby authorized to settle, discontinue and dismiss this action on behalf of the plaintiff at the above term and number;

e. the proceeds of the settlements shall be distributed under the Wrongful Death Act as follows:

i. to Charles Coulter the amount of Forty-Eight Thousand Two Hundred Six Dollars and 17/100 ($48,206.17);

ii. to SCOTT, VOGRIN & REISTER for counsel fee the amount of Twenty-five Thousand Dollars ($25,000.00);

iii. to SCOTT, VOGRIN & RIESTER for costs paid the amount of Two Hundred Ninety-Three Dollars and 83/100 ($293.83);

iv. to the trustee account of SCOTT, VOGRIN & RIESTER for future litigation costs in the amount of One Thousand Five Hundred Dollars ($1,500.00); and,

f. this case is hereby settled and discontinued with prejudice.

BY THE COURT:
Anthony J. Vardaro, J.

June 3, 1992 copy mailed to A. Jamiolkowski

Aug 3, 1992 Upon praecipe of Plaintiff attorney the above case is settled and discontinued of record.

1992

John P. Gagliotti
Devine & Kuftic
Dennis G. Kuftic

427

JAMES H. GARDEN

vs.

TIMOTHY M. O'DONNELL

Filed May 1, 1992
@ 2:55 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 2-9-83	15.00

Jury Trial by 12 is Demanded
APPEAL FROM DECISION OF
DISTRICT JUSTICE WAYNE HANSON BY DEFENDANT

May 1, 1992 Rule entered upon plaintiff to file a complaint issued.

May 4, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

May 6, 1992 Proof of Service Filed.

May 21, 1992 Complaint filed.
May 21, 1992 Two (2) copies to Atty. Kuftic

June 29, 1992 Verification Filed.

July 2, 1992 Answer, New Matter and Counterclaim filed.

July 21, 1992 Reply To New Matter and Counterclaim filed.

Feb 9, 1993 Upon praecipe of Plaintiff attorney to appoint Arbitrators, the following Arbitrators are appointed.
John Brautingam, Chr.
Kathleen Nelson
John Petruso

Feb. 18, 1993 Arbitrators take qualifying oath.

Mar. 3, 1993 Notice of Hearing Before Board of Arbitrators filed.

Apr 1, 1993 NOTICE OF HEARING BEFORE BOARD OF ARBITRATORS, filed.

Apr. 26, 1993, Written Notice of Intention to Offer Documents Pursuant to Pa. R.C.P. 1305(b)(3) filed.

May 4, 1993 Rescheduled Notice of Hearing Before Board of Arbitrators filed.

May 17, 1993 REVISED Notice of Hearing Before Board of Arbitrators, filed.

June 18 , 1993 Decision of Arbitrators filed in which they find: in favor of the Plaintiff in the amount of $1,750.00 and against Defendant on the counterclaim
O-163 DECISION OF ARBITRATORS

June 25, 1993 Copies given to Atty's. Gagliotti & Kuftic

Mary Ann Kirkpatrick

428

R CHARLES THOMAS.

TIMOTHY JAMES WILLS

vs.

DEBORAH BAKER WILLS

Filed May 1, 1992
@ 3:21 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts	30.00
State paid	10.00
Pro Co Pd 4/7/93	9.00
Pro Co pd 5-12-93	~~9.00~~ 5.00

DIVORCE COMPLAINT, ALIMONY, ALIMONY PENDENTE LIT, REASONABLE COUNSEL FEES, COSTS AND EXPENSES, EQUITABLE DISTRIBUTION
1 copy atty

May 14, 1992 AFFIDAVIT OF SERVICE FILED. AND NOW, May 14, 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Timothy James Wills, Plaintiff inthe above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 899 085 268; postmarked May 7, 1992, to the last known address of the Defendant,Deborah Baker Wills. c/o Jim Baker, R.D.#2, Woodside Dr., Meadville, PA 16335.

3. That the Defendant, Deborah BAker Wills, on May 9, 1992, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of theComplaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Constance L. Deitman

July 28, 1992 Motion to Set Hearing forAlimony Pendente Lite, Reasonable Counsel Fees, Costs and Expenses and Order filed. AND NOW, July 28, 1992 hearing on Alimony Pendente Lite, Reasonable Counsel Fees, Costs andExpenses is set for Aug. 14, 1992 at 9:00 a.m. o'clock in courtroom 1 or 2 of the Crawford County Courthoust at Meadville, PA.

For The Court:
Imogene Yetman, Court Administrator

Aug. 4, 1992Copy of Order Mary Ann Kirkpatrick, ESq. and Defendant.

Aug. 11, 1992 Reassignment Of Hearing Date filed. August 11, 1992: Hearing in the above captioned matter heretofore set for August 14, 1992, at 9:00 a.m., is hereby reset for Tuesday, August 18, 1992, at 2:00 P.M., in Courtroom 2.

FOR THE COURT,
Imogenge Yetman, CA.

Aug. 11, 1992 Copies distributed by C.A.

August 14, 1992 Affidavit Of Consent of defendant filed.

Aug. 21, 1992 Hearing on Motion for Alimony Pendente Lite, Reasonable Counsel Fees, Costs, and Expenses and Order filed. AND NOW, August 18, 1992 this matter is before the Court on Plaintiff's petition for alimony pendente lite, counsel fees, costs, and expenses.

The parties are represented by counsel and the matter proceeds informally.

It appears that the Plaintiff husband has limited disability income at this time of $500 per month and he is currently residing in the marital home.

However, the Defendant/Wife has apparently been paying for a period of time a first mortgage on the house in the amount of $476, as well as a Marine Midland loan that was a marital loan of the parties in the amount of $137 per month, and a MasterCard/Visa bill in the amount of $89 per month. Additionally, she has been paying the home insurance and the automobile insurance for Plaintiff's vehicle, and has maintained hospitalization through her place of employment for him, although apparently there is no cost to her for that coverage.

The parties currently have a home for sale which appears to be the stumbling block in concluding this divorce, and the Court explores with them the possible sale of that home.

It appears that they have it listed in excess of $87,000 but on this date, both parties agree that they will sell the home if they receive an offer of at least $80,000.

Accordingly the Court directs the Defendant to continue for a period of three months from this date to pay the mortgage in the amount of $476, the Marine Midland Loan in the amount of $137, the MasterCard/Visa bill in the amount of $89, the insurance on the marital home, the insurance on the automobile driven by the Plaintiff, being a 1984 Cadillac, and directs the Defendant to continue providing hospitalization for the Plaintiff.

Additionally, the Defendant shall pay the monthly electric bill of the Plaintiff for the marital home providing he supplies that to her so that she may do so.

If the parties are presented with a signed bona fide offer for the purchase of the home in an amount of at least $80,000, and that offer is rejected by the Plaintiff, the requirements of this order shall cease.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

Aug. 21, 1992 Copy of the Order put in Atty. Kirkpatrick and Thomas Boxes.

Nov. 12,1992 Affidavit of Consent of Defendant, filed.

Mar. 30, 1993 Affidavit of Consent of Plaintiff, filed.

Apr. 6, 1993, Affidavit of Consent of defendant filed.

Apr. 7, 1993, Upon praecipe of plaintiff attorney, for review Under Section 3301(c) of the divorce code, this case moved to court.

Apr. 7, 1993, Income and Expense Statement of Timothy James Wills filed.

Apr. 7, 1993, Defendant's Income and Expense Statement filed.

DIVORCE DECREE FILED

April 16, 1993 FINAL DECREE AND NOW, this 16 day of April, 1993, it is ordered and decreed that **TIMOTHY JAMES WILLS**, plaintiff, and **DEBORAH BAKER WILLS**, Defendant, are divorced from the bonds of matrimony. It is further ordered and decreed as follows:

I. EQUITABLE DISTRIBUTION - TANGIBLE PERSONAL PROPERTY.

1. The Defendant is awarded three (3) Morgan riding horses.
2. The Defendnat is awarded two (2) horse trailers.
3. The Defendant is awarded a certain 1978 Chevrolet Monte Carlo motor vehicle or the cash value thereof.
4. The Defendant is awarded a certain 1984 Chevrolet Silverado Pickup Truck.

RECORD CONTINUED ON PAGE 428(a).....

TIMOTHY JAMES WILLS

VS.

DEBORAH BAKER WILLS

RECORD CONTINUED FROM PAGE 428

OF

AD 1992 - 428

****

5. The Plaintiff is awarded a certain 1980 Cadillac motor vehicle.
6. The Plaintiff is awarded a certain 1966 GTO motor vehicle.
7. The Plaintiff is awarded a certain 1967 Lemans motor vehicle.
8. The Plaintiff is awarded a certain 1955 Chevrolet Nomad motor vehicle.
9. The Plaintiff is awarded all tangible personal property presently in the Plaintiff's custody or under the Plaintiff's control, which personal property was formerly located at the former marital residence of the Plaintiff and the Defendant at RD # 3, McCracken Road, Cochranton, PA.
10. The Defendant is awarded all tangible personal property presently in her custody or under her control, which tangible personal property was formerly located at the former marital residence of the Plaintiff and the Defendant at RD # 3, McCracken Road, Cochrantn, PA.

II. EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY.

11. The Defendant is awarded cash in the amount of $31,252.34 plus one-half of the additional interest that will accrue on a certain savings account at the Marquette Savings Association, being Account No. 2-292631-1, from March 1, 1993 until the date of the entry and filing of this Decreein Divorce.
12. The Plaintiff is awarded cash in the amount of $16,252.34 plus one-half of the additional interest that will accrue on a certain savings account at the Marquette Savings Association, being Account No. 2-292631-1, from March 1, 1993 until the date of the entry and filing of this Decree in Divorce.
13. The Defendant is awarded one-half of any monies returned to the Plaintiff and Defendant pursuant to the terms and conditions of a certain escrow agreement dated Dec. 18, 1992 by and between the Plaintiff and Defendant and Theodore Skip Charles and Annette B. Charles.
14. The Plaintiff is awarded one-half of any monies returned to the Plaintiff and Defendant pursuant to the terms and conditions of a certain escrow agreement dated Dec. 18, 1992 by and between the Plaintiff and Defendant and Theodore Skip Charles and Annette B. Charles.
15. The Defendant is awarded any and all benefits to which she is entitled as an employee of the Pittsburgh Plate Glass Company and in which the Defendant participates as an employee of the Pittsburgh Plate Glass Co., including, but not limited to, the following: pension and retirement benefits; life insurance benefits; Pittsburgh Plate Glass Co. stock participation plan; and Pittsburgh Plate Glass Company savings plan.

III. ALIMONY AND COUNSEL FEES.

16. The Plaintiff's request for permanent alimony is denied.
17. The Plaintiff's request for counsel fees is denied.

IV. MARITAL DEBTS.

18. The obligation incurred by the Plaintiff and Defendant in favor of Mellon Bank under Account No. 076316585, with a principal balance due thereon as of March 17th being in the amount of $3,735.66 with a per diam interest rate of $1.36 per day, shall be paid from the escrow savings account established at Marquette Savings Association, being Account No. 2-292631-1, within five (5) days after the entry and filing of this Decree in Divorce.
19. The cash awards made to the Plaintiff and Defendant pursuant to Paragraphs 11. and 12. of this Decree have been computed pursuant to the statement attached to this Decree and, indentified as Proposed Distribution, Escrow Account, Marquette Savings Association, Account NO. 2-292631-1.
20. Plaintiff and Defendant shall sign, execute and acknowledge any and all documents necessary to effectuate the transfer of the motor vehicles awarded to the Plaintiff and Defendant pursuant to this Decree in Divorce.
21. That neither the Plaintiff nor the Defendant shall make any further claims against the other hereto except for the enforcement of the rights and responsibilities set forth in this Decree in Divorce.

BY THE COURT,
Anthony J. Vardaro, J.

May 12, 1993 Notice of Election to Retake Maiden Name, filed. Deborah Baker Wills To Be Knmown As: Deborah Susan Baker.

428
-b-

_____TERM

1992

Devine & Kuftic
~~Elizabeth A. Malc~~
Withdrawn

429

PADRIAC D. McGRATH

vs.

RACHEL M. REICHART

Filed May 4, 1992
@ 9:32 am

Tax & entry paid	50.50
User's Fee paid	5.00

$150.00 deposited
by Plaintiff

COMPLAINT FOR CUSTODY
2 copies (atty)
1 copy (med)

Oct. 28, 1992 Motion for Leave to Withdraw Appearance and Order filed. AND NOW, to-wit, this 28th day of October, 1992, it is ORDERED ADJUDGE AND DECREED that counsel for the Petitioner, Elizabeth A. Malc, Esquire, be permitted to withdraw her appearance in this case.

P. Richard Thomas, S. J.

Oct. 27, 1992 Copy of Order to Atty.

Sept 22, 1998 ORDER: Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 10/28/1992. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear from you in writing on or before Oct 23, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objectioins must be filed in the Prothonotary's office on or before Oct 23, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

Date: Sept 22, 1998 Anthony J. Vardaro, J.

Nov. 5, 1998 ORDER filed. AND NOW, this 30th day of Oct., 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given by publication of a "Notice of Intent To Terminate Cases" printed in the Crawford County Legal Journal on Oct. 14, 1998, and no objection thereto having been received by the Court from either party in the cases listed below, all and each of the 84 cases listed below are hereby terminated and dismissed with prejudice. A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901l.

By the Court:
Gordon R. Miller, P.J.

430

Barbara Walton

ANNA M. ROSSEY

vs.

WILLIAM G. ROSSEY

Filed May 4, 1992
@ 10:28 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	30.00
Pro Co pd 6/10/92	5.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 4 day of May, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: **Defendant may not go to residence of the Plaintiff for any purpose.**
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 13, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
P. Richard Thomas, S.J.

May 5, 1992 Sheriff's Return filed. SERVED William G. Rossey personally on May 4, 1992 at 3:50 PM by handing a copy of the Protection from Abuse to him in the Sheriff's Office, Crawford County Courthouse, Meadville, Crawford County, PA.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

May 12, 1992 ORDER FILED. AND NOW, May 12, 1992, at the request of the defendant who alleges that he is in the Stepping Stones Program for two weeks, the protection from abuse hearing scheduled for May 13, 1992 is continued and shall be held on May 27, 1992 at 3:30 o'clock p.m. in the Crawford County Courthouse.

In the meantime the temporary abuse order of May 4, 1992 shall remain in full force and effect.

A copy of this Order shall be served upon the plaintiff, the Meadville City Police Department, County Control, and the defendant. The defendant's copy shall be mailed to the Stepping Stones Unit and delivered to him by the personnel in that unit forthwith.

BY THE COURT
GordonR. Miller, P.J.

May 12, 1992 copy of the order to: Co. Control, Meadville City Police, 2 copies to Stepping Stones.

May 18, 1992 APPEARANCE of Barbara J. Walton,Esquire by Barbara J. Walton, Esquire for Anna M. Rossey, Plaintiff, filed.

May 29, 1992 Order Filed. AND NOW, May 27, 1992, the Plaintiff appeared with counsel, the Defendant appeared without counsel, was advised as to the nature of the proceedings without counsel. He has no defense to the petition and does not object to an ABuse Order being entered against him. Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the children named in the Petition, this is William M. Rossey and Jason Yendel.
2. Sole possession of 216 North Street, Meadville, Pennsyvania, is awarded to the Plaintiff. The Defendant shall not go that residence for any reason. The Defendant shall not contact Plaintiff in any manner.
3. The Defendant is advised that even if the Plaintiff invites him back he should not go back until there is a further Order of Court, because by going back even though the Plaintiff may invite him in, that would be a violation of this Order for which he could go to jail. In the event that either party wishes to dissolve this Order or to allow the Defendant to go back or contact the Plaintiff, they should seek a modification of this Order.
4. This Order may be enfoced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of the Ordr shall be delivered by the Prothonotary to County Control and the Meadville City Police Department.
6. A copy of this Order shall be sent to theDefendant at 1204 Pennsylvania Avenue, Meadville, Pennsylvania by the Prothonotary.
7. This Order shall remain in full force and effect until May 26, 1993 unless modified or terminated by further Order of Court.
8. Since the Plaintiff is on disability and Defendant has not worked for sometime, court costs are waived and shall be paid by the County.
9. The Defendant is reminded that his is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

June 5, 1992 Copy of the order to: Barbara Walton, ESq.Plft. & Dft. County Control, Meadville City Police Department

June 10, 1992 Upon praecipe of Atty. Walton the above captioned action is hereby withdrawn.

1992

William J. Gregg 431	WILLIAM COULTER vs. LINDA CLAYPOOLE Filed May 4, 1992 @ 10:22 am Tax & entry paid 50.25 User's Fee paid 5.00	APPEAL OF PLAINTIFF FROM DECISION OF DISTRCIT JUSTICE WAYNE HANSOOO 30-3-01

1992

432

MASTER FEED & GRAIN, INC.

vs.

MATTOCKS FIVE, INC

Filed May 4, 1992
@ 12:47 am

Pro King paid	9.00
Plff. on orig.	35.50
Pro.Co. pd 4/23/96	5.00

AGREEMENT TO REVIVI

of

AD 1987 - 629

Revival of Judgment indexed by Prothonotary in favor of Plaintiff and against the defendan tin the sum of Forty-eight Thousand Seventy-seven and 96/100 plus costs

Debt---$48,077.96
Dated -- April 30, 1992
M-185 --- JUDGMENT

Barbara H. King
Prothonotary

Apr. 18, 1996 at 3:23 PM Writing filed wherein Plaintiff releases from the lien of the above entitled judgment the following described property: All that certain piece or parcel of lan situate in the Borough of Conneaville, Crawford County, Pennsylvania, more fully described in a Deed from Mattocks Five, Inc. to Keith Shidemantle, dated April 17, 1996, and recorded in Crawford County Deed Book 301, Page 1131. (For more complete description, See Release of Lien filed.)

Revived to AD1997-402

1992

Arthur A. Kusic

433

PENNSYLVANIA STATE
EMPLOYEES CREDIT UNION

vs.

JEAN CARTER GROVE

Filed May 4, 1992
@ 12:54 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	27.00
Pro Co Pd 9-21-92	15.00
Pro.Co. pd 1/19/93	9.00
~~Pro. Co. pd 4/23/96~~	~~5.00~~

IN ERROR

COMPLAINT
1 copy (Sheriff)

May 14, 1992 SHERIFF's RETURN FILED. SERVED Jean Carter Grove on May 6, 1992 at 11:30 AM by handing a copy of the Complaint to Gary Carter, Adult in Charge at the residence, R.D.#2, Box 616B, North Watsun Run Road, Conneaut Lake, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 10, 1992 ANSWER TO PLAINTIFF'S COMPLAINT, filed.
June 10, 1992 1 copy (atty)

Sept. 21, 1992 Upon praecipe of Plaintiff attorney for APPOINTMENT OF Arbitrators, the following Arbitrators are appointed.

Douglas Ferguson, Chr.
John Petruso
Louis Stack

Oct. 9, 1992 Arbitration Take Qualifying Oath.

Nov. 19, 1992 Notice Of Arbitrator's Hearing filed.

AND NOW, Jan. 19, 1993 at 1:39 PM Pursuant to the within Stipulation for Judgment, judgment entered in favor of Plaintiff and against Defendant in the amount of Three thousand four hundred ninety-one and 71/100 Dollars plus court costs. The parties further Stipulte that Plaintiff shall not execute on the Judgment until expiration of 90 days from date of entry of Judgment.

	Debt $3,491.71,plus costs
G-277-1	Judgment
Entered Jan.19, 1993	Barbara H. King
Abstract to Atty. Kusic.	Prothonotary

IN ERROR

~~Apr.18, 1996 at 3:23 P.M. Writing filed wherein Plaintiff release from the lien of the above entitled judgment the following described property: All that certain piece or parcel of land situate in the Borough of Conneautville, Crawford County, Pennsylvania, containing about 80/100ths of an acre of land, and more fully described ina Deed from Mattocks Five,~~

434

1992

Kuhn Law Office
Daniel J. Kuhn

434

CARTER N. SHERMAN

vs.

ROSE M. SHERMAN

Filed May 4, 1992
@ 1:14 PM

State Rd. 5-4-92 10.00
Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co Pd 10-4-94 9.00

COMPLAINT IN DIVORCE
1 copy (atty)

May 8, 1992 AFFIDAVIT OF MAILING FILED. I Daniel J. Kuhn, Esq., Attorney for Plaintiff, after being duly sworn according to law, hereby state that I mailed by Certified Mail No., 824 413 817, Return Receipt Requested, a true and correct copy of the Complaint in this Action, NOtice to Defend and Claim Rights and NOtice of Counseling to the Defendant, at R.D.#1, Cambridge Springs,Pennsylvania 16403, and that the Defendant did receive the same on May 6, 1992, as evidenced by the signed receipt attached hereto as Exhibit "A".
Daniel J. Kuhn, Attorney for Plaintiff

Aug. 3, 1994 Motion to Amend Complaint inDivorce Amended Complaint in Divorce and ORDER filed. AND NOW, to-wit, this 3rd day of August, 1994, it is hereby ORDERED, ADJUDGED, and DECREED that the above-captioned Plaintiff, Carter N. Sherman, is granted the right to amend the Complaint in Divorce at the above term and number to Section 3301 (d) of the Pennsylvania Divorce Code.
P. Richard Thomas, S.J.

8-3-94 Faxed to Atty. Kuhn

Aug. 11, 1994 Amended Complaint in Divorce filed.

Aug. 11, 1994 Affidavit Under Section 3301(d) of the Divorce Code of Plaintiff filed.

Aug. 19, 1994 Proof of Service as Required by Pa. RCP 405 (c), filed. I, Daniel J. Kuhn, Esq., attorney for Plaintiff, after being duly sworn according to law, hereby state that I mailed by Certified Mail No. P 824 413 878, Return Receipt Requested, a true and correct copy of the Complaint pursuant to Section 3301 (d), Plaintiff's Affidavit, Notice to Defend and Claim Rights and Notice of Counseling as required by Section of 3301 (d) of the Divorce Code, to the Defendant, at R.D.#1, Box 157 E, Cambridge Springs,PA 16403, and that the Defendant did receive the same on August 16, 1994, as evidenced by the signed receipt attached hereto as Exhibit "A".
August 17, 1994 Daniel J. Kuhn

Sept. 28, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 6, 1994 AND NOW, October 5, 1994, it is hereby ordered and decreed that CARTER N. SHERMAN, Plaintiff, and ROSE M. SHERMAN, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

435

Bruce A. Barrett

PETITION FOR INVOLUNTARY TREATMENT

of

WILLIAM D. STITT

Filed May 4, 1992

INVOLUNTARY TREATMENT PETITION
Mental Health 304 & 3305

May 7, 1992 Report of Mental Health Review Officer, Recommendation and ORDER filed. AND NOW, this 6th day of May, 1992, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Reprot of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the Respondent be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from April 8, 1992.

BY THE COURT,
Gordon R. Miller, P.J.

May 13, 1992 Copy of Order to Atty. Thomas Africa, WSH and MHMR.

Nov. 18, 1992 PETITION FOR INVOLUNTARY TREATMENT, filed.

Nov. 18, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER, filed. ORDER,AND NOW, this 20th day of November, 1992, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review fo the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the Respondent be committed to the Warren State Hospital for treatment for aperiod not to exceed 180 days from Oct. 5, 1992.

BY THE COURT,
Gordon R. Miller, P.J.

Nov. 25, 1992 copy to MH/MR, WSH, Atty. Africa

Apr. 5, 1993 Petiton for Involuntary Treatment filed.

May 17, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER, filed. ORDER: And now, May 14, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said William D. Stitt be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on May 14, 1993.

BY THE COURT,
Gordon R. Miller,p.J.

May 20, 1993 copy to Atty Africe, MH/MR, WSH

Nov. 17, 1993 Petition For Involuntary Treatment, filed.

Dec. 14, 1993 Report of Mental Health review Officer and Order, filed. And now, December 14, 1993, upon consideratiion of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED AND DIRECTED that the said William D. Stitt be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on N/A.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 21, 1993 copy to B. Barrett, MH/MR, WSH

May 31, 1994, Petition for Order of Court filed.

June 16, 1994 Report of Mental Health Review Officer and Order, filed. And now, June 15, 1994, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said William D. Stitt be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on N/A.

BY THE COURT,
Gordon R. Miller, P.J.

June 23, 1994 copy to Barrett, MH/MR, WSH

Jan. 12, 1995 Recommendation for Civil court commitment Under Section 305 of the Mental Health Procedures Act of 1976 and ORDER filed. AND NOW, this 11 day of January, 1995,upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said William Stitt be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from December 15, 1994.

BY THE COURT,
Gordon R.Miller, J.

1-13-95 Copy to Atty. Barrett, MH/MR, WSH & Atty.Africa

Jul. 31, 1995 Mental Health Procedures Act of 1976 (Sections 304 and 305),filed.

Jul. 31, 1995 Recommendation for Civil Court Commitment Under Section 305 of the Mental Health Procedures Act of 1976 and ORDER filed. AND NOW, this 27th day of July, 1995, upon considerationof the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Reviewe Officer, it is hereby ORDERED and DIRECTED that the said William Stitt be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from June 20, 1995.

BY THE COURT,
Gordon R. Miller, J.

8-1-95 Copy to Atty. Barrett, MH/MR, WSH & Atty. Africa

Dec 4, 1995 Mental Health Procedures Act of 1976, filed.

Jan 26, 1996 Report of Mental Health Review Officer and Order of January 25, 1996 committing William Stitt to Warren State Hospital for treatment for a period not to exceed 180 days from January 9, 1996.
Jan 26, 1996 sent Africa, WSH, MH/MR

Barbara Walton

436

LINDA M. HUNT

vs.

BRIAN E. HUNT

Filed May 5, 1992
@ 10:58 am

Tax & entry fee	50.50
User's Fee	5.00
Sheriff's Costs	30.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 5th day of May, 1992, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Peti tion.
2. Special Conditions: Defendant shall not contact Pl aintiff in any manner. He shall move out of 142 Walker Dr. Sole possession of 142 Walker Dr. is awarded to Plaintiff. Custody of the child is given to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocationof fees and costs.

Hearing is her eby set for May 13, 1992, at 3:30 P.M. in Courtroom 1 or 2 of this Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 7, 1992 SHERIFF's RETURN FILED. SERVED Brian E. Hunt personally on May 5, 1992 at 4:25 PM by handing him a copy of the Protection from Abuse at his residence, 142 Walker Drive, Gill Village, Meadville, Crawford County, PA.
So answers,

James Withers, Constable
Robert M.STevens, Sheriff

May 19, 1992 ORDER filed. AND NOW, March 13, 1992 at the time fixed for hearing in this matter the Plaintiff appeared without counsel. The Defendant was advised as to the nature of the proceedings and his right to counsel. The parties have agreed to a settlement of this case.

The Defendant agrees to the following order, without admission as to the truth of the facts set forth in the complaint. Accordingly, it is ordered as follows:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or the minor child named in the petition.
2. Sole possession of 142 Walker Drive is hereby granted to the Plaintiff.
3. The Defendant shall not contact the Plaintiff in any manner except as hereinafter provided. He shall n ot go to her place of residence except to exercise visitation rights.
4. Until further order of court in an appropriate custody or visitation proceeding, primary physical custody of Tabatha R. Hunt shall be with the Plaintiff. The Defendant shall have reasonable periods of visitation where he shall be permitted to take Tabatha into his custody for such periods of time and at such times as the parties mutually agree. At no time, however, shall the Defendant take Tabatha to 536 North Street where he currently resides.
5. The Defendant shall be permitted to contact the Plaintiff by telephone to arrange visitations. He shall be permitted to go to her place of residence for the prupose of picking up the child and returning the child. At no time during these contacts shall he assault, abuse, harass or threaten the Plaintiff or the child.
6. In the event that either party desires a change in visitations, he or she shall file an appropriate custody action that will be processed in accordance with the normal Rules and legal practice regarding custody matters.
7. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
8. A copy of this order shall be mailed to the Defendant at 536 North Street, Meadville, Pa. Also, a copy of this order shall be delivered to the Meadville City Police Dept. and to County Control.
9. This order shall remain in full force and effect for one year from this date unless or terminated by further Court order.
10. The Plaintiff shall not invite the Defendant back to her house and if she does, the Defendant is advised that he should not go back because going back will be a violation of this order. If the parties wish to resume living together, they shall not do so until they file an appropriate motion or petition with the Court to amend or terminate this order.
11. Since both parties receive public assistance, all the court costs shall be paid by the County.
12. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
13. The Defendant shall be permitted to go to the Plaintiff's residence on Saturday, May 16, 1992 at 1:00 p.m. for the purpose of picking up his personal belongings and taking them. The Plaintiff shall do nothing to damage, destroy, or dispose of his personal belongings. If the parties have an argument about what belongs to him, what he can take and what he shall leave, they shall attempt to resolve that dispute amicably. If they cannot resolve that dispute, the Defendant shall leave those items there in safekeeping with the Plaintiff and bring an appropriate replevin action to get those belongins back.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

May 19, 1992 copies given to Co. Ctr., Atty. Walton, mailed to Mdvl. City Police & Dft.

Continued on Page 436A

1992

LINDA HUNT
vs.
BRIAN HUNT

CONTINUED FROM PAGE 436
of Record
A.D. 1992 - 436

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Aug. 24, 1992 ORDER filed. AND NOW, Aug. 21, 1992, after a hearing where the Defendant was not represented by counsel and waived his right to free counsel the Court finds that the Defendant did engage in improper conduct, but the Court is not satisfied that he should be held in contempt of court because of the flexible language in our Order of March 13, 1992 and the flexible way in which the parties have from time to time conducted themselves under the Order.

Nonetheless, it is ORDERED as follows: The Order of March 13, 1992 is hereby amended in the following respects:

1. Paragraph 4 of the Order of March 13, 1992 is deleted and in its place the following shall occur:
4. Until further Order of Court in an appropriate custody or visitation proceeding primary physical custody of Tabitha Hunt shall be with the Plaintiff. The Defendant shall have the right to visit and take his child into his custody every Saturday between 10:00 a.m. and 7:00 p.m. He shall also have the right to take his child into his custody every Wednesday between the hours of 1:00 p.m. 7:00 p.m. This shall start Saturday, Aug. 22, 1992.

2. Paragraph 5 of the Order of March 13, 1992 is deleted and in its place the following shall be substituted:

5. The Defendant shall not go to the Plaintiff's residence for any porpose and he shall not be within 100 yards of the Plaintiff's residence except for the purpose of picking up the child and returning the child at the beginning and end of the visitation periods. When he goes to pick up the child and when he returns the child he shall not get out of his vehicle.

The Plaintiff shall bring the child to the vehicle and the exchange shall take place there. During these exchanges the parties shall not argue, bicker, raise their voices,assault, abuse, harass or threaten each other.

In the event the Defendant does not appear to pick up his child within 30 minutes after the time the visitation is to begin, the Plaintiff may assume that that visitation is cancelled, the Defendant shall forfeit that visitation period and no substitute shall be afforded.

3. A copy of this Order shall be delivered to the Meadville City Police Dept. and to County Control by the Prothonotar
4. The Defendant's copy of this Order may be mailed to hima t R.D. 3, Box 273A, Cochranton, pa. 16134.
5. Th eDefendant has been incarcerated in the Crawford County Jail since Wednesday, Aug. 19, 1992. He shall be entitled to be released from the Crawford Cofunty Jail immediately. A copy of this Order shall also be given to the Warden of the Crawford Codfunty Jail.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 24, 1992 copies given to Atty Walton, Co. Contrl. & Jail, mailed copy to MPD & Dft.

Aug. 24, 1992 COMPLAINT FOR INDIRECT CRIMINAL CONTEMPT FOR VIOLATION OF PROTECTION FROM ABUSE ORDER, filed.

Aug. 24, 1992 RE: COMPLAINT FOR INDIRECT CRIMINAL CONTEMPT FOR VIOLATION OF PROTECTION FROM ABUSE ORDER - NOTICE OF ASSIGNMENT OF HEARING DATE, filed Aug. 20, 1992: Hearing in the above captioned matter has been scheduled for Aug. 21, 1992, at 9:00 a.m. in Courtroom 1.

FOR THE COURT,
Court Administrator

4/36
-6-

1992

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

437

LINDA D. FETTEROLF

vs.

CHRIS R. FETTEROLF

Filed May 5, 1992
@ 1:22 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 9/18/92	9.00
Pro co pd 10/19/92	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Sept. 18, 1992 Affidavit of Service of Complaint in Divorce filed. R. Charles Thomas, Esquire, being duly sworn according to law, deposes and says that on May 12, 1992,he sent a true and correct copy of the Complaint in Divorce,properly endorsed with the Notice to Defend, filed in the above action to the Defendant, Chris R.Fetterolf, at Defendant's last known address of R.D.#2, Box 51, Cambridge Springs, Pennsylvania 16403, by Certified Mail No. P643 856 946, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as May 13, 1992.
Sept. 18, 1992 R. Charles Thomas, Attorney for Plaintiff

Sept. 18, 1992 Affidavit of Consent by Chris F. Fetterolf, Defendant, filed.

Sept. 18, 1992 Affidavit of Consent by Linda D. Fetterolf, Plaintiff, filed.

Sept. 18, 1992 Upon Praecipe of R. Charles Thomas, Esquire, Attorney for Plaintiff for Review under §3301 (c) of the Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

Sept. 25, 1992 STIPULATION and FINAL DECREE filed. AND NOW this 23 day of Sept., 1992, it is ordered and decreed that LINDA D. FETTEROLF, Plaintiff, and CHRIS R. FETTEROLF, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION--REAL ESTATE

1. The Plaintiff is awarded all that certain piece or parcel of land located in Cambridge Township, Crawford Co., PA., and more specifically described in a certain Deed from Larry R. Powell and Kathy L. Powell, his wife, to Chris R. Fetterolf and Linda D. Fetterolf, his wife, said Deed being dated the 28th day of October, 1981, and recorded in Crawford Co. Deed Book 539, Page 911. The Defendant shall within seven (7) days after the entry of this Decree In Divorce, deliver a Quit Claim Deed to the Plaintiff conveying to the Plaintiff all of his right, title and interest in the aforesaid real estate.

EQUITABLE DISTRIBUTION--TANGIBLE PERSONAL PROPERTY

2. The Plaintiff is awarded a certain 1986 double-wide Commodore Manufactured Home, presently located on the real estate described in Paragraph 1 of this Decree with a mailing address of RD # 1, Cambridge Springs, Crwford Co.,PA.

3. The Plaintiff is awarded a certain 1988 Toyota "4" Runner motor vehicle.

4. The Defendant is awarded a certain 1989 Chevrolet pick-up truck.

5. The Plaintiff is awarded all tangible personal property presently in possession, custody and control of the Plaintiff and located at the former marital residence of the Plaintiff and the Defendant at Box 85, RD # 1, Cambridge Springs, Crawford County, PA.

6. The Defendant is awarded all tangible personal property presently in the possession, custody and control of the Defendant and presently lcoated at the Defendant's residence at RD # 2, Box 51, Cambridge springs, Crawford Co., PA.

EQUITABLE DISTRIBUTION--INTANGIBLE PERSONAL PROPERTY

7. The Defendant is awarded cash in the amount of $8,500.00 which amoutn shall be paid within seven (7) days of the date of the filing and entry of this Decree in Divorce.

8. The Plaintiff is awarded any and all pension benefits and/or retirement benefits to which she may be entitled by reason of her employment at Teledyne.

9. The Defendant is awarded any and all pension plan benefits and/or retirement benefits to which he may be entitled by reason of his employment at Teledyne.

MARITAL DEBTS

10. Plaintiff shall be solely and exclusively responsible for payment of a certain loan incurred by the Plaintiff and Defendant in favor of Pittsburgh Ntional BAnk in connection with the purchase of the aforesaid 1986 Commodore double-wide manufactured home. The Plaintiff shall within seven (7) days after the entry and filing of this Decree In Divorce pay the entire unpaid principal balance together with all accrued interest that may be due on the aforesaid loan in favor of the Pittsburgh National Bank.

11. That Defendant shall be solely and exclusively responsible for the payment of a certain loan incurred by the Plaintiff and Defendant at General Motors Acceptance Corporation in connection with the purchase of the aforesaid 1989 Chevrolet truck. The Defendant shall pay monthly payments due on the aforesaid loan in favor of General Motors Acceptance Corporation in a timely manner and further shall indemnify and hold the Plaintiff harmless from any liability on the aforesaid loan. In the event of default by the Defendant in paymetn of the aforesaid loan and in the event that General Motors Acceptance Corporation commences legal action against the Plaintiff and the Defendant as a result of said default, then, and in that event, the Defendnat shall be responsible for any and all counsel fees incurred by the Plaintiff in the defense of said claim.

MISCELLANEOUS

12. That the Plaintiff shall be responsible for payment of counsel fees and costs incurred by the Plaintiff in connection with the filing of this divorce action.

13. That the Defendant shall be responsible for payment of counsel fees and costs incurred by the Defendant in connection with the defense of this divorce action.

14. That neither the Plaintiff nor the Defendant shall make any further claims against the other party hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree.

BY THE COURT,
Anthony J. Vardaro, Judge

Oct. 19, 1992 Notice Of Election To Retake Maiden Name filed. Linda Diane Fetterolf TO BE KNOWN AS: Linda Diane Watkins

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

438

DORIS F. SANTON

vs.

JAMES R. SANTON

Filed May 5, 1992
@ 1:31 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts	45.00
State paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES and COSTS , PERMANENT ALIMONY,
1 copy (atty)

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 5/5/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1992

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

439

KEVIN J. McKIM

vs.

HELEN N. McKIM

Filed May 5, 1992
@ 2:59 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 9/24/92	9.00

COMPLAINT IN DIVORCE

July 9, 1992 Affidavit of Service filed. I, JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I s erved a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requeste dated May 5, 1992. The Defendant acknowledged service on May 8, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt. James R. Irwin

Sept. 24, 1992 Affidavit of Consent of Helen N. McKim, Defendant, filed.

Sept. 24, 1992 Affidavit of Consent of Kevin J. McKim, Plaintiff, filed.

Sept. 24, 1992 Upon Praecipe of Plaintiff's Attorney, James R. Irwin, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 30, 1992 AND NOW, September 28, 1992, it is hereby ordered and decreed that KEVIN J. MCKIM, Plaintiff, and HELEN M. MCKIM, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Joseph W. Tinko
George R. Gray
Joseph W. Tinko

440

William J.Gregg
Kathleen Nelson
William J.Gregg

3-16-93
Received from Atty
1/2 et Costs
45.75

3-17-93 Pd Sheriff
Ck# 7414 27.00

deposited 3-17-93
#4.25

STACEY ANN WAID

vs.

CHARLES ROBERT WAID

Filed May 5, 1992
@ 4:13 PM

Tax & entry	50.00
User's Fee Pd 3-16-93	5.00
Pd 3-16-93	.50
Sheriff's Costs	27.00
Pro.Co. Pd 3-16-93	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 5th day of May, 1992, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass, or threaten the Pl aintiff or any of the minor children named int he Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. He shall not go to Plaintiffs residence. Cusstody of Lindsey shall be with Plaintiff until further order of Court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be mad eupon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determinated by final court order.
7. The Defendant is reminded that this is an Order Of Court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for May 15, 1992, at 3:30 PM, in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 7, 1992 SHERIFF's RETURN FILED. SERVED Charles Robert Waid personally on May 6, 1992 at 11:20 AM by handing to him a copy of the Protection from Abuse at his residence, Anchor Inn, Apartment 3, R. D.#3, Conneaut Lake, Crawford County, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

May 15, 1992 STIPULATION BETWEEN PARTIES AND CONSENT ORDER FILED. AND NOW, this 15th day of May, 1992 upon agreement of the parties to this action, and without hearing on Plaintiff's Petition for Protection from ABuse or finding that the Defendant committed abuse as defined by the Act, the following Consent Order is hereby entered:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff, nor shall the Defendant go to any place of residence of the Plaintiff during the pendency of this Order, except in exercise of his right of visitation with the minor child as hereinafter set forth.
2. The parties shall share legal custody of their minor child, Lindsey Ann Waid, with the Plaintiff having physical custody of said child. Defendant shall be entitled to visit and take the child into his custody during the following times:
   a) Each and every weekend from Friday at 8:00 p.m. until Sunday at 12:00 noon;
   b) For a four-week period each and every summer which the Defendant may exercise as four consecutive weeks or two, two-week periods. Defendant shall give Plaintiff thirty days written notice of how and when he chooses to exercise his summer visitation.

   Defendant shall be entitled to have reasonable telephone contact with the minor child while she is in the custody of the Plaintiff and the child shall be permitted to telephone theDefendant.
3. This Order shall remain in full force and effect for a period of one year from this date unless modified or terminated by further Order of this Court.
4. The costs in this case shall be shared equally between the parties hereto.
5. A copy of this Order shall be delivered to the police jurisdiction where the Plaintiff resides and to County Control.

BY THE COURT:
Gordon R. Miller, J.

May 15, 1992 Copy of Order to: Joseph M.Tinko, ESq. and William J.Gregg, Esq. Vernon Twp. Police and County Control

1992

William J. Gregg

441

CORTLAND SAVINGS and BANKING COMPANY

vs.

PAUL J. HOBSON and BETTY K. HOBSON, HIS WIFE

Filed May 6, 1992
@ 10:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy (atty)

May 15, 1992 Sheriff's Return filed. SERVED Paul J. Hobson personally on May 11, 1992 at 2:44 PM by handing a copy of the Complaint in Mortgage Foreclosure to him in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
SERVED Betty K. Hobson on May 11, 1992 at 2:45 Pm by handing a copy of the Complaint In Mortgage Foreclosure to Paul J. Hobson, her Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers, Carole Stefanucci, deputy sheriff
Robert M. Stevens, Sheriff

442

1992

William J. Gregg

442

Shafer, swick, Bailey
Irwin & Stack
James R. Irwin

DONNA M. HARTZELL

vs.

RICHARD F. HARTZELL

Filed May 6, 1992
@ 10:34 AM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS and EXPENSES
1 copy (atty)

May 13, 1992 ANSWER TO COMPLAINT IN DIVORCE filed.

May 15, 1992 Affidavit of Service, filed. WILLIAM J. GREGG, ESQ., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice to Defend were sent by registered mail to the Defendant, Richard F. Hartzell, on May 7, 1992.

3. The registered mail was sent to Richard F. Hartzell at R.D. 2, Box 14B, Linesville, Pa. 16424. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on May 11, 1992. Said Return Receipt card P 848 678 417 is attached hereto, signed by Richard F. Hartzell, and made a part hereof.

July 1, 1992 AND NOW, this 1 day of July, 1992, Appearance of Shafer, Swick, Bailey, Irwin and Stack by James R. Irwin, Esquire for Richard F.Hartzell, Defendant filed.

Aug. 11, 1992 Affidavit of Consent of Defendant, filed.

Aug. 11, 1992 Inventory and Appraisement of Richard F. Hartzell, filed.

Aug. 11, 1992 Income & Expense Statement of Defendnat filed.

Oct. 5, 1992 Motion for Hearing and Order filed. AND NOW, this 2nd day of October, 1992, upon presentation and consideration of the herein Motion for Hearing, a hearing is scheduled for the 10 day of December, 1992, at 1:30 o'clock p.m. in Courtroom 1 or 2 of the crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, J

Oct. 12, 1992 Copies of order put in box for atty's Gregg and Irwin

Dec. 10, 1992 Motion For Continuance and Order filed. AND NOW, this 10 day of December, 1992, upon presentation and consideration of the herein motion, the hearing scheduled for December 10, 1992, is hereby continued, to be rescheduled upon motion of either party.

Imogene Yetman, C.A.

Dec. 16, 1992 Copies of order to Atty's Gregg and Irwin

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 12/10/92. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998

Mar 12, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1992

Watts & Pepicelli
Alan L. Pepicelli

443

SARA LYNN BLAKE

vs.

GLEN FRANCES BLAKE

Filed May 6, 1992
@ 10:39 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Pd 10/7/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

May 11, 1992 Certificate of Service filed. Alan L. Pepicelli, Esq., hereby certifies that he is the Attorney for the Plaintiff in the within action and that a Complaint in Divorce was sent to the Defendant, Glen Frances Blake, 1411 Conneaut Lake Rd., Meadville, PA 16335, by certified mail, return receipt requested, addressee only, on May 6, 1992 and was received on May 8, 1992. The receipt for certified mail and the return receipt are attached hereto as Exhibit "A".

Alan L. Pepicelli.

Oct. 7, 1992 Affidavit of Consent by Sara Lynn Blake, Plaintiff, filed.

Oct. 7, 1992 Affidavit of Consent by Glen Frances Blake, Defendant, filed.

Oct. 7,1992 Upon Praecipe of Plaintiff, Sara Lynn Blake, for Review under §3301 (c) of the Divorce Code this case moved to Court.

Oct. 19, 1992 Memorandum filed. This matter is before the Court on a praecipe for review requesting a 3301(c) divorce which has been file dby the Plantiff.

A review of the file indicates that everything is in order except apparently when the complanit was filed on May 6, 1992 a verification page was inadvertently left off.

A. verification is required pursuant to Pa. R.C.P. 1920.72(a).

Therefore, this matter is returned to the Prothonotary for action by the parties consistent with this Memorandum, The Prothontary is authorized to allow the Plaintiff to attach a verificatior page to the complaint indicting that the allegations set forthin the same were true and correct.

BY THE COURT,
Anthony J. Vardaro, J

Oct. 20, 1992 Copy given to Atty. Pepicelli

Oct. 26, 1992 Praecipe to Attach Verification filed.

Nov. 17, 1992 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Nov. 24, 1992 AND NOW, November 23, 1992, it is hereby ordered and decreed that **S A R A L Y N N B L A K E**, plaintiff, and **G L E N F R A N C I S B L A K E**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order hsas not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

444

1992

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

444

Mary Ann Kirkpatrick

KATHRYN E. NEVILLE

vs.

RICHARD L. NEVILLE

Filed May 6, 1992
@ 11:22 am

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid 114-27-92 7483	10.00
Pro Co pd 4-28-93	9.00
Pro. Pd 6/3/93	9.00

2-9-93 Received from Pltf mediator dep't 150.00

43-93 Pd Pltf Bal med dep 65.00 Ck# 7464

4-27-93 Pd Co Comm Med Fee Ch# 7482 76.00

5-12-93 Received med fee 76.00 from dft

5-20-93 Pd CC Comm. Med Fee Ch# 7559 76.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION and CHILD CUSTODY
2 copies (atty)

June 16, 1992 Affidavit of Service filed. I, James R. Irwin, ESquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated May 6, 1992. The Defendant acknowledged service on May 8, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esquire

Sept. 28, 1992 Affidavit of Consent of Plaintiff filed.

Feb. 9, 1993 Moton To Appoint Mediator and ORDER filed. AND NOW, this 18 day of February, 1993 it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, William Pineo, Esq., at a time to be set by the Mediator in the Crawford Co. Courthouse, with the child Custody Mediator as Required by Rule L1915.26A et. seq. of the Court of Common Pleas of Crawford Co., PA., it is further ordered and decreed that pending final determination by the Court, the children shall not be removed from the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT:
Anthony J. Vardaro, J.

March 2, 1993 Copy of Crder to Atty. James Irwin and William Pineo.

Mar. 1, 1993 Appearance of Mary Ann Kirkpatrick for Defendant filed.

Apr. 5, 1993 Temporary Order filed. AND NOW, this 5 day of April, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody ofthe subject minor chidlren, Brittany and Brianna Neville.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are here by authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The father shall have primary physical custody of the subject minor children. The mother shall have temporary physical custody and visitation for the first three full weekends of each month from Friday at 7:00 p.m. through Sunday at 7:00 p.m. A full weekend is defined in which Saturday and Sunday occur within the same month. The mother shall also have temporary physical custody one month each summer, during the month of July. During the mother's summer vistiation period, the father shallhave temporary physical custody and visitation during the second full weekend of July from Friday at 7:00 p.m. through Sunday at 7:00 p.m.

b. The subject minor children shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. Christmas: The parties have noted for the mediator that they each spend Christmas with their respective families, both of whom live in Saxton. The mother's family celebrates their Christmas on Christmas Eve and the father's family on Christmas Day. Therefore, the children shall spend Christmas Eve from noon to 10:00 p.m. with their mother and will spend from Christmas Eve at 10:00 p.m. to Christmas Day at 10:00 p.m. with their father.

b. Thanksgiving: Each year, the mother shall have the children for Thanksgiving from the Wednesday preceding Thanksgiving at 7:00 p.m. through 7:00 p.m. of thanksgiving Day. The father shallhave the children from 7:00 p.m. of Thanksgiving Day through 7:00 p.m. of the Friday after Thanksgiving.

c. Easter: The children shall spend each Easter with their mother from Holy Saturday at 7:00 p.m. through Easter Sunday at 7:00 p.m.

d. The children shall spend each Labor Day, from the Sunday preceding Labor Day at 7:00 p.m. through Labor at 7:00 p.m. with their father. The children shall also spend Independence Day with their father from 7:00 p.m. of the day preceding Independence Day through 10:00 p.m. of Independence Day.

e. The children shall spend Father's Day with their father from 7:00 p.m. of the day preceding Father's Day until 7:00 p.m., of Father's Day, and Mother's with their mother during the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

7. Each party shall teach said children to give to the other party that love and respect which is due a par ent form his or her children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or inthe bedroom of the children.

9. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each pa rty shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. The parties are gree to make additional or alternative arrangements respecting thecusotidal and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for the appointment of the cusotdy mediatior was made by the mother. The deposit shall first be applied against the mother's share of costs and the remainder shall be remitted to her. The father shall pay his share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this order.

14. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro,
Apr. 13, 1993 Copies of order to Atty's Pineo, Irwin and Kirkpatrick and Pltf. & Dft.

Continue to Page 481

1992

Dallas W. Hartman

445

JAMES VERHAGEN

vs.

THE HIGHLANDER, INC., VIRGIL EELLS; DEBORAH J. EELLS, and VIRGIL'S, INC. t/d/b/a VIRGIL'S

Filed May 6, 1992
@ 2:38 PM

Tax & entry Pd 5-14-92 50.50
User's Fee P 5-14-92 5.00
Pro.Co.pd 5/25/94 6.00

CERTIFIED RECORD FROM THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA, COURT ORDERED - No. 1557, C.D. of 1991

Docket Entries:

Nov. 18, 1991 Writ of Summons filed.

Dec. 3, 1991 Sheriff's Return filed.

Jan. 15, 1992 Appearance of John D. Petruso for Virgil's Inc filed.

Jan. 15, 1992 Praecipe for Rule for Plaintiff to file a complaint, Issued.

Feb. 5, 1992 Complaint filed.

Apr. 13, 1992 Preliminary Objections of Virgil Eells, Deborah H. Eells and Virgil's INc, t/d/b/a Virgils filed.

Apr. 13, 1992 Brief ofiled.

Apr. 23, 1992 Appearance of Miles Karson for The Highlander, In filed.

Apr. 29, 1992 Motion To Change Venue by Dallas W. Hartman, PC and Order filed.

May 1, 1992 Praecipe to have above-captioned matter transferred by Crawford County filed.

May 4, 1992 Certified Copies of entire matter mailed to Crawford County, PA.

CRAWFORD COUNTY ENTRIES:

May 25, 1994 Upon Praecipe of Dallas W. Hartman, Esquire, Attorney for Plaintiff, the above case is settled, ended and discontinued of record.

446

1992

Watts & Pepicelli
Christopher D. Ferry

446

John F. Spataro
for Tax Claim Bureau

In Re: PROPOSED PRIVATE SALE OF TAX CLAIM LAND, CHARLES HUTCHINGS, ASSESSED OWNER, Situate in Conneaut Township, Crawford County, Pennsylvania Assessment NO. 1909-025-70001

Filed May 6, 1992
@ 3:55 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR DISAPPROVAL OF PRIVATE TAX CLAIM SALE AND FOR HEARING
1 copy (atty)

ORDER:

AND NOW, this 4 day of May, 1992, upon consideration of the within Petition For Disapproval of Private Tax Claim Sale and For Hearing, the proposed private tax claim sale of the above described real estate to Valentine and Carole Dominick is hereby stayed and a hearing on the same is set for the 9th day of June, 1992, the Court Room #1 or 2 at 1:30 PM in the Courthouse in Meadville, Pennsylvania; all proceedings to be stayed pending said hearing.

Counsel for petitioners is directed to forthwith serve a copy of the within Petition and Order upon Frederic Wagner, Director of the Crawford County Tax Claim Bureau and upon Valentine and Carole Dominick, the current bidders at their last known address and upon the estate of Charles Hutchings, the last assessed owner through its Executor, Leonard Hutchings, both by certified mail and file an Affidavit of Service thereon.

By the Court,
P. Richard Thomas, s.j.

May 15, 1992 Affidavit of Service filed. I, Christopher D. Ferry, attorney for Petitioner, do hereby certify that a true and correct copy of Petition for Disapproval of Private Tax Claim Sale and for Hearing was served by Certified Mail and regular U.S. Mail sent on May 15, 1992, to the following:

Valentine and carole Dominick
R.D. #2 Box 7
Linesville, PA 16424

Frederic Wagner
Tax Claim Bureau
Crawford County Courthosue
Meadville, PA 16335

John F. Spataro, Esquire,
283 Walnut Street
Meadville, PA 16335

Estate of Charles Hutchings
c/o Robert S. Bailey, Esquire
360 Chestnut Street
Meadville, PA 16335

Christopher D. Ferry

May 20, 1992 Verification of Complaint filed.

May 28, 1992 MOTION TO CONTINUE and ORDER, filed. ORDER: AND NOW, this 27th day of May, 1992, upon consideration, the within Motion is granted. Hearing is hereby set for the 29th day of June, 1992, in Courtroom 1 or 2, at 1:30 p.m.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

June 3, 1992 copy in box for C. Ferry & J. Spataro

June 30, 1992 Order filed. AND NOW, June 29, 1992, the petition of John Rhodes and James Rhodes for disapproval of a private tax claim sale is granted,and it appears they are willing to pay the same price that Mr. and Mrs. Dominick also offered and, therefore, it is in the best interest of the taxing bodies that the proposed private sale be disapproved and that the Tax Claim Bureau would conduct an auction-style bid of the property among the parties to these proceedings, that is John Rhodes and James Rhodes and VAlentine and Carol Dominick. Said sale shall take place immediately after this hearing. TheCourt hereby establishes a price below which the property shall not be sold and that is $1,137.76. The successful bidder shall pay the amount of the successful bid in full in cash or its equivalent by 3:00 p.m. this date.

By Order of The Court,
Gordon R. Miller, P.J.

June 30, 1992 copy of the Order given to Attys. Ferry & Spataro and sent to Rhodes.

1992

Bukac & Toomey
Terry Toomey

447

Marianne C. Mnich

NORA K. LUZIER and DAVID A. LUZIER

vs.

PEGGY ANGSLEY

Filed May 6, 1992
@ 3:57 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	55.00
Pro.Co.pd 5/17/94	5.00

WRIT OF SUMMONS
Issued Sheriff

June 10, 1992 Appearance of Marianne C. Mnich for Defendant

Oct. 16, 1992 Writ Return filed. SERVED the within Writ of Summons on May 19, 1992, at 12:07 pm, upon Peggy Angsley at RD #1 Box 66, Flinton, PA by handing to her personally a true and corret copy thereof and made known to her the contents therein. My costs paid by Sheirff of Crawford County.
So answer Jay Roberts, Sheriff
I her eby deputize the Sheriff of Cambria County, Pennsylvania to serve the wihtin Summons according to law. The defendants alleged address is R.D. #1, Box 66, flinton, PA 16640
Robert M. Stevens, Sheriff

May 17, 1994 Upon Praecipe of Terry Toomey, Esquire, Attorney for Plaintiffs, the above captioned lawsuit discontinued of record.

1992

Joseph F. Kulwicki

448

MARK D. SKINNER

vs.

DIANA L. SKINNER

Filed May 6, 1992
@ 4:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd. 11/12/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Oct 21, 1992 Complaint Reinstated.

Nov. 12, 1992 Affidavit of Service Filed. Stephanie Loper, being duly sworn according to law, deposes and says she is an adult individual employed by the law office of Joseph F. Kulwicki, Attoney for the Plaintiff, and as such she placed a certified copy of the Divorce Complaint in the United States mail on October 22, 1992, being certified mail number P 724 954 567, addressed as follows:

Dianna Skinner
Box 1164 Lot 34
Conneaut Lake, PA 16316

The signature card for said certified mail item was returned to the office of Joseph F.Kulwicki, Esq. as having received same on October 23, 1992. Said signature card is attached hereto and made a part hereof.

FURTHER AFFIANT SAITH NOT Stephanie Loper

Nov. 12, 1992 Affidavit of Consent by Mark D. Skinner, Plaintiff, filed.

Nov. 12, 1992 Affidavit of Consent by Diana L.Skinner, Defendant, filed.
Nov.12, 1992 Upon praecipe of Plaintiff attorney for Review, case moved to Court.

DIVORCE DECREE FILED

Nov. 19, 1992 AND NOW, November 18, 1992, it is hereby ordered and decreed that **MARK D. SKINNER**, PLAINTIFF, AND **DIANA L. SKINNER**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Culbertson, Weiss,
Schetroma & Schug
John B. Brautigam

449

E. MAX WEISS

vs.

SUSAN C. WEISS

Filed May 7, 1992
@ 11:01 AM

Tax & entry paid	50.50
User's Fee paid	5.00
state paid	10.00
Pro.Co. pd 9/3/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

May 8, 1992 Acceptance of Service filed.I accept service of the Complaint in Divorce.
Date: 5/7/92 Susan C. Weiss

August 27, 1992 Affidavit of Consent of plaintiff filed.

August 27, 1929 Affidavit of Consent of defendant filed.

Sept. 3, 1992 Upon Praecipe of Plaintiff's Attorney, John B. Brautigam, for Review Under Section 3301 (c)of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

Sept. 11, 1992 AND NOW, September 9, 1992, it is ordered and decreed that E. MAX WEISS, Plaintiff, and SUSAN C. WEISS, Defendant, are divorced from the bonds of matrimony.
By the Court:
Gordon R. Miller, J.

450

1992

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

450

Bernadette DeVore

LOUISA G. SMOUSE

vs.

CHRISTOPHER G. MAHEU

Filed May 7, 1992
@ 1:53 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Sheriff's Costs	33.00
Pro Co Pd 9-19-96	9.00

3-25-96 Rec'd from deft med dep $150.00
July 16, 1996 paid Deft med refund $80.00 CK# 10128
9-19-96 Pd Co #107414 61.00

COMPLAINT FOR CUSTODY
1 copy (atty)

Aug. 10, 1992, Petition for Entry of Agreement, Stipulation, and Consent Custody Order filed. CONSENT CUSTODY ORDER: AND NOW, this 7 day of Aug. 1992, the court orders as follows:

Louisa G. Smouse and Christopher G. Maheu, the parties inthe above action have agreed upon matters set forth below and agree that the court of Common Pleas of Crawford County, pa. shall enter an order in accordance with the terms of this consent custody order without the necessity of their being present in court. They have waived any further notice ofthe proceedings in connection with the entry of said order and each has received an advance copy of this consent custody order. They represent that each is aware of their right to confer with independent legal counsel for review of this matter, prior to entry into agreement, stipulation and court order.

1. The parties, Louisa G. Smouse (mother) and Christopher G. Maheu (father), are the natural parents of the minor child, Hope Marie Smouse, born May 20, 1990.

2. The parties agree that sole legal and physical custody of HOpe Marie Smouse shall be with her mother.

3. The parties agree that the father shall have visitation rights with the minor child as follows:

A. Upon entry of this order by the court, father shall have the right to visit the minor child one day per week.

B. Father's weekly visitation will occur on Sat. of each week and will be limited to said day unless, by mutual consent, the parties agree otherwise.

C. On the firth four (4) Sat. visits, father's visitation with the minor child shall be limited to two (2) hours and will take place at Mother's residence and in Mother's presence, with the purpose of said visitation periods being to familiarize father with the various care routines of the minor hcild. The parties shall mutually agree to the timing of the two (2) hour visits on or before 5:00 p.m. of the Thurs. immediately preceeding the Sat. visit. It will be father's responsibility to contact Mother prior to the aforementioned time to set up the visitation time frame for the upcoming Sat.

D. Upon completion of four (4), two (2) hour Sat. visitations by Father, the parties agree that Father shll have the ritht to visitation with the minor child onthe ensuing Sat. of each week from the period of 10:00 a.m. to 8:00 p.m. These visitations will take place at the residence of Father's parents unless the parties mutually agree otherwise.

E. Fathe will be responsible during his visitation with the minor child to provide an appropriate child car seat for transporting said child and also any other items that are necessary for the proper care of said child duringthe period of visitation.

F. The parties agree that if father does not notify mother of his intent to visit with the minor hcild on or before 5:00 p.m. of the Thurs. immediately preceeding the next Sat. visit, mother will not be responsible for making the minor child available for visitation onthe upcoming Saturday.

G. The parties agree that if father does not arreive at mother's resi dence to pick up the minor child for visitation within thirty (30) minutes of the pick-up time pre viously agreed to by the parties for the upcoming Sat. visitation, Father will have waived his right to visitation on that particular Sat.

By the Court
Anthony J. Vardaro, J.

Aug. 10, 1992, copy of order to Gregory Keenan, Esq.

Mar. 25, 1996 Petition For Modification of custody/Visitation and Orders filed. you, Louisa G. Smouse, Plaintiff/ Respondent, have been sued in court to obtain custody, partial custody or visitation of the child: Hope Marie Smouse. You are ordered to appear in person in person at such time and place as will be determined by the Mediator: William Pineo, Esquire, for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or thecourt may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administator
Courthouse
Meadville, PA 16335
Telephone No.: (814) 333-7498

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Crwaford County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before theCourt, please contact the Court Administrator's Office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. YOu must attend the schedule conference or hearing.

BY THE COURT,
Anthony J. Vardaro, J

Date: 3/25/96

AND NOW, March 25, 1996, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil Rule L1930. Applications for the seminar may be obtained at theCenter for Family Services, Inc. at 996 S. Main Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Courthouse; or theCourt Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days after he or she is served with the pleading or petition.

THE SEMINAR MUST BE COMPLETED WITHIN FORTY-FIVE (45) days after APPLICATION. FAILURE TO ATTEND THE SEMINAR MAY RESULT IN SANCTIONS, INCLUDING CONTEMPT OF COURT, A DISMISSAL OF THE ACTION OR A DELAY IN THE PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF COURT.

If either party has nay questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's Office and in the Crawford County Law Library or contact the Center for Family Services, Inc.

BY THE COURT,
Anthony J. Vardaro, J

Mar. 26, 1996 Faxed Keenan, given DeVore & Pineo

May 2, 1996 Petition Reinstated.

Continued on page 450A

Louisa G. Smouse
vs.
Christopher G. Mahue

Record continued from page 450
of record
A.D. 1992 - 450

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May 10, 1996 Sheriff's Return filed. NOT FOUND as to Louisa G. Smouse, at Town & County Trailer Park, Conneaut Lake Road, Meadville, Pa, Deputy stopped at five different trailers and no one in the park knows of her.
So answers, Robert M. Stevens, Sheriff

May 29, 1996 Sheriff's Return filed. Served, Stacy L. Pitcher, (believed to be Louisa G. Smouse) - C/O James P. Hicks residence at Town and Country Trailer Park, Conneaut Lake Road, Lot 33, Meadville, Pa. on May 28, 1996 at 3:55PM.
So answers, Scott D. Young, Deputy
Robert M. Stevens, Sheriff

June 26, 1996 Affidavid of Service filed. I, Richard L. Stinson, after being duly sworn according to law, do depose and say that: I am an adult individual not a party to the above captioned action; that I did no the 11th day of June, 1996, serve a true and correct copy of the Petition for Modification of Custody/Visitation filed at the above term and number on the Plaintiff via hand delivery at 2 Walnut Street, Brockville, Pennsylvania. RICHARD L. STINSON

July 16, 1996 Temporary Order filed. AND NOW, this 15th day of July, 1996, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, Hope Marie Smouse, is hereby awarded to her mother, the plaintiff/respondent.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. Starting with the second Saturday after the date of this Order and for four Saturdays thereafter, the father shall have the right of visitation with his daughter for two hours each Satruday afternoon from 2:00 p.m. to 4:00 p.m. During these visits he shall have the right to take the child from the home of the mother for a walk or a local park, restaurant, museum, or the like, and shall take care to plan and engage in activities which are enjoyable for a young girl. After the first visit, the father may bring along his wife and children on these visits so that they too may get to know the subject minor child. Starting with the fifth Saturday after the date of this Order, the father shall have the right of visitation and temporary physical custody from Saturday at noon to Sunday at noon and shall bring the child to his home in order to introduce the child to it. Thereafter, the father shall have the following rights of visitation and temporary physical custody; on the first three full weekends of each month from Friday at 6:00 p.m. and two full weeks each summer. The father shall notify the mother by May 15 of which two weeks he wishes to select. The mother may at the same time select two weeks during the summer which no visitation need be given to the father.

(FOR THE REST OF THE ORDER, PLEASE SEE FILE FOLDER)

By the Court,
Gordon R. Miller, J.
7-16-96 FAXED DeVore & Pineo. MAILED Pltf.

Aug 23, 1996 Certificate of completion of the Seminar for Separating Parents for CHRISTOPHER G. MAHEU, filed.

Oct. 24, 1996, Petition for contempt and Rule filed. RULE TO SHOW CAUSE: AND NOW Oct. 23, 1996 upon presentation and consideration fo the foregoing Petition Rule is entered upon plff/respondent to show cause, if any she has, why the prayer of the dft. should not be granted.

This Rule is returnable on the 6 of Nov. 1996 in C. R. No. 3, Courthouse, Meadville, Pa. at 9:30 a.m.
for the court, Ann Walker, Ct. ADm.
10/24/96 faxed to DeVore and Keenan

Nov. 13, 1996 ORDER filed. AND NOW, November 6, 1996, the Petition for Non-Compliance that brings this matter before the court is reviewed informally by the parties, the Court and counsel for the Petitioner. It appears the plaintiff mother has had several changes of residence in recent months and years, but we cannot find from the input that there was a willful and deliberate non-disclosure of addresses that hindered the father from having the visitation and partial custody rights accorded him in the Custody Order. The parties have now exchanged present addresses, telephone numbers and alternate telephone numbers and the parties mutually agree that should there be any emergency or change, they will promptly notify the other. In this regard, both parties are required to notify the other of any change of address as far in advance as possible, but under any circumstances, not less than 72 hours in advance of any change of permanent or temporary address.

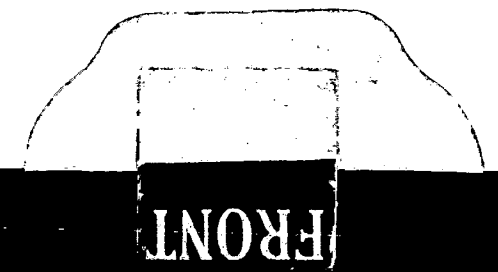
The Custody and visitation Order is reviewed by the parties and they agree and we reaffirm the temporary custody and visitation conditions of said Order and caution the parties that it must be strictly complied with.

Costs in the amount of $61 owed by Louisa G. Smouse will be paid to the Prothonotary's Office on or before December 1, 1996 in full. The Court is advised that Christopher G. Maheu has already paid his share of costs, but if such is not the case, he will pay the same by December 1, 1996.

(FOR ENTIRE ORDER SEE FILE FOLDER)

BY THE COURT,
P. Richard Thomas, S.J.
11-14-96 DISTRIBUTED DeVore.
11-20-96 MAILED Pltf.

450
B


FRONT

1992

Darlene M. Brenot

vs.

David Austin Brenot

RECORD CONTINUED FROM PAGE 122

of Record

A. D. 1992 - 122

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Feb. 13, 1992 ORDER filed. AND NOW, Feb. 12, 1992, the parties appear for a hearing with regard to the defendant's indirect contempt of the Temporary Abuse Order and his violation of the ROR terms of the bond set forth by District Justice Chisholm after his initial violation of the temporary terms of the Abuse Order.

The plaintiff appears with counsel and the defendant appears without counsel and is advised of his right to counsel. The defendant wishes to proceed without counsel, and after explaining the nature of the proceedings, the parties agree that a Permanent Order may be entered without the defendant admitting any of the contents of the plaintiff's petition and in lieu of a hearing currently scheduled for Feb. 21, 1992.

ACCORDINGLY, the Court enters the following Order:

1. The defendant shall not attempt to cause or intentionally, knowingly or recklessly cause bodily injury or serious bodily injury with or without a deadly weapon to the plaintiff or the minor children of the parties.

2. The defendant shall not contact the plaintiff for any purpose whatsoever, either at home or her place of employment, with the exception that he may send letters to her by regular mail, provided they do not contain any contents that would be considered to be harassing or threatening in any manner.

3. The plaintiff is granted exclusive possession of the marital home at 196 Spring St., Meadville, Pa., and the defendant shall not appear at that residence at any time during the term of this Order.

4. The plaintiff is granted exclusive custody of the minor children, except that the defendant shall have visitation on every other Sunday, beginning Feb. 23, 1992, with such visitation to occur between the hours of Noon and 3:30 p.m. Said visitation shall occur with the parents of the plaintiff delivering the children to the home of the parents of the defendant following Sunday church service at approximately 12:00 Noon. The visitation will then occur with the defendant at the home of his parents Carl and Madeline Brenot, and the paternal grandparents will then be responsible for returning the children to the home of the plaintiff by 3:30 p.m. on each Sunday of visitation.

During any visitation, the defendant shall not consume or possess alcoholic beverages or controlled substances nor shall he have done so within a period of 24 hours prior to the beginning of such visit.

5. Both parties agree that the defendant still has certain personal possessions at the marital home, and in that regard, the plaintiff advises the Court that she has packaged such possessions up for delivery to the defendant and they will be delivered to the home of the defendant's parents by the plaintiff's parents at the time of the first visitation on Feb. 23, 1992 so that the defendant may take possession of the same.

6. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.

7. A copy of this Order shall be delivered to the Meadville City Police Dept. and to the Crawford County Control by the Prothonotary of Crawford County.

8. The defendant shall pay costs in this matter to the Prothonotary of Crawford County by the close of business at 4:30 p.m. on April 1, 1992. The defendant shall contact the Prothonotary to ascertain the amount of those costs.

9. This Order shall remin in full force and effect through Feb. 11, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Feb. 13, 1992 copy given to County Control. Feb. 20, 1992 copy in box for B. Lindsay, mailed copy to Meadville City Police Dept. and Dft.

Feb. 13, 1992 ORDER filed. AND NOW, Feb. 12, 1992, the defendant is before the Court with regard to alleged contempt for the violation of a Temporary Abuse Order and for the indirect contempt for the violation of the ROR terms of bond set by District Justice Chisholm.

After informal hearing, at which the defendant is advised of his right to counsel and proceeds without counsel, the Court finds that the defendant is in contempt of the Temporary Abuse Order and has violated the terms of his ROR bond with District Justice Chisholm, and accordingly, is held in contempt of court.

The defendant is discharged from custody within the Crawford County Jail and may purge himself of contempt by obeying the Order entered by this Court with regard to Protection From Abuse dated Feb. 12, 1992 and by further seeking and completing the drug and alcohol counseling and treatment he has described to the Court, which will include abstinence and an Antibuse program.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Feb. 20, 1992 copy in box for B. Lindsay, mailed copy to Dft.

Steven John Haylett

vs.

Darlene Marie Haylett

RECORD CONTINUED FROM PAGE 33

of Record

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9. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. The parties are directed to arrange for counseling for themselves and for Jason through the Community Mental Health Center of the Meadville Medical Center. Said counseling shall be for the prupose of instructing the parents in polite behavior proper to their status as separated parents, including matters related to the respect for each other's privacy, techniques of negotiating differences, and so forth.

13. Each party shall respect the privacy of the other and shall not use the contacts necessitated by the custodial arrangements to harass, annoy, spy upon, or otherwise disturb the other. Neither party shall use Jason to carry messages back and forth nor shall either party interrogate Jason about matters in the other's household.

14. Either party may request a review of this Order two years from date hereof to make any adjustments.

15. Costs and fees of this Mediation, which are fixfed at $152.00 are divided equally between the parties witha share of each being assessed to him or her as costs in this case. Payment shall be made tothe Prothonotary of Crawford County.

16. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

Feb. 26, 1992 copy in box for W. Pineo, B. Barrett, J. Mason, mailed copy to Plf. & Dft.

May 13, 1993 Petition for Modification of Custody filed.

May 13, 1993 MEMORANDUM filed. We enter this memorandum in these two cases and send the files back to the Prothonotary's office for further action by counsel.

In the case at 1992-91 custody was raised as a count in the divorce complaint. Counsel for one of the parties presented a stipulation to the Court for the entry of a divorce decree along with a praecipe for review under 23 Pa. C.S.A. 3301(c). Since the decree did nto dispose of the custody count and since the custody count has not been withdrawn the Court will not enter a divorce decree.

In the case at 1992-33 a custody action was brought on Jan. 13, 1992. A temporary order was entered on February 18, 1992 and the Plaintiff therein (Darelene M. Haylett) now petitions to modify the custody order. She filed that erroneously at 1992-91 (the divorce action) rather than 1992-33 (the initial custody action).

We will take no action on any of these matters until counsel straightens the record out and files the right documents in the right case.

BY ORDER OF COURT,
Gordon R. Miller, P.J.

May 14, 1993 Copy given to Attys. Joan Mason, William Pineo and Bruce Barrett.

June 3, 1993 Motion to Transfer Petition to Modify Custody and Order, filed. ORDER: And now, May 28, 1993. This motion is granted. The Petition to Modify filed at A.D. 1992 - 91 shall be filed at 1992 - 33 this case and number.

Gordon R. Miller, P.J.

June 10, 1993 copy to J. Mason

Aug 4, 1993 TEMPORARY ORDER, filed. AND NOW, this 4 day of August, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, Jason A. Haylett, is hereby awarded to his mother, Darlene Marie Haylett.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The father shall have visitation and temporary physical custody on the first three weekends of each month from Saturday at noon through Sunday at 5:00 p.m. The father shall also have temporary physical custody and visitation with the subject minor child for two two-week periods each summer, the periods being separated by at least two weeks. The father shall notify the mother by May 30 of the two two-week periods he wishes to select. So far as possible, the father's summer visitation shall coincide with his own vacation from work, if he is employed.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first beginnign on Christmas Eve at 3:00 p.m. and ending Christmas Day at 11:00 a.m. and the second beginning Christmas Day at 11:00 a.m. and ending on December 26 at 11:00 a.m. For Christmas 1993, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate the periods. The father shall also have visitation and temporary physical custody for two days during the child's vacation from school. He shall notify the mother by December 15 of which two-day period he wishes to delect.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving after the close of school and ending Thanksgiving Day at 2:00 p.m. and the second beginning on Thanksgiving Day at 2:00 p.m. and ending Thanksgiving Day at 7:00 p.m. For Thanksgiving 1993, the mother shall have the first period, aand the father, the second, and the parties shall thereafter alternate.

c. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The mother shall have visitation for Labor Day, 1993, and the parties shall thereafter alternate the holiday periods.

d. The child shall spend Father's Day with his father from 9:00 a.m. to 7:00 p.m., and Mother's Day with his mother, during the same hours.

e. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, kthe party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other. The court notes that the father is presently without a driver's license. The father's parents may help ~~him exercise his~~ transportation duties.

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Steven John Haylett
vs.
Darlene Marie Haylett

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7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

9. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

11. The parties are free to m ake additional or alternative arrangemetns respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. Each party shall respect the privacy of the other and shall not use the contacts necessitated by the custodial arrangements to harass, annoy, spy upon, or otherwise disturb the other. Neither party shall use Jason to carry messages back and forth nor shall either party interrogate Jason about matters in the other's household.

13. Either party may request a review of this Order two years from date hereof to make any adjustments.

14. Costs and fees of this Mediation, which are fixed at $202.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case. The father shall pay his share of costs to the Prothonotary of Crawford County within thirty (30) days of the date of this order.

15. The deposit required for the appointment of the custody mediator was made by the mother. Said deposit shall first be applied against the mother's share of costs, and the remainder shall be remitted to her, less any amount she owes from a previous Mediation.

16. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

Aug. 11, 1993 copy to W. Pineo, B. Barrett, J. Mason, Pfl. & Dft.

Oct. 13, 1993 Petition to Modify Custody Order filed. (1 copy Med. & 1 copy Deft.Atty.)

Oct. 13, 1993 ORDER filed. AND NOW,October 13, 1993 the Plaintiff appeared pro se in motions court with a two page letter basically asking that a custody order entered August 4, 1993 be modified to allow his son to participate in a youth hockey program. The Plaintiff has not followed the rules of civil procedure or the local rules. For instance, he did not give advance notice of the presentation of this motion as is required, the motion or petition is not in proper form, and if he intends to proceed in forma pruperis, he has not filed the appropriate affidavit and petition under Pa.R.C.P. 240. He is cautioned that even if he represents himself, he is bound by the same rules of law and procedural rules that other litigants must follow and he should consult with the custody statute found in 23 Purdon's, the Pennsylvania Rules of Court governing civil procedure, and the Crawford County Rules of Court.

Nonetheless, the Plaintiff, after advising the Court that he does not widh to amend his letter to include other matters, and advising the Court that he wants his letter to act as a petition to modify a custody order, and further advisign the Court that he is receiving public assistance and is not working, the Court orders as follows:

1. The prothonotary shall accept the two page letter presented this date as a petition to modify the custody order.

2. The Plaintiff shall provide a true and correct copy of said letter (now petition) to the Defendant forthwith.

3. This matter is referred to William F. Pineo, Esq., custody mediator to give due notice of a hearing and to hold a hearing in accordance with the law and consider whether or not the ordr of August 4, 1993 shall be modified. Thereafter, the case shall proceed in accordance with the rules.

4. The Plaintiff shall be permitted to proceed in forma pauperis. The Plaintiff shall immediately go to the Prothonotary's Office and complete an affidavit with respect to in forma pauperis status on any form that the Prothonotary has even if it is a divorce form and not a Rule 240 form. He shall fully and completely complete and affidavit and file it of record.

5. The mediator and or the Court has the right to assess costs and mediation fees to either party in the normal course.

BY ORDER OF THE COURT,
Gordon R, Miller, P.J.

Oct. 15, 1993 copies dist to Pineo & Mason
Oct. 22, 1993 copy to ~~Dft~~. Plf.

Oct. 22, 1993, Petition to Proceed in Forma pauperis in Custody action Pursuant to Pa. R.C.P. 240 and Order filed. ORDER: AND NOW, Oct. 22, 1993, upon consideration of the Petition filed by plff in this action, and supported by affidavits attached, all being pursuant to Pa. R.C.P. 240, the plff. is granted leave to proceed in forma pauperis at this time.

The plaintiff is directed to inform the Prothonotarys Office or the curt of any improvement in his financial circumstances that would permit him to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of his financial condition. This order is limited in scope to the recent petitions for modification filed within the last 14 days by the pla intiff.

BY THE COURT,
Gordon R. Miller, J.

Nov. 1, 1993, copies to Attys. Pineo, J. Mason and Plff.

Jan. 31, 1994 TEMPORARY ORDER filed. AND NOW, this 27th day of January, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Paragraph 4(c). of the order of August 4, 1993, is hereby modified to read as follows:

"The other holidays to be observed are New Year's Eve, Easter, Memorial Day, INdependence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation for Easter, 1994, and the parties shall thereafter alternate the holiday periods."

2. In all other respects, the order entered August 4, 1993, is affirmed.

3. Costs and fees of this Mediation, which are fixed at $77.00, are to be paid by Crawford County. The mediator notes for the court that the father has beenproceeding informa pauperis. Because the father indicates that he now has a job, the informa pauperis status is revoked with respect to proceedings after this date. The mediator notes for the court that the mother is presently unemployed and is attending the Crawford County Vocational-Technical High School.

4. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Courtl,
Gordon R. Miller, P.J.

Feb. 2, 1994 copy to W. Pineo, J. Mason, B. Barrett, Plf. & Dft.

Continued on next page

Steven John Haylett

vs.

Darlene Marie Haylett, now Darlene Marie Johnston

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of record

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June 10, 1994 Petition for Contempt, and For Suspension of All Visitation Rights by Father and Order filed. AND NOW, this 10th day of June, 1994, upon consideration of the attached Petition for Contempt, the Court hereby schedules a contempt hearing in the above captioned matter for the 7th day of July, 1994, at 10:00 a.m. Pending said hearing, Steven John Haylett shall not drink alcohol or be under the influence of alcohol or any illegal substance, while his son is with him. Nor shall he drive any vehicle with his son as a passenger.

Gordon R. Miller, J

June 10, 1994 Faxed Barrett, J. Mason, given Pineo

Jul. 18, 1994 ORDER filed. AND NOW, July 7, 1994, the matter is before the Court on a petition for contempt filed by the mother alleging that the welfare of the child Jason (age 9) has been jeopardized by the Defendant/ Father's drinking habits and in particular his transportation of his son on occasions when he has been drinking, on his own motorcycle, and in his parents' car. This Court is satisfied that the father has an admitted alcoholic probelm and he verbalizes that his past counseling has not been a success. He verbalizes he is re-entering a program for alcohol counseling in an attempt to control his admitted alcohol problem that seemingly is triggered by the consumption of just one bottle of beer.

This Court finds that until the father has control of his alcohol consumption problem the welfare of the child is endangered during visits between father and child that are unsupervised and left to the father's discretion. We, likewise, find that the child has a love and affection for the father but that the child is concerned and becomes upset with the fat her's use of beer during the vists. Accordingly, the Court DIRECTS that the father shall not consume alcoholic beverages at any time he has visitations with the child and he shall not consume alcoholic beverages for a period of at least twelve (12) hours before any visits with his son.

The visitation schedule previously established by Court Orders of August 4, 1993 and January 27, 1994 are modified to the extent that visits between father and child shall occur every other weekend and shall be between Saturday, Noon, and Sunday at 5:00 p.m. This schedule shall commence with the weekend of July 16 and 17, 1994, and every other weekend thereafter. The visits between father and child must be at the home of the paternal grandparents, Mr. and Mrs. John Haylett. During said visits the father may not operate any motor vehicle with the son as an occupant of the vehicle. The aforesaid definition of motor vehicle shall not include an all terrain vehicle used for recreation so long as the father has not consumer any alcoholic beverages within the previous twelve (12) hours of operation.

Provisions regarding the father of other persons smoking in the presence of the child contained in prior Orders shall remain in force and effect.

The mother also complains of harassing telephone calls made to her residence arising out of of the animosity between the parties, and while no direct testimony was taken relative to this issue, the C ourt DIRECTS that the Defendant may call the mother of the child only as they relate to the welfare of the child and that the same will be made except in exteme emergency only between the hours of 9:00 a.m. and 9:00 p.m. and shallbe made out of a genuine necessity to discuss matters relating to their child and not for the purpose of haranguing, harassing, or annoying the mother of the child.

The Court places the burden on the father of re-entering some type of alcoholic rehabilitation program and at such time as the father believes his visitations should be expanded further, the burden shall be on the father to petition the Court setting forth that he has completely recovered from his alcoholic tendencies and requesting a hearing in order to produce evidence of his ability to control his alcoholic proclivities and request an expansion of visitation rights.

An additional condition imposed by the Court is that when the father has the child for visitations it is the father's responsibility to make certain that during the visits of the child with the father at the grandparents' home or with other friends and acquaintances no alcoholic beverages are consumed vy anyone in the presence of the child.

Counsel for the mother has requested the Court order attorney fees. The Court reserves the right to reconsider this matter in the future with the Court noting that any violation of this Court Order by the father will be considered in the reserve right to order the payment of attorney fees.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

7-19-94 Copies dist. to Pltf.& J.Mason

Jul. 29, 1994 Petition for Contempt, for Suspension of Order, and for Imposition of Attorney Fees filed.

Jul. 29, 1994 ORDER filed. AND NOW, July 29, 1994 a petition for contempt, suspension of visitation order, and imposition of attorney fees was presented to the undersigned Court sitting in Motion Court, which petition alleges a violation of the terms and conditions of the prior custody order on behalf of the father. The father appears in person and denies the allegations.

A further hearing is set before the undersigned in Courtroom No. 3 for August 9, 1994 at 9:00 a.m.

In t he meantime, all visitations between father and child in accord with the former order are SUSPENDED.

BY ORDER OF THE COURT,
P. Richard Thomas, S. J.

7-29-94 Copies to Plft & Atty. Mason

Aug. 15, 1994 ORDER filed. AND NOW, August 9, 1994 after lengthy hearing, this Court is satisfied that the minor child Jason is telling the truth when he adivses that on the first weekend visit of the father, the father consumed alcoholic beverages contrary to the terms and conditions of the previous order entered by this Court. Accordingly, we find the father in contempt of the order.

There is room for honest mininterpretation of the court order with relation to the father visiting his brother and camping out with the children, and accordingly, we decline to adjudge the father in contempt for his visit and overnight camping stay at the home of his brother.

The father advises the Court that he is now in counseling with Families in Change on South Main Street in Meadville and also in counseling with the Drug & Alcohol Agency on Grove Street, Meadville, Pennsylvania. He advises that they have arranged for him to enter an alcohol rehabilitation program at an undesignated agency for a 28 day program at the agency's location in Williamsport, Pennsylvania. The Court encourages the father to go to and complete this program and continue association with Drug & Alcohol on his return. Accordingly, the visitation between father and child previously accorded by this Court's order of July 7, 1994 is suspended until the Defendant satisfactorily participates in and completes his proposed 28 day rehabilitation program in Williamsport, Pennsylvania. Satisfactory completion of the program shall be evidenced by a letter from said agency addressed to Gary Manning at Drug & Alcohol Counseling, Grove Street, Meadville, Pennsylvania.

Commencing one week after satisfactory proof of completion of the 28 day program, the visitation between father and son under the same conditions as set forth in this Court's order of July 7, 1994 will recommence. In the meantime, all visitations between father and son will be suspended, but the Court has no objection to visitations between the child and his three cousins residing with Diana Sliker and the mother shall make arrangements with Mrs. Sliker for the children to visit with said cousins at least twice in the next 30 days.

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1992 TERM

Steven John Haylett
vs
Darlene Marie Haylett, now
Darlene Marie Johnston

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Regarding the request for counsel fees, the Court believes counsel fees are appropriate as they relate to the attorney's time and expenses involved with this contempt hearing, and accordingly, counsel Mason is directed to forward a copy of the bill submitted to her client for the proceeding this date and any costs related thereto and the Court, after receipt of the same, will enter an order requiring the Defendant to pay said counsel fees.

Any visit of the father and child at relatives' homes other than father's mother and father shall not last later than 9:00 p.m. on school nights and 10:00 p.m. on Saturdays and Sundays.

If the rehabilitationprgram the father is undertaking permits visitation from relatives and family on weekends, the child may visit his father one time during the rehabilitation period on a weekend and it shall be the responsibility of the grandparents to pick up the child and return the child from the visit. In view of the distance from Meadville, the parent in executing the visit may keep the child overnight either at the location of the rehabilitation program or the night before the visit to occur. It shall be the responsibility of the grandparents to notify the mother of the proposed weekend they will be taking the child to visit the father, and the mother is directed to honor their request for a weekend visit.

The grandparents shall give the mother at least 5 days notice of said visit, and the Court believes the weekend should not involve the weekend when the child is looking forward to visiting the Crawford County Fair.

BY ORDER OF THE COURT,
P. Richard Thomas, S. J.

8-15-94 Copies to Attys. Brode & J. Mason

Nov 25, 1996 Petition to Modify Custody; Notice and Order to Appear and Order and Notice: You, Darlene Marie Johnston, have been sued in Court to obtain Custody of the child, Jason Allen Haylett.

You are Ordered to appear in person at such time and place as will be dtermined by the Mediator William Pineo, Esquire for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been field recently.

Date; 11-21-96 Gordon R. Miller, P.J.

Order and Notice to attend Seminar for Separating Parents in accordance with Crawford County Civil Rule L1930.

Date November21, 1996 jGordon r. Miller, P.J.

Nov 25, 1996 Faxed J. MasonLindsay
Dec 5, 1996 Faxed Pineo

Dec. 3, 1996 Affidavit of Service filed. I, Brian J. Lindsay, Esquire, do hereby certify that I did on the 11th day of October, 1996, send to the above named Defendant and to her attorney of record,Joan Mason, Esquire, by Regular Mail, a copy of the Petition to Modify Custody, filed at the above term and number;

Brian J. Lindsay

Feb 3, 1997 Certificate of completion of the Seminar for Separating Parents for Steven Haylett, filed.

Apr 14, 1997 TEMPORARY ORDER: AND NOW, this 11 day of April, 1997, after Mediation in the above referenced matter and upon the recommendation of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child is hereby awarded to his mother, Darlene Marie Johnston, formerly Darlene Marie Haylett.

2. The parties shall share with each other any and all information,etc.

3. Starting with the monthe of May, 1997, the father shall have visitation and temporary physical custody on the first three weekends of each month from riday at 8 P.M. through Sunday at 5 P.M. The father shall also have temporary, physical custody and visitation with the subject minor child for two one week periods each summer, the periods being separated by at least two weeks. The father shall notify the mother by May 30th of the two one week periods he wishes to select. So far as possible the father's summer visitation shall coincide with his own vacation from work.

12. Costs and fees of this Mediation, which are fixed at $182.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any, shall be rmitted to him. The parties shall settle up with each other and with teh Prothonotary of Crawford County for any unpaid portion of the costs within thirty (30) days fo the date of this Order. Anthony J. Vardaro, J.

Apr 16, 1997 Faxed Lindsay,Pineo & Thomas
Apr 24, 1997 sent Plf. & Dft

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-d-

1992 TERM

1992

Cheryl Ann Peterson
vs.
Duane Allen Peterson

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The Defendant is reminded that said meeting shall take place with complete consideration to Plaintiff's work schedule, but Plaintiff will make every effort to reasonably schedule the meeting as soon as she is notified the Defendant has completed the 28 day program as possible.

6. During any visitation that the Defendant has with the children, he shall pick them up at 9:00 a.m. At the end of the visitation,whether it be at 8:00 p.m. or 9:00 p.m., the Plaintiff shall pick the children up in Erie at the home of the Defendant's mother to return them to Plaintiff's home

7. The parties agree that there may be reasonable alternative visitations as they may both agree to and in lieu of them agreeing, the visitations set forth in this Order shall control unless and until there is further Order of Court.

8. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.

9. A copy of this Order shall be delivered by the Prothonotary to County Control and to the Pennsylvania State Police.

10. The Defendant is reminded that his is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

11. The Defendant is DIRECTED to pay costs in this matter in an amount to be established by the Prothonotary of Crawford County and he shall contact the Prothonotary of Crawford County to determine what those costs are on or before April 1, 1992 and he shall pay those costs on or before the close of business at 4:30 P.M. on April 15, 1992.

12. This order shall remain in full force and effect through Feb. 23, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Feb. 26, 1992 copy given to County Control. Feb. 28, 1992 copy in box for C. Brode, mailed copy to Dft. & Pa. State Police.

David P. Johnson
vs.
Sandra L. Johnson

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10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. The parties will arrange for counseling for themselves and for the subject minor children with the object of learning how to accept their station as members of a family whose parents are separated and to develop the modes of behavior, attitudes and good manners necessary to take full advantage of that station.

13. The mediator notes for the court that the separation of the parties is still recent and to some extent their living situations unsettled. Either party may therefore request a review of this order at any time to make any adjustments.

14. Costs and fees of this Mediation, which are fixed at $152.00. The mediator notes for the court that the total income of this five-member family averages $1,100 per month net of deductions for taxes, that they are attempting to maintain two households, and that the oldest daughter will shortly be entering college. Of the costs and fees of this mediation, $100 is therefore assessed to CrawfordCounty and one-half of the remainder is assessed to each of the parties as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

15. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

March 5, 1992 copy in box for W. Pineo, J. Irwin, B. Lindsay, mailed copy to Plf. & Dft.

March 9, 1992 REQUEST FOR HEARING and ORDER filed. ORDER: AND NOW, this 9th day of March, 1992 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 29th day of April, 1992 at 1:30 P.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

By the Court,
Anthony J.Vardaro, J.

March 10, 1992 copy in box for B. Lindsay & J. Irwin

April 30, 1992 CUSTODY ORDER FILED. AND NOW, April 29, 1992, this matter is before the Court for a de novo custody hearing. The matter proceeds formally and, after listening to the testimony in this matter, the Court enters the following custody order which shall take the place of the temporary order of February 28, 1992.

Accordingly, it is hereby ordered and decreed that:

1. The parties shall share legal and physical custody of the subject minor children.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. a. As of Saturday, May 2, 1992, at 11:00 A.M., father shall have custody of the minor son, Sean Michael Johnson, and mother shall maintain custody of the minor daughter, Sherri Michelle Johnson.

b. The father shall have visitation and temporary physical custody of the minor daughter each weekday afternoon from 3:30 P.M. until 8:00 P.M. so long as the mother continues to work evenings. If mother does not work on a particular evening, then father shall not have this visitation and, if mother shall permanently become employed during a day shift, the evening visitation and temporary physical custody afforded to father shall be terminated except by agreement of the parties.

c. The mother works alternate weekends and receives her schedule at some period of time prior to her work week. Upon mother receiving her schedule, the parties shall communicate with the the intention of the Court being that when mother is not working (apparently every other weekend) the minor daughter shall remain in her custody and she shall also have visitation and temporary physical custody of the minor son for the weekend beginning Friday at 6:00 P.M. and continuing through Sunday at 6:00 P.M. On the other weekends when mother is working or if mother would cease to work on weekends, then every other weekend the father shall retain custody of the minor son and he shall have visitation and temporary physical custody of the minor daughter on Saturday from 9:00 A.M. until 5:00 P.M. and on Sunday from noon until 6:00 P.M.

c. The Court, while not setting a definite time schedule, would also recommend to the parties that at least once a month they arrange time when fther and minor daughter can spend at least a few hours together without minor son present so that the father can work on strengthening his relationship through activities directed toward the interests of the minor daughter. If mother's work schedule changes to days, this goal may be most easily accomplished by the parties exchanging temporary physical custody of the children during a weekday evening for a few hours but, in any the parties shall make a good faith effort to comply with this goal set forth by the Court.

d.During the summer months, the parties shall arrange (Preferably around their vacations from work) for both children to be continuously in the custody of each one of them for a two week period. The parties shall be reasonable in arriving at that schedule.

e. The subject minor children shall have the right to telephone the parent not having physicalcustody at reasonable times and for reasonable lengths of time and such conversations will not be unnecessarily monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. There shall be two periods of time with regard to Christmas visitation; one being from Christmas Eve at noonuntil 10:00 A.M. onChristmas Day and the other being from 10:00 A.M. on on Christmas Day until 8:00 P.M. Christmas evening. For 1992, the father shall have the first period of time and the mother, the second, and thereafter they shall alternate each year. Both children shall be with the parent during his or her Christmas periold.

b. There shall be two Thanksgiving holiday periolds, the first beginning on the Wednesday preceding Thanksgiving after the close of the children's school session and ending Thanksgiving Day at 2:00 P.M. and the second beginning Thanksgiving Day at 2:00 P.M. and ending Thanksgiving Day at 8:00 P.M. For Thanksgiving 1992, the mother shall have the first period and the father, the seond, and the parties shall alternate thereafter.

c. There shall be two Easter vacation visitation periods, the first beginning on Holy Saturday at Noon and ending on Holy Saturday at 8:00 P.M. and the second beginning on Holy Saturday at 8:00 P.M. and ending Easter Sunday at 6:00 P.M. For Easter, 1992, the father shall have the first period and the mother, the second period, and the parties shall thereafter alternate.

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1992

Mary Lynne Arpin

vs.

Robert C. Arpin

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Mar. 16, 1992 ORDER filed. AND NOW, March 12, 1992, this matter is before the Court on Plaintiff's petition for relief under the Protection From Abuse Act. Both parties appear represented by counsel and after testimony the Court finds that there has been abuse within the meaning of the Act for the following reasons:

1. The minor child Brian Aprin has been placed by physical menace through the actions of the Defendant so that he is in fear of imminent serious bodily injury, to-wit: At a point within the last sixty (60) days the said Brian Arpin was in some manner placed against a wall with the hand of the Defendant about his neck, although there is some discrepancy as to whether or not the Defendant was squeezing the neck of the minor child in a manner that could be choking him.

2. The Defendant has recklessly caused bodily injury to the minor son Jeffrey Arpin on more than one occasion by poking the said minor son in the chest with the most recent incident being sometime in the latter part of February, 1992. Accordingly, we enter the following terms and conditions of that Order:

A. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the petition.

B. The Plaintiff shall have exclusive custody of the marital home except that the Defendant shall be permitted to have access to his workshop which is not connected to the marital home, but is on the rear of the marital property. He shall only enter said workshop by way of an alley behind the property and shall park on the rear of the property. He may not go any nearer to the house than the workshop and at no time shall have access to the house under any circumstances without further Order of Court in this proceeding or any other proceeding.

C. The Plaintiff shall have exclusive custody of the minor children pending further Order of Court in this proceeding or any other proceeding with the Defendant to have reasonable visitation with the children by arrangements of the parties.

It is the intention of the Cour tthat the parties arrive at some reasonable visitation schedule so that father may visit with the minor children and in addition if the minor children shall come back to visit father at the workshop, it shall not be considered a violation of this Order.

S. The father shall also be permitted to telephone the minor children as long as he does so at reasonable intervals and does not do so to harass or threaten the Plaintiff or the minor children.

E. This Order may be enforced without a warrant to arrest by any law enforcement officer having reasonable grounds to believe it has been violated.

F. A copy of this Order shall be delivered to the police departments in the jurisdiction where Plaintiff resides and to County Control.

G. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

H. The Defendant is warned that if any time he is invited upon the marital premises by the Plaintiff, he should not enter the marital premises without further Order of Court because doing so shall be presumed to be a violation of this Order until further Order of Court.

I. The Defendant shall pay costs in this matter in the amount of $91.50 to the Prothonotary of Crawford County on or before the close of business of that offfice at 4:30 p.m. on March 20, 1992.

J. This Order shall remain in full force and effect for a period of six (6) months from this date.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Mar. 16, 1992 copy givento County Control. Mar. 17, 1992 Copy in box for W. Gregg, copy mailed to G. Keenan, Plf., Ddft. & Conn. Lake Police Dept.

Bryan Scott Stephens
vs.
Rebecca Lynn Stephens

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Apr. 1, 1992 Request for De Novo Hearing, filed.

Apr. 1, 1992 ORDER filed. AND NOW, March 25, 1992, the Court has received a letter from the Petitioner which, although not in proper form, the Court is now treating as a request for hearing de novo.

Accordingly it is ordred as follows:

1. The attached letter shall be filed and become a party of the record in this case.
2. A hearing de novo in this matter shall be held on the 20th day of April, 1992 at 9:00 a.m. in Courtroom No. 1 of the Crawford County Courthouse.
3. In the meantime the temporary order of March 18, 1992 entered on recommendation of the custody mediator shall remain in full force and effect and shall be fully and completely adhered to by the parties until further order of court.

BY THE COURT
Gordon R. Miller, P.J.

Apr. 1, 1992 copies given to Attys/Parties

Apr. 7, 1992 Order filed. AND NOW, April 2, 1992, after having been advised by the custody mediator of an error on page 2 of his temporary order it is ordered as follows:

The reference on page 2 of the order in the next to the last word in subparagraph (2) to maternal grandmother should be paternal grandmother.

Corrected page which is attached to this order shall be inserted into the original order as a replacement for the original page 2. the original page 2 shall be removed and destroyed.

True and ocrrect copies of the corrected page 2 shall be distributed to all parties and the mediator.

BY THE COURT,
Gordon R. Miller, J

Apr. 13, 1992 Copies of order mailed to Atty's felton and Smith and Copy put in box for Atty. Lindsay

April 22, 1992 MOTION TO CONTINUE and order filed. And Now, April 21, 1992, hearing reset for June 3, 1992 at 1:30 P.M. in Courtroom 1 or 2.

FOR THE COURT,
Imogene Yetman, Court Administrator

April 29, 1992 copy of Order to Brian J. Lindsay, Esq. & Robert J. Felton, Esq.

Apr. 22, 1992 Motion for Contempt, filed.

Apr. 23, 1992 ORDER filed. AND NOW, April 22, 1992, the Petitioner appears in motions court and files a pro se "Motion" for contempt. While the "motion" is not in perfectly proper petition form, the Court will accept this document as a petition under the Rules of Civil Procedure to hold the Respondent in contempt of court with the caution to thePetitioner that he is limited in the matters raised in his "motion".

Accordingly, a rule to show cause is hereby entered and firected to the Respondent to show her cause why, if any, she has, that she should not be held in contempt of court.

Said "motion" is returnable for hearing and argument at the time a custody de novo hearing is had, that is June 3, 1992 at 1:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

The Petitioner is ORDERED and DIRECTED to serve a true and correct copy of this "motion" and all attachments thereto upon the Respondent personally or to her attorney forthwith in the manner provided and required by the Pennsylvania Rules of Civil Procedure.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 23, 1992 copies given to Smith , Felton & Plf.

*See Below

June 8, 1992 Supplemental Order filed. AND NOW,JUne 3, 1992, the Court notes that in its previous order dated this date regarding the de novo custody hearing, in spite of the fact that the Plaintiff agreed to do so, theCourt forgot to enter a requirement that he transfer to the Defendant title to a motor vehicle which was discussed at the time of the hearing and which the Court believes was a 1984 Escort.

Insofar as the Plaintiff has agreed to do so, he shall do so within the next seven days.

Additionally, the Court neglected to include a requirement that the parties appear at all times in a timely manner for for transfers of the children and it is so ordered.

Finally, in the previous order this day, the Court indicated that prior to any visitation, the Plaintiff shall not have consumed alcoholic beverages within 24 hours of said visit so that it is absolutely clear it is also theCourt's intention that the Plaintiff not use alcoholic beverages during such visits and it is so ordered.

This supplemental order is not intended to modify the previous order of this day other than as above and the previous order shall remain in full force and effect.

BY THE COURT,
Anthony J. Vardaro, J.

June 8, 1992 Copy of the order to Atty. Robert J.Feton,Bruce Smith, Plft . & Deft.

* June 8, 1992 ORDER FILED. AND NOW, June 3, 1992, this matter is before the Court for a de novo custody hearing at the request of the Plaintiff.

The Court hears testimony from both parties and after doing so, affirms the order entered after mediation and dated March 18, 1992 with the following exceptions;

1. The exchanges of the children for visitation purposes shall occur ina public place, being the parking lot of J & J Country Corner on Route 77 and shall occur with only the parties present. At the time of each exchange, the party receiving custody of the child shall go to the car of the party giving custody of the child, which car shall be parked at least 20 feet away from the other car and the party receiving custody shall take the children and go to his or her car without the other party doing so. During the transportation of the children, the party transporting shall comply with all of the laws of the Commonwealth of Pennsyvlania regarding car seats and transportation of minor children.
2. The Plaintiff shall not drink alcoholic beverages for a period of at least 24 hours before taking either child into his custody.
3. During any visits, the Plaintiff shall not take the child to the home of his mother unless he can convince the Court that there will be no smoking at that residence and at no time shall the Plaintiff smoke in front of either child, nor shall he allow anyone else to do so during visitations.
4. If the Plaintiff is denied visits at any time, he shall be entitled to make up those visits at another day and time, it being the Court's intention that he shall have all visits with both children.
5. The parties are strongly advised that they shall not speak illy about the other party nor shall they procure anyone else to do that, and particularly they shall not say anything bad about the other party in front of the children at any time, whether it be privately or in public.
6. The Plaintiff shall make arrangements to enroll in parenting classes for the purposes of learning parenting skills as soon as possible, and shall complete such classes prior to being entitled to have overnight visitations.
7. This order shall be reviewed by this Court at a hearing to be set by the Court Administrator sometime between September 15, 1992 andSeptember 30, 1992 at her discretion.
8. In all other respects, the temporary order of March 18, 1992 shall remain in full force and effect an it shall only be modified to the extent that this order changes it and in all such respects, this order shall take precedence.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

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1992

Dale R. Webster

vs.

Tina Moore, et al

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March 19, 1992 Contempt/Special Relief filed.

March 19, 1992 ORDER filed. AND NOW, this 19 day of March, 1992, upon presentation of the foregoing Petition for Contempt, a Rule is issued upon the Defendant Tina Moore and in addition upon David Michael Smith and Ruth Emily Smith, his wife, and Annabel Jones, Esq. to show cause, if any, they have, why they should not be held in contempt of the March 6, 1992 and March 16, 1992 orders of the Court of Common Pleas of Crawford County,PA., and a hearing is thereon set for the 24 day of March, 1992, at 9:00 a.m. in Courtroom #1 or #2 of the Crawford County Courthouse at Meadville, PA.

1. The Court orders the defendant, the adoptive parents, David Michael Smith and Ruth Emily Smith, his wife, and Annabel Jones, Esq., and all other individuals to strictly comply with the March 16, 1992 Court order.
2. The Court orders the immediate transfer of the child now known by the Court as Matthew Smith, from the proposed adoptive parents, David Michael Smith and Ruth Emily Smith, his wife, of Mercer County, PA., to Crawford County Children and Youth Services.
3. The Court orders Annabel Jones, Esq. to make all the necessary arangements for the immediate transfer of said child, not limited to supplying the address and telephone number of Mr. & Mrs. Smith to Crawford County Children and Youth Services and the appointed law enforcement agency when requested.
4. The Court orders the Crawford County Sheriff's Dept., the Mercer County Sheriff's Dept., the Pennsylvania State Police, the Crawford County Children and Youth Services, the Mercer County Children and Youth Services and Annabel Jones, Esq. to assist in the immediate return of the unnamed male child from the proposed adoptive parents Mr. & Mrs. Smith of Mercer County.
5. The Court orders the Crawford County Sheriff's Dept. to immediately serve a certified copy of this order personally on Annabel Jones, Esq. and DAvid Michael Smith or Ruth Emily Smith. This may be done by deputizing the Sheriff of Mercer County.
6. The Court orders that the March 16, 1992 order be immediately acted upon by all parties, individuals herein.

BY THE COURT,
Anthony J. Vardaro, J.

March 19, 1992, Copies to Attys. C. Brode, K. Nelson, S. Dratler, AnnaBelle JOnes, plaintiff Children & Youth, Kathleen McArthur and Sheriff of C.C.

Mar. 25, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Mercer Co., Pa. to serve the within Court Order according to law. The defendants alleged address is Atty. Annabel Jones, 237 West Market St., Mercer, Pa. 16137 Robert M. Stevens, Sheriff, Cr. Co., Pa.

AFFIDAVIT OF SERVICE filed. SERVED the within Order, Contempt/Special Relief on March 23, 1992, at 1:58 PM, upon Anna Belle Jones, Esq., at Domestic Relations Office, Mercer, Pa., by handing to Anna Belle Jones, Esq. personally a true and correct copy thereof and made known to her the contents therein. William H. Romine, Jr., Sheriff, Mercer Co., Pa.

Mar. 25, 1992 MOTION FOR DISCONTINUANCE OF CONTEMPT and ORDER filed. ORDER: AND NOW, this 25th day of March, 1992, upon consideration of the foregoine Motion for Discontinuance of Contempt, said Motion isgranted.

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 27, 1992 copy in box for C. Brode, S. Dratler, K. Nelson, J. Fuller, mailed copy to Annabel Jones

April 3, 1992 Petition For Reconsideration filed.

April 6, 1992 Motion For Hearing/Argument and ORDER filed. And, Now, April 6, 1992, hearing on the Petition for Reconsideration filed by David M. Smith and Ruth K. Smith is scheduled for April 13, 1992, at 1:30 p.m. o'clock in court room number 2 of the Crawford County Courthouse in Meadville, PA.

By the Court:
Gordon R. Miller, J.

April 8, 1992 Copy of Order to Attys. C. Brode, K. Nelson, S. Dratler, Mary Ann Kirkpatrick.

April 15, 1992 ORDER filed. AND NOW, April 13, 1992, this matter is before the Court on a petition for reconsideration filed by David M. Smith and Ruth K. Smith, the proposed adopting parents with regard to this matter.

The Smiths appear with new counsel at this time and after much discussion it appears that the initial issue that needs to be decided is whether or not the Court-House must join the Smiths as a party pursuant to Pennsylvania Rule of Civil Procedure 1915.6 and pursuant to 23 Pa.C.S.A.Section 5351.

The attorney for the Plaintiff does not agree that joinder is mandatory under the facts of this case, and accordingly, he is given an opportunity along with all other parties to file a Memorandum of Law on or before 4:30 p.m. on April 20, 1992.

Hearing in this matter is rescheduled for April 23, 1992 at 1:30 p.m. in Courtroom No. 2. At that time there will be initial argument as to whether or not the Smiths have standing in this matter and whether they are to be joined pursuant to the above rule and law.

The parties should be prepared to then proceed with hearing with regard to the petition for reconsideration filed by the Smiths if it becomes appropriate to do so.

By the Court,
Anthony J. Vardaro, J.

April 21, 1992 copies distributed to Atty.Christopher Brode; Atty. Sylvia Dratler; Atty. Mary Ann Kirkpatrick; Atty. Kathleen Nelson and Atty. John Fuller.

April 22, 1992 MOTION FOR RESCHEDULING ORDER FILED: And Now, April 21, 1992 hearing is rescheduled for June 4, 1992 at 1:30 P.M. in Courtroom No. 2, Crawford County Courthouse.

ORDER OF COURT Anthony J., Vardaro, J.

April 28, 1992 Copies of order distributed to:Christopher Brode, Esq., Sylvia Dratler,Esq., Mary Ann Kirkpatrick, Esq. and John Fuller, Esq., Kathleen Nelson, Esq.

May 8, 1992 MOTION FOR RESCHEDULING AND IMMEDIATE VISITATION/CUSTODY and ORDER filed. ORDER: AND NOW, this 8th day of May, 1992, this motion to be heard at the same time as presently scheduled June 4, 1992 at 1:30 p.m. hearing.

BY THE COURT,
P. RichardThomas, S.J.

May 14, 1992 copy in box for C. Brode, S. Dratler, M.A. Kirkpatrick, J. Fuller & K. Nelson

May 14, 1992 ORDER FILED. AND NOW, May 13, 1992, the Court receives a letter from John Fuller, Esquire, attorney for Children and Youth Services, indicating that agency is not entitled to reimbursement when a child has been placed for more than thirty days without adjudication and further that he believes all attorneys are in agreement that the above case is not a Children and Youth Services case but a custody case.

He further indicates that all of the attorneys would like to have this matter resolved as soon as possible and, in any event, sometime sooner than the June 4, 1992 hearing currently scheduled.

The hearing scheduled for April 23, 1992 with regard to this matter was continued to June 4th upon motion of one of the parties and, at the time it was continued, that was the first available date for hearing.

Upon receiving Attorney Fuller's letter, the Court consults the Court Administrator of a possibility now of an earlier hearing and is advised that the earliest possible time is May 29, 1992 at 1:30 P.M. in Courtroom No. 2. Accordingly, hearing is set for that date and time rather than the originally continued date of June 4, 1992.

BY THE COURT,
Anthony J. Vardaro, J.

May 14, 1992 copy of order to:R.Christopher Brode, Esq., Sylvia Dratler, Esq., John Fuller, Esq. Kathleen MacArthur, Kathleen Nelson, Esq. Mary Ann Kirkpatrick, Esq.

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DAVID BURROWS Continued from Page 183

vs.

MELAINIE STANICHOWSKY

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11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. The mediator notes for the court that the child is very young and has not seen his father for over a year. The mother is apprehensive of his ability to take care of and relate to the subject minor child. Either party may therefore request a review of this Order after the passage of five months.

13. Costs and fees of this Mediation, which are fixed at $102.00. The mediator notes for the court that neither party is working and that the mother is on public assistance. Costs in this case are therefore assessed to Crawford County.

14. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

April 22, 1992 copy to William Pineo, Esq. Custody Mediator; R. Christopher Brode, Esq. and John Gagliotti, Esq.

1992

Linda Hall
vs
Charles Jiles

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that since March 16, 1992 apparently the parties have resumed living together, even up to the day of this incident which occurred on April 15, 1992.

The Defendant has been incarcerated since the time of the incident and in light of the fact that the Plaintiff does not appear at the hearing, and based on the Defendant's testimony, the Court declines to find him in contempt and the warden is directed to release him from incarceration forthwith.

The Defendant is cautioned, however, that if he stays at the residence of the Plaintiff, he is in violation of the order of March 16,1992 and subject to an adjudication of contempt for doing so. He is advised that if he continues residing with the Plaintiff that he should, with her cooperation, seek a modification of the order or withdrawal of the order at their descretion.

The Court notes that the Def endant has failed to pay the court costs in the installments set forth in Paragraph 6 ofthe order of March 16, 1992 which is a technical contempt of this order, but the Defendant explains circumstances which cause the Court to allow him some additional time to pay court costs in this matter.

Accordingly, all court costs shall be paid to the Prothonotary of Crawford county on or before May 29, 1992 in full. The Defendant is advised that failure to do so could result in an adjudication of contempt with regard to the order of March 16, 1992 if such failure is willful.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

April 21, 1992 copy given to County Control.

Mary Jane Boyda
vs.
Paul E. Harvey

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The Plaintiff shall deliver the child to the home of the Defendant's parents, Steven C. Harvey and Jean Harvey at 1227 Livermore St., Meadville, Pa., by 10:00 a.m. on each Saturday and Sunday the Defendant is entitled to visitations.

The Defendant shall exercise his visitations at all times at his parents' residence as aforesaid. When the visitations are terminated at 5:00 p.m. on Saturday and Sunday, the Plaintiff shall return to the paternal grandparents' home to pick up the child.

The Order with respect to custody and visitation is temporary and either party has the right to seek further custody and visitation proceedings in accordance with 23 Pa.C.S.A. 6108(a)(4).

6. The Defendant is advised that he should not return tothe Plaintiff's residence even if he is invited. That could be coonsidered a violation of this Order. If the parties desire to resume cohabitation, they should file a motion signed by both parties requesting the Court to modify this Order so as to permit the Defendant to return to the Plaintiff's redidenc. Until such time as the Court modifies this Order, the Defendant is at risk if he returns under any circumstances to the Plaintiff's residence.

7. This Order may be enforced without a warrent of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.

8. A copy of this Order shall be delivered by the Prothonotary to County Control and to the Meadville City Police Department.

9. This Order shall remain in full force and effect for one (1) year, that is until April 28, 1993, unless modified or terminated by further Court Order.

10. The Defendant is reminded that h is is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months should the Plaintiff initiate indirect criminal contempt proceedings.

11. The Defendant shall pay record court costs no later than May 15, 1992 or suffer possible penalties for contempt of court.

The contempt proceedings alleging a violation of the temporary Order of April 13, 1992 are dismissed, and to the extent that the Defendant is incarcerated as a result of those proceedings, he shall be released from the Crawford County Jail forthwith. To the extent that he remains incarcerated on other proceedings, this Order shall have no effect.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

May 1, 1992 copies given to County Control, Atty Brode. May 11, 1992 copy mailed to Plf. & Dft., also, Meadville City Police Dept.

July 7, 1992 Notice of Assignment of Hearing Date filed. July 7, 1992: Hearing in the above captioned matter has been scheduled for July 10, 1992 at 3:30 P.M. in Courtroom 1 or 2.

FOR THE COURT,
Imogene Yetman, Court Administrator

July 7, 1992 Copy given to Sheriff's Office;Christopher Brode, Esquire;Defendant.

July 20. 1992 ORDER filed. AND NOW, July 10, 1992, this matter is before the Cour ton a petition to hold the defendant in indirect contempt of the Protection From Abuse Order entered bv Judge Gordon R. Miller on April 29, 1992.

The plaintiff appears with counsel and the defendant appears without counsel. He is advised of his right to counsel and indicates that he wishes to proceed without counsel.

The defend ant agrees to the entry of an Order with respect wot this matter without admitting to the contemp alleged in the petition.

That Order shall be as follws:

1. The Order of April 29, 1992 shall remain in full force and effect and shall be extended for six (6) months beyond its expiration date of April 28, 1993.

2. In addition to the terms and conditions of that Order, the defendant shall upon his release from incarceration make arrangements to participate in drug and alcohol counseling within five (5) days of the date of his release and shall likewise within five (5) days arrange for mental health counseling through the Meadville Mental Health Center.

3. The defendant shall not visit with the parties' child until such time as he has completed all such counseling, both mental health and drug and alcohol successfully.

4. The defendant is released from custody forthwith with respect to this proceeding, subject to any other detainers that may be lodged against him.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

July 20, 1992 copy given to Co. Ctrl. July 21, 1991 copy in box for C. Brode, mailed copy to Dft.

1992

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IN THE MATTER OF THE ADOPTION OF THE CRAWFORD COUNTY CIVIL RULES OF COURT

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY CIVIL RULES OF COURT - CIVIL

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It is further ordered and directed that, in accordance with Pa. R. C.P.239, seven (7) certified copies of these rules shall be filed with the Administrative office of the Pennsylvania Courts; two (2) certified copies shall be forwarded to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; and one (1) certified copy shall be filed with the Civil Procedural Rules Committee.

BY THE COURT,
Gordon R. Miller, P. J.

Sept. 15, 1994 Order filed. AND NOW, September 8, 1994, it is hereby ordered as follows:

1. To reimburse Crwaford County for payment of salaries, secretarial assistance, office equipment supplies, postage and other expenses of the permanent Master system (not including stenographer fees) the designated parties shall pay certain fees to the Prothonotary as hereinafter provided.
2. A non-refundable administrative fee of $45.00 shall be paid by the party filing a complaint in divorce at the time the complaint is filed.
3. A non-refundable fee of $250.00 shall be paid by the moving party at the time a motion for the appointment of Master is filed.
4. All fees shall b epaid to the Prothonotary.
5. The fees set forthin this Order shall be regarded as costs of the case and upon final disposition the Master may recommend and/or the Court may order each party to pay his/her own costs or may order that the costs be divided equitably and paid by each party as may appear just and reasonable.
6. No motion for the appointment of a Master shall be filed until all of the fees in this rule have been paid to the Prothonotary. In the motion for appointment of a Master the moving party must certify to the Court that these fees have been paid in full and the Prothonotary shall certify in writing onthe face of the motion that the fees have been paid in full.
7. The fees referred to in this rule shall entitle the parties up to eight (8) hours of services of the Master.
8. When the fees deposited witht he Prothonotary are deemed insufficient to provide for the total services of the Master, especially if the hours referred to have been or will be exceeded as well as services of any stenographer, the Master may move the Court to order additional deposits or the parties may agree to additional deposits by a stipulation entered of record. When a motion is filed the Master shall not be required to conduct additional hearings or proceed further in any respect untilthe payment of the additional deposits as may be ordered or agreed upon have been made to the Prothonotary.
9. The original administrative fee of $45.00 paid in all cases as well as the Master's fees and deposits paid in cases where the permanet Master has been appointed shall be paid over by the Prothontoary of Crawford County and credited as revenue to the appropriate budget category in the Court's budget.
10. Master's fees and deposits in cases where someone other than the permanent Master has been appointed shall be held by the Prothonotary to be paid over as the Court may order to the Master as a fee or returned to the parties, or otherwise. In such a case, specially appointed Masters shall file a petition or petitions for the payment of Master's fees detailing the time and services spent and rendered, expenses incurred, allin compliance with local motions practice. The special Master shall recieve compensation as set by court order. The Prothonotary maypay the special Master upon receipt of a bill approved by the parties or their attorneys without the necessity of a court order.
11. This Order shall apply in all divorce cases filed on and after Special 15, 1994.
12. This rule shall not apply in proceedings informa pauperis. The payment of fees and costs in forma pauperis cases shall be determined on a case by case basis.

BY THE COURT
Gordon R. Miller, J

Dec. 11, 1995 Rule changed filed.

Dec. 11, 1995 ORDER filed. AND NOW, December 11, 1995, it is **ORDERED** and **DIRECTED** that the following changes to the Crawford County Civil Rules of Court are hereby adopted and shall become effective thirty (30) days after publication in the Pennsylvania Bulletin and shall apply to all civil proceedings pending at that time:

1. The following rules are amended or modified:

L205.1	Flat Filing and Vace Sheet
Exhibit L205.1	Face Sheet
L206.B1	Uncontested Motions
L206.B4	Service of Order Entered
L206E	Contents of Motions or Petitions
	Comment to Rule L206
Exhibit L206	Notice and Certification Regarding Filing and Service of a Motion or Petition
L300C	Form and Size of Documents Filed
L360B	Additional Testimony in Appeals from Zoning Hearing Boards
L1018.1	Notice to Defend
L1902.2	Commencement of PFA Action - Unrepresented Petitioner
L1902.3 to L1902.5	Protection from Abuse
Exhibit L1902.2A	Form of Petition and Notice, Form of Temporary PFA Order
L1903.1 to L1903.7	Enforcement of PFA Orders
L1903.2B	Notice of Hearing
L1903.6A	Notice and Order to Appear a Civil Contempt
Exhibit L1910.11	Request for Hearing
L1915.3	Notice and Order to Appear
L1915.3B, 3C and 3D	Commencement of Action
L1915.26B	Appointment of Mediator
L1915.26D	Notice
L1915.26I	Hearing De Novo
Exhibit L1915.26I	Form for Request
L1920.33	Divorce Prehearing Statement
L1920.51A	Appointment of Master
L1920.51B	Fees and Costs
920.516	Prehearing Conference
L1920.53A	Hearing Date
L1920.53D	Hearing Transcripts
Exhibit L1920.74	Motion for the Appointment of a Master in Divorce
L2039	Minors or Incapacitated Persons as Parties
L2064	Incapacitated Persons as Parties

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ROBERT J. NOTZ

VS.

GWEN L. NOTZ

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C. During the months of June, July and August, the father shall have the right to have one (1) week visits with the children on the first week of each summer month. Unless the parties agree otherwise, the week visits shall commence Sunday at 7:00 p.m. and terminate the following Saturday at 7:00 p.m. The first notice in time, designating a parent's summer week preference, shall have priority over the latter.

D. The major holidays are defined as Easter, Memorial Day, IndependenceDay, Labor Day, Thanksgiving, Christmas, New Year's Day, Mother's Day and Father's Day. The holiday visitation periods shall begin at 6:00 p.m. the day preceding the holiday and end at 7:00 p.m. on the holiday. The mother shall have the children for visitation on Memorial Day and the parties shall thereafter alternate the periods.

(1) The father shall have custoday of the child every Father's Day and the mother shall have custody of the child every Mother's Day.

(2) The provisions of this paragraph shall take precedence over the other provisions of this Agreement regarding the custodial and visitation periods.

4. The party having custody of the children shall notify the other parent as soon as possible in the event of illness or injury requiring medical treatment.

5. Neither party shall take the children into any environment which might be commonly thought of as detrimental to their development or the development of their character, or which would be commonly thought of as dangerous to their physical safety.

6. The parties will allow the children to develop the love and respect a child is entitled to have for a parent, and neither of the parents will do anything to blacken the character of the other parent in the eyes of the children.

BY THE COURT:
Gordon R. Miller, Judge

May 14, 1992 copy of Order to: Tamera Ochs Rothschild, Esq.

~~May 26, 1992 AFFIDAVIT OF CONSENT BY Robert J. Notz, Plaintiff filed.~~
May 26, 1992 AFFIDAVIT OF CONSNET BY GWEN L. NOTZ, Defendant filed.
May 26, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

see AD 1992-158

1992

Bryan Scott Stephens
vs.
Rebecca Lynn Stephens

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June 8, 1992 Copy of the order to: Atty. Robert J.Felton, Bruce Smith, Plft. & Deft.

June 8, 1992 ORDER FILED. AND NOW, June 3, 1992 the Plaintiff's petition to hold the Defendant in contempt of Court and the Court declines to hold the Defendant in contempt, believing that her actions were not in willful contempt of the order and were in fact brought about by the fact that the Plaintiff did not have a car seat available for transportation of the children.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

June 8, 1992 Copy of the order to: Attys. Robert J.Felton, Bruce Smith, Plft.& Deft.

June 11, 1992 ASSIGNMENT OF REVIEW HEARING DATE filed. June 10, 1992: The Court Administrator having been directed by the Court to schedule a review hearing date in the above matter, hereby sets a review hearing for Sept. 29, 1992, at 9:00 a.m. before Judge Anthony J. Vardaro.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

June 16, 1992 copy in box for R. Felton

July 7, 1992 Order Filed. AND NOW, July 6, 1992, the Defendant appears in Motion Court pro se with a document that is intended to be a petition to hold the Plaintiff in contempt of Court.

The document is not verified and the Defendant indicates that she has not previously served a copy of the same on the Plaintiff nor did she advise him of her intention to appear in Motion Court.

However, we will set a hearing with regard to this matter and the Prothonotary is directed to mail a copy of this order by regular mail to the Defendant at R.D.#3, Box 132A, UnionCity, PA 16438 and by certified mail, return receipt requested, addressee only, to the Plaintiff at his address.

This matter is scheduled for hearing on July 27, 1992 at 2:30 P.M. in Courtroom No. 2 at the Crawford County Courthouse.

BY THE COURT,
Anthony J. Vardaro, J.

July 7, 1992 Copy of the Order to:R. Felton, Esq.; B. Smith, ESq.,Plft. & Dft.

AMENDED ORDER

July 29, 1992 Order Filed. AND NOW,July 27, 1992, this matter is before the Court on a petition by the defendant to hold the plaintiff in contempt of the Court's Orders with respect to the custody issues in this case.

The Court conducts an informal hearing with respect to this matter and is convinced that the plaintiff is in contempt of the Court's Orders of June 3, 1992 ad the previous Order entered as a result of the mediation in this matter in March of 1992.

The Court will impose no sanctions for this contempt and the plaintiff may purge himself of contempt by complying with the Court's previous Orders and with this Order, which is intended to clarify some areas that the parties are having disputes with respect to visitations.

ACCORDINGLY, we enter the following with respect to that:

1. For the information of the Prothonotary of CrawfordCounty, the address of the plaintiff is R.D.#4, Box 13-B, Centerville, Pennsylvania, 16404, and all further correspondence should be sent to him at that address.

2. The plaintiff has this day signed a title to a 1984 Escort pursuant to the Court's Supplemental Order of June 3, 1992; and in the event that any other documents need to be signed with respect to this transfer,the parties shall both cooperate to aloow that to happen in a prompt manner, it being the intention of the Court that the defendant wife shall have use of this vehicle as soon as possible and that the parties shall cooperate to accomplish that.

3. With the respect to the Court's Order that the children not be exposed to cigarette smoke,the plaintiff shall for a period of twenty-four (24) hours prior to a visitation with one or both children and during such visitation not allow anyone to smoke within the confines of his home. Additionally, when visitation occurs,he shall not allow anyone who been smoking within a period of twenty-four (24) hours to hold either child unless said persons have been required to put clothes that are smoke-free ontheir persons prior to such visitation. Specifically,the Court is concerned that plaitiff's mother and/or girlfriend may be visiting with the children and smoking outside away from the children,but then returning and allowing the children to be exposed to smoke ontheir clothes and person. Iit is the Court's clear intentin that the plaintiff do everything in his power to make sure that the children are not exposed to cigarette smoke,whether it be frequent or infrequent on any person or in any location. It shall be specifically required that he not allow anyone to visit with the children if he knows that they are going to any other location during such visit to smoke and then returning to the children. He shall make every effort to be sure that the children do not come in contact with the cigarette smoke in any manner.

4. The parties have previously been ordered to not speak illy about each other in front of the children, and this shall include specifically during any exchange of the children that occurs. The parties shall have only necessary conversations with regard to the welfare of the children when those exchanges occur and shall keep all such conversation to a minimum. They have this day exchanged phone numbers and they may call each other to discuss the welfare of the children so that they may do so outside of the hearing of the children and shall call each other only for that purpose. They shall not call the other party for the purpose of harassing that party nor shall they procure anyone else to do that. During tlephone conversations with respect to matters of importance with respect to the children,they shall be civil with each other and shall concern themselves only with the business of what is in the best interest of the children.

5. The visitation times and schedules set forth in the previous Order shall be complied with strictly by the parties. There shall be no deviation from the times set forth, even upon agreement of the parties, unless they shall both sign such agreement in writing. If the plaintiff shall miss a visitation for which he is entitled, that visitatin shall occur on the following Sunday of the next weekend at the same time as the normal visitation would have occureed. If, however,there is an additional visitation as required by the Order, which would occur on a day other than Saturday,the same hours shall be kept as a Saturday visistation unless it shall be a Sunday. If there is a visitation on a Sunday (such as Father's Day), the time shall be adjusted to be 2:00 p.m. until 8:00 p.m., with the understanding that so long as there shall be a restriction of two (2) hours with respect to David, the same shall then be 2:00 p.m.until 4:00 p.m. The parties shall strictly comply with these times and shall not be late for pickups or deliveries with respect to the children.

6. Until the baby shall be able to receive own nourishment other than through nursing, the plaintiff shall not make any effort to feed the child during the two hour visitations nor shall he allow anyone else to do so.

7. The hearing to review this matter as set forth in the Court's Order of June 3, 1992 shall continue to be scheduled for September 30, 1992 at 9:30 a.m.

8. If the plaintiff is unable for some reason to exercise his visitation for an upcoming Saturday, he shall notify the defendant by telephone by the Wednesday before such visitation at 9:00 p.m. Otherewise, it shall be presumed that he is to have such visitation, and if he fails to appear for such visitation, he shall forfeit the same.

If for some reason the children will not be able to visit with the plaintiff father because of illness,the defendant mother shall notify the plaintiff father by telephone as promptly as possible prior to his visitation, and if for some reason she does not get him on the telephone, she shall appear at the normal time for him to pick up the children to advise him of such reason why the visitation shall not occur and he shall then be entitled to the extra visitation the following weekend as set forth in this Order.

9. If for some reason other than illness it is inconvenient for mother to allow such visitation on the following Saturday, she shall notify by telephone the plaintiff that the visitation cannot occur that Saturday no later than Wednesday at 9:00 p.m., in which case, the plaintiff father shall be entitled to the mssed visitation the following Sunday as set forth in this Order.

10. The parties are cautioned strongly not to abuse this privilege to change visitations if schedules do not permit or if an illness or emergency occurs, it being the Court's intention that the visitations should normally occur when they they are scheduled.

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CHRISTINE M. LEWIS
vs.
EDWIN J. LEWIS

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RCA Floor Model TV-Model #G26139HP, Serial #940251556
Nintendo Enterainment System-Model #NES-001, and 21 games.
AKAI - 3 Way Speakers Model #SRLA101 Serial#'s 50810997,50810998
Stereo Double Cassette Deck Model #HX-A301W Ser. #01220-24075
Computer Control Video Reciever MOdel #AA-V201 Serial #00720-86675
Defendant will retain and own:
C.B. and attachments, clothing
And other small itmes the plaintiff finds that belongs to the defendant and he needs.

That the real property commonly known as N/A and legally described hereinafter, be distributed as follows: N/A

The legal description of said **real estate** is as follows: N/A

IT IS FURTHER ORDERED that the liabilities and debts of the parties hereto be paid as set forth below and that each OF THE RESPECTIVE PARTIES HERETO HOLD THE OTHER HARMLESS AS TO THE RECOURSE OF the creditors on the liabilities and debts for which he or she is responsible as set forth below, and that each of the respective parties hereto hold the other harmless as to the recourse of creditors on their respective liabilities and debts of which the other was unaware at the time of the filing of the Complaint or which were incurred subsequent to the filing of the Complaint.

Defendant will pay the creditors and obligations listed below:

NAME of Creditor,	Address of Creditor	Type of Debt	Balance owing	As of (Date)
Essex Savings	Main St.,Old Saybrook,Ct.	Personal Loan	$710.00	12/12/91 Acct.#62006478
Britannica Encyclopaedia	310 Michigan AVe.Chicago,Ill.60604		$1565.00	12/12/91 Acct.#0341-018991-8

and any other out standing bills.

Plaintiff will pay t he creditors and obligations listed below:

Name Of Creditor	Address of Creditor	Type of Debt	Balance owing	As of (Date)

Plaintiff will send money for the out standing bills when she is able to send the defendant the money.

1.) If anything should happen to the plaintiff Christine M. Lewis the children stated should go to the defendant Edwin J. Lewis.

2.) The children should be put on the defendants insurance plans that he has.

3.) When the plaintiff gets a job she will also put the children on her insurance plan, if she has it.

4.) The defendant will take the children to the plaintiffs relatives. They are Peggy and Wallace Luce, the live on Plains Rd.Essex Ct.

At least one a week, so that the plaintiff can call her relatives to inshure herself that the children are being taken care of.

5.) Defendant will be notified of any change in the childrens health, schooling, and etc.

IT IS FURTHER ORDERED that the Court hereby retains jurisdiction of any claims raised by the parties to this action for which a final Order has not yet been entered.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite.

BY THE COURT:
Gordon R. Miller, J.

1992

Richard L. Proper
vs.
Debra Sue Proper

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6. Each of the parents (and all adults who come into contact with the children) shall teach the children involved in this case to develop and demonstrate that natural love and respect due a parent from his or her children. Neither of the parents (nor any adult coming into regular contact with the child) will do or say anything to blacken the character of either parent in the eyes of the children. The father will permit and encourage the children to develop loving and nurturing relationships with members of the defendant mother's extended family living in the Titusville area. While the children need not stay overnight or have regular visits with said persons, they shall be permitted and encouraged to spend "meaningful" time with members of the mother's extended family.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be serve dby further Mediation.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or the children resides in the Court's jurisdiction and for at least six months from the date of this Temporaryn Order.

9. The fee for Child Custody Mediation shall be paid 50% by the plaintiff father and 50% by the defendant mother.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within 30 days from the date of this Temporary Order.

BY THE COURT:
Anthony J. Vardaro, J.

July 7, 1992 copy in box for B. Walton, mailed cooy to B. Smith, W. Fox, Plf. & Dft.

1992

Marie W. Boardley
vs.
Anthony W. Collins

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July 16, 1992 ORDER filed. AND NOW, July 14, 1992, at the time fixed for hearing on the Plaintiff's contempt petition both parties appear without counsel and were advised as to the nature of the proceedings with the Defendant being advised of his right to counsel including free counsel if he could not afford it.

The Plaintiff indicated that she does not wish to pursue th is matter and that she wants to discontinue this Protection From Abuse action and wants a termination of the Abuse Order. In fact, she has no problem with the Defendant living with her.

Accordingly, it is ORDERED as follows:

1. The contempt proceedings are hereby dismissed without further proceeding.
2. This action is discontinued of record and the Protection From Abuse Order of April 2, 1992 is hereby terminated. The Plaintiff shall immediately go to the Prothonotary's Office and sign a praecipe for discontinuance on the forms that the Prothonotary has for that purpose.
3. A copy of this Order shall be delivered to County Control and to the Meadville City Police Department.
4. Neither party has held a full time job for some time. The Plaintiff is receivign Public Assistance and intends to go back to school. The Defendant has been receiving Public Assistance also. In view of their indigency, costs in these proceedings shall be paid by Crawford County.
5. The Defendant is hereby released from incarceration where he has been serving for the past several days in lieu of bond on the contempt proceedigns.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

July 16, 1992 copies distributed: Police, Co Ctrl. & parties.

Bryan Scott Stephens
vs.
Rebecca Lynn Stephens

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11. If the plaintiff does not appear to pick up the children within fifteen (15) mintues of his scheduled time, the defendant shall presume that he does not wish to exercise the visitation, and if he has not previously notified her that he does not wish to do so, he shall not be entitled to make up visitation. When it is time for the plaintiff to return the children to the defendant,he shall appear within fifteen (15) minutes of the designated time and his failure to do so shall be a contempt of this Order, punishable as appropriate by law.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

August 5, 1992 Amended Copy of Order mailed to Plaitniff and copy of Order to Robert J. Felton, Esquire

Sept. 29, 1992 Order filed. AND NOW, September 29, 1992, this matter is before the Court for a review hearing at the direction of the Court.

After informal hearing, it appears that there continues to be problems between the parties with respect to the visitation with the father.

We again note that the visitation previously ordered with the father is somewhat limited and as ordered by the Court, he has not completed parenting classes as of August 18, 1992. The court believes that the father should be entitled to more normal visitation at this time, but in light of the continuing problems, the Court will not order overnight visitation.

The Court advises the parties that this matter will be scheduled for hearing in January of 1993, at which time, if matters continue as they are, the Court will order overnight visitation for the father. The parties are therefore advised that they must present any evidence in a formal manner that they wishe to present with respect to the ongoing issues. For direction, the Court would note that if mother ocntinues to believe that the children are being exposed to smoke and that this is causing continued asthmatic problems for them, she should come prepared with medical evidence that is admissible in court to that effect, and additionally, if the mother wishes to have visitation continuing to be limited with respect to David to two hours, she should come pre pared with evidence tha tthe child must continue to be breast fed and cannot be away from his mother for extended periods of time under any circumstances.

The parties may bring whatever other appropriate evidence that they feel the Court should hear with respect to this matter.

In the meantime, pending that hearing, the previous Orders with respect to custody and visitation shall remain in full force and effect, with the following modifications to occur until the January, 1993 hearing takes place.

1. The Plaintiff shall have additional visitation with the chidlren on the 4th day of October, 1992, and on the 18th day of October, 1992, with said visitation to occur with Cory form 2:00 p.m. to 8:00 p.m. and visitation to occur with David from 2:00 p.m. to 4:00 p.m., it being the Court's intention that these two days shall make up for lost visitation that occurred previously with respect to this matter.

2. Beginning in November of 1992, and continuing every month thereafter until further Order of Court, the plaintiff shall have additional visitaiton with the children on the send and fourth Sundays of each month, with said visitation to be with Cory from 2:00 p.m. to 8:00 p.m. and with David from 2:00 p.m. to 4:00 p.m.

3. On December 19, 1992, the Saturday visitation schedule shall be amended so that the visitation begins with father at Noon and continues until 8:00 p.m. with respect to Cory and from 6:00 p.m. until 8:00 p.m. with respect to David.

4. For the Thanksgiving holiday in 1992, the father shallhave visitation with Cory from 2:00 p.m. until 8:00 p.m. and with David from 2:00 p.m. to 4:00 p.m. For Christmas, 1992, the father shallhave visitation with Cory from 2:00 p.m. until 8:00 p.m. on Christmas Day and with David from 2:00 p.m. to 4:00 p.m.

5. The parties shall strictly obey all the other terms and conditions of the previous Orders insofar as it appears to the Court that such compliance has not been taking place with respect to all terms and conditions.

6. The Court Administrator is directed to reschedule this matter for review some time durin gthe month of January, 1992 and is advised that significant time shall be allotted for a hearing to allow the parties to present formal evidence as they may deem appropriate.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

Sept. 29, 1992 Copies to Atty's Felton, Plaintiff and Mediator

Oct. 7, 1992Assignement of Hearing Date filed. October 2, 1992: The Court Administrator having been directed by the Court to set a hearing in the above matter, hereby sets a hearing for January 27, 1993, at 9:15 A.M.,in Courtroom 2.

FOR THE COURT,
Imogene Yetman, Court Administrator

Oct. 7, 1992 Copy to Pltf. Atty. Felton, Atty. Smith.

Dec 31, 1992 MOTION FOR CONTEMPT and ORDER filed. ORDER: Dec. 31, 1992 denied. Anthony J. Vardaro, J.

Dec 31, 1992 MOTION TO CONTINUE HEARING and ORDER filed. ORDER: Dec. 30, 1992 This matter set for hearing on Jan. 27, 1993 at 9:15 Am in Courtroom 2. Anthony J. Vardaro, J.
Jan. 4, 1993 copy to Lindsay, Felton & B. Smith also Plf.

Jan. 25, 1993 Appearance of Kathleen R. Neslon for Defendant filed.

Jan. 26, 1993 Motion To Withdraw Appearance and Order filed. AND NOW, January 25, 1993 Motion granted.
Anthony J. Vardaro, J

Jan. 27, 1993 Copies of order to Atty's nelson, Felton, Lindsay and Smith

Jan. 29, 1993 AMENDED ORDER filed. AND NOW, Jan. 27, 1993, the above matter is before the Court once again and in reviewing the file, the Court notes that in Paragraph 3 of the Court's order of Sept. 29, 1992 line 3 stated "... he has not completed parenting classes" and it should have said "... he has now completed parenting classes".

Therefore, that order is so amended.

BY THE COURT:
Anthony J. Vardaro, J.

No copies sent per Judge's Sec.

Feb. 5, 1993 Memorandum and Order, filed. ORDER: AND NOW, Feb. 4, 1993, after further hearing, it is hereby ordered and decreed that:

1. The natural parents of Corey Scott Stephens, age 4 years, born Dec. 11, 1988 and David Benjamin Stephens, age 14 months, born Nov. 24, 1991, the parties to this action, shall share legal custody of said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, shcool and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as any elective surgery.

2. Primary physical custody of the children shall remain with the natural mother, Rebecca Lynn Stephens. Regular temporary custody of the children is granted to the father, Brian Scott Stephens. Physical custody for the father shall be as follows:

a. For the month of February 1993, the father shall have temporary custody of Corey from 4:00 P.M. on Friday, Feb. 12, 1993 through 6:00 P.M. on Saturday, Feb. 13, 1993 and from Friday, Feb. 19, 1993 at 4:00 P.M. through Saturday, Feb. 20, 1993 at 6:00 P.M. Additionally, father shall have temporary custody of David from noon on Saturday, Feb. 13, 1993 through 6:00 P.M. that day and from noon on Feb. 20, 1993 through 6:00 P.M. that day.

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DEBORAH A. ALLEN
VS.
DAVID T. WAGNER

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3. The Defendant shall pay a fine of $200.00. Of that sum $100.00 shall be a fine payable to Crawford County, that is a criminal fine. The other $100.00 shall be a civil fine, that should be paid to the Prothonotary and once paid shall be paid to the Plaintiff as a civil fine that she shall be entitled to receive. This fine shall be paid in full no later that Sept. 21, 1992, one month from this date.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 24, 1992 copies given to Atty Sullivan, Co. Ctrl, Jail and mailed to Atty Barnhart & TSP

DANIEL J. DILLINGER
VS.
LUTICIA A DILLINGER-MOOK,
nka LUTICIA A LYNN

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Oct 1, 1992 ORDER filed. AND NOW, Sept. 28, 1992 by agreement of the parties, the temporary order of July 2, 1992 is hereby canceled and the following order is substituted therefore:

1. Legal custody of Joshur Dillinger and Jared Dillinger shall be shared between the mother and the father, the Plaintiff and Defendant herein; that is, each party shall be entitled to full access to school records, medical records, and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children, such as the education, medical treatment, and religious instruction of the children.

2. Physical custody of Joshua Dillinger and Jaret shall be divided between the parties ont he following basis:

A. The mother shall have physical custody of the children during the school year except as otherwise herein provided.

B. The father shall have custody and visitation with the children on the first three weekends of each month and on the Wednesday following any weekend that he does have custody, the first weekend of a month being that weekend in which the first Friday of the month falls. The weekend visits shall run from 5:00 p.m. Friday until 8:00 p.m. Sunday, and the Wednesday evening visits shall run from 6:00 p.m. to 8:30 p.m.

C. Primary physical custody shall be with the father from the day after the last day of school of each year until the first day of August of each year on. The transfer of custody on the day after school and on August 1st for the summer vacation period shall take place at 9:00 a.m.

The general visitation rights afforded during the school year are modified for the vacation months as follows:

a. The mother shall have the right to one weekend in June and one weekend in July, said weekend to be the weekend beginning closest to the 15th of the month, and the weekend visit shall be for the same time period as set forth above.

b. The father shall have one weekend visit during the month of August, which weekend shall b e the last weekend of the Crawford County Fair.

D. Holidays are hereby defined as Christmas, Easter, Memorial Day, Independence Day, Labor Day and Thanksgiving.

Except as hereinafter provided concerning Christmas, holidays shall be alternated between the parties with the father having Thanksgiving Day of 1992 which will be the next holiday covered by the foregoing definition. Those holidays that are normally associated with a weekend such as Memorial Day, Labor Day, and in some instances Independence Day, shall mean a holiday visit beginning at 6:00 p.m. on Friday and running until 8:00 p.m. on the following Monday.

Thanksgiving holidays shall begin at 6:00 p.m. on Wednesday and run through 8:00 p.m. on Friday.

As to the Christmas Holiday in 1992, the father shall have custody on Christmas Eve from 4:00 p.m. until 10.00 p.m. The mother shall have custody on Christmas Day and the father shall have custody from 6:00 p.m. December 26 through the balance of the school Christmas vacation, whatever that vacation may be. The Christmas vacation shall be reversed for 1993, with the mother having custody of the children on Christmas Eve and the father having custody on Christmas Day and the day after, and the mother having custody during the remainder of the Christmas vacation.

If Independence Day does not fall on a weekend or Monday, the Independence Day holiday shall be from 5:00 p.m. July 3 until 9:00 a.m. July 5th.

The Easter holiday shall begin at 6:00 p.m. on Easter Thursday and run until 8:00 p.m. on Easter Sunday.

Thanksgiving holiday shall be with the father in 1992, and shall alternate each year thereafter, and all holidays (except for Christmas which is provided for herein) will be alternated from year to year.

E. The party receiving the children shall furnish transportation for each visit and the mother shall pick up the children, when she is furnishing transportation, at the home of the father and the father will pick up the children, when he is furnishing transportation, at the David Mead Inn.

Each parent shall make sure that his or her telephone number is in the possession of the other parents, whether listed or unlisted, and each parent will immediately inform the other of any illness, injury or other emergency that might occur regarding either child.

F. Mother's Day weekend shall be spent with the mother in each year, and Father's Day weekend shall be spent with the father.

G. Provisions contained herein for holiday visitation shall take precedence over other visitation provisions.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

2 copies (Irwin) 2 copies (Thomas) 1 copy (Fuller)

Sep. 14, 1995 Stipulation and Consent and ORDER filed. ORDER. AND NOW, this 13th day of September, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Legal and physical custody of the parties' minor children shall be shared between the mother, Luticia Lynn and the father, Daniel Dillinger.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. The mother shall have legal, financial responsibility, and primary physical custody of Joshua Dillinger. The father shall have temporary physical custody of Joshuya Dillinger the first weekend of each month beginning Friday at 5:00 p.m. and ending sunday at 8:00 p.m., from September 1 until the end of the school year. The first weekend of each month being that weekend in which the first Friday of the month falls. Additionally, father shall have temporary physical custody of said monor child for a two week period during the child's summer vacation from school. Said two week custodial period shall be from 9:00 a.m. Monday to Monday, commencing on the first Monday after the last day of school,withthe weekend visitation resuming in September of the school year.

4. Father shall have legal, financial responsibility, and primary physical custody of Jared Dillinger. Mother shall have visittion with Jared, at times requested by the child, and agreeable between the parties.

5. Holiday visitation shall be arranged as follows:

A. The father shall have custody of Joshua odd years Christmas Eve, 9:00 a.m. to 9:00 p.m. The father shall have custody of Joshua even years Christmas Day, 9:00 a.m. to 9:00 p.m.

B. The father shall have custody of Joshua odd years Thanksgiving Day, 9:00 a.m. to 9:00 p.m.

C. The father shall have custody of Joshua even years Easter Day, 9:00 a.m. to 9:00 p.m.

D. The father shall have custody of Joshua odd years frdom 5:00 p.m. July 3rd until 9:00 a.m. July 5th.

E. The other holidays to be observed are Memorial Day and Labor Day. Visitation for these holidays shall be from Friday at 6:00 p.m. until 8:00 on the holiday. Mother shall have visitation on Labor Day 1995 and father shall have Memorial Day 1996. The parties shall alternate these holidays each year thereafter.

F. The father shall have custody of Joshua on Father's Day from 9:00 a.m. to 7:00 p.m.

6. The holiday visitation schedule shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

7. Should it be necessary for either party to cancel or modify the visitations as set outin this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modificationor cancellations shall not be proposed except for good reasons. Should a cancellationor modification be necessary, the parties shall attempt at once to arrange for alternate visits or to make alternate arrangements.

8. Custody exchanges shall take place at the David Mead Inn.

9. Each parent shall teach said children to give to the other party that love and respect which is due a parent, step-parent brothers and sister, from his or her children.

10. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children.

11. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct

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Rae Ann Davis
vs.
Franklin James Davis

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March 24, 1994 ORDER filed. March 24, 1994 This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is retsurning the record to the Prothonotary. A final decree will not be entered at this time because:

X As to a 3301(d) divorce:

X* There is no indication that the 3301(d) affidavit was properly served on the responding party.

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro, J.

* - See Rule 1920.4(b), Rule 412, Rule 403, Rule 405(d), Rule 76 for definition of "affidavit".
Mar. 28, 1994 coopy to B. Lindsay, J. Fuller, Dft.

May 11, 1994, Affidavit of Service of plaintiff's Affidavit Under Section 3301(d) filed.

May 11, 1994, Affidavit of Service of plaintiff's Affidavit Under Section 3301(d) and return receipt dated Apr. 28, 1994, indicating that the certified mail was "unclaimed".

Jun. 6, 1994 Upon Praecipe of Brian J. Lindsay, Esquire, Attorney for the Plaintiff to transmit record, Case moved to Court.

June 17, 1994 Order filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because: As to a 3301(d) divorce: There is no indication that the 3301(d) affidavit was properly served on the responding party. See Rule 403(2) on what to do if "unclaiming mail". Also see Rule 402.
Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY ORDER OF COURT,
Anthony J. Vardaro ,J

June 17, 1994 Faxed Lindsay

Jun. 21, 1994 Affidavit of Service filed. I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am the attor ney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 12th day of April, 1994, send to the above named Defendant,by Certified Mail,Return Receipt Requested, a true and correct copy of the Plaintiff's Affidavit Under Section 3301 (d) filed at the above term and number; and that I did on the 3rd day of May, 1994, received a duly executed return receipt dated April 28, 1994, indicating that the certified mail was "unclaimed", which is attached hereto as Exhibit "A".

I, Brian J. Lindsay, Esquire, do hereby certify that onthe 5th day of May, 1994, I sent to the above named Defendant, by First Class United States Mail, Plaintiff's Affidavit Under Section 3301 (d) filed at the above term and number.

Pursuant to Pennsylvania Rule of Civil Procedure 403 (1), service by ordinary mail is complete if the mail is not returned to the sender with fifteen(15) days after mailing.

June 21, 1994

Brian J. Lindsay, Esquire

Aug. 26, 1994 Upon Praecipe of Brian J. Lindsay,Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Sep. 6, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

x As to a 3301 (d) divorce:

x There is no indication that the 3301 (d) affidavit was properly served on the responding party. See Rule 403(2) on what to do if "unclaimed" mail. Also see Rule 402. It is not proper if the mail is "unclaimed" to follow Rule 403 (1).

Either party may file a praecipe to refer the matter back to the Court when the record is in sucha state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro,J.

9-6-94 Faxed to Atty. LIndsay & given (Mailed) Deft.

Dec. 5, 1994 Return of Service filed. On the 28th day of November,1994, I, Neil E. Mauro served Franklin James Davis with the foregoing NOTICE OF INTENTION TO REQUEST ENTRY OF D(IVORCE DECREE BY (Describe method of Service), in person,hand delivered face to face, in the courtroom of President Judge Robert C.Reed, Beaver County Courthouse, Beaver, PA at 9:13 A.M. I verify that the statements in this return of service are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A.Section 4904 relating to unsworn falsification to authorities.

November 29, 1994

Neil E. Mauro

(1 copy Atty.)

Jan. 4, 1995 Upon Praecipe of Brian J.Lindsay,Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 17, 1995 AND NOW, January 12, 1995, it is hereby ordered and decreed that RAE ANN DAVIS, Plaintiff, and FRANKLIN JAMES DAVIS, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

HELEN R. HOSPODAR
VS.
STEVEN L.HOSPODAR

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of Record
A.D. 1992 - 95

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Oct. 13, 1992 Affidavit of Consent of Defendant, filed.

Oct 23, 1992 MOTION TO APPOINTMENT OF MASTER IN DIVORCE and ORDER, filed. ORDER: AND NOW, October 22, 1992, William Walker, Esquire is appointed Master in respect to the following claims: Equitable Distribution, Alimony/Alimony Pendente Lite, Counsel Fees, Costs, Expenses.
Deposit required: Plaintiff $500.00 Defendant $-0-

PER CURIAM:
Anthony J. Vardaro, J.

Oct. 28, 1992 copy to W. Walker, J. irwin & E. Kelly

Dec. 2, 1992 Notice of Scheduled Master's Hearing filed.

June 14, 1993, Notice of Scheduled Master's Hearing filed.

Aug. 13, 1993 Master's Report, filed.

Aug. 13, 1993 Transcript filed.

Sept. 13, 1993 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

DIVORCE DECREE FILED

Sept. 21, 1993 AND NOW, this 17 day of Sept., 1993, upon presentation and consideration of the Master's Report entered in this matter, this Court hereby directs that:

1. Divorce. Upon consideration of the pleadings and Affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony for the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint and an Affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuatn to Section 3301(c) of the divorce code of PA.

2. Equitable Property Determination and Distribution

a. That any balance of the $500 fund deposited with the Prothonotary, afater payment of the Master's fees and Court Reporter's fee, be returned to the wife, Helen R. Hospodar.

b. That the wife, Helen R. Hospodar, shall covney to the husband, Stephen L. Hospodar, by Quit-Claim Deed, their marital residence located in Summerhill Township, Crawford Co., Pa. The conveyance will be made under and subject to the outstanding obligations or encumbrances presently existing against the marital residence. The conveyance will take place forthwith.

c. The wife, Helen R. Hospodar, shall pay to the husband, Stephen L. Hospodar, the sum of $500 within six weeks of the date of this Divorce Decree.

c. That all personal property currently in the possession of either party shall remain the property of that party.

e. The husband Stephen L. Hospodar is deemed to have waived any and all right and interest which he may have had in any pension plans or retirement plans held by or for the benefit of the wife, Helen R. Hospodar.

f. As between Stephen L. Hospodar and Helen R. Hospodar, the mortgage debt to Mellon Bank in the approximate amount of $6,200 as well as the 1991 and 1992 real estate property taxes, as well as a debt due and owing to the Pa. Dept. of Revenue and a debt due and owing to the Commonwealth of Pa. Dept. of Welfare are all the responsibility of Stephen L. Hospodar. The Court further orders Stephen L. Hospodar to indemnify and hold harmless Helen R. Hospodar with respect to those debts or obligations.

g. As between Stephen L. Hospodar and Helen R. Hospodar, the Mellon Bank line of credit in the approximate amount of $1,750.00, the Mellon Bank personal credit line in the approximate amoutn of $340, the Mellon Bank Master Charge in the approximate amount of $4,800.00, and the J.C. Penney Charge Account in the approximate amount of $1,600 are all the responsibility of Helen R. Hospodar. The Court further orders that Helen R. Hospodar indemnify and hold harmless Stephen L. Hospodar with respect to these debts or obligations.

3. Alimony, Alimony Pendente Lite Counsel Fees and Costs. The Court hereby acknowledges that Stephen L. Hospodar has waived any claim for alimony, alimony pendente lite, counsel fees, costs and expenses.

BY THE COURT:
Anthony J. Vardaro, J.

Sep. 21, 1993 ORDER filed. The Prothonotary of Crawford County is hereby oredered to expend the funds in the account established in this proceeding as follows:

a. Pay to Lorraine A. Dallas, Court Reporter, the sum of $69.10.
b. Pay to William L. Walker, Master, t he sum of $400.
c. Distribute the balance in the acount to Helen R. Hospodar and deliver the same to her attorney, James R.Irwin.

BY THE COURT;
Anthony J. Vardaro, J.

9-29-93 Copy of Order to Attys. Walker, Irwin & Kelly

JOANN LEWIS
VS.
RONALD LEWIS

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of Record
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%. The Plaintiff shall, within a period of 30 days, through her attorney, supply to the attorney for the Defendant an accounting of each and every item that she has disposed of, whether it be marital or non-marital property and shall particularly account for the items set forth in paragraph 6(a) of the Defendant's Petition to adjudicate Plaintiff in Contempt and for Imposition of Sanctions. She shall make every effort to obtain that property back in good condition and shall indicate in the accounting which property she has been able to obtain and which property she has not been able to obtain. The Master or trier of fact can take this information into account appropriately ultimately in its disposition of this matter.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Oct. 28, 1992 copies of order given to Attys Keenan & Karns

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 10/28/92. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998
Mar 12, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1992

ANDERSON EQUIPMENT COMPANY
VS.
C & K WELL MANAGEMENT, INC.

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of Record
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Jan. 12, 1993 AFFIDAVIT OF SERVICE, filed. Bruce A. Barrett, Esq., being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A copy of the interrogatories tothe Defendant were sent by certified mail to the Defendant in the above captioned matter.
3. The certified mail was sent to Box 48, Centerville, Pa. 16404 on Dec. 24, 1992. The Sender's receipt is attached hereto.
4. The Defendant received said certified mail on Dec. 30, 1992. Said receipt card number 147 766 798 is attached hereto.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 S. Main Street, Meadville, Pa. 16335 on Dec. 31, 1992.

Bruce A. Barrett

Feb 8, 1993 Suggestion of Bankruptcy, filed.

Apr. 7, 1995 Upon Praecipe of Bruce A.Barrett, Esquire,Attorney for Plaintiff the above-captioned judgment is marked satisfied of record.

Joann Lewis

vs.

Ronald Lewis

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of record

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Oct. 9, 1992 Order filed. AND NOW, October 7, 1992, this matter is before the Court on a petition file dby the defendant to adjudicate the Plaintiff in contempt and to impose sanctions. The Defendant appears with counsel. Attorney Joseph Kulwicki appears and indicates that he spoke with the Plaintiff on October 6, 1992 although he no longer represents her, and she is represented by Attorney Mary Kathryn Karn.

Mr. Kulwicki indicates that Mrs. Lewis may be confused as to whether she should be appearing at this hearing. The attorney for the Defendant indicates that he spoke with Attorney Karn on October 6, 1992 and she was aware of the hearing and further, Mrs. Lewis was made aware of the hearing by the Court Administrator on October 6, 1992.

Neither the Court nor the Court Administrator has received any indication that the Plaintiff and her attorney would not appear.

Insofar as this is a contempt proceeding, the Court cannot proceed without the presence of the Plaintiff, and accordingly, will continue this hearing until October 23, 1992 at 3:30 p.m. in Courtroom No. 2 of the crawford County Courthouse.

Pending that hearing and based on the sworn allegations of the petition file dby the defendant, the Order of June 4, 1992 requiring the Defendant to pay Plaintiff alimony pendente lite is suspended as of this date until further Order of Court. Insofar as it appears that the alimony pendente lite is being deducted as a wage attachment through Domestic Relations, the Domestic Relations Section is ordered to hold any funds received as a result of that wage attachment from this day forward until further Order of Court.

The Prothonotary is directed to forward a copy of this order to the Domestic Relations Section, highlighting this section for their own information so that this may take place.

It further appears from discussions between counsel for the Plaintiff and counsel for the Defendant that the tenant who had been occupying the parties' marital mobile home has vacated and it was the Court's intention by its June 5, 1992 order that the Defendant should have possession of the mobile home beginning on that date. Therefore, if the mobile home has been vacated by the tenant who was in possession on June 5, 1992 (that being the sister of the Plaintiff), the defendant shall have immediate possession of the mobile home pending further Order of Court.

As required by the order of June 5, 1992 he shall pay the sum of $100 per months to be considered failr rental value for the same, but pending further order of Court, he shall pay that sum to his attorney to be held in escrow until the Court can hear this matter.

Until further hearing, it is the Court's intention that the defendant have possession of the mible home but he shall not take such possession if it is necessary to do so with the use of force in any manner other than he may himself or through the use of a locksmith enter the mobile home in a manner that may necessitate the breaking of the current lock and he may change the lock when he takes possession.

A copy of this order shall be sent by the Prothonotary by regular mail to Attorney Karn, who apparently represents the Plaintiff, and to the Plaintiff at her last known address, which is Route 98, Edinboro.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

Oct. 9, 1992 Copies to Pltf., Atty. Karn and Keenan and Dom. Rel.

Oct. 28, 1992 ORDER filed. AND NOW, Oct. 23, 1992 the request by the Defendant to adjudicate the Plaintiff in contempt and to impose terms and conditions is again before the Court this time with both parties present and with their counsel.

The Court hears informal testimony from the parties and it appears at this time that the Defendant is now in the mobile home that the Court ordered him to have possession of in its order of June 5, 1992. He only recently obtained possession of your order of Oct. 7, 1992 rather than on or before Aug. 1, 1992 as originally intended. Additionally, it appears that the Defendant obtained possession of the 1990 Chevy Cavalier on or about Oct. 17, 1992 and during the approximate three month period the Plaintiff had possession, she failed to make any payment with respect to the same, with each monthly payment being $245.11.

At the time of this hearing, it is also determined that apparently, the Plaintiff has bartered away several items of marital or non-marital property and she indicates that she is unsure exactly what those items are, but that she can get some of them back.

It slso appears that the Defendant has pledged a martial property tractor in return for a loan from a Burt Johnson in the amount of $750 and when queried about that, the Defendant indicates atha the does not intend to pay that back until after a distribution of the marital property.

After hearing all the facts, the Court declines to hold the Plaintiff in contempt but will enter the following order with respect to this matter to be complied with by both parties.

1. The Domestic Relations section is authorized to release to the Plaintiff any funds being held by them a a result of the wage attachment of the Defendant's employment, which the Court ordered the Domestic Relations Section to hold in it soct. 7, 1992 order. All future attachment funds may be released also to the Plaintiff unless there is further order of Cfourt with respect to the same.

2. The attorney for the Plaintiff is directed to release any escrow funds held as a result of the Court's order of Oct. 7, 1992 to Burt Johnson toward the paymetn of the sum of $750 owed to him and the Defendant shall hereafter make the monthly payment due pursuant to the Court's order of June 5, 1992 to the Plaintiff in the amount of $100 to Burt Johnson until the total sum of $750 is paid back to Burt Johnson and the tractor which is marital property is back in the possession of the Defendant.

3. From henceforth, neither party shall in any manner dispose of, pledge, barter, or in any manner without the written consent of the other party allow marital property to be used or disposed of at any time pending the outcome of this divorce. Any effort to do so shall be considered contempt of this Court's order, it being the Court's clear intention that no property is used in any manner other than by the parties themselves without mutual agreement and certainly no property is sold or bartered or pledged.

4. The Court enters this order without prejudice to a Master or other trier of fact to make an ultimate distribution of marital property which is deemed to be fair and equitable in light of all of the activities of the parties, including the disposal of any marital property and a consideration of who had possession of any vehicles of the parties during any period of time and who was making the payments with respect to the same. Additionally, the Master or trier of fact can take into consideration the fact that the Court has required the Defendant to pay what would have been rental to the Plaintiff to pay back Burt JOhnson to protect the maartial asset tractor.

Continued on Page 472

1992

James H. Anders
vs.
West Mead Township Code Enforcement Officer & West Mead Township Code Appeals Board

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of
A.D. 1992 - 129

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/Oct.26, 1992 Notice of Appeal to Commonwealth Court of Pennsylvania and Proof of Service filed.

Oct 28, 1992 ORDER filed. AND NOW, Oct 27, 1992, the Plaintiff/Appellant is directed to file of record in this Court and serve on the Trial Judge a concise statement of matters complained of on appeal no later than 14 days after the entry of this order pursuant ot Pa. Rule of Appellate Procedure 1925(b). BY THE COURT:
Anthony J. Vardaro, J.

Oct. 28, 1992 copies given to Atty. Shaddinger & Plf.

/Oct. 30, 1992 Matters Complained of Filed.

Nov. 12, 1992 Notice of Docketing Appeal to Commonwealth Court of Pennsylvania filed.

Jan. 15, 1993 Memorandun and Order filed. AND NOW, January 15, 1993, the Appellant's Motion to stay the order of condemnation pending the appeal process is denied.

BY THE COURT:
Anthony J. Vardaro, J

Jan. 18, 1993 Copies given to Shaddinger and Pltf (by Mail)

Jan. 27, 1993 Petition To Have The Order To Vacate Rescinded As It Conflicts With The City Rent Withholding Act filed.

Jan. 27, 1993 Memorandum and Order filed. AND NOW, January 25, 1993, the appellant's petition to have the order to vacate rescinded as it conflicts with the City Rent Withholding Act is denied.
A true and correct copy ofthe appellant's petition together with this memorandum and order shall be forwarded to the Commonwealth Court so that the Commonwealth Court has the complete record in this case.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 27, 1993 Copies of order to Comm. Ct., Anders and Shaddinger

Jun. 25, 1993 Memorandum Opinion and ORDER filed.AND NOW, this 23rd day of June, 1993, the order of the Court of Common Pleas of Crawford County dated September 24, 1992 dismissing James H. Anders' appeal is vacated and the matter is remanded with directed to remand to the West Mead Township Code Appeals Board for proceedings consistent with this opinion.
Jurisdiction relinquished. Silvestri Silvestri, Senior Judge
6-30-93 Copy of Order to Atty.Shaddinger and Mailed to Pltf.

July 7, 1993 ORDER field. AND NOW, July 7, 1993, pursuant to an order of Senior Judge Silvestri Silvestri of the Commonwealth Court dated June 23, 1993, this matter is remanded tot he West Mead Township Code Appeals Board for proceedings consistent with that opinion. BY THE COURT:
Anthony J. Vardaro, J.

July 7, 1993 copies distributed to Anders & Shaddinger

July 15, 1993, Exception to Order to Remand to Board to the Honourable, the Judges of Said Court, filed.

July 15, 1992 ORDER filed. AND NOW, July 14, 1993, we have before us the appellant's exception to order to remand to board.
Essentially, pursuant to the Com. court order of Judge Silvestri, we entered an order remanding this matter to the West Mead Township Code Appeals Board for action cnsistent with Judge silvestri's opinion.
We are now advised in Motion court that prior to us entering that order the Appellant had filed a petition asking for reconsideration with the commonwealth court asking that court to decide the issues on the merits rather than to remand this case to the Township code Appeals Board.
Since that has occurred, we will rescind our order of July 7, 1993, remanding this matter tot he board until the Appellants request for reconsideration is decided by the Commonwealth court.

BY THE COURT,
anthony J. vardaro, J.

July 15, 1993, copies dist. to Mr. anders and Atty. shaddinger.

Sep. 16, 1993 Upon Praecipe of James H. Anders, Appellant, the above-entitled action discontinued and ended of record.

Oct. 1, 1993 ORDER filed. AND NOW, t his 23rd day of June, 1993, the order of the Court of Common Pleas of Crawford County dated September 24, 1992 dismissing James H.Anders' appeal is vacated and the matter is remanded with direction to remand to the West Mead Township Code Appeals Board for proceedings consistent with this opinion.
Jurisdiction relinquished.

Silvestri Silvestri, Senior Judge

10-5-93 Copy of Order to Mr. Anders & Atty. Shaddinger

Oct. 1, 1993 Certificate of Contents of Remanded Record and Notice of Remand UNder Pennsylvania Rules of Appellate Procedure 2571 and 2572 (e) filed.

Wayne K. Midkiff
vs.
Denise Marie Tidd

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I. Legal custody of Danelle Marie Tidd shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious insturction of the subject child.

II. Physical custody of Danelle Marie Tidd shall be with her mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other weekend from 5:30 o'clock p.m. on friday to 7:00 o'clock p.m. on Sunday.

B. Holidays shalll be defined as Christmas, Easter and Thnaksgiving. The parents shall share custody of the child on Christmas, Easter and Thanksgiving in the following manner. The child shall be in the home of mother every Thanksgiving and Easter until 2"00 o'clock p.m. and in the home of the father from 2:00 o'clock p.m. until 9:00 o'clock p.m.

In 1994 and even years thereafter the child shall be in the home of the mother Christmas Eve and until 2:00 o'clock p.m. Christmas Day and in the home of the father Christmas Day from 2:00 o'clock p.m. to 9:00 o'clock p.m.

In 1995 and odd years thereafter the child shall be in the home of the father Christmas Eve from 5:00 o'clock p.m. and until 2:00 o'clock p.m. Christmas Day and the remainder of the day in the home of mother.

C. The father shall be entitled to have the child in his custody for two (2) four (4) day periods each Summer, beginning in 1994. Father shall give mother thirty (30) days notice of the dates of these four day visits.

The father shall also be entitled to have the child in his custody for four (4) days during the child's vacation from school at Christmas. The four (4) days shall not include Christmas Eve Day or Christmas Day which is otherwise provided for herein.

In addition the father, on reasonable notice shall be entitled to take the child to the Crawford County Fair (not to exceed two (2) visits).

D. Transportation of the child on weekends, holidays and other times shall be equally divided with the father being responsible for providing transportation of the child to the father's home at the beginning of a visit and the mother being responsible for providing transportation when the child is returned to mother's home.

E. Neither mother nor father, nor father's wife, shall criticize either parent or the step-mother in the presence of the child.

F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agaree to furnish the other with a current telephone number. The child shall be entitled to reasonable telephone contact with both parents.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided with the father and mother each paying one-half (½) thereof.

Gordon R. Miller, P.J.

May 11, 1994 faxed Irwin & Fuller
May 16, 1994 copy to W. Midkiff, Plf. & Dft. & Kirkpatrick

1992

Dwight L. Hall & Connie S. Snyder, Co-Administrators of the Estate of Jolene Hall
vs
King Kutter, Inc., A Corporation and E.Allan Hart,James Hart & Ron Hart,Individually, and t/d/b/a Allan Hart & Sons, and/or t/d/b/a Hart's Farm Equipment, and/or t/d/b/a Hart's Machiner,
vs.
DAniel T. Snyder & Farmers Central Equipment a/k/a Ford Equipment

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Nov. 12, 1992 Reply to New Matter of Defendant, Farmer Center Equipment Company, Inc. filed.
Nov. 16, 1992 Reply of King Kutter, Inc. to Farmer Center Equipment Company, Inc. Cross-claim filed.

Nov. 19, 1992 Snyder's Reply to New Matter of Additional Defendant Farmer Center Equipment Co., Inc., filed.

Dec. 21, 1992 Notice to Complete Discovery filed.
Dec. 21, 1992 Notice of Service of Interrogatories filed.

Feb. 1, 1993 Notice Of Service Request for Prodcution of Documents and Interrogatoaries upon Farmers Central Equipment, a/k/a Ford Equipment f iled.

Feb. 1, 1993 Notice Of Service of Answers To Interrogatories filed.

Feb. 1, 1993 Notice Of Service of Requests for Production ofDocuments and Interrogatories upon Allan Hart, James Hart and Ron Hart, Individually and t/a/d/b/a Allan Hart & Sons, and/or t/a/d/b/a Hart's Farm Equipment and/or t/a/d/b/a Hart's Machinery filed.

Feb. 1, 1993 Ntoice of Service of Requests for Production ofDocuments and Interrogatories filed.

Feb. 19, 1993 Stipulation to Extent Time Within Which to Complete Discovery filed.

Mar. 4, 1993 Notice of Service that Supplemental Answers to Interrogatories filed.

Apr. 26, 1993 Notice Of Service of Answers To Interrogatories and Response to Request for Production of Documents filed.

Aug. 3, 1993 Stipulation to Extend Time Within Which to Complete Discovery filed.

Dec. 23, 1993 Stipulation to Extend Time Within Which to Complete Discovery filed.

Mar 11, 1994 Notice of Depositions of King Cutter, Inc. and Allan Hart & Sons, Hart's Farm Equipment, and Hart's Machinery, filed.

Mar. 22, 1994 Notice of Service of Interrogatories (Second Set) and Request for Production of Documents (Second Set) filed.

April 8, 1994 Notice of Depositions of Allan Hart & Sons, Hart's Farm Equipment, and Hart's Machinery, filed.

Apr. 13, 1994 Notice of Taking of Deposition of Daniel T. Snyder, filed.

Aug 10, 1994 Petition For Settlemetn of Wrongful Death/Survival Claims and Order, filed. AND NOW, this 10 day of August, 1994, upon consideratin of the within Petition for Settlement of Wrongful Death and Survival Claims, this Court approves the within settlement of $49,500, with allocation of the settlement proceeds to be as follows:

1. $44,500 to your Petitioners under the Wrongful Death Action to be distributed as follows:
   a. To Watts and Pepicelli PC and to Donald E. Lewis, Esquire, as attorneys' fees, to be paid from the Wrongful Death Action proceeds: $16,500.00
   b. To your Petitioners under the Wrongful Death action to be distribuated to Dwight L. Hall and Connie S. Snyder, in accordance with the provisions of the Pennsylvania Wrongful Death Act, 42 Pa. C.S. Section 8301: $28,000.00
2. $5,000 to the Estate of Jolene Hall, Deceased, under the Survival Action.

And upon payment of said sums and record costs in this proceeding, Petitioners are authorized to execute a Release in appropriate form in favor of the said Defendants and Additional Defendants, and to mark the within case settled and discontinued.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 10, 1994 Faxed Vasil, Weiss, Irwin & Petruso, 3 certified copies Pepicelli

Oct. 20, 1994 Upon Praecipe of Alan L.Pepicelli, Esquire,Attorney for Plaintiff, the above case marked settled and discontinued of record.

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Additionally, father shall have temporary custody of both children on Tuesday, Feb. 23, 1993 from 4:00 P.M. through 8:00 P.M.

b. For the months of March 1993, April 1993, May 1993 and June 1993, father shall have temporary custody of Corey from Friday at 4:00 P.M. through Saturday at 6:00 P.M. beginning the first and third Friday of each such month. Additionally, the father shall have temporary custody of David on the first and third Saturday of each such month beginning at noon through 6:00 P.M. on that day.

Additionally, for each of those months,father shall have custody of both children on the fourth Tuesday of the month from 4:00 P.M. through 8:00 P.M.

c. For the month of July 1993, the father shall temporary custody in the same manner as set forth in this Order for March 1993 through June 1993 except that he shall have additional visitation with David on the first and third Friday of each month from 4:00 P.M. through 8:00 P.M.

d. For August 1993 and September 1993, the father shall have temporary custody of both children beginning on the first and third Friday of each month at 4:00 P.M. and ending on the first and third Saturday of each month at 6:00 P.M. Additionally, the father shall have temporary custody of both children on the fourth Tuesday of each month from 4:00 P.M. through 8:00 P.M.

e. Beginning in October 1993 and continuing thereafter until further order of court, the Tuesday temporary custody to father shall cease and father shall have temporary custody of both children beginning on the first, third and fourth Fridays of each month at 4:00 P.M. and continuing through 6:00 P.M. on the first, third and fourth Saturday of each month.

f. Any temporary custody to the father scheduled to begin on a Tuesday or Friday at 4:00 P.M. may begin at noon instead if the father notifies mother in writing that he will now begin all such visits at noon rather than 4:00 P.M. He must notify mother of his intention to do so at least 7 days prior to the first time he will exercise the noon schedule and then must continue with that schedule thereafter unless otherwise agreed upon between the parties in writing. It is the Court's clear intention that the Tuesday and Friday visitations should begin at noon since the children are not in school but at this time the father is not available because of his own educational activities until 4:00 P.M. and therefore we are starting the temporary custody with the father at 4:00 P.M. In light of the prior problems between the parties in communicating, it is not our intention that the father be able to choose from visit to visit whether he wishes to visit at 4:00 P.M. or noon but it is rather our intention that the visits will begin at 4:00 P.M. until such time as father is ready to indicate in writing to mother that he will thereafter begin such visits at noon on a consistent and complete basis and will not be jumping back and forth between noon beginnings and 4:00 P.M. beginnings.

g. The parties shall alternate the following holidays beginning with Easter 1993 with mother having that holidya: Easter Day, Memorial Day, Independence Day, Labor Day and New Years Day.

Additionally, the Thanksgiving holiday shall be divided into two segments with the first beginning at 6:00 P.M. on the day before Thanksgiving through noon on Thanksgiving day and the second being from noon on Thanksgiving day through 8:00 P.M. on Thanksgiving day. The parties shall alternate these two time periods with father having the noon on Thanksgiving day until 8:00 P.M. on that day period in 1993. Additionally, Christmas shall likewise be divided into two time periods with the first beginnign on Christmas Eve at 6:00 P.M. through 10:00 A.M. on Christmas day and the second beginning at 10:00 A.M. on Christmas day through 8:00 P.M. Christmas night. The parties shall again alternate those time periods for each Christmas with mother having the time period from 10:00 A.M. on Christmas day through 8:00 Christmas night in 1993. These holiday visits shall take precedence over any other scheduled visitation.

h. Under this current order, the children will always be in mother's Day since it is on a Sunday and they will always be in father's custody on Father's Day with the time period for 1993 being 2:00 P.M. through 8:00 P.M. and thereafter beginning in 1994 the time period for Father's Day shall be from 9:00 A.M. through 8:00 P.M.

i. If a child's birthday does not fall on a normal visitation day for father, he shall be permitted to have custody of the child who is having a birthday from 4:00 P.M. until 8:00 P.M. on the child's birthday.

3. All exchanges of custody between the parties with respect to the children shall take place in the parking lot of the Lyona Bible Church. Each party shall drive to that location without anyone present in the car except for the child or children and the party receiving custody of the child or children shall go to the car of the party giving custody of the child or children which car shall be parked at least 20 feet away from the other car and the party receiving custody of the child or children shall take the child or children to his or her car without the other party doing so. During the transportation of the children, the party transporting shall comply with all of the laws of the Commonwealth regarding car seats and transportation of the minor children and failure to do so shall be considered contempt of this Order. However, the other party, while having the right to observe from his or her own vehicle what is happenign in the other vehicle, shall have no right to go to the other party's car to inspect or otherwise determine whether that party is complying with this Order it being the Court's intention that there not be any contact between the parties that could result in a confrontation.

4. It shall be a contempt of this order by any party who has anyone else in the vehicle with him or her at the time of these exchanges and likewise will be contempt for anyone to have procured other individuals to b ein a different vehicle or other location in the area for the apparent purpose of intimidating or harassing the other parent. It is clear to the Cfourt that as long as the two parents deal with one another they may be able to act civilly toward one nother but if others become involved they simply cannot.

5. The Plaintiff has had some problem obtaining a driver's license as of late and should have his license by the beginning of the February 1993 visitation. If he does not, he is cautioned that he will be in contempt of this Order if he has someone else drive him to the exchanges and if he or the Defendant at any time need to have someone else drive them they shall have contacted the other parent in advance and obtained written permission for an individual suitable to the other parent to accompany them to the exchange prior to doing so. Such exceptions to the general rule shall not be consistent but only be exceptions in the case of extreme need by one of the parents to have someone else drive and will always be approved in writing by the other parent in advance. Additionally, if that situation should occur, the Plaintiff father shall not suggest as a driver anyone other than his Uncle Joe or his grandmother and the Defendant mother shall not unreasonably refuse to consent to one of those individuals driving father to an exchange if it is just an occasional occurrence and he does make an effort to obtain her written permission in advance.

6. It shall not be com;liance with this Order for any party to have another party waiting for him or her at a location near or down the road from the lyona Bible Church parking lot and then walkign to the vehicle of the other party it being the Court's clear intention that the parties drive their vehicles themselves to the lyona Bible Church parking lot and make the appropriate exchanges themselves and any effort to disobey the letter or intent of this Order shall be considered contempt of this Order.

7. In all cases other than where an exception has been agreed to in writing, if the Plaintiff father appears for a visit with someone else in the car or has someone else waiting down the road or at some other location for him, in ddition to being in contempt of this Court and subject to any appropriate sanctions, he shall automatically forfeit the visit that is to begin at that time. If the father, in returnign the children to mother from a visit, has someone else in the vehicle or waiting down the road or some other obvious location in the violation of the letter and intent of this Order, in addition to being subject to any sanctions for contempt, he shall automatically forfeit his next scheduled visit. If mother shall appear with anyone other than the children in the vehicle or if she shall have anyone waiting downs th road or in some other obvious location in the violation of the letter or intent of this Order, in addition to being in contempt of this Court's Order and subject to any sanctions therefore, the father shall ave an additional visit in compliance with the then current weekend schedule on the firs available weekend where he normally would not have a visitation. The same shall occur if mother should appear with someone else in the vehicle or have someone else waiting down the road or in another obious location ehen the arrives for the father to return the children to her after either one or both of them have been in his temporary custody.

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vs.
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8. Each party shall arrive promptly for each exchange of the children. If father is more than 10 minutes late when he is to receive custody of a child or children, mother may leave and he shall automatically forfeit that viist. If father is more than 10 minutes late in returning a child or children from the visit, mother shall wait until he arrives and take custody of the child or children and father shall automatically forfeit his next schedule visit whether it b eshceduledto occur with one or both children. If mother shall be more than 10 minutes late in delivering a child or children to father for a visitation, he may add on the time period in which she is late to his current visit and additionally may add on another 1/2 hour to that visit. In other words, by example, if the visit was to begin on 4:00 p.m. on Friday and mother was not there with the child or children until 4:15 P.M., fahter's visit rather than ending at 6:00 P.M. on Saturday, would have added to it the 15 minutes that she was late plus an additional 1/2 hour to that it now ended at 6:45 P.M. on Saturday. If this should occur, however, it shall be father's duty to advise mother at the point that she is late that she is late and that he expects that his visit will end at the time with designated penalty imposed.

If mother is late to pick up the child or children at the end of a visit with father, father shall wait for a period of one hour past the designated pickup time and at that point he shall transport the child or children directly to mother's home and he shall be entitled to an additional Tuesday visitation with both children from 4:00 P.M. through 8:00 P.M.

It is the Court's intent that the parties comply strictly with the time requirements for the exchange of the children and the above penalties are being imposed in an effort to see that they do so. In additiona to these automatic penalties, any party not complying with the required times for exchange shall be considered to be in contempt of this Order and subject to any appropriate sanctions for contempt.

9. It is the Court's clear intention that due to the asthmatic conditions of each child that they not be exposed to cigarette smoke. Therefore, the Plaintiff shall for a period of 24 hours prior to a visitation with one or both children not smoke and during such visitation shall ot allow anyone to smoke within the confines of the home. Additionally, when temporary custody occurs he shall not allow anyone who has been smoking within a period of 24 hours to hold either child unless said persons have been required to put clothers on that are smoke free prior to such visitation. It is the Court's clear intention that the plaintiff do everything in his power to make sure that the children are not exposed to cigarette smoke whether it be frequent orr infrequent, on any person or in any location. It shall be specifically required that he not allow anyone to visit with the children if he knows that they are going to any other location during such visit to smoke and then returning to the children. He shall make every effort to be sure that the children do not come in contact with the cigarette smoke in any msnner.

If the Plaintiff shall violate this requirement, it shall be considered contemp of this Court Order and he shall be subject to any appropriate sanctions.

Additionally, the Plaintiff shall not consume alcoholic beverages during any period of temporary custody with any child nor shall gh have consumed any such beverages for a period of 24 hours before beginning such temporary custody of any child or children.

10. Each of the parents and any adult, including grandparents, coming into contact with the children shall teach the children involved in this case to develop and demonstrate that natural love and respect a parent is due from his or her children.

11. Neither party shall blacken the character of the other party in any manner in front of the children nor shall they procure anyone else to do so on their behalf. At any time either party is aware of another person blackening the character of the other parent in front of the child or childrne, he or she shall be responsible for immediately removing the child or children from the environment and making every effort to require those visiting with the child or children to cease and desist from such behavior.

12. Neither parent shall take the child or children into any environment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons.

13. With respect to David, insofar as he is still nursing with mother and is on a limited diet otherwise, mother shall immediately furnish to father in writing any instructions with regard to food that David can consume and any time frame with respect to the same and father shall make every effort to comply with that schedule and at no time shall feed the child anything outside of the list designated by mother. That list shall be supplemented and revised by mother from time to time and presented to father in writing as child's ability to take in other foods increases.

14. If the Plaintiff father is unable for some reason to exercise any visitation, he shall notify the Defendant by telephone at least 72 hours prior to the beginning of that visitation. Otherwise, it will be presumed that he is to have such visitation and if he fails to appear, he shall forfeit the same as well as his next scheduled visitation.

If for some reason the child or children will not be able to visit with the Plaintiff father because of illness, the Defendant mother shall notify the Plaintiff father by telepnone as promptly as possible prior to his visitation and if, for some reason, she does not get him on the telephone she shall appear at the normal time for him to pick up the child or children to advise him of such reason why the visitation shall not occur. Father shall be entitled to a make up visitation the next appropriate weekend when he does not have a scheduled visitation if he is missing a weekend visitation or the next appropriate Tuesday where he does not have a Tuesday visitation if he is missing a Tuesday visitation.

If, for some reason other than illness, it is inconvenient for mother to allow a visitation, she shall notify the father at least 72 hours prior to the scheduled visitation and the father shall then be entitled to make up the visitation in the same manner as indicated in the paragraph above this.

The parties are strongly cautioned not to abuse this privilege to change visitations if schedules do not permit or an illness or emergency occurs it being the Court's intention that the visitations should normally occur when they are scheduled.

15. The Court at this time understands that the Plaintiff has the Defendant's telephone number and since the Plaintiff does not have a telepnone he may be contacted by the Defendant by leaving a message at either Dorothy Clelland's or at h is friend Phil's during the week and when such messages are left the Plaintiff shall make an effort as soon as possible to get back to Defendant to discuss why she is calling him.

Neither party shall call the other party except to discuss changes in the visitation schedule or the welfare of the children and in no event shall either party be harassing in such telephone calls when they are made.

16. This has been an ongoing dispute between the parties and it appears that they are somewhat able to get along better now. However, each is cautioned that any contempt of this Order in the future will be dealt with appropriately by the Court with appropriate sanctions being imposed including possible fines and probation or jail.

17. In light of this Order, we will rescind our Court's orders of March 18, 1992, April 2, 1992, both the June 3, 1992 custody order and supplemental custody order and our order of Sept. 29, 1992. As determined on July 27, 1992, the Plaintiff shall still be considered to be in contempt and he may purge himself of contempt by abiding by the terms and conditions of this rather long and explicit Order. His failure to do so may result in appropriate sanctions being imposed.

18. The Prothonotary is advised that the address for the pro se Plaintiff continues to be R.D. 4, Box 13B, Centerville, Pa. 16404 and all correspondence should be sent to him at that address unless he notifies the Prothonotary otherwise.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 5, 1993 copy sent to Plf. & K. Nelson by Judge's Sec.

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BRYAN SCOTT STEPHENS
VS.
REBECCA LYNN STEPHENS

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Feb 5, 1993 ORDER filed. AND NOW, Jan. 27, 1993, the Plaintiff's motion to hold the Defendant in contempt of Court is dismissed insofar as the Court finds after hearing that he has not proven those allegations. BY THE COURT:
Anthony J. Vardaro, J.

Feb. 5, 1993 copies distributed by Court

Mar 1, 11k994 ORDER filed. AND NOW, February 28, 1994, the Defendant appears in Motion Court with a hand written motion to hold the Plaintiff in contempt with respect to this custody action.

Her motion sets forth various reasons for the request.

She has apparently notified the Plaintiff that she will appear in Motion Court although it does not appear that he received notice required by the Local Rules.

We will set a hearing for March 30, 1994, at 9:15 A.M. in Courtaroom No. 2, Crawford County Courthouse, for the purpose of determining whether the Plaintiff is in contempt of the custody order as alleged by the Defendant.

The Prothonotary of Crawford County shall send by regular mail a copy of this order to both the Plaintiff and the Defendant at their last known addresses in this custody file as well as to any counsel who are currently of record for them.

The Defendant shall within 15 days of the date of this order, pursuant to Pa.R.C.P. 1915.12(c), serve a copy of her petition filed in Motion Court this dayupon the Plaintiff by personal service or regular mail together with a copy of the notice required by Pa.R.C.P. 1915.12(a). We note that we have attached to this order a photocopy of Pa. R.C.P. 1915.12 in its entirety.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 7, 1994 copy to B. Lindsay, K. Nelson, B. Smith, Plf. & Dft.

Mar. 30, 1994 ORDER filed. AND NOW, March 30, 1994 this matter is before the Court on a petition by the Defendant to hold the Plaintiff in contempt.

The petition was presented pro se in motions court on February 28, 1994 and as a result we set this hearing and directed the Defendant to serve the Plaintiff pursuant to Pa.R,C.P. 1915.12 (c) by sending a copy of her petition to his last known address as well as personally serving him during a period when the parties were exchanging custody of the children. The Defendant indicates that she does not know the Plaintiff's residence because he will not disclose it.

The Plaintiff has failed to appear this day despite that notice.

Accordingly, pursuant to Pa. R.C.P.1915.12 (c), this matter is continued until April 28, 1994 at 3:00 p.m. in Courtroom No. 2 at the Crawford County Courthouse. The Sheriff of Crawford County is directed to personally serve a copy of the petition which was filed in this matter as well as a copy of our order of FEbruary 28, 1994 and a copy of this order which shall specifically advise the Plaintifff that hearing willbe set in this matter for April 28, 1994 at 3:00 p.m. inCourtroom No. 2 at the Crawford County Courthouse, with respect to the Defendant's request that Plaintiff be held in contempt.

The Defendant will work with the Sheriff to try to determine a time when t he Sheriff may serve the Plaintiff at a period scheduled for exchange of the children insofar as it appears that is the only time that he surfaces to the Defendant's knowledge.

The Plaintiff is cautioned that if he does not appear at the next hearing after having been properly served, the Court will have no choice but to issue a bench warrant for the production of the Plaintiff.

Insofar as the Defendant is proceeding in forma pauperis, the County shall pay the costs of the Sheriff's service without prejudice to the Court to assess those costs appropriately in the future.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

3-30-94 Copies dist. to Sheriff, Pltf., Deft, Nelson & Lindsay.

Apr. 29, 1994 ORDER filed. AND NOW, April 28, 1994, this matter being set for hearing with respect to a petition filed by the Defendant to hold the Plaintiff in contempt and the Court having rescheduled this matter for this date in order for the Plaintiff to be served by the Sheriff of Crawford County and such service having not occurred, now pursuant to Pa. R.C.P.1915.12, a bench warrant is issued for the production of the Respondent in court so that a hearing may be held with regard to this petition for contempt.

The hearing is cont inued generally and, once the Sheriff has the Plaintiff in custody,he shall notify the Court immediately so that a hearing may be held.

BY THE COURT:
Anthony J. Vardaro, J.

5-3-94 Copy of Order to Pltf. Deft., Sheriff, Nelson & Lindsay & Atty. Smith

May 2, 1994 Bench Warrant returned.

May 3, 1994 SHERIFF'S RETURN, filed. SERVED Bryan Scott Stephens personally on May 2, 1994 at 12:20 PM by handing a copy of the Court Order to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens. Sheriff

May 9, 1994 Motion to Set Hearing and Release Plaintiff from Incarceration filed. AND NOW,May 5, 1994, upon consideration of the foregoing Motion and pursuant to the order of April 28, 1994,a hearing is set for May 6, 1994 at 11:30 A.M. in Courtroom 1 or 2, for the purposes of determining whether the plaintiff should remain incarcerated pending hearing on the defendant's contempt allegations.

FOR THE COURT,
Ann A. Walker, Court Administrator

May 9, 1994 ORDER filed. AND NOW, May 6, 1994, this matter is before the Court on a Petition to be Released from from Confinement apparently because of a Bench Warrant issued by Judge Vardaro.

The matter is briefly reviewed by this Court and this Court has no desire to resolve factual disputes in a case that has been handled by Judge Vardaro.

ACCORDINGLY, the defendant is released from confinement forthwith and a hearing on Plaintiff's confienment petition is hereby set for May 24, 1994 at 2:30 p.m. before Judge Anthony J.Vardaro.

The plaintiff is reluctant to disclose his address to the defendant/mother for the reason he contends she harasses him when she ascertains his address. The mother denies the same,but this date, the plaintiff Bryan Scott Stephens has given his residential address to the Sheriff's Department of Crawford County and assures them that any service that needs to be made relating to this case may be made at that address and he assures the Sheriff's Department that if he moves from said address, he will notify the Sheriff's Department immediately of the change of address.

BY THE COURT,
P. Richard Thomas, S. J.

5-09-94 Faxed copy to Atty.Barrett & Copy to Sheriff & Deft.

May 25, 1994 Motion to Dismiss Defendant's Pro Se Contempt Petition Filed. And Now, May 24, 1994 this motion is denied.
Anthony J. Vardaro, J.

May 25, 1994 Petition for Contempt, filed.

May 25, 1994 ORDER filed. AND NOW, May 24, 1994, this matter is before the Court on Defendant's Petition to hold the Plaintiff in contempt. The Defendant has completed her portion of the testimony and the Plaintiff will have witnesses with respect to this matter. Additionally, this day the Plaintiff has filed a petition for contempt with respect to alleged actions of the Defendant.

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The Court Administrator is DIRECTED to schedule this matter for further hearing with regard to both petitions as soon as possible withthe same to be scheduled for half a day.

In theinterim, the parties are DIRECTED to comply totally with the Court Order entered on February 4, 1993.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

5-25-94 Copies dist.to Barret, Ct. Adm. & Deft.

Jun.7, 1994 Assignment of Hearing Date filed. AND NOW, June 3, 1994, the Court Administrator having been directed by the Court to set a further hearing in the above matter, hereby sets a hearing for July 1, 1994, at 9:15 A.M. , in Courtroom No. 2, Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT,
Ann A. Walker, Ct. Administrator

6-7-94 Copies dist. Barrett & Deft.

June 24, 1994 Appearance of Gregg & Nelson by Kathleen R. Nelson on behalf of Defendant, Rebecca Lynn Stephens, filed.

June 28, 1994 Motion to Continue Hearing and ORDER filed. AND NOW, this 28 day of June, 1994, the herein Motion to Continue Hearing is granted. Said hearing is rescheduled to the 11th day of August, 1994 at 9:15 A.M., in Courtroom 2 of the Crawford Co. Courthouse, Meadville, PA.

BY THE COURT:
Anthony J. Vardaro, J.

June 28, 1994 Copy of Order Faxed to Attys. Barrett and Dratler.

Jul. 25, 1994 Motion to Withdraw Appearance and ORDER OF COURT filed. AND NOW, this 22nd day of July, 1994, the above motion allowed.

Gordon R. Miller,J.

7-26-94 Faxed to Attys. Nelson & Barrett

Aug. 11, 1994 Order filed. AND NOW, August 11, 1994 this matter is before theCourt for a scheduled continuation of a hearing with respect to the Defendant's request that the Plaintiff be held in contempt and also for a hearing with respect to Plaintiff's request that the Defendant be held in contempt, all with respect to this custody action.

This hearing had been resceduled for July 1, 1994 after the initial part of the hearing and then was rescheduled for this date after the Defendant obtained counsel. At the original hearing the Plaintiff had counsel and his consel has now withdrawn.

Testimony today from a representative ofthe Court Administrator's Office indicates that the Plaintiff appeared last week believing the hearing was last week and was advised that the hearing was this date at 9:15 a.m., and was shown the court calender to that effect.

It is now 9:35 a.m. and he has failed to appear. We note that he has had a past history of failing to appear with respect to hearings with regard to custody matters as well as support matters.

Accordingly, a bench warrant is issued for his arrest and detention and bond is set at $15,000 cash or professional bondsman.

The Crwaford County Jail shall notify the Court Administrator once the Plaintiff is in their custody and the Court Administrator's Office shall attempt to reschedule this hearing as promptly as possible, recognizing that it will be necessary to schedule at least one half of a day for the hearing and further recognizing that it may take a while due to the Court's calendar in order to do so.

Pending further hearing inthis matter, the rights of the Plaintiff with respect to any visitation or temporary custody of the minor children are suspended entirely.

BY ORDER OF THE COURT,

Aug. 11, 1994 Faxed Jail, gave copy to Nelson, Ct. Adm. & Sheriff

Aug. 19, 1994 ORDER filed. AND NOW, August 18, 1994, the Court Administrator having been informed that the said Bryan Scott Stephens has been picked up on a bench warrant, a hearing has been set for August 25, 1994 at 10:30 A.M. in Courtroom No. 2, Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT,
Ann A. Walker, Ct. Administrator

8-18-94 Copies dist. by Ct. Adm. to Pltf., Sheriff, Warden, & Atty. Nelson. 8-19-94 Faxed copy to Atty. Nelson

Aug. 19, 1994 Petition for Release From Imprisonment and ORDER filed. And Now, August 19, 1994 this motion denied. We have set bond in our order of 8/11/94 and the defendant may be released if he posts that bond.

Anthony J.Vardaro, J.

8-19-94 Faxed to Attys. J. Mason & Nelson

Aug. 19, 1994 ORDER filed. AND NOW, August 18, 1994,pursuant to our order of August 11, 1994, the Defendant has been arrested with respect to a bench warrant issued pursuant to Pa.R.C.P. 1915.14 for his failure to appear.

The Court Administrator has set a hearing before the undersigned for August 25, 1994 at 10:30 A.M.

The purpose of that hearing will be first to determine if the Plaintiff wilfully failed to appear at that hearing and should therefore be adjudged in contempt of Court; secondly, to allow the Plaintiff to present his portion of the case with respect to the Defendant's petition for contempt filed against him and finally to hear the Plaintiff's petition for contempt against the Defendant. The latter two items being those which were originally scheduled for the hearing on August 11, 1994.

Accordingly, the parties should appear on August 25, 1994 at 10:30 A.M. in Courtroom No.2 with their witnesses prepared to proceed with respect to all of those matters.

BY THE COURT:
Anthony J. Vardaro, J.

8-19-94 Copies dist. to J. Mason & Nelson

Aug. 18, 1994 Bench Warrant returned.

Aug. 30, 1994 ORDER filed. AND NOW, August 25, 1994, this matter is set for further hering with respect to a Contempt Petition filed by the defendant agaisnt the plaintiff and for a hearing with respect to a Contempt Petition filed by the plaintiff versus the defendant.

The plaintiff is represented by new counsel who has only been involved for one week and the defendant is srepresented by counsel who has been involved for a longer period of time, but was not at the last hearing in May of 1994.

Plaintiff moves to continue this matter to give his counsel anopportunity to become better acquainted and it appears that both counsel would appreciate a synopsis from the Court with respect to the testimony at the May 1994 hearing prior to completing this hearing.

We will do that and provide it to both counsel as promptly as possible.

In the meantime, this matter is continued, to be heard the morning of October 5, 1994 beginning at 9:00 a.m. in Courtroom No. 1. We will schedule the entire morning so that we will be able to hear the completion of the Petition of the defendant against the plaintiff, as well as the plaintiff's Petition against the defendant.

The parties should appear at that time, with all of their witnesses available so that we may proceed promptly at at 9:00 a.m.

Any further settlement discussiions between the parties should take place prior to that date so that if that matter is not settled by that date and time, this matter can proceed.

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The parties agree that the plaintiff will have his regularly scheduled visitation with the children on September23, 1994, through September 24, 1994.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 30, 1994 Copies dist. to Nelson & J. Mason

Aug. 30, 1994 ORDER filed. AND NOW, August 25,1994, this matter is first before the Court with regard to the plaintiff's failure to appear for a hearing before this Court on August 11, 1994.

By way of factual background, this hearing was set as a result of an Order we entered in May of 1994 after partial hearing was conducted with respect to a petition by the defendant agaisnt the plaintiff for contempt with regard to a Custody Order. At the time of that hearing, the plaintiff was represented by counsel and we were rescheduling further hearing for the prupose of the plaintiff to present his case in his defense with regard to the Petition for Contempt brought by the defendant and also for the purpose of the plaintiff presenting his case with respect to his Petition for Contempt against the defendant.

His counsel withdrew on July 22, 1994 and he appeared in the Court Administrator's Office believing there was a hearing some time in the first week of August 1994. Psrevious sworn testimony by Sally White in the Court Administrator's Office has indicated that she explained clearly showing the plaintiff the Court Calendar that his hearing was August 11, 1994 at 9:15 a.m. He failed to appear, and instead, at 10:05 a.m. on that day, he called the undersigned's office and spoke to Vicki Bradshaw, indicating that he ahd appeared at the Domestic Relations Office in error and did not realize there was a hearing in front of this Court.

The Court has been involved in this matter for in excess of two years in both a custody capacity and with respect to Domestic Relations Orders and this plaintiff has had an ongoing problem with appearing when the Court has scheduled time to hear matteers.

In this case, we simply do not believe he forgot insofar as he was told clearly a week before when he was to appear and at the time of the May 1994 hearing, he indicated that he intended to call witnesses from the Court's recollection which would take approximately two hours and apparently he had not made any effort to have those witnesses available when he appeared the first week of August.

We find that the plaintiff is in contempt of this Court for his failure to appear on August 11, 1994.

For his contempt, he is sentenced to undergo imprisonment in the Crawford County Jail for a minimum term of 30 days and a maximum term of 6 months, to be computed from August 18, 1994.

He shall be automatically paroled at the expiration of 30 days of this Sentence as long as his behavior in the Crawford County Jail is appropriate.

The plaintiff is granted Work Release Privileges with the permission of the Work Release Coordinator if he satisfies the Work Release Coordinator that he has legitimate employment.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 30, 1994 Copies dist. to J. Mason & Nelson

Sep. 1, 1994 ORDER filed. AND NOW, August 31, 1994, we file the attached summaryof testimony at a hearing conducted on May 24, 1994 with respect to the Defendant's petition for contempt filed against the Plaintiff.

This is done due to the fact that the parties have both requested that we do so since neither counsel currently representing the parties was present at that hearing and the parties indicate they cannot afford the expense of a transcript.

BY THE COURT:
Anthony J. Vardaro, J.

9-2-94 Copies dist. by Court

Sep. 30, 1994 Exhibit filed.

Oct.6, 1994 ORDER OF COURT filed. And now,October 6, 1994. Motion granted. This matter is now rescheduled for the 8th day of December, 1994,at 9:15 A.M. in Courtroom #2.

Anthony J.Vardaro, J.

10-6-94 Faxed Attys. Mason & Nelson

Dec.7, 1994 Motion for Continuance and ORDER OF COURT filed. AND NOW, December 7, 1994, the herein Motion is granted. The hearing scheduled for December 8, 1994, at 9:15 a.m.in Courtroom 2 is continued generally and shall be reset upon Motion of either party.

Plaintiff's counsel shall make arrangements to retrieve the jacket belong to Corey Stephens fronm Vicki Bradshaw.

Anthony J.Vardaro, J.

12-7-94 Faxed to Attys.Mason & Nelson

Jul 24, 1995 Notice and Order to Appear and Order, filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for custody and visitation.

If you wish to defend agaisnt the claim set forth in the following pages, you may but are not required to file in writisng with the court your defenses or objectiions.

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on August 16th, 1995 at 3:00 p.m. in Courtroom 2, Crawford County Courthouse, Meadville, Pennsylvania.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

BY THE COURT
Gordon R. Miller, P.J.

Date: 7-24-95

ORDER: AND NOW, July 24, 1995, the plaintiff has filed several documents which are attached hereto and are as follows:

1. A document headed "contempt" which she has signed and attempted to verify.
2. Motion to set a hearing date for contempt.
3. Motion to suspend all visitations with the father until a hearing is held.
4. A separate piece of paper that contains two sentences and is signed by the petitioner.

These documetns are not in order. She has not filed a proper petition. The documents filed are not properly verified under the rules. There is no copy of the last order.

In Motions Court the petitioner was verbally advised as to how to proceed. She was advised that she could refer to the Rules and the Judge indicated which rules to look at. She was told that there are rules and forms in the Crawford County Law Library. She was told that she could go to the Prothonotary's office and look up other petitions for contempt that have been filed by her and other persons in other cases to come up with a form for this purpose.

The Court should reject these filings as being improper but instead we hereby set a contempt hearing for the 16th day of August, 1995 at 3:00 o'clock P.M. in Courtroom No. 2 of the Crawford County Courthouse.

We do not grant special relief. We caution both parties to follow all court orders until changed or modified.

We caution the plaintiff that this will be the last time that she may file documents that are not proper. The Pennsylvania Rules of Civil Procedure, a copy of which is in the Crawford County Law Library on the second floor of the Courthouse, and the Crawford County Civil Rules, a copy of which is in the same place, must be strictly adhered to by all litigants including this plaintiff.

The plaintiff shall make the necessary copies of all documents and arrange appropriate service on the defendant within ten (10) days from this date.

BY THE COURT
Gordon R. Miller, P.J.

July 24, 1995 Faxed Nelson, Lindsay & J. Mason. Given Plf.

Continued toPage 478 E

Aug.14, 1995 Motion for Continuance and ORDER OF COURT filed. AND NOW,August 11, 1995,the herein Motion is granted. The hearing scheduled for August 16, 1995, at 3:00 p.m. in Courtroom #2 is hereby rescheduled to the 28th day of August, 1995 at 2:15 P.M. in Courtroom #2.

BY THE COURT:
Anthony J.Vardaro, J.

8-14-95 Faxed Nelson & Mason

Aug 31, 1995 ORDER filed. AND NOW, August 28, 1995 this matter is before the Court on a petition for contempt which was originally filed pro se by the Defendant on July 24, 1995. That petition resulted in an order entered by Judge Miller on that same date, in which he specifically advised the Defendnat that he would set a hearing but she would have to comply with the Rules, including the Local Rules as well as the Pennsylvania Rules of Civil Procedure, with regard to service. It appears that she failed to do so, and as a result, the Plaintiff, through counsel, ha snow presented to the Court a motion to dismiss.

The Defendant now has counsel and indicates that the Defendant, pro se, on or about July 24, 1995 attempted to serve the Plaintiff by regular mail but it appears that she did not serve him with a copy of her petition.

Accordingly, we will deny the motion to dismiss but we will continue this matter to be reset by the Court Administrator for one day of coourt time.

The Plaintiff shall be considered to be served with respect to the Defendant's motion for contempt insofar as a copy of that has beenpresented to his counsel this day, prior to this hearing. The Plaintiff indicates he may be filing a cross petition for contempt and he shall promptly do so so that that matter may be heard at the same time set by the Court Administrator.

The parties indicate that one or both of them may be filing a petition to modify and if that occurs within a reasonably prompt period of time, i.e., no later than 30 days prior to the scheduled hearing, we will also, by agareement of the parties, consider the petition for modification filed by one or both parties.

Pending further hearing in this matter, both parties are ordered and directed to strictly comply with our order of February 4, 1993 except as hereinafter modified. That order is modified as follows:

1. The periods of scheduled temporary physical custody with the Plaintiff shall begin on Friday at 5:00 p.m. instead of 4:00 p.m. and shall end on Saturday at 7:00 p.m. instead of 6:00 p.m.

2. Despite any argument by the Defendant that the Plaintiff has forfeited his next period of temporary physical custody, until the Court has an opportunity to hear this matter, the Plaintiff's periods of temporary physical custody shall begin again on the weekend of September 1, 1995 and thereafter as indicated these parties shall strictly comply with the terms of the February 4, 1993 order.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Aug. 31, 1995 dist Nelson & Mason

Aug 31, 1995 Motion to Dismiss Defendant's Contempt Petition, filed.

Sep. 20, 1995 ORDER SETTING HEARING DATE. AND NOW,September 18, 1995,the Court Administrator having been directed by the Court to set a hearing in the above captioned case, set hearing is set for Wednesday, November 29, 1995 at 9:15 A.M. in Courtroom No. 2, before the Honorable Anthony J.Vardaro, Crawford County Courthouse, Meadville, PA.

FOR THE COURT,
Ann A.Walker,Ct.Administrator

9-20-95 Dist.to Mason & Nelson

Nov. 6, 1995 Petition for Modification of Custody Order, filed. 3 copy (atty)

Dec. 4, 1995 ORDER filed. AND NOW, November 29, 1995 this matter is before the Court pursuant to our order of August 28, 1995 based on a pro se petition for contempt filed by the Defendant.

As we indicated in that order, she had appeared before Judge Miller and he had specifically instructed her that she would have to comply with the Rules with regard to the contempt she was alleging. We continued the hearing on August 28th, 1995 because at that time, both parties were represented by counsel and the Plaintiff had not received the motion filed by the Defendant until that day.

At the time set for hearing today, after the parties have out-of-court discussion for approximately 1 hour and 15 minutes, they appear in Court and indicate that they can proceed informally, and the Court is initially given a synopsis of the testimony of various witnesses of the Defendant, which witnesses would only cover a minor portion of what ultimately the Defendant indicates herself informally. Specifically, there are numerous allegations and numerous dates which have just been presented in court and were not specifically set forth in the contempt petition.

Obviously, the Plaintiff cannot respond to those allegations without some consultation with his counsel now that he knows what those allegations are or at least generally what those allegations are and the general dates of those allegations.

Therefore, with respect to the contempt portion of this hearing, we will continue the same and direct the Court Administrator to schedule that matter for further hearing when the court schedule allows. The Court Administrator should schedule at least on-half a day for that hearing.

With respect to the witnesses the Plaintiff intended to call, we do not believe that it will be necessary for them to return insofar as the major portion of the allegations will have to be testified to either informally or formally between the two parties.

In our order of August 28, 1995 we indicated that we would hear the parties' petitions to modify if either filed one no later than 30 days prior to the scheduled hearing or if by agreement of the parties they wished for us to consider the petitions to modify. Neither was filed beyond the 30 days period from the date of this hearing, but the parties agree that they wish to have a modification heard. Based on what we have heard thus far this day, and those petitions, however, we believe it would be appropriate to treat this case like any other case and accordingly, the Court Administrator is directed to return this matter to a mediator to be picked by the Court Administrator insofar as the previous mediator in this case is no longer a custody mediator.

The Court Administrator is directed not to send this matter to the mediator until each party has deposited $75 toward the costs of further mediation.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

12-4-95 Nelson & Mason.

Feb. 9, 1996, ORDER filed. And Now, Feb. 9, 1996 the ct. adm. having been directed by the court to set further hearing on the dft's petition for contempt, said hearing is hereby set for Mar. 6, 1996 atl:30 p.m. in C. R. #2 of the courthouse, Meadville, pa.

for the court, Ann A. Walker, Ct. Adm.

2/9/96 dist. by court.

Feb. 26, 1996 Motion for Continuance and ORDER OF COURT filed. And now,February26, 1996. The motion is granted with hearing to be May 2, 1996 at 1:30 PM in Ct.Room 2. The Plaintiff shall provide proof that he worked in Arkansas during the time period indicated since that was the reason this continuance was granted.

Anthony J.Vardaro,J.

2-26-96 Fasxed Nelson & J. Mason

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May 13, 1996 ORDER: AND NOW, May 2, 1996, this matter comes before the Court on a petition for contempt filed by the Defendant agaisnt the Plaintiff.

This matter was originally before the Court for a hearing on Nov. 29,1995 and we continued it because the parties agreed to proceed informally but the Plaintiff who was the respondent in the contempt proceeding could not respond to the allegations because they had not been set out specifically.

We again proceed informally and it is obvious that factually these parties cannot agree on too much. It appears that the Plaintiff respondent may from time to time not take the Court's order seriously and on the other hand, the Defendant, Petitioner, is extremely reigid in her iterpretation of the order. Frankly, it was designed to be that way by the Court because when it was entered three years ago, these parties could not communicate enough to comply with a normal court order. It appears that is still the case.

At this time, this hearing is continued generally to be reset by the Court Administrator if the parties deem it necessary and it shall be deemed necessary unless the Defendant, petitioner, indicates to the Court through counsel it is not necessary. The hearing shall be reset as soon as possible by the Court Administrator shen there is a decision from a mediator when these parties go back to mediation.

At this time, the Plaintiff, respondent, has paid his mediation fee and Defendant, petitioner, indictes she will not be able to afford to do so for some period of time. The Court Administrator is directed to appoint a mediator in this case and mediation shall occur as soon as possible. It shall not be necessary for the Defendant, petitioner, to pay the $75 as previously ordered and it shall be up to the mediator to determine at the time of mediation what fees shall be paid by which party.

Both parties are forthwith directed to make application for the seminar for divorcing parents and to attend the next available seminar insofar as the Court is hopeful that may be that will have some influence on their ability to get along for the sake of these children. If either party or both parties are unable to afford the cost of theat seminar, they shall apply for the right to attend the seminar without payment but they're both directed to get signed up and attend that seminar as soon as possible.

Pending further order of court, either through mediation orultimately when we make a decision on this contempt proceeding, the previous order entered by the Court on February 3, 1993 shall be in full force and effect, and these parties are expected to comply with it faithfully.

Anthony J. Vardaro, J.

May 13, 1996 Dist Ct. Adm., Johnson, J. Mason
May 15, 1996 Faxed Nelson, B. Smith, Lindsay

May 17, 1996 ORDER: AND NOW, May 16, 1996, the Court Administrator having been directed by the Court (by Order of May 2, 1996) to appoint a mediator in the above action, John Spataro, Esquire, is hereby assigned this matter and will schedule mediation as soon as his schedule permits.

Ann A. Walker, Crt. Adm.

Mlay 16, 1996 Dist. by Court.

June 24, 1996 Petition for Waiving Fee for Seminar for Divorcing Parents and ORDER filed. May 15, 1996 this petition is denied. Petitioner has not set forth her financial status. She must file a petition that includes Rule 240 information.

Gordon R. Miller, J.

ORDER: And Now, June 24, 1996 the Defendant is granted leave to attend Seminar without payment of fee.

BY THE COURT:
Anthony J. Vardaro, J.
June 25, 1996 MAILED Pltf, Deft.

June 25, 1996 Appearance by Bernadette M. DeVore, Esquire for Defendant filed.

Oct. 9, 1996 ORDER filed. AND NOW, this 8 day of October, 1996, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1) **The parties shall share legal and physical custody of the subject minor children, Corey Scott Stephens,** born December 11, 1988 and David Banjamin Stephens, born November 24, 1991.

2) The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

Costs and fees of this Mediation, which are fixed at $180.00 ($60.00/hr. x 3 hrs.) and the $9.00 Court Order filing fee are to be paid by Crawford County for the reason that the income of these respective parties is modest.

(SEE FILE FOLDER FOR REMAINDER)

BY THE COURT,
Anthony J. Vardaro, J.

1992

LYLE R. BALL

VS.

TRUDI I. BALL

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G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof. However, the order is entered without prejudice to the right of either party to request a further mediation conference anytime after Aug. 1, 1993.

IV. Cost of the mediation conference will be divided equally between the parties. The prothonotary shows no deposits so both parties shall pay their mediation costs within 30 days from the date of this Order.

Anthony J. Vardaro,
Judge

April 21, 1993 Copy of Order given to Attys. R. Charles Thomas, John Spataro and John Fuller, copy mailed to Plf. and Dft.

May 7, 1993 ORDER filed. AND NOW, May 6, 1993, it appears that an order has been entered in the custody action in this matter at A.D. No. 1992-119 after mediation.

That order required each of the parties to pay $100 toward a $200 mediation fee. The Plaintiff in that action, Lyle R. Ball, has now paid $75 of that amount and he is directed to pay the remaining $25 within 10 days of the date of this order.

Apparently, Trudy I. Ball, the Defendant in the custody action, deposited $150 at the A.D. No. 1992-216 which was intended to be a deposit for a custody mediation.

The Prothonotary is now directed to apply $100 of that amount to the amount due from Trudy I. Ball at A.D. No. 1992-119 plus $9 for entry of the order and to refund the balance of $41 to Trudy I. Ball. BY THE COURT:

Date: may 6, 1993 Anthony J. Vardaro, J.

Also entered at A.D. 1992 - 216

May 13, 1993 copy to R.C. Thomas, J. Spataro, J. fuller

Roger A. Williams

vs.

Judith Baker

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of record

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June 17, 1994 Memorandum and Order filed. AND NOW, June 14, 1994, it is ordered as follows:
1. The mo;ther is in contempt of court for the reasons set forth in the attached memorandum. The Court does not impose any punishment or further sanctions at this point. We give the mother the opportunity to purge herself from contempt by fully and completely complying with this Order, without fail through December 31, 1994. If she complies then these contempt proceedings will be dismissed without any further action and without any further sanctions. If she fails to comply then the Court will hold a hearing, on motion or petition of the father, to determine whether or not contempt has continued and, if so, the appropriate sanction to impose.
2. The Order of March 30, 1992 is hereby modified and amended as follows:
3. Legal custody of Roger A. Williams, Jr. and Jessica W. Williams shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction.
4. Physical custody of Roger A. Williams, Jr and Jessica A. Williams shall be with their mother, subject to the following conditions:
a. The father shall be entitled to visit and take the children into his custody on two weekends a month, those two weekends being the weekends on which the second and fourth Friday of each month fall, from 7:00 o'clock p.m. Friday evening until 5:00 o'clock p.m. Sunday evening.
b. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on these holidays until 1:00 p.m. andin the custody of the father on these holidays from 1:00 p.m. until 8:00 p.m. Holiday visitations shall, supersede weekend visitations.
C. The father shall be entitled to visit and take his children into his custody for a period of one week during each summer month, that is June, July and August. These vistitions shall be in addition to the weekend visitations that the father is permitted. The father shall give the mother at least thirty (30) days notice of the dates of the summer visits.
d. Transportation of the children on weekends, holidays and summer visits shall be equally divided with the parent receiving custody providing transportation. For instance, on weekend visits the father would pick the children up on Friday and the mother would pick the children up on Sunday.
5. Neither parent shall say or do anything in an attempt to turn the children against the other parent, but on theother hand shall do everything in their power to foster a favorable and loving attitude onthe part of the children towards both parents.
6. Neither parent shall expose the children to any person or situation which may be harmful to a child's health or well being.
7. Each parent shall inform the other immediately of any illness or injury regarding the chidlren and both parents shall furnish to the other a current telephone number. The children shall have reasonable telephone contact with both parents.
8. The children may engage in extra curricular activities that may take place during periods of time when they are with their mother as well as during periods of time when they are with their father. The mother shall give to the father a schedule of the extra curricular activities the chidlren are engaging in within 48 hours after the schedule becomes available to her as well as within 48 hours after any change in the schedule that she becomes aware of. The father should make an at tempt to make himself available for extra curricular activities even during periods of time when the children are with their mother. When a child is scheduled to participate in an extra curricular activity during a holiday visitation with their father, said child shall not participate in such activity without the express consent of the father. Extra curricular activities may not interfere with the father's holiday visitations.
If a child is involved in an extra curricular activity that takes place at any time during the father's weekend visitations the father's rights and options depend upon the extent to which the extra curricular activities interfere with weekend visitations.
Situation 1. Shall be where Saturday extra curricular activities may interfere with father's visitation up to six time per year (25% of the Saturdays). If one or both children engage in extra curricular activities that take place on a Saturday up until 4:00 p.m. the father shall have the option of picking both children up at the end of the extra curricular activity; or picking up one child on Friday evening and th eother child up at the end of the extra curricular activity or cancelling Saturday all together and picking the children up at 7:00 o'clock p.m. on Saturday and returning them the next day on Sunday, at 5:00 o'clock p.m. Situation 1 may only occur six times per year.
Situation 2. All other weekends. If extra curricular activities occur on any of the following occasions when the father is entitled to visitation rights:
1. At any time after 4:00 o'clock p.m. on a Saturday afternoon; b. At any time on Sunday; c. At any time on Saturday after the six times when Sitution 1 has occurred, the father shall have several options. He may: a. Waive the interference with his weekend visitation right and cancel the weekend altogether with no substitute; or b. Waive the intereference and pick the child or children up at some other time and for the balance of the weekend in which case no substituted or additional time shall be given; or c. Cancel that weekend altogether and receive a substituted weekend in its place within the next thirty (30) days follows the cancelled weekend; or d. Insist that the visitations occur in which case the child or children shall not engage in the scheduled extra curricular activity. If an extra curricular activity interferes with the father's right to see his children during the summer the father, at his option may: a. Take the child to the extra curricular activity; or b. Not permit the child to engage in the extra curricular activity. He may not elect this option if the child is involved in some sort of a championship, playoff or awards activity.
for the purpose of this order the term "extra curricular activity" shall include work or gainful employment. Periods when a child is working during a father's vistiation period shall be treated the same as an extra curricular activity.
9. The parties are encouraged to work together and be flexible with respect to visitations if they are able to mutually agree to changes. However no changes may unilaterally occur. All changes in this schedule must be mututally agreed upon.
10. If the mother desires to change the vistition schedule she must communicate directly with the father. Children shall not be used for that purpose.

BY ORDER OF COURT,
Gordon R. Miller,

J June 17, 1994 dist to Brode & dft.

Kathryn E. Neville
vs.
Richard L. Neville

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Apr. 14, 1993 Request for Hearing DeNovo and Order filed.AND NOW, this 13th day of April, 1993 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 3rd day of June, 1993 at 9:00 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J.Vardaro, J.

Apr. 19, 1993 Copy of Order to Attys. Irwin and Kirkpatrick.

Apr. 26, 1993 Motion for Emergency Relief and Exclusive Possession and Order filed. And Now, April 26, 1993, it is hearing on Defendant's Motion for Emergency Relief and Exclusive Possession shall be April 28, 1993 at 11 a.m. in Court Room No. 1 or 2 of the Crawford County Court House in Meadville, PA.

By the Court:
Anthony J.Vardaro, J.

Apr. 27, 1993 Copy of Order to Attys. Irwin & Kirkpatrick.

Apr. 30, 1993 Order filed. AND NOW, April 28, 1993, these abuse and emergency relief actions are before the Court for disposition. With regard to the abuse matter, the defendant husband agrees that an Order should be entered and he will not contest the allegations of the petition.

ACCORDINGLY, the Defendant is restrained from threatening or assaulting his wife in any fashion. This portion of the Order shall remain in effect for a period of one year and if the plaintiff wife in the abuse actioncontends that the Order has been violated, she may file an appropriate affidavit swearing to said facts and request an arrest warrant from a District Justice of the Peace in order to apprehend the defendant, after which time, the Court will schedule an immediate hearing on the alleged violation of the abuse order.

In regard to the Temporary Custody Order issued by Judge Anthony J. Vardaro on april 22, 1993, as part of the temporary abuse order, the same is hereby rescinded.

On the civil side of the divorce action, the issue before the Cour tis the Motion for Emergency Relief and Exclusive Possession ofthe marital home locate dat R.D. #1, Box 240, Meadville, Pennsylvania. It appears that on or about April 21, 1993, the mother, without prior arrangements, moved back into the home accompanied by her personal possessions and considerable furniture. Apparently, this unannounced move triggered the allegations of the abuse petition. The husban moved out of the marital residence where the parties had previously lived until their separation in July of 1992.

The Motion for Emergency Relief adn the Request to Return Exclusive Possession of the Marital REsidence to the Husband is granted under the following conditions:

1. The wife, who is the plaintiff in the divorce action, may remain in the residence until Monday at Noon, May 3, 1993, when she will vacate the residence and surrender custody of the two minor children to the husband, who will appear at the residence to pick up the child and deliver them into the cusotdy of the usual babysitter.

2. the wife obviously needs time to remove the articles of furniture, clothing and personal possessions brought into the home upon her sudden arrival on April 21, 1993, and accordingly, she is given two weeks from May 3, 1993 to make arrangements to remove those items which she returned to the home on April 21, 1993. She must give her husband 48 hours notice of when she, and otehrs, if needed, will arrive to remove her belongings. In the removal of her belongings, the court emphasizes that she may rremove only what she brought on April 21, 1993, and is not to remove any other items, particuarly those items that were already inthe home pertinent to the care ofthe children and their respective toys.

3. there is no dispute about keys for the premises, and each party may rtain their respective keys for admission to the premises.

4. Commencing May 4, 1993, the respective custody and visitation schedule set forth in the Court's Order date April 5, 1993, will become again effective.

5. The plaintiff wife advises the Court that at this time at least on a temporary basis, she will be residing with her parents in Saxton, Pennsylvania. The court urges the parties, acting through their counsel, to attempt to make such modifications ofthe Custody order entered April 5, 1993 as may be cessary to accord the mother ofthe children appropriate vistiation times with her children, with the Court noting that the distance factor was not in existence at the time the April 5, 1993 Order was entered.

In the abuse action, the defendant shall be responsible for the payment of any medical bills incurred that are not covered by his medical plan.

Each party in both cases will be required to pay their own counsel fees.

The defendant is required to pay costs in the abuse case. No decision is made on costs ist he civil action at 1992-444.

BY THE COURT,
P. Richard Thomas, S.J.

Apr. 30, 1993 Copies dist. to Irwin, Kirkpatrick, Co. Control & MCPD

June 3, 1993, Affidavit of consent of p laintiff filed.

June 3, 1993, Affidavit of Consent of defendant filed.

June 3, 1993, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

June 8, 1993 AND NOW, this 8th day of June, 1993, it is ordered and decreed that KATHRYN E. NEVILLE, Plaintiff, and RICHARD L. NEVILLE, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement AGreement dated June 3, 1993, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

BY ORDER OF THE COURT
Gordon R. Miller, J.

ERNEST E. CARRARA

VS.

ANGELA H. CARRARA

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V. MISCELLANEOUS

13. The Plaintiff and Defendant shall sign, execute and acknowledge any and all documents necessary to effectuate the transfer of the tangible personal property awarded pursuant to this Decree in Divorce.

14. That neither the Plaintiff nor the Defendant shall make any further claims against the other herein except for the enforcement of the rights and responsibilities set forth in this Decree in Divorce.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 14, 1995 STIPULATION AND CONSENT TO ENTRY OF CUSTODY ORDER and ORDER filed. AND NOW, this 11 day of August, 1995, upon presentation of the Stipulation and Consent of the Plaintiff and Defendant attached hereto, and after consideration of the same, it is hereby ordered and directed and decreed that:

1. Legal custody of Sean E. Carrar, born Nov. 13, 1989, shall be shared between the Plaintiff and Defendant, that is, that the Plaintiff and Defendant shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the aforesaid minor child; health care providers, school personnel and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the aforesaid minor child.

2. The Defendant shall have primary physical custody of Sean E. Carrara.

3. The Plaintiff shall have visitations with the aforesaid minor chidl as follows: the Plaintiff shall have temporary custody of said child every other weekend from Saturday morning at 8:00 o'clock A.M., prevailing local time, until Sunday evening at 7:00 o'clock P.M., prevailing local time; the Plaintiff shall have temporary custody of the aforesaid minor child each summer for six (6) weeks as follows: two (2) weeks in the month of June; two (2) weeks in the month of July; and two (2) weeks in the month of August. The Plaintiff shall notify the Defendant at least seven (7) days in advance of the weeks during the months of June, July and August that the Plaintiff wishes to exercise the summer visitation period.

4. Holidays are defined as Easter Sunday; memorial Day; Fourth of July; Thanksgiving Day; and Christmas Day. Plaintiff and Defendant shall share holiday visitations. Plaintiff and Defendant have in the past made arrangements for holiday visitations with the minor child. Plaintiff and Defendant shall continue the past practice established by the Plaintiff and Defendant relative to holiday visitations with the minor child.

5. Should it be necessary for either party to cancel or modify the visitation as set forth in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity that compels the cancellation or modification. Said modification or cancellation shall not be proposed except for good reason. Should a cancellation or modification be necessary the Plaintiff and Defendant shall attempt at once to arrange for alternate visits or to make alternative arrangements.

6. That Plaintiff and Defendant shall divide responsibility for transportation so that the party receiving the child in the exercise of his or her rights shall secure the children at the home of the other.

7. Neither party shall do or say anything to disparage the character of the other in the mind of the child. Each party shall treat the other in a polite and respectful manner when they are in the presence of the child and each party shall instruct his or her relatives and friends to do likewise. The parties are encouraged to make additional alternative arrangements affecting the custodial and visitation periods that would be proper and convenient for the parties. Other arrangements shall be by mutual consent only in the absence of which this Order shall govern.

8. Either the Plaintiff or Defendant may request a review of this Order one (1) year from the date hereof or upon substantial change in the living circumstances of the Plaintiff or Defendant.

BY THE COURT,
Anthony J. Vardaro, J.

AS OF JANUARY 28, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

CONTINUED FROM PAGE 461 of RECORD A. D. 1992 - 5

IN THE MATTER OF THE ADOPTION OF THE CRAWFORD COUNTY CIVIL RULES OF COURT

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY CIVIL RULES OF COURT - CIVIL A. D. 1992 - 5

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2. The following new rules are adopted:

L205.2	Pro Se Filings
L300J	Collection of Costs
L400	Service by Sheriff
L1915.3A	Complaint in Custody
L1915.3A-1	Order and Notice Re Seminar
L1915.15	Modification
L1915.26J	Request for Hearing Withdrawn
L1915.26K	Settlement
L1920.12	Complaint
L1920.12-1	Order and Notice
L1920.40	Praecipe to Transmit Record
L1920.55	Master's Report-Exceptions
L1920.76	Form of Divorce Decree
L1930	Mandatory Seminar for Separating Parents
L3233	Service of Notice of Objection to Private Sale of Tax Lands
L5000	Rules Governing Court Reporting and Transcripts

3. Exhibit L1902.2B-1 is deleted from the Rules.

IT IS FURTHER ORDERED AND DIRECTED THAT in accordance with Pa.R.C.P. 239, seven (7) certified copies of these rules shall be filed with the Administrative Office of Pennsylvania Courts; two (2) certified copies shall be forwarded to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; one (1) certified copy shall be filed with the Civil Procedural Rules Committee; and one (1) certified copy shall be filed with the Domestic Relations Rules Committee.

BY THE COURT
Gordon R. Miller, P.J.

Nov. 4, 1996 Order filed. AND NOW, November 1, 1996, it is ordered and directed that Rule LJA1901A entitled "Content of List" of the Crawford County Civil Rules of Court be amended to read as follows:

Rule LJA1901A Content of List.

The Prothonotary shall compile a list of inactive cases as of January 1 of each year comprised of all civil action matters in which no steps or proceedings have been taken for two (2) years or more prior thereto. A date for termination of these inactive cases shall be set forth each year on the Court Calendar.

This rule shall become effective thirty (30) days after publication in the Pennsylvania Bulletin and shall apply to all civil proceedings pending at that time.

It is further ordered and directed that, in accordance with Pa.R.C.P. 239, seven (7) certified copies of this rule shall be filed with the Administrative Office of Pennsylvania Courts; two (2) certified copies shall be forwarded to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; one (1) certified copy shall be filed with the Civil Procedural Rules Committee; and one (1) certified copy shall be filed with the Domestic Relations Rules Committee.

BY THE COURT
Gordon R. Miller, P.J.

Feb. 11, 1997 Order filed. AND NOW, February 10, 1997, it is ordered and directed that the following rules contained in the following rules contained in the Crawford County Civil Rules of Court are amended to read as follows:

1. Rule L1915.3D Deposit

Before a custody mediator is appointed the moving party shall pay the Prothonotary the sum of $200 as a deposit for payment of the custody mediator fees and costs, or file a petition to proceed informa pauperis in accordance with Pa.R.C.P. No. 240. The custody mediator or the court will allocate the custody mediator fees and costs among the parties.

2. Rule L1930(11)

Child custody mediators may schedule mediator conferences upon receiving reliable information that the moving party has scheduled himself/herself to take the mandatory Seminar for Separating Parents, however, the date for the conference will be set sometime after the course is expected to be completed. Mediators shall inquire of the moving parties, at the mediator conference, as to whether or not they have both completed the course. If the mediator learns that any party has failed to take the course, then the mediator may, in the mediator's discretion, suspend any further action until the parties have completed the course, or, alternatively, proceed with the mediator conference and propose to the court an order containing sanctions and/or a provision requiring that both parents complete the Seminar for Separating Parents by a date certain.

This rule shall become effective thirty (30) days after publication in The Pennsylvania Bulletin, and shall apply to all civil proceedings pending at that time.

It is further ordered and directed that, in accordance with Pa.R.C.P. 239, seven (7) certified copies of this rule shall be filed with the administrative Office of Pennsylvania Courts; two (2) copies shall be forwarded to the Legislative Reference Bureau for publication in The Pennsylvania Bulletin; one (1) certified copy shall be filed with the Civil Procedural Rules Committee; and one (1) certified copy shall be filed with the Domestic Relations Rules Committee.

BY THE COURT
Gordon R. Miller, P.J.

Mar 17, 1997 ORDER: AND NOW, March 14, 1997, it is ordered and directed that the Rule L1903.7 is hereby amendedto read as follows:

Rule L1903.7 Civil Contempt

A petition for civil contempt shall be filed by the plaintiff with the Prothonotary and then transmitted by the Prothonotary to the Court Administrator. The Court Administrator will set a time for hearing. The plaintiff shall arrange to have the petition and order setting the hearing served upon the defendant in any manner by which service of original process may be made ina domestic relations matter (Pa.R.C.P. 1930.4) or by mail in the manner prescribed by Pa.R.C.P. 403 and Pa.R.C.P. 1930.4(c). The order scheduling a hearing shall be in a form identical to Exhibit L1903.6-A.

This rule shall become effective thirty (30) days after publication in The Pennsylvania Bulletin, and shall apply to all civil proceedings pending at that time.

It is further ordered and directed that, in accordance with Pa.R.C.P. 239, seven (7) certified copies of this rule shall be filed with the Administrative Office of Pennsylvania Courts; two (2) certified copies shall be forwarded to the Legislative Reference Bureau for publication inThe Pennsylvania bulletin; one (1) certified copy shall be filed with the Civil Procedural Rules committee; and one (1) certified copy shall be filed with the Domestic Relations Rules Committee.

Gordon r. Miller, P.J.

August 26, 1999 ORDER filed. In the matter of Adoption of Crawford County Local Civil Rule L400.1, AND NOW, Aug. 26, 1999, it is ordered and directed that Rule L400.1 entitled "Persons to Make Service Within the Commonwealth - Generall" of the Crawford Co. Civil Rules of Court is adopted to read as follows:

Rule L400.1 Persons to Make Service Within the Commonwealth - Generally.

With respect to all actions filed in Crawford Co., PA., original process shall be served with the Commonwealth:

(i) by the Sheriff or by a competent adult in actions in equity, partition, prevent waste, and declaratory judgment when declaratory relief is the only relief sought, and

(ii) by the Sheriff in all other actions.

This rule shall be come effective thirty (30) days after publication in the Pa. Bulletin.

RECORD CONTINUED ON PAGE 508 -8-

Michele L. Harkness

vs.

William D. Harkness

Record continued from page 209

of record

A.D. 1992 - 209

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Apr. 8, 1993 Motion For Reconsiderationof Order filed.

Apr. 8, 1993 PetitionFor Special Relief, PA. R. CIV. P. 1920.43 filed.

Apr. 26, 1993 Order filed. Upon receipt and review of a motion for reconsiderationof Order filed by the defendant onapril 8, 1993 asking for reconsideration of the Order of March 18, 1993 governing counseling it is ordered as follows:

1. The Court will not reconsider the number of counseling sessions it ordered.
2. The Court will modify the March 18, 1993 order to permit the parties to select a qualified professional counselor under 23 Pa. C.S.A 3302(e) if they are able to do so within twenty (20) days from the date of this Orde.r If they cannot agree on the conselor within that period of time then the counselor shall be chosen by the plaintiff from the list provided by the Court of Common Pleas of Allegheny County, Pennsylvania in keeping with our Order of March 18, 1993.
3. The motion to vacate the Order of March 18, 1993 is denied. Said order is modified as hereinabove provided.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 26, 1993 Copies givento RCT & Harkness

Apr. 27, 1993 Inventory of William D. Harkness viled.

Apr. 27, 1993 Income and Expense Statement of William D. Harkness filed.

Apr. 27, 1993 Certificate of Service of Motion For Appointment of Master, Inventory and Income and Expense Statement filed.

Apr. 27, 1993 Motion For Appointment of Master in Divorce filed.

Apr. 27, 1993 Order filed. AND NOW, April 26, 1993, the court review a motion for appointment of master in divorce filed by the Defendant.

As indicated in an order entered at this number and term by President Judge Gordon R. Miller on March 18, 1993, the court will not appoint a master until the counseling order by the Court on March 18, 1993 in a separate order has been completed.

We find nothing of record indicating that such counseling has been completed and accordingly we decline to appoint a master in this divorce action.

The accompanying income and expense statement of the Defendant and the inventory of the Defendant shall be filed of record at this number and term.

BY THE COURT:
Anthony J. Vardaro, J

Apr. 27, 1993 Copy sent to RCT & deft.

~~Apr. 30, 1993 Petition For Special Relief filed~~. in error

Apr. 30, 1993 Petition For Special Relief filed.

Apr. 30, 1993 Order filed. AND NOW, April 28, 1993 upon receipt and review of the defendants' petition for special relief wherein he requests that R. Charles Thomas, Esquire be disqualified from representing the Pllaintiff a rule to show cause is hereby issued and directed to the plantiff to show cause, if any she has, why the prayer of the petition should not be granted. Said rule is returnable for hearing and/or argument onJune 4, 1993 at 8:45 o'clcok p.m. in Courtrom No. 1, Crawford County Courthouse.

BY ORDER OF COURT
Gordon R. Miller, J

Apr. 30, 1993 Copies givento RTC & Harkness

June 8, 1993 Order filed. AND NOW, June 4, 1993, at a hearing on the record to dispose of the Petition for Special Relief filed by William D. Harkness in one or both of these cases, it appears to the Court an associate of R. Charles Thomas, Esquire, David P. Truax, Esquire, represented William D. Harkness on criminal charges where he was ultimately convicted that involved an incident where he was operating a motor vehicle and his wife, Michele L. Harkness, and his daughter were passengers. It was out of that incident that Mr. Truax represented Mr. Harkness in criminal charges and that incident will form part of the basis Mrs. Harkness intends to use in support of her claims to these cases with respect to divorce and custody.

We have concluded that Mr. Truax did represent William D. Harkness in a matter that is substantially related to these matters, and under Rule 1.9 of the Rules of Professional Conduct, Mr. Truax could not represent Michele L. Harkness in these cases and, therefore, under Rule 1.10(a) ofthe Rules of Profesisonal Conduct, his associate or employer, R. Charles thomas, Esquire, cannot represent Michele L. Harkness in these cases.

Mr. Thomas takes the position that he never discussed this case with Mr. Truax and he is willing to resign his representation of Mrs. Harkness if the Court believes the rules of Professional Conduct require that.

Accordingly, R. Charles Thomas, Esquire, shall withdraw his appearance and withdraw from his representation of Michele L. Harkness in these cases. Michele L. Harkness is given a reasonable period of time to hire substitute counsel and to failiarize new counsel with these cases. She should have at least thirty (30) days to obtain counsel, and allow counsel to be familiar enough with these cases to begin an appropriate representation of her.

The Custody Mediation scheduled for this date is hereby continued generally to be rescheduled by the Mediator sua sponte or on motion or request of either party.

BY ORDER OF THE COURT,
Gordon R. Miller,

June 8, 1993 Copies dist. to Pineo, Harkness & Thomas

Continued on page 484 A

Michele L. Harkness

vs.

William D. Harkness

Record continued from page 484

of record

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June 24, 1993 Petition For Contempt of Court filed.

June 24, 1993 Motion To Compel, Pa.R.Civ.P. 1920.43(a)(3), 1920.33(c). 1920.31(a)(2), 4019. filed.

June 24, 1993 Order filed. AND NOW, June 23, 1993, upon receipt and review of two motions filed by the defendant, to-wit; Petition for Contempt of Court and Motion to Compel under Pa.R.C.P. 1920.43(a)(3), 1920.33(c), 1920.31(a)(2), 4019 it is ordered as follows:

1. This order will be entered even though the defendant has not complied with the local rules regarding the presentation of motions and advance notice to the other party of the time of presentation of motions. If the plaintiff objects to this order she shall file a mtoion for reconsideration, following the local motions rules, within twenty-one (21) days from this date.

2. The defendant's Petition for Contempt of Court is denied. The plaintiff is ordered and directed to take the necessary steps to schedule a counseling session in accordance wti hthe prior orders of this Court and in accordance with 23 Pa.C.S.A. 3302 within forty (40) days from this date. Counseling shall be cmopleted sixty (60) days from this date. In the event that the plaintiff desires to proceed wtih this divorce on the ground that does not require counseling she may file an appropriate motion to discontinue the conseling order entered March 18, 1993.

3. Both parties shall comply with Pa.R.C.P. 1920.33 and 1920.31 by filing the necessary inventory, most recent federal income tax return, paystubs for the preceding six months and a completed income and expense statement in the form required by the practive and procedure governing an action for support. Said filing shall be made within sixty (60) days from this date.

BY ORDER OF COURT,
Gordon R. Miller, J

June 29, 1993 Copies of order to Atty. Thomas and Harkness

July 14, 1993 Appearance of Barbara J.Walton, Esquire for Michele L. Harkness, Plaintiff, filed.

July 16, 1993, Petition for Special RElief filed.

July 16, 1993, ORDER filed. AND NOW, July 14, 1993, after review and consideration of the within petition forspecial relief, said petition is denied. The court will not provide a copy of the transcript to the dft. He may obtain a copy fromt he court reporters, if he so desires, after he makes appropriate arrangements to pay them.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

July 19, 1993, copies of order toR. thomas, W. Pineo, plff Harkness and B. Walton.

Aug. 23, 1993 Income and Expense Statement of Plaintiff, filed.

Aug. 23, 1993 Inventory and Appraisal of Plaintiff, filed.

Aug. 26, 1993 Motion for Reconsideration, filed.

Aug. 26, 1993 ORDER filed. AND NOW, August 26, 1993, the plaintiff's motion for reconsideration is denied since the Divorce Code makes counseling mandatory when counseling is requested by a party "whenever indignities . . . is the ground for divorce and counseling is requested by a party." 23 Pa.C.S.A. 3302.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Aug. 6, 1993 copies dist. to Walton & Dft.

Aug. 30, 1993 Petition For Contempt of Court, filed.

Aug. 30, 1993 ORDER filed. AND NOW, August 24, 1993, upon receipt and review of the attached petition for contempt a rule to show cause is hereby entered and directed to the plaintiff to show cause if any she has why she should not be held in contempt of court. Said rule is returnable for hearing and/or argument on the 8th day of September, 1993 at 1:00 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse.

The hearing will be held in the defendant's absence because the Court will not transport him from his place of criminal incarceration for this type of hearing. The Court intends to scrutinize the plaintiff's conduct which is under review in a contempt matter.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Sept. 1, 1993 copy to B. Walton & Dft.

Sept. 8, 1993 Motion for Withdrawl/Discontinuance and Order, filed. ORDER: And now, September 8, 1993, Plaintiff is given permission to withdraw the above grounds for divorce and the order for counseling is hereby vacated.

Gordon R.Miller, P.J.

Sept. 13, 1993 copy to B. Walton

Sept. 10, 1993 ORDER filed. AND NOW, September 8, 1993, at the time fixed for hearing on the rule to show cause issued Aug. 24, 1993, counsel for the Plaintiff has filed a motion to withdraw indignities and mutual consent/irretrievable breakdown grounds. The Court permitted the Plaintiff to withdraw those grounds as the Plaintiff has a right to choose which groudns she desires to proceed under. Since counseling is no longer required to be provided, the rule to show cause is hereby dismissed and all orders regarding counseling are hereby vacated. Neither the law nor the rules require counseling when the grounds for divorce is cruel and barbarious treatment.

Prothonotary shall send a true and correct copy of the motion for withdrawal/discontinuance as well as this order to the Defendant at his last known address.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Sept. 10, 1993 Copies of Order distributed to Atty. B. Walton and certified copy to Dft.

Continued on Page 484B

MICHELLE L. HARKNESS
VS.
WILLIAM D. HARKNESS

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Sept. 22, 1993 Motion for Appointment of Master in Divorce and Order, filed. ORDER: AND NOW, 9-23-93, John B. Brautigam, Esquire is appointed Master in respect to the following claims: Divorce, Alimony Pendente Lite, Alimony, Counsel Fees, Costs, Expenses. Deposit required: By Plaintiff $500.00 By Defendant $-0-

If not filed already lthe parties are ordered to file their pretrial statements within thirty (30) days farom this date.

Per Curiam,
Gordon r. Miller, P.J.

Sept. 30, 1993 copy to R.C. Thomas, B. Walton, J. Brautigam

Oct. 6, 1993 Motion For Appointment of Master in Divorce, filed.

Oct. 13, 1993 ORDER filed. AND NOW, October 12, 1993, the defendant's Motion for the Appointment of a Master is denied because the Court has already appointed a Master in response to a motion filed by the plaintiff. Plaintiff's counsel represented to the Court that she served a copy of said motion on the defendant by first class mail on September 15, 1993. The fact that the defendant now files a motion indicates the possibility that he did not receive a copy of that motion.

Therefore, the Prothonotary shall mail a true and correct copy of the plaintiff's motion for the appointment of a Master and the Court's Order appointing a Master to the defendant by regular mail at Bellefonte, Pa., the address set forth on his certificate of service attached to his motion for the appointment of a Master.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Oct. 14, 1993 copy dist to Walton
Oct. 21, 1993 copy to Dft.

Oct. 19, 1993 Notice of Pre-Trial conference to Be Conducted by Master filed.

Nov. 18, 1993 Notice of Master's Hearing scheduled for Dec. 14, 1993 at 9:00 AM., Green Room, filed.

Nov. 18, 1993 Amended Complaint Under Section 3301 (c) of the Divorce Code, filed.

Nov.18, 1993 Affidavit of Consent by Michele L. Harkness,Plaintiff, filed.

Nov. 24, 1993, Affidavit of Consent of Defendant filed.

Dec 1, 1993 Upon Praecipe of Plaintiff's Attorney, this case is submitted to Court.

Dec. 3, 1993 Memorandum filed. The Court has reviewed this file for the entry of a no fault divorce under 23 Pa.C.S.A. 3301(c) because the file was hand delivered to the Judges Chambers to expedite it. Unfortunately we cannot grant the divorce on the present state of the record. When the deficiencies have been corrected and the proper documents filed the matter may be returned to the Judges Chambers for review and final decree.

The defects are as follows:

1. The defendant raised claims for alimony, alimony pendente lite, counsel fees and expenses, and equitable distribution of marital property in a counterclaim that he filed in this action. Those claims are still pending of record. The defendant has not withdrawn those claims in writing. The Court has not resolved those counts, we will not grant a divorce while those counts are still pending because that amounts to a bifurcation between issues of divorce and marriage and economic issues.

2. The record does not reflect that the amended complaint filed November 18, 1993 was ever served on the defendant.

3. The defendants affidavit of consent to the divorce is unacceptable. It is contradictory and inconsistent. In the printed language he states:

"I consent to the entry of a final decree of divorce."

In hand printed wording below his signature he states in part:

"Not agareeabel to 3301(c) . . . ."

Furthermore, he indicates in his hand printed language that he signed something that was not true. This is not a proper 3301(c) consent.

BY ORDER OF COURT
Date: Dec. 3, 1993 Gordon R. Miller, P.J.
Dec. 3, 1993 copy ~~to R.C. Thomas, B. Walton, J. Brautigam & Dft.~~ Dist. by Court

Dec. 7, 1993 Motion For Discontinuance and Order, filed. ORDER: AND NOW, 12-6-93, The Court permits the discontinuance of defendants Counterclaim/Complaint and the Divorce shall proceed with prejudice. Gordon R. Miller, P.J.
Dec. 8, 1993 copy to R.C. Thomas, B. Walton, J. Brautigam & Dft.

Dec. 7,1993 Affidavit of Consent of Defendant, filed.

Dec. 7, 1993 Affidavit of Personal Service, filed. Barbara J. Walton, being duly sworn acording to law, deposes and say that she is an adult over the age of eighteen (18) years, that she served the Amended Complaint under Section 3301(c) of the Divorce Code filed in the above matter on William D. Harkness personally by handing to him a true and correct copy hereof and informing him of its contents at Crawford County Jail, Meadville, Pa., on November 22, 1993, at 11:30 a.m.

Dec. 7, 1993 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Dec. 10, 1993 AND NOW, December 10, 1993, it is ordered and decreed that MICHELE L. HARKNESS, plaintiff, and WILLIAM D. HARKNESS, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

Dec. 13, 1993 ORDER filed. AND NOW, December 10, 1993, these proceedings havings been finalized with the entry of a divorce decree the Sheriff of Crawford County shall return William D. Harkness to SCI at Bellefonte at the Sheriff's convenience.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Dec. 20, 1993 copy to Sheriff (original copy filed at AD 1993-3)

Continued on Page 484C

1992 TERM

Michele L. Harkness
vs.
William D. Harkness

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Jan. 13, 1994 Motion To Withdraw Consent and Waiver Of De Novo Hearing, filed.

Jan. 13, 1994 ORDER filed. AND NOW, January 11, 1994 the defendant's motion to withdraw consent and waiver of denovo hearing is denied.

BY ORDER OF COURT,
Gordon R. Miller, P.J.

Jan. 13, 1994 copies dist to Walton & Harkness

Aug. 22, 1994 Petition for Payment of Master's Fees and Order, filed. And Now, August 19, 1994, the Prothonotary is directed to release to the Master in the aabove-captioned case the funds, in the amount of $250.00, that are on deposit for the purpose of paying 1/2 of the Master's fees. Furthermore, Plaintiff is directed to deposit an additional $250.00 with the Prothonotary. When said deposit is made, the Prothonotary shall release the balance of $250.00 to the Master in full and final payment of the remainder of the Master's fees. Plaintiff shall deposit the additional $250.00 no later than November 1, 1994 or face contempt of court charges. A copy of this order shall be mailed to Plaintiff at RD 4, Box 11, Saegertown, Pa. 16433.

By The Court:
Gordon R. Miller, P.J.

Aug. 23, 1994 Faxed Brautigam & Walton, mailed Plf. & Dft.

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-d-

1992 TERM

DARLENE M. HAYLETT

VS.

STEVEN J. HAYLETT

RECORD CONTINUED FROM PAGE 91

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of materials used in the renovation of any real estate, and shall assume full responsibility for any real estate debts of any nature, including but not limited to taxes and municipal liens of any sort. Said property which shall be quit-claimed is located on Alden St. Extension, in West Mead Township, Crawford Co.,PA. At the time of the delivery of the Deed, Defendant shall pay to Plaintiff the sum of $2,500.00. This transaction shall take place no later than thirty (30) days from the date of this Decree.

5. DEBTS:

Each party shall assume full responsibility for any credit card in his or her respective name, and shall hold the other party harmless in regard hereto.

6. WAIVER OF FILING OF DOCUMENTS:

Neither party hereto shall require the other party hereto to file an Inventory and Appraisement nor an Income and Expense Statement, as would otherwise have been required by the Pa. Rules of Civil Procedure. Each party is aware of the debts and assets acquired during the marriage. Each party hereto has been represented throughout by separate legal counsel.

7. WAIVER OF CLAIMS:

Neither party hereto shall make any claims against the other party hereto, except for enforcement of the rights and responsibilities set forth in this Decree, and except as same shall relate to any child support or child related matters, nor shall this Decree be deemed to waive any penalties or impositin of attorney fees that may occu because of either party's violation of any Order of the District Justice, or because of violation of any other Court Order, including Custody Orders. If either party violates said Orders, the other party may seek to impose attorney fees incured in order to enforce said Orders.

Plaintiff hereby waives her request for attorney fees, expenses, court costs, and alimony pendente lite (Count IV).

BY THE COURT,
Gordon R. Miller, J.

JOHN S. HOBSON

vs.

MARY K. HOBSON

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B. Life Insurance. All of Husband Plaintiff's life insurance currently in effect, whether bought prior to marriage, during cohabitation or after separation, or if supplied by husband's employer, shall be the sole property of the Husband and shall be retained by him.

C. Retirement Benefits. Husband Plaintiff is awarded and shall solely retain his Public School Employees' Retirement Pension and any other accounts or benefits available to Husband Plaintiff by virtue of his being a participant in the Public School Employee's Retirement System.

D. Motor vehicles.

(i) Husband Plaintiff is awarded and shall retain the 1988 Dodge Shadow motor vehicle.

(ii) Husband Plaintiff is awarded and shall retain the proceeds of the prior transfer of the 1982 Dodge Truck.

(iii) Husband Plaintiff is awarded and shall retain the proceeds of the sale of the 1986 Honda motorcycle.

(iv) Wife Defendant is awarded and shall retain the 1991 Ford Escort.

E. U.S Savings Bonds. All U.S. Saving's Bonds are awarded to and shall be retained by Husband Plaintiff.

F. Further, the division of all other marital property, and the payment of all debts of the parties shall be made in accordance with the terms of the Marital Settlement Agreement, which said Agreement was effective May 26, 1995.

3. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective May 26, 1995, which sets out in further detail the agreement of the parties concerning the matters herein, shall be filed with this decree in the Prothonotary's Office at the above-number.

This order shall be effective as of the 8th day of June, 1995.

BY THE COURT
Gordon R. Miller, J.

1992

Daniel J.Dillinger
vs
Luticia A. Dillinger-Mook,
nka Luticia A. Lynn

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his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation. In additiona,neither party should prejudice the children along ethnic and religious lines, but shall instead teach the children that all people are God's creation.

12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if it were to be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which,this order shall govern.

13. Neither child shall be subjected to adult entertainment (videos, television, etc.) while in the care of the parent.

14. Neither child shall be subjected to questionable entertainment not suitable for their age level.

15. Neither child shall be left unattended in the companionship of the opposite sex of the same age group in bedrooms while parent is visiting friends.

16. Neither child shall be subject to physical and/or mental abuse.

17. Support payments from Mr.Dillinger will cease upon execution of this agreement, with no payment due after July 31, 1995. Mr. Lynn will assume responsibility for any legal notification of the Domestic Relation's Office of Crawford County regarding the termination of Mr. Dillinger's support obligations effective August 1, 1995.

18. Jared will be a tax deduction starting with January 1, 1996, for Daniel Dillinger, and remain in effect for the duration of this agreement. (Jared will be listed as the 1995 income deduction of Mr. and Mrs. Lynn, as in the previous three years, in accordance with IRS guidelines).

19. No legal attempt will be made to change the minor Joshua Dillinger's last name during the duration of this agreement.

20. The parties understand that either of them may request a hearing, present testimony and evidence and have this Court determine custody, temporary custody and visitation, but specifically waive the right to a hearing and certify to this Court that they do not desire a hearing; and

21. The parties stipulate and certify to this Court that they signed this Stipulationand desire the Court to enter the attached Order as a permanent Order, knowingly, voluntarily, and of their own free will, without any duress or pressure having been brought to bear upon them.

IN WITNESS WHEREOF, the parties hereto by their signature and seals below,evidence their intention to be legally bound hereby.

WITNESS:
Wayne D.Lynn
Charles D.Hovis

Luticia A. Lynn
Daniel Dillinger

BY ORDER OF THE COURT:
Gordon R.Miller,J.

9-15-95 Faxed Attys. Thomas & Irwin

9-20-95 Copy Atty.Fuller

1992

24	CAROL WINANS AND CLARK WINANS, her husband, Plaintiffs VS. LARRY LEONARD, Defendant.	CONTINUED FROM PAGE 24 OF RECORD A. D. 1992 - 24

Aug. 9, 1996 Amended Notice of Deposition by Plaintiffs filed.

Sept. 18, 1996 Notice of Deposition of John C. Lyons, M.D. filed.

Oct. 23, 1996 Upon Praecipe of Attorneys for plaintiffs, the above captioned action is hereby settled and discontinued, filed.

1992

LeAnne Sanner
vs
Douglas Sanner

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Feb. 2, 1993 Affidavit of Consent of LeAnne Sanner, Plaintiff, filed.

Feb. 2, 1993 Affidavit of Consent of Douglas Sanner, Defendant, filed.

Feb. 2, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

Mar. 3, 1993 Affidavit Filed. I, LeAnne Sanner, hereby depose and state that, had I been aware of the availability of counseling at the time of the filing of the within divorce action, I would not have requested counseling.
March 1, 1993 LeAnne Sanner

DIVORCE DECREE FILED

March 5, 1993 AND NOW, March 3, 1993, it is ordered and decreed that **LEANNE SANNER**, Plaintiff, and **DOUGLAS SANNER**, Defendant, are divorced from the bonds of matrimony.

All duties, rights and claims of the parties in regard to each other as a result of their marriage are hereby terminated, except for those duties, rights and claims specifically enumerated in a Postnuptial Agreement executed by the parties and dated Jan. 27, 1993, the terms of which are hereby incorporated by reference as if fully set forth herein.

BY THE COURT:
Anthony J. Vardaro, J.

Karen J. Eger
vs.
George W. Eger

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Nov 6, 1996 AFFIDAVIT OF SERVICE: I, C. Baron Jones, Esquire, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff KAREN J. EGER and that service was made to the Defendant, GEORGE W. EGER, of a true and correct copy of a Complaint in Divorce, Notice to Defend, filed in the above matter, by Sheriff's Service, on March 31, 1992, and the Sheriff's Return was filed in the Prothonotary's Office on April 7, 1992. On Oct. 1, 1996, a letter to Mr. George W. Eger, the Defendant, along with a Notice of Intention to Request Entry of Divorce Decree were mailed to the Defendant by Regular U.S. Mail with a Certificate of Mailing, and by U.S. Certifie dMail with a Return Receipt (see receipts attached). Subsequent to the withdrawal of Attorney Douglas Ferguson, Plaintiff's counsel was contacted by Attorney J. Wesley Rowden, who indicated no objection to Plaintiff's intention to file the within Praecipe for the Divorce.

Nov 6, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Nov. 21, 1996 Order filed. AND NOW, November 20, 1996, this matter has been referred to the Court for final disposition.
However, we will not grant a final divorce until all costs are paid.It appears that the defendant owes $402.50 in Court costs and fees. The defendantis ordered and directed to pay $402.50 to the Prothonotary within twenty (20) days from this date or face potential cotnempt of court proceedings.
If the plaintiff seeks further relief from this order she may file a petition seeking such further relief.
Once the defendant pays his share of the costs the Prothonotary shall return this file to the Court for further review.

BY THE COURT,
Gordon R. Miller, J

11-22-96 mailed dft. & Jones

DIVORCE DECREE FILED

Dec. 11, 1996, it is ordered, adjudged and decreed as follows:
1. The parties hereto are divorced from the bonds of matrimony.
Upon receipt of any funds from either party, the Prothonotary may first pay the Reporter, Lorraine A. Dallas, 820 Ravine St. Meadville, PA 16335. Upon payment of $180 to Lorraine Dallas, the prothonotary shall pay over the remainder of any deposits and payments to the county forthwith as a portion of the Master's Fee.
This is a final decree and resolves all claims between these parties for alimony, alimony pendente lite, equitable distribution, counsel fees, costs and expenses raised in the record or otherwise. (SEE PAPERS FILED).

BY THE COURT:
Gordon R. Miller, J.

Mar. 25, 1997 For Rule To Show Cause and PetitionFor Relief and Order filed. AND NOW, this 26th day of March, 1997, upon consideration of the foregoing request for a Rule and hearing upon the petition it is hereby ordered that:
(1) a rule is issued upon the respondent to shoe cause why respondent should not be held in contempt of this court, and why the Petitioner is not entitled to the relief requested;
(2) the Respondent shall file an answer to the rule and petition within Twenty (20) days of service upon the respondent;
(3) the Rule and Petition shall be decided under Pa. R.C.P. No. 206.7;
(4) no depositions shall be takenin that this case concerns our Order of Court on December 10, 1996 in the above-captioned matter;
(5) argument will be scheduled at discretion of this Court after hearing; and
The parties or their counsel shall appear before this court to hear the matters so raised on Thursday, May 8, 1997, at 9:15 a.m. in Courtroom No. 3, in the Crawford County Courthose, Diamond Park, Meadville, Pennsylvania.

Gordon R. Miller, J

3/27/97 Faxed Jones & Rowden

Apr. 8, 1997 Response to Petition For Relief by Defendant filed.

May 7, 1997 SHERIFF'S RETURN: Served George Eger, personally on May 5, 1997 at 4:14 AM in the Sheriff's Office.
So answers,
Ahawn E. Ashbaugh, Deputy
Robert M. Stevens, Sheriff

1992

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ANTHONY FERRARA

VS.

STELLA FERRARA

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D I V O R C E D E C R E E F I L E D

March 3, 1993 STIPULATION AND DIVORCE DECREE filed. AND NOW, this 1st day of March, 1993, the Master's Report in the above case having been duly approved by the Court, the Court by virtue of the authority vested in it by law, decrees that:

A N T H O N Y F E R R A R A , plaintiff and **S T E L L A F E R R A R A ,** Defendant are hereby divorced from the bonds of matrimony and all the duties, rights and claims accorded to either of the said parties at any time heretofore, in pursuance of said marraige, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they have never been married.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED as follows:

1) The Defendant, Stella Ferrara, is hereby awarded all that certain piece or parcel of land situate in Summerhill Township, Crawford Co., Pa., bounded and described as follows, to-wit:

BEGINNING at a point and spike in the center line of Township Route 689, said spike being located North 81 51' West, a distance of 1769.92 feet from the point of intersection of the center liens of Township Route 689 and Township Route 454, and said spike marking the Northwest corner of the land herein conveyed; thence South 81 51' East along the center line of said Route 689, a distance of 484.96 feet to a point in said center line, said point marking the Northwest corner of other land now or formerly of Eugene A. Bylerley, et ux, and the Northeast corner of the land herein conveyed; thence in a Souterly direction along the West line of land now or formerly of Eugene A. Bylerley, et ux, a distance of 979 feet, more or less, to a point on the North line of land now or formerly of Nicholas Terregino (see Crawford Co. Deed Book 535, page 012), said point marking the Southwest corner of other land now or formerly of Eugene A. Bylerley, et ux, and the Southeast corner of the land herein conveyed; thence North 81 48' 50" West along lien of land now or formerly of said Terregino, a distance of 467.86 feet to an iron pin marking the Northwest corner of land now or formerly of said Terregino and the Southwest corner of the land herein conveyed; thence North 6 8' 55" East along the West line of the original parcel, a distance of 979.00 feet through an iron pin on the South line of Township Route 689 to the spike at the point and place of beginning. Containing 10.70 acres of land, more or less, and having erected thereon a dwelling house and other out-buildings.

Being the same land conveyed to the above parties by deed of Eugene A. Byerley and Vivian Mae Byerley, husband and wife, of Emlenton, Pa.; and Bruce Allen Taylor and Karen Luella Taylor, husband and wife, of Crawford Co., Pa., dated June 26, 1987 and recorded on July 6, 1987 in Crawford Co. REcord Book 15, apge 515.

2) The Plaintiff, Anthony Ferrara, is hereby awarded the 1991 Chevrolet Astro Conversion Van. The Defendant, Stella Ferrara, is directed to execute the appropriate documents for the purpose of removing her name from the title to the aforesaid vehicle. The Plaintiff is further directed to assume all responsibility for a certain obligation owed to GMAC financing in connection with the financing acquired for the purchase of the Astro Conversion Van and is further directed to indemnify and hold Stella Ferrara harmless from any and all amoutns that may be due on the aforesaid obligation.

3) Stella Ferrara is hereby awarded the 1989 Pontiac Bonneville. Anthony Ferrara is directed to execute any and all appropriate documetns for the purpose of removing his name from the title to the aforesaid vehicle. Stella Ferrara shall indemnify and hold Anthony Ferrar harmelss from any and all amounts due Bank One of Ohio.

4) The parties shall each retain all right, title and interest to the personal property in their possession.

5) The Defendant's claim for permanent alimony is denied.

6) The Defendant's claims for alimony pendente lite, counsel fees and court costs are denied.

BY THE COURT,
Gordon R. Miller, J.

Apr. 1, 1993 Notice Of Election To Retake Prior Name filed. Stella Ferrara TO BE KNOWN AS: Stella Lobrace

Glaser F. Burkhardt, Jr. and
Dorothy E. Burkhardt, his wife
vs.
David Paul Burkhardt
vs.
Amy Jean Burkhardt

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5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate their and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents and the grandparents shall teach the child involved in this case to develop and express that natural love and respect due a parent or grandparent from hi or her child. Neither of the parents (nor any of the grandparents) will do or say anything to blacken the character of either parent or grandparent in the eyes of the child.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child or in the event that the best interest of the child would be served by further Mediation. Such changed circumstances would include the father of the child establishing a residence separate from his parents, whether in Georgia, Meadville or some other location.

8. The Court of Common PLeas of Crawford County, Pennsylvania shall retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid 50% by the County of Crawford on behalf of the defendant mother and 50% by the father. The father shall receive credit for the $150.00 paid to the Prothonotary by his parents; and, if that amounts exceed one-half of the total cost of Mediation, the balance shall be refunded by the Prothonotary to the father's parents under the Local Court Rules.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Tempoarary Order.

BY THE COURT,
Gordon R. Miller,

Nov. 23, 1992 Copies of order to Atty's Lindsay, Brode and Smith

Mar. 15, 1993 Petition to Proceed in Forma Pauperis Pursuant to Pa. R.C. P. 240 and Order, filed. ORDER: AND NOW, this 15th day of March, 1993, the Defendant, David Paul Burkhardt, is permitted to proceed in Forma Pauperis and is not required to deposit a fee for the mediation. He is under the obligation imposed Pa.R.C.P.240(a).

Anthony J. Vardaro, J.

Mar. 16, 1993 copy to B. LIndsay, B. Smith, C. Brode

Mar. 15, 1993 Petition to Modify Custody and Order, filed. ORDER: AND NOW, this 15th day of March, 1993, this matter shall be referred to Bruce L. Smith, child custody mediator, to schedule a mediation conference at his convenience.

No deposit necessary because defendant granted leave to proceed in Forma Pauperis without prejudice for Mediator to allocate costs to other parties or to Defendant if circumstances change. Anthony J. Vardaro, J.

Mar. 15, 1993 1 copy atty, 1 copy mediator

May 11, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 11th day of May, 1993, after additional Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Cortnie Marie Burkhardt, age three, born Dec. 2, 1989, the parent parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to any elective surger.

2. Primary physical custody of the child shall remain with the natural mother, Amy Jean Burkhardt. Regular visitation and temporary custody of the child shall be granted to the petitioner father, David Paul Burkhardt, for so long as he lives with his parents, plaintiffs in this case, Glaser F. Burkhardt, Jr., and Dorothy E. Burkhardt However, no separate visitation will be provided for the plaintiffs. Physical custody for the father shall be as follows:

a. The father currently lives in Augusta, Georgia. While living there, he shall be entitled to take the child, Cortnie, into his temporary physical custody the first three weeks of March and October each year and shall also be entitled to take the child into his temporary plhysical custody from June 15 through August 15 each summer. In addition, when the father and his parents are visitign in the Meadville area, they shall, upon notice to the mother, forty-eight hours in advance, have up to three consecutive days of unintrrupted visitation with the child. Those days shall begin at 6:00 p.m., prevailing time, and end at 6:00 p.m., prevailing time, seventy-two hours thereafter. This visitation schedule shall be in effect until the child begins school, whether that be kindergarten or first grade. The father shall then be limited to the summer visitation and local visitation when he is in the Meadville area.

b. When the child begins school, the father, additionally, shall have the opportunity to take the child into his temporary physical custody during the Christmas holiday beginning one day after school is dismissed and ending one day prior to school beginning at the first of the year.

c. If the father spends a holiday period in the Meadville area, the three-day visitation shall be in effect; however, if the father is in the Meadville area over the periods of Thanksgiving, Christmas, and Easter, the child shall spend from 8:00 a.m., through 1:00 p.m., prevailing time, on those holidays in the mother's home. The rest of the time during those three-day periods shall be with the father.

d. The father shall provide transportation, both to and from the mother's home, in order to exercise his visitation. A private vehicle or public transportation is authorized.

3. The parent having custody of the child at anytime shall notify the other parent as soon as possible in the event of injury to or illness of the child requiring medical treatment.

4. Neither parent shall take the child into any environment which might be commonly thought of as determental to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate their and/or the child's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents and any adult coming into regular contact with the child shall teach the child involved in this case to develop and express that natural love and respect due a parent from his or her child. Neither of the parents (nor any adult coming into regular contact with the child) will do or say anything to blacken the character of either parent in the eyes of the child. Neither parent shall consume non-prescriptions drugs or more than two ounces of alcohol in any twenty-four period while the child is in his or her custody.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child or in the event that the best interest of the child would be served further Mediation.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid 50% by the defendant father and 50% by the County of Crawford on behalf of the defendant mother.

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Glaser R. Burkhardt, Jr. and
Dorothy E. Burkhardt, intervenors
vs.
David Paul Burkhardt
vs.
Amy Jean Burkhardt

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10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

BY THE COURT:
Gordon R. Miller, P.J.

May 13, 1993 copy to B. Lindsay, R. Chris Brode, B. Smith, Plf. & Dft.

Dec. 12, 1994 Petition to Modify and ORDER filed. AND NOW, this 9 dayof December, 1994, upon presentation and consideration of the Petition for Modification, John Spataro is hereby appointed Child Custody Mediator, to hear the issues of custody and visitation of the subject minor child.

BY THE COURT:
Anthony J.Vardaro, J.

12-13-94 Faxed to Attys. Spataro & Brode, given to Lindsay

Jan. 13, 1995 Motion to Dismiss - In Alternative on behalf of Defendant, Amy J. Burkhardt, filed.

July 11, 1997 Custody Modification Request For Mediation and Order filed. You, Glaser F. Burkhardt, Jr., Dorothy E. Burkhardt and David P. burkhardt, have been sued in Court to obitain custody, partial custody or visitation ofthe child,Cornie Marie Burkhardt.
You are Ordered to appear in person at such time and place as will be determied by the Mediator William Pineo, Esquire, for a mediation conference.The mediator shall send you Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR/CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.
Court Administrator
Courthouse
Meadville,PA 16335
(814) 337-7498

AMERICANS WITH DISABILITIES

ACT OF 1990
The Court of Common Pleas of Crawford County is required by Law to comply withthe Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individualshaving business before the Court please contact the Court Administrator's Office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court/. You must attend the scheduled conference or hearing.
DATE: 7/11/97

BY THE COURT
Anthony J. Vardaro, J

AND NOW, this 11th day of July, 1997, a complaint in Custody being filed herewith which avers that there are children of the marriage under the age of 18 years it is ORDERED and DECREED that the parties shall comply with Crwaford County Civil Rule L1930 and shall attend and complete the Seminar for Separating Parents. Applicaitions for the seminar may be obtained at the Center for Family Services, Inc. 213 Center Street, Meadville, Pennsylvania 16335; the office of the Prothonotary inthe Crawford County Courthouse; the Court Administrator's Office in the Crawford County Courthouse.
Application must bemade by the plaintiff within fifteen (15) days after he/she filed the complaint in this action. and application must be made by the defendant within fifteen (15) days after he/she was serve with the comlaint.
Each party is required to complete the seminar within forty-five (45) days after he/she makes application.
Failure to complete the seminar WILL BE BROUGHT TO THE ATTENTION OF THE COURT and MAY RESULT IN THE FIND OF CONTEMPT, A DISMISSAL OF THE PROCEEDINGS, A DELAY IN THE PROCEEDINGS OR OTHER SANCTIONS. If either party has any questions concerning this seminar that party should consult an attorney; the Crwaford County Civil Rules of Court, copies of which may be obtained in the Prothonotary's Office or the Crawford County Law Library located in the Crawford County Courthosue; or the Center for Family Services, Inc., 213 Center Street, Meadville, Pennsylvania 16335.

BY THE COURT
Anthony J. Vardaro, J

7/11/97 Faxed Lindsay & Pineo, copies Brode

Aug. 18, 1997 Proof of Service of Notice to Produce on Burkhardts filed. (Glaser F. Burkhardt, Jr. and Dorothy E)

Aug. 18, 1997 Proof of Service of Notice to Produce on David Paul Burkhardt filed.

Aug 28, 1997 Proof Of Service: I certify that I served the respondents and all counsel of record with a copy of the petitioner's petition for Custody Modification on David Paul Burkhardt, at 3540 Spring Glen Lane Augusta, GA 30901 by first class mail on August 6, 1997. R. Christopher Brode, Esq.

Aug 28, 1997 Proof of Service: I certify atht I served the respondent and all counsel of record with a copy of the petitioner's fpetition for Custody Modification on Glaser F. Burkhardt, Jr., Dorothy E. Burkhardt his wife at 3540 Spring Glen Lane Augusta, GA 30901 first class mail on August 6, 1997. R. Christopher Brode, Esq.

Sept 11, 1997 Motion To Strike, filed.

Sept 11, 1997 Request For Special Relief, filed.

Sept 11, 1997 Memorandum and Order: AND NOW, September 10, 1997, the Court having considered this matter pursuant to the provisions of 22 Pa. C.S.A. Sec 5347 and having conferred with the Honorable Robert L. Allgood a Judge in the Superior Court of Richmond County for the state of Georgia, it is Ordered and Directed that this action is terminated to allow the Court in Richmond County, Georgia to take jurisdiction and proceed with the action in that location.

Anthony J. Vardaro, J.

Sept 11, 1997 Dist Rothchild, DeVore, Brode, Pineo & Judge Allgood by Ct.

Glaser R. Burkhardt,Jr. and
Dorothy E.Burkhardt, Intervenors
vs.
David Paul Burkhardt

vs.

Amy Jean Burkhardt

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8. The Court of Common Pleas of Crawford County, PA., shall retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid 50% by the County of Crawford on behalf of the respondent mother and 50% by the petitioner father.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

BY THE COURT:
Gordon R. Miller, President Judge

March 13, 1992 Copy of Order to Attys. Bruce Smith, Christopher Brode and Brian Lindsay.

Sept. 23, 1992 Petition For MOdification of Custody/Visitation and Order filed. ORDER:

You, David Paul & Amy Burkhardt , have been sued in Court to obtain custody of Cortnie Marie Burkhardt.

You are Ordered to appear for a hearing before Child Custody Mediator, at such time and place as he shall designate

If you fail to appear as provided by this Order, an Order for custody, partial custody or visi tation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Court Administrator

Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151
ext 298

9/22/92

BY THE COURT,
Gordon R. Miller, J

2 copies (atty), 1 copy (med.)

Nov. 4, 1992 Petition for Joinder Pursuant to Pa. R. Civ. P. Rule 1915.16, Petition to Modify Custody/Visitation Notice and Order to Appear filed. You, David Paul Burkhardt, and Amy Jean Burkhardt, Defendant, have been sued in court to obtain custody, partial custody or visitation of child: Cortnie Marie Burkhardt.

You are ordered to appear inperson at such time and place as will be detrmined by the Mediator, Bruce Smith, Esq. for a mediation conference.

If you fail to appear as provided by this Order, an Order for cutody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

BY THE COURT:
Anthony J.Vardaro, J.

Nov. 9, 1992 Copy of Order to Atty. Lindsay and Atty. Smith.

Nov. 4, 1992 Petition to Modify Custody Notice and Order to Appear filed. You, David Paul Burkhardt, and Amy Jean Burkhardt, Defendant, have been sued in court to obtain custody, partial custody or visitation of the child: Cortnie Marie Burkhardt.

You are ordered to appear in person at such time and place as will be determined by the Mediator, Bruce Smith, Esq. for a mediation conference. Provided deposit in stillheld by Prothonotary.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

BY THE COURT:
Anthony J.Vardaro, J.

Nov.9, 1992 Copy of Order to Attys. Lindsay and Smith

Nov. 18, 1992 Temporary Order of Court filed. AND NOW, this 17th day of November, 1992, after additional Mediation and upon recommendationof the child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Courtnie Marie Burkhardt, age two, born December 2, 1989, the parent parties to this action, shall share legal custody of the said minor child. Said joint custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limtied to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringin of the child, as well as to any elective surgery.

2. Primary physical custody of the c hild shall remain with the natural mother, Amy Jean Burkhardt. Regular visitation and temporary physical custody ofthe child shall be granted to the petitioner father, David Paul Burkhardt, for so long as he lives with his parents, plaintiffs in this case, Glaser F. Burkhardt, Jr., and Dorothy E. Burkhardt, but no separate visitation is provided for them. Physical custody for the father shall be as follows:

a. While the father doe snot live in Crawford County, it being understood that he is relocating to the Augusta, Georgia, area, he shall be entitled to take the child into his temporary physical custody the first three full weeks of the months of April, July and October of each year, beginning in 1993. In addition, when the father and his parents are visiting in theMeadville area, they shall, upon a telephone notice of forty-eight hours to the mother, have up to three consecutive days of unfinterrupted visitation, and end at 6:00 p.m., prevailing time, seventy-two hours thereafter. This visitiation schedule shall be in effect until the child begins school, whether it be kindergarten or first grade.

b. Whenthe child begins school, the father shall not have visitation during the first three weekds of the months of April, July, and October; however, in place thereof, he shall have custody of the child from June 15 eachyear through August 16 each year. Additionally, the father shallhave three days of visitation in the Meadville area as provided in paragraph 2.a. above.

b. Holiday visitation shalltake priority over other scheduled visitation and periods of custody. Before the child is in school, the three-day provision shall be in effect for the holidays of Thanksgiving, Christmas and Easter when the father and his parents are in the Meadville area. However, the child shall spend from 8:00 a.m. through 1:00 p.m., prevailing time, on the actual holiay in the mother's home. The rest of the time can be part of the three days for the father. After the child begins school, she shall spend the Christmas holiday until 9:00 a.m., prevailing time, on December 26 with the mother, and shallthereafter be available to spend the rest of the Christmas vacation withthe father until twenty-four hours before the resumption of school, presumably in January each year.

c. The father shall provide transportation,. both to and from the mother's home in order to exercise his visitation. It is visualized that this visitation and transportation will be by motor vehicle; howevery, if adequate supervision is provided, travel by air will be acceptable.

3. The parent having custody of the child at any time shall notify the other parent as soon as possible in the event of injry to or illness of the child requiring medical treatment. If the mother is required to call the father under this paragraph while she is on Public Assistance, she shall be permitted to call collect.

4. Neither parent shall take the child into any environment which might be commonly thought of as detrimental to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

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Mary Jane McGarvie
vs.
Gregory McGarvie

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13. Either party shall have the right to request review of this Agreement at any time.

BY THE COURT,
Gordon R. Miller, P.J.

Apr. 14, 1992 copy in box for W. Pineo, C. Brode. Mailed copies to Plf. & Dft.

Apr. 7, 1992 ORDER ON COSTS AND FEES OF MEDIATION filed. AND NOW, this 30th day of March, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Costs and fees of this mediation are fixed at $52.00. The mediator notes for the Court that the mother is receiving public assistafnce and is unemployed, and that the father is also unemployed. Costs and fees of the mediation will therefore be born by Crawford County and payment shall be made to the Prothonotary.

By the Court,
Gordon R. Miller, PJ.

Apr. 14, 1992 copy in box for W. Pineo, C. Brode. Mailed copies to Plf. & Dft.

jan. 24, 1994 Petition for Modification of Custody Order and Order filed. AND NOW, this 19th day of January, 1994, in consideration of the within Petition, it is hereby ordered that child custody mediator Wm. Pineo shall be appointed mediator and hold a hearing in accordance witht he law and rules. The rrespondent is directed to make available the subject minor children at the time and place scheduled for mediation.

The petitioner shall be permitted to proceed w ithout the payment of a deposit for mediation or filing fee in that the petitioner is indigent and qualifies for free legal assistance form Northwestern Legal Services.

a copy of this petition shall be served upon the respondent Gregory McGarvie by regular mail.

BY THE COURT,
Gordon R. Miller, J

Jan. 25, 1994 Copies of order to Atty.'s Pineo and Brode

Mar. 25, 1994 Motionto Disocntinue Custody Modification and Cancel the Scheduled Custody Mediation and Order filed. AND NOW, this 25 day of March, 1994, upon consideration of the Motion to Discontinue Custody Modification and Cancel the Scheduled Custody Mediation for Continuance, it is hereby ordered that the hearing presently scheduled for February 24, 1994 at 10:00 a.m. is now canceled and the Motion to Discontinue Modification is hereby granted by the Court.

BY THE COURT,
Anthony J. Vardaro

Mar. 28, 1994 Copy of order to Atty's. Pineo and Brode

1992

David P., Johnson
vs.
Sandra L. Johnson

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d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 A.M. and 8:00 P.M. except for Independence Day when the holiday visitation shall be extended to 11:00p.m. so that the children may watch the fireworks. The father shall have visitation and temporary physical custody for Memorial Day 1992 and the parties shall thereafter alternate the holiday periods.

e. The childrenshall spend Father's Day with their father from 9:00 A.M. until 7:00 P.M. and Mother's Day with their mother during the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either fprty to cancel or modify the visitations as set forth in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which compels the cancellation or modification. Said modifications or cancellations shll not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall atempt at once to arrange for alternative visits or to make alternative arrangements.

6. The father shall provide all transportation necessary for the exercise of this order. The father shall also continue to provide all transportation necessary for the children to participate in their after school and other extracurricular activities without making undo and inappropriate commend about the need to do so to the children.

7. Each parent shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or pemit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. Any person transporting the children shall make sure that the seat belts of other restraint are used in accordance with the law of the Commonwealth of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other party in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. The parties are free to make additional or alternative arrangments respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient Said arrangements shall be by mutual consent only in the absence of which this Court order shall govern.

12. The parties will arrange for counseling for themselves and for their subject minor children with the object of learing how to accept their station as members of a family whose parents are separated and to develop the modes of behavior, attitudes and good manners necessary to take full advantage of that station.

13. For the sake of their children, the parties are encouraged to communicate in a way that will allow each child to spend time with the other child and each child to spend quality time with each parent.

By the Court:
Anthony J.Vardaro, J.

April 30, 1992 copy of order to: James R. Irwin, Esq., Brian J. Lindsay, Esq.

JOANN LEWIS
vs.
RONALD LEWIS

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June 1, 1992 Appearance of Thomas, Truax, Spadafore and Walker by Gregory A. Keenan,Esquire for Ronald Lewis, Defendant,filed.

June 3, 1992 Petition for Special Relief and Order filed.RULE AND NOW, this 3 day of June, 1992, upon presentation and consideration of the with Petition, a Rule is hereby granted upon the Plaintiff, Joann Lewis, to show cause, if any she has, why the prayer of the Petition should not be granted.

RULE RETURNABLE the 5 day of June, 1992, at 8:45 A.M. In Courtroom #2, at the Crawford County Courthouse.

By the Court,
Anthony J. Vardaro, J.

June 4, 1992 copy of the Order to: Gregory A. Keenan, ESquire

June 5, 1992 MEMORANDUM AND ORDER, filed ORDER: AND NOW, June 4, 1992, after an informal hearing on the plaintiff's petition for alimony pendente lite, attorneys fees, costs and expenses, it is ordered as follows:

1. The plaintiff is awarded alimony pendente lite for six (6) months commencing with the month of June, 1992 in the amount of $300 per month which shall be paid at the rate of $69.25 per week payable on or before the last day of each week commencing with Friday, June 5, 1992. The defendant is entitled to full and complete credit against alimony pendente lite for all support payments he makes under any support orders.

2. The defendant shall pay the sum of $250.00 to assist the plaintiff in the payment of counsel fees. The sum of $100.00 shall be paid on or before June 30, 1992; the sum of R100.00 shall be paid on or before July 31, 1992; and the sum of $50.00 shall be paid on or before Aug. 31, 1992. This award shall not adversely affect the right and ability of the Court or a Master to award additional sums for counsel fees, costs and expenses upon further petition or at the alternate conclusion of this case.

BY ORDER OF COURT
Gordon R. Miller, P.J.

June 5, 1992 copy in box for B. Walton & G. Keenan

June 5, 1992 ORDER filed. AND NOW, June 4, 1992, after an informal hearing the plaintiff's petition for special relief is granted in part and denied in part.

Both parties are enjoined, until further order of Court, from disposing, transferring, encumbering, concealing, selling, removing or alienating any realty or personalty that is classified as marital property under the Divorce Code unless the other party fully and clearly consents in writing.

In all other respects the plaintiff's request for special relief filed May 13, 1992 is refused.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Juen 5, 1992 copy in box for B. Walton & G. Keenan

June 8, 1992 ORDER FILED. AND NOW, June 5, 1992, this matter is before the Court on a petition for special relief filed by the Defendant.

One of the issues raised is that he wishes to enjoin the Plaintiff from in any way disposing of marital property and by an Order dated June 4, 1992, the Honorable Gordon R. Miller has already entered an Order that neither party may in any way dispose of marital property. At this time this Court would only extend that Order to include non-marital property since thre seems to be some dispute as to whether the parties are disposing of non-marital property. Othewise, Judge Miller's Order has covered that issue.

Therefore, at the time of the informal hearing, it appears that the issues are that the parties own a mobile home near Crossingville that is occupied by the Plaintiff's sister and for which the Plaintiff is receiving $200 a month for rent. Additionally, it appears that around May 15, 1992 the Plaintiff took a 1990 Chevrolet Cavalier which had been driven by the Defendant from his place of work and replaced it with a 1984 Chevrolet which has since been repossessed. The Defendant is seeking possession of the 1990 Cavalier and he wishes to reside in the mobile home insofar as he has no other residence.

The Court enters the following Order:

1. The Plaintiff in cooperation with the Defendant shall make immediate arrangements to cause a notice to quit to be given to her sister, the occupant of the mobile home, so that the Defendant may have possession of the same on or beforeAugust 1, 1992. It being the Court's intention that notice be given immediately and that the Defendant have possession on that date.

2. Once the Defendant has possession of the mobile home whether it be that date or some time before or after, he shall begin to pay the Plaintiff the sum of $100.00 per month which shall be considered fair rental with respect to the same, and which amount may be considered in the future by any Master or Court with respect to equitable distribution of the property in whatever manner trier of fact may wish to do so.

3. The 1990 Chevrolet Cavalier shall remain in the possession of the Plaintiff unless the Defendant shall not have possession of the mobile home on or before August 1, 1992, in which case he shall immediately have possession of the 1990 Chevrolet Cavalier until such time as the mobile home shall be made available to him for occupancy.

4. The person in possession of the 1990 Cavalier whoever it may be shall be responsible for making the car payments with respect to the same and shall be entitled to any credit at the time of an equitable distribution that the Master or trier of fact may determine to be appropriate.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

June 8, 1992 Copy of the order to: Attys. Walton and Keenan

July 17, 1992 Notice of Presentment of Motion For Leave To Terminate Representation by Barbara J. Walton filed. and Order filed.

And now, July 21, 1992, Barbara J. Walton, Esq. is given leave of court to withdraw as attorney for Plaintiff Joann Lewis, after counsel complies with local rule L1012B.

By the Court:
Gordon R. Miller, J

July 24, 1992 Copies of order put in box for Atty's Walton & Keenan

Aug. 3, 1992 Affidavit of Service of copy of Notice of hearing for leave to terminate rep. filed.

Sept. 2, 1992 (originally 8/12/92) Petition to Adjudicate Plaintiff in Contempt and for Imposition of Sanctions and Order filed. RULE TO SHOW CAUSE: AND NOW, this 31 day of Aug. 1992 upon consideration of the within petition a Rule is granted upon the plaintiff to show cause, if any she has, why the court should not adjudicate plaintiff in contempt ofthe Orders entered on June 5, 1992, and sanctions imposed as the court deems appropriate.

Returnable for hearing and argt. on 7th dayof Oct. 1992 at 11:00 a.m. in Court Rm 1 or 2.
By the court, Gordon R. Miller J.

Sept. 8, 1992, copies to Attys. walton and Keenan.

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Doulgas S. Morris
vs.
Judith M. Morris

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4. Upon consideration of the pleadings and affidavits filed in the above catptioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have lapsed from the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce pursuant to §201 (c) of the Pennsyvania Divorce Code.

BY THE COURT,
Gordon R. Miller,J.

GARY SABRAW
VS.
BARBARA SABRAW

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OF
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III. INTANGIBLE PERSONAL PROPERTY:

Wife and Husband shall share equally the following:

a. The balance in checking account in Mellon Bank, Account Number 04330344-03191533;

b. The balance in savings account in Mellon Bank, Account Number 0087-901625;

Husband shall become the sole and exclusive owner of the following:

a. All pension benefits to which the Husband is entitled by reason of his employmetn with Pennco Tool;

b. Life insurance policies with Prudential Life Insurance Company, policy number 173-918-576, policy number 042-199-777 and policy number BR7-118-526; and

c. Husband's 401K Deferred Compensation Savings Plan with Aetna Insurance Company.

Wife shall become the sole and exclusive owner of the following:

a. Life insurance policy with Prudential Life Insurance Company being policy number DAO-279-706;

b. IRA account with Prudential Life Insurance Company.

IV. EQUITABLE DISTRIBUTION - REAL PROPERTY:

Wife shall convey all of her right title and interest in the real estate situate at RD #8, Box 292A to the Husband. Husband shall in return pay to the Wife at total of $7,500 in monthly payments of $250 beginning Oct. 1, 1992.

V. SUPPORT:

Commending May 1, 1992 and continuing for a period of six months, Husband agrees to pay to Wife $400 per month for her support and maintenance.

BY THE COURT,
Anthony J. Vardaro, J.

Dale Webster
vs.
Tina Moore and David M.Smith
and Ruth K. Smith, his wife

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In doing so, the Court notes that the proper procedure for removal of a guardian is to file a petition which shall be verified and contain a request that the Court enter a Rule to Show Cause, all pursuant to Pennsylvania Rule of Civil Procedure 2033.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

Jan. 5, 1993 Copies of Order given to Attys.Jones, Brode & Nelson , Toomey, Pineo & Fuller

Jan. 4, 1993 Order Filed. AND NOW, December 31, 1992 the Plaintiff has filed a motion to rescind the temporary custody order entered on June 9, 1992 after mediation.

Essentially, it is Plaintiff's position that said order should be rescinded because it grants custody to the Defendant's David M.Smith and Ruth K.Smith and those parties have not made a claim for custody.

The Court believes the order in fact indicates that custody was granted to the Defendant Tina Moore with the understanding she would place the child physically with the Defendant's David M. Smith and Ruth K.Smith, and accordingly, the Court does not believe it would be appropriate to rescind the order of June 9, 1992 and therefore refuses to do so.

The motion also requests visitation for the paternal grandmother Hazel Webster, who has this day requested and been granted an opportunity to intervene in this action, and said motion is DENIED in light of the fact that Mrs.Webster has just intervened and the Court nor mediator has had an opportunity to evaluate whether visitation would be appropriate under the law.

The Court notes that further hearing will be held in approximately two months and this matter can be fully litigated in that de novo hearing.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Jan. 5, 1993 Copies given to Attys.Nelson, Brode & Jones., Toomey,Pineo & Fuller.

Jan. 4, 1993 Motion for Continuance and Order filed. AND NOW, this 29 day of December, 1992, upon consideration of the foregoing Motion to Continue, the Motion is granted and a hearing is scheduled for March 2, 1993 at 9:15 A.M. in Courtroom No. 2 of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, Ct. Adm.

Jan. 5, 1993 Copy of the Order to Attys. Nelson, Brode & Jones. Fuller, Toomey & Pineo

Jan. 8, 1993 Order filed. AND NOW, December 31, 1992 before the Court is a motion and notice of joinder filed on behalf of Hazel Webster by Plaintiff's counsel.

Pursuant to the Court's order of June 4, 1992 and pursuant to Pennsylvania Rule of Civil Procedure 1915.6(b). the Plaintiff was ordered to provide to Hazel Webster the notice of her right to intervene as set forth in Pennsylvania Rule of Civil Procedure 1915.16(b). From a review of the record it does not appear to occurred but, the Court will now treat the motion before it filed on behalf of Hazel Webster as a petition to intervene in this action and said petition will be granted.

The petitioner is therefore permitted to intervene in this action at this time, with the understanding that anything she wishes to do beyond such intervention shall occur so that this matter may be held without delay in a de novo hearing now scheduled for March 2, 1993 at 9:15 am.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

Jan. 8, 1993 Copies given to Brode, Jones & Nelson

Jan. 29, 1993 COMPLAINT FOR CUSTODY IN THE ALTERNATIVE PARTIAL CUSTODY and ORDER, filed. ORDER: AND NOW, this 29th day of January, 1993, upon consideration of the foregoing Motion, the Court orders that the defendant Hazel Webster's Motion for Custody and her alternative Motion for Partial Custody shall be considered by the Court at the time set for the De Novo hearing, that is, on March 2, 1993, at 9:15 a.m. in Courtroom #2 of the Crawford County Courthouse.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 2, 1993 copy to Brode & Anna Belle Jones

Feb. 9, 1993 MOTION FOR ORDER OF TRANSPORT, filed.

Feb. 9, 1993 Memorandum and Order, filed. ORDER: AND NOW, Feb. 8,1993, the Defendant's motion for order of transport is denied.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 10, 1993 copy mailed to Tina Moore, Feb. 9, 1993 copies given to Brode, Jones & Nelson by Court.

Feb. 17, 1993 Petition and Affidavit for Writ of Habeas Corpus Ad Testificandum and Order, filed. ORDER: AND NOW, this 17th day of February, 1993, upon consideration fo the foregoing Petition and Affidavit for Writ of Habeas Corpus Ad Testificandum, the State Correctional Institute at Pittsburgh is hereby ordered to deliver the petitioner Dale Webster, #Bx-1685, who is under your custody, detained as it is said, under safe and secure conduct, be transported to Crawford County Court of CommonPleas located in Meadville, Pa., on or before Feb. 27, 1993 for a De Novo hearing to be held at 9:15 a.m on the second day of March 1993, to testify the truth according to his knowledge in certain cause in the above court, wherein Dale Webster is the plaintiff and Tina Moore and David M. Smith and Ruth K. Smith, his wire, defendants, as well as Hazel Webster, defendant, and that immediately after the De Novo hearing before our said Judges shall give, you return him to said prison. And have you then and there this Writ.

BY THE COURT,
Gordon R. Miller, P.J.

Feb. 17, 1993 issued Warden

Mar. 4, 1993 Assignment of Hearing Date filed. March 3, 1993: The Court Administrator having been directed by the Court to set a hearing in the above matter, hereby sets a hearing for May 27, 1993, at 9:15 A.M., inCourtroom 2.

FOR THE COURT,
Ann A. Walker, Court Administrator

Mar. 4, 1993 Copies mailed to Jones, Given to Attys. Nelson, Brode & Moore.

Mar. 25, 1993 Motion for Continuance of De Novo Hearing and Order, filed. ORDER: AND NOW, this 24th day of March, 1993, upon consideration of the Motion for Continuance, it is hereby ordered that the hearing presently scheduled for May 27,1993 at 9:15 a.m. is now continued to Aug. 3, 1993, at 9:15 a.m. until further Order of Court.

FOR THE COURT,
Ann A. Walker Ct.Adm

Mar. 29, 1993 copy to C. Brode & A. Jones & W. Pineo

Mar. 29, 1993 Motion for Special Relief Partial Custody Filed.

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DALE R. WEBSTER
VS.
TINA MOORE and DAVID M. SMITH and RUTH K. SMITH,his wife

Vs.

Hazel Webster

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Mar. 29, 1993 Order filed. AND NOW, March 29, 1993, the temporary custody order of June 9, 1992 still being in effect and the Court having heard partial testimony with respect to a de novo hearing concerning this matter but it appearing that final testimony with respect to the de novo hearing and an ultimate decision by the Court will not occur until the summer or fall of 1993, and pursuant to a motion for special relief and partial custody filed by Hazel Webster and after oral argument in Chambers by each party and the guardian ad litem with the exceptionof Tina Moore, it is hereby ordered and decreed as follows:

1. The temporary order of June 9, 1992 is modified so that Dale R.Webster is granted temporary custody of the minor child every other weekend from Friday at 5:00 P.M. through Sunday at 5:00 P.M. beginning April 2, 1993 until further order of Court and provided that as long as Dale R. Webster shall remain incarcerated such temporary custody shall be with the mother of Dale R.Webster, one Hazel Webster.

2. Paragraph 3 of the temporary order of June 9, 1992 is rescinded and in light of our order this day, the said HaZEL Webster shall be required in each such temporary custody period to provide visitation with Dale R.Webster at whatever State Correctional Institution or other such prison or jail at which he may be located.

3. For each such temporary visitation weekend,the said HazelWebster shall pick up the child at home of David M.Smith andRuth K.Smith and the said David M.Smith and Ruth K. Smith shall pick up the child at the home of Hazel Webster at the end of each such visit. The parties may may alternative arrangements to meet at a specific location between their two homes or such other arrangements as they may deem appropriate from time to time so long as they are in agreement.

4. This order shall remain in full force and effect so long as the temporary order of June 9, 1992 remains in effect and so long as the said Dale R. WEbster is incarcerated. If he should be released from incarceration,the temporary custody awarded to him shall only remain in effect so long as actual physical custody of the child is with Hazel Webster as set forth in this order unless there is further order of Court.

5. In all other respects not inconsistent with this order, the temporary order of June 9, 1992, shall remain in full force and effect pending further order of Court.

BY THE COURT:
Anthony J.Vardaro, J.

Mar.29, 1993 Copies to Attys. Brode, Jones, Nelson & Tina Moore distributed by Court.

Apr. 14, 1993 Exhibits filed.

April 15, 1993, Motion for Continuance and Order filed. ORDER: AND NOW, this 14 day of April, 1993, upon consideration of the within motion for Continuance as presented by Anna Belle Jones, Atty. for David M. Smith and Ruth K. Smith, husband and wife, IT IS HEREBY ORDERED AND DECREED that the hearing in this custody matter presently sc heduled for Aug. 3, 1993, at 9:15 a.m. is reset for the 15 day of july 1993, at 9:15 a.m. in C. R. No. 2, Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
Anthony J. VArdaro, J.

Apr. 20, 1993, copies of order to Attys. Brode, Nelson, pIneo and Tina Moore AND Atty. Jones.

April 15, 1993, Proof of service of Motion for Continuance filed.

July 7, 1993, Petition for the Appointment of Counsel in a Civil Action filed.

July 7, 1993, ORDER filed. AND NOW, July 7, 1993, upon consideration of the petition of Tina Moore for the appointment of an atty, said request is denied insofar as this court has previously determined that we are only required to provide counsel when a party is a defendant in a paternity action and when the party is a respondent in an involuntary termination of parental rights action.

In this case, the petitioner is seeking the appointment of counsel in a case for which she is a defendant in a custody action and in which since it began in about March 1992 she essentially has been a passive participant maintaining that she only wished to have custody of the child so that the child could be placed in the physical custody of Defendants, David M. Smith and Ruth K. Smith, which parties have been represented by counsel throughout this matter and continue to be represented by counsel.

BY THE COURT,
Anthony J. Vardaro, J.

July 7, 1993, copies maile dto A.B. Jones, Tina Moore and given to Brode and Pineo.
July 9, 1993, copy to Kathleen Nelson, Esq.

July 12, 1993 PETITION AND AFFIDAVIT FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM and ORDER, field. ORDER: AND NOW, this 12 day of July, 1993, upon consideration of the foregoing Petition and Affidavit for Writ of Habeas Corpus Ad Testificandum, the State Correctional Institute at Mercer is hereby ordered to deliver the petitioner Dale Webster, #Bx-1685, who is under your custody, detained as it is said, under safe and secure conduct, be transported to Crawford County Court of Common Pleas located in Meadville, Pennsylvania, on or before July 15, 1993 for a De Novo hearing to be held at 9:15 a.m. and if necessary to remain at the Crawford County Jail for a second day of hearings on July 16, 1993 at 9:15 a.m., to testify the truth according to his knowledge in certain cause in the above court, wherein Dale Webster is the plaintiff and Tina Moore and David M. Smith and Ruth K. Smith, his wife, defendants, as well as Hazel Webster, defendant, and that immediately after the De Novo hearing before our said Judges shall give, you return him to said prison. And have you then and there this Writ.

BY THE COURT,
Anthony J. Vardaro, J.

July 12, 1993 copy to Sheriff's Dept., C. Brode & A. Jones

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Dale R. Webster

vs.

Tina Moore , et al

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June 2, 1992 Motion for Order of Transport filed.

June 2, 1992 Order filed. AND NOW, this 1 day of June, 1992, upon consideration of the foregoing Motion for Order of Transport, said Motion is granted.

BY THE COURT,
Anthony J.Vardaro, J.

June 8, 1992 Order filed. AND NOW, June 4, 1992 after hearing and argument, the Plaintiff is directed to join in this action immediately David M. Smith and Ruth K. Smith pursuant to Pennsylvania Rule of Civil Procedure 1915.6 (a)(1) insofar as it appears to the Court that they had physical custody of the child who is the subject of this action at the time the action was filed. Thoas parties shall be served with a copy of all prior pleadings and notice of joinder substantially in the form described by Pennsyvania Rule of Civil Procedure 1915.16 (a).

Pursuant to Pennsylvania Rule of Civil Procedure 1915.6(b), the Plaintiff shall immediately give notice to Hazel Webster that this action is pending and that she has the right to intervene in the action insofar as she is a person currently without custody or visitation rights with respect to the child who is the subject of this action, who claims to have such rights. That notice shall be substantially in the form described by Pennsyvlania Rule of Civil Procedure 1915.16 (b).

This matter is remanded to William Pineo, custody mediator, for a mediation conference to be held on June 5, 1992 and it is the Court's understanding that all parties will be present and prepared to proceed at that time, including those who will be joined at this time.

With respct tothe Court's previous order of March 6, 1992 the adjudication of dependency set forth in numbered paragraph 3 of the same is rescinded but the child shall remain in the custody ofChildren & Youth Services in foster care until there shall be an appropriate order as a result of the mediation conference held in this matter. The previous order of the Court requiring David M. Smith and Ruth K. Smith to return the child to Crawford County is affirmed pursuant to Pennsylvania Rule of Civil Procedure 1915.13.

The Court likewise affirms its order of March 6, 1992 with respect to a determination that CrawfordCounty is the proper forum for this litigation.

This question has been raised in a petition for reconsideration filed on April 3, 1992 by David M.Smith and Ruth K. Smith, and is actually not property before the Court insofar as they were not parties to this action when they filed the same, having not yet been joined pursuant to Pennsyvlania Rule of Civil Procedure 1915.6(2)(1). However, the Court has reviewed its determination as to whether this is the proper forum and we believe that it is in that pursuant to Pennsylvania Rule of Civil Procedure 1915.2 (a)(2), it is the best interest of the child that the Court decide this matter because of a signification connection with Crawford County.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

June 8, 1992 Copy of the order to Attys. Brode, Dratler, Kirkpatrick, Nelson & Fuller Boxes.

June 8, 1992 Motion For Leave To Examine Juvenile Records and Order filed. AND NOW, this 5 day of June, 1992, Leave is hereby granted to Kathleen R. Nelson, Esq., Guardian Ad Litem, to review the juvenile records of Dale Russell Webster, Raleight Dale Webster and Richard Brooks Webster to the extent that the Juvenile Probation Department shall only provide copies of the Juvenile Petitions and Court Orders contained therein.

By the Court,
Anthony J. Vardaro, J

June 12, 1992 Copies of order put in box for Atty.s Brode, Dratler, Kirkpatrick, Nelson, Fuller and Juv. Prob.

June 12, 1992 TEMPORARY ORDER filed. AND NOW, this 9th day of June, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child is hereby awarded to her mother, Tina Moore, defendant herein, provided that the mother place the subject minor child in the physical custody and care of David M. Smith and Ruth K. Smith.

2. The mother and the Smiths shall arrange for visitation between the subject minor child and the mother at their mutual convenience.

3. The father is now incarcerated because of certain criminal proceedings. He shall have visitation with his son at approximately equal intervals, twice each month, as may be arranged subject to the authorities overseeing his incarceration. The Smiths shall cooperate in making such arrangements and shall provide transportation, provided that the place of incarceration is no further from their home than is Eire, Pennsylvania. Should the father's incarceration be transferred to a correctional facility farther away from the Smiths home than is Erie, Pennsylvania, then further proceedings may be initiated to consider proper visitation under those circumstances.

4. When the father shall have completed his term of incarceration, either party maymove the Court for further proceedings.

5. Mediator notes for the court that Mr. and Mrs. Smith have filed a petition for adoption with the Court of Common Pleas of Mercer County, Pa. The Court notes only the pendency of said action, takes no action with respect to same and renders no opinion on said action save that if the rights of the parties to this case as parents to the child are terminated, then this action shall become moot.

6. On June 4, 1992, the court directed the plaintiff to join in this action David M. Smith and Ruth K. Smith pursuant to Rule 1915.6(a)(1). The plaintiff has not filed a m otion for joinder but the court directs that the Smiths shall be deemed to have been joined in this matter and that further proceedings shall be captioned as follows:

Dale R. Webster, Plaintiff	:	
vs.	:	A. D. No. 1992 - 217
Tina Moore and David M. Smith and	:	
Ruth K. Smith, his wife, Defendants	:	

7. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

8. Each party shall teach said child to give to the other party that love and respect which is due a parent or custodian from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

10. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

11. No party shall do or say anything to blacken the character of any of the other parties in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

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Dale R. Webster
vs.
Tina Moore, et al

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12. Costs and fees of this Mediation, which are fixed at $352.00 are divided in thirds. The one-third share of the father and of the mother shall be assessed to Crawford County, the mediator having noted that both of these parties are indigent. One-third of the costs and fees is assessed to the Smiths as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

13. Either party may move the Court for a hearing de novo for 30 days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

June 17, 1992 copy in box for W. Pineo, C. Brode, M. A. Kirkpatrick, S. Dratler, K. Nelson, J. Fuller, mailed copy to Kathleen MacArthur, CYS and Annabel Jones

July 15, 1992 MOTION FOR HEARING DE NOVO and ORDER filed. ORDER: AND NOW, this 7th day of July, 1992, upon presentation and consideration of the within Motion, a hearing is scheduled in this matter for the 2nd day of September, 1992, at 9:00 a.m. in the Court of Common Pleas of Crawford County, Pennsylvania.

This Motion and Order shall be served upon defendants' Tina Moore and David M. Smith and Ruth K. Smith, and upon Kathleen Nelson, Esq., Guardian Ad Litem, by regular mail.

BY THE COURT,
Anthony J. Vardaro, J.

July 15, 1992 copy in box for C. Brode, W. Pineo, M.A. Kirkpatrick, S. Dratler, K. Nelson, J. Fuller.

July 15, 1992 MOTION AND NOTICE OF JOINDER and ORDER filed. ORDER: AND NOW, this 7th day of July, 1992, upon consideration of the foregoing Motion and Notice of Joinder, said Motion is granted.

BY THE COURT,
Anthony J. Vardaro, J.

July 15, 1992 copy in box for C. Brode, W. Pineo, M.A. Kirkpatrick, S. Dratler, K. Nelson, J. Fuller

July 27, 1992 NOTICE to Withdraw Appearance of Sylvia Dratler for Defendant, filed.

Aug. 19, 1992 MOTION AND/OR REQUEST FOR CONTINUANCE and ORDER filed. ORDER: AND NOW, this 19th day of August, 1992, upon consideration of the foregoing Motion and/or Request for a Continuance, said Motion isgranted. This hearing is now set for October 28, 1992 at 9:00 a.m. in Courtroom No. 2.

BY THE COURT,
Gordon R. Miller, P.J.

Aug. ~~20~~ 21, 1992 copy to ~~C. Youngs & R.C. Thomas~~ C Brode ~~Deft.~~, mk kirkpatrick, nelson, Pineo, Dratler, Fuller

Sept. 16, 1992 Motion for Leave to Engage in Discovery and Order filed. AND NOW, this 16 day of September, 1992, based upon the within Motion for Leave to Engage in Discovery, it is hereby ordered that the parties may engage in discovery pursuant to Rule 4001 et seq. of Pa.R.C.P., limited to reasonable interrogatories to the Defendant to determine background.

BY THE COURT,
Anthony J. Vardaro, J

Sept. 16, 1992 Copies of order to Atty's Brode, Kirkpatrick, Nelson, Pineo and Fuller

Sept. 18, 1992 Upon praecipe of Withdrawal of Appearance the appearance of Mary Ann Kirkpatrick is hereby withdrawn

Oct. 21, 1992 Motion for Order of Transport and Order filed. AND NOW, this 21 day of October, 1992, upon consideration of the foregoing Motion for Order of Transport, said Motion is granted.

BY THE COURT,
Gordon R. Miller, J.

Oct. 21, 1992 Copy of Order to Attys. Brode, Toomey, Nelson, Pineo, Fuller & Sheriff's Office Sheriff.

Oct. 28, 1992 Motion and/or Request for Continuance and Order filed. AND NOW, this 22 day of October, 1992, upon consideration of the foregoing Motion and/or Request for a Continuance, said Motion is granted. The Attorney for Plaintiff shall serve a copy of this Order by Regular mail upon the Defendant Tina Moore who is unrepresented.

BY THE COURT,
Anthony J. Vardaro, J.

Oct.28, 1992 Copy of Order to: Attys. Brode,Toomey, Nelson, Pineo, Fuller, Jones.

Oct.28, 1992 Assignment of Hearing Date. October 27, 1992: The Court Administrator having been directed by the Court to set a hearing in the above matter, hereby sets a hearing for January 4, 1993, at 9:00 A.M. in Courtroom 2, before the Honorable Anthony J. Vardaro.

FOR THE COURT,
Imogene Yetman, Court Administrator

Oct. 28, 1992 Copy to Attys. Brode, Nelson,Jones, Toomey, Pineo & Fuller.

Oct. 29, 1992 Motion to Rescind Order of Transport and Order filed. AND NOW, this 28 day of October, 1992, upon consideration of the foregoing Motion to Rescind Order of Transport, said MOtion is granted.

Oct. 29, 1992 Copy to Attys. Brode,Nelson, Jones, Toomey, Pineo & Fuller.

Oct. 29, 1992 Copy to Attys. Brode,Nelson, Jones, Toomey, Pineo & Fuller.

Dec 10, 1992 MOTION IN LIMINE and ORDER, filed ORDER: AND NOW, this 9th day of December, 1992, upon consideration of the foregoing Motion in Limine, a hearing is scheduled for December 14, 1992, at 3:00 p.m. in Courtroom 2 of the Crawford County Courthouse.

Briefs may be filed at or before the date of argument.

BY THE COURT,
Anthony J. Vardaro, J.

Dec 10, 1992 4 copies Atty.

Dec 17, 1992 MEMORANDUM AND ORDER filed. ORDER: AND NOW, Dec. 18, 1992, with respect to the Plaintiff's motion in limine, the Court finds that the Defendants, David M. Smith and Ruth K. Smith, have been properly joined pursuant to Pa. R.C. P. 1915.16(a)(1) but have made no claim for custody in this Court and therefore there is no claim to dismiss

In light of the fact that there is no pending claim for custody in this Court and therefore there is no pending claim for custody as aforesaid, the Court cannot rule on whether the Defendants Smith can raise "in loco parentis" status as defined by Pennsylvania law.

With respect to the juvenile records of the Plaintiff and his brothers, the Court will not in limine preclude the admission of such records. This ruling is without prejudice to any party to challenge the admission of such records when they are offered on the basis of relevancy as the case has developed or any other appropriate objection.

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 18, 1992 copies given to counsel by Court.

Dec 21, 1992 MOTION TO REMOVE GUARDIAN AD LITEM AND APPOINT A NEW GUARDIAN AD LITEM and ORDER, filed. ORDER: And Now, Dec. 21, 1992 a hearing and argument on this Motion is set for Dec. 31, 1992 at 1:00 p.m. in Courtroom 2. A copy of this Motion and Order shall be served on all parties forthwith.

Gordon R. Miller,P.J.

Dec. 23, 1992 copy to C. Brode, Nelson, Jones, Toomey, Pineo & Fuller

Dec. 22, 1992 Praecipe to Proceed in Forma Pauperis filed.

Dec. 22, 1992 Motion and Notice of Joinder filed.

Dec. 22, 1992 Motion to Rescind Temporary Custody Order of June 9,1992 filed.

Jan. 4, 1993 Order filed. AND NOW, December 31, 1992 the Plaintiff's Motion to remove the guardian ad litem and appoint a new guardian ad litem is before the Court and after hearing arguments of counsel and the guardian ad litem, the Court believes that it would not be appropriate to remove the guardian ad litem, nor would it be appropriate to appoint a new guardian ad litem and therefore, the Plaintiff's motion is DENIED.

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1992

Katherine E. Culbertson
vs.
Joseph Dukaish, a/k/a Joseph Dukaich, Alma Mat hews, Mildred Joslin, Theodore M. Dukaish, individually and as Administrator of the Estate of Helen E. Dukaish, deceased, Evelyn Rodgers, Stephanie Dukaish, Marjorie Dukaish, Steven Dukaish, and all persons claiming any right, title or interest,

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of
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Aug. 19, 1992 Affidavit filed. And Now, David L. HOtchkiss, Esquire, Attorney for the Plaintiff above named, being duly sworn according to law, deposes and says:

1. He served a true and correct copy of the Order dated July 27, 1992 in the above captioned Quiet Title Action upon Defendant Alma Mathews by mailing it, first-class mail, postage prepaid, to her at R.D.#3, Conneautville, Pennsyvlania 16406 on August 18, 1992.

August 19, 1992 David L. Hotchkiss,Esquire

Sept. 14, 1992 Notice of Taking Depositions on Oral Examination of Mildred Joslin filed.

Sept. 14, 1992 Notice of Taking Depositions on Oral Examination of Theodore M. Dukaish filed.

Sept. 17, 1992, Notice of taking Depositions on Oral examination of Theodore M. Dukaish filed.

Sept. 17, 1992 Notice Of Taking Depositions on Oral Examination of Mildred Joslin filed.

FOR ADDITIONAL FILINGS SEE COMPUTER

1992

DALE R. WEBSTER
VS.
TINA MOORE and DAVID M. SMITH
and RUTH K. S MITH, his wife
VS.
HAZEL WEBSTER

CONTINUED FROM PAGE 500
of Record

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July 16, 1993 Motion for Continuance, filed.

July 16, 1993 ORDER filed. AND NOW, July 15, 1993, the Defendant Tina Moore has filed a motion requesting that this matter be continued in order to allow her time to obtain counsel.

We now grant that motion and since counsel believe this case will take approximately another five days to complete we will schedule further hearing with respect to the same as follows: October 27, 1993, October 28, 1993, November 23, 1993, November 24, 1993 and December 9, 1993 with hearing to begin on all dates at 9:15 A.M. in Courtroom No. 2, Crawford County Courthouse, before the undersigned.

BY THE COURT:
Anthony J. Vardaro, J.

July 16, 1993 copies dist to attys Brode, Nelson, Jones & Tina Moore

July 23, 1993 Motion for Modification of Custody Orders of June 9, 1992 and March 29, 1993 filed.

July 23, 1993 Order filed. AND NOW, July 23, 1993, upon consideration of the Plaintiff's mtoion for modification of custody orders of June 9, 1992 and March 29, 1993, the court denies said motion.

In doing so, we note that we do not believe it is best to make numerous changes in the custody situaion during the course of the de novo litigation that is currently ongroing and we believe that testimony needs to be able to be concluded so that the Court can make a final determination with respect to this matter. In that regard, we note that we now have a schedule of hearing dates so that by the end of 1993 this matter should be decided provided there are no further continuance requests by the parties.

BY THE COURT,
Anthony J. Vardaro, J

July 26, 1993 Copies dist. to Moore, Jones, Brode & Nelson

Oct. 20, 1993 Petition & Affidavit for Writ of Habeas Corpus Ad Testificandum and ORDER filed. AND NOW, this 19 day of October, upon consideration of the foregoing Petition and Affidavit for Writ of Habeas Corpus Ad Testificandum, the State Correctional Institute at Mercer is hereby ordered to deliver the petitioner Dale Webster, #Bx-1685, who is under your custody, detained as it is said, under safe and secure conduct, be transported to Crawford County Court of Common Pleas located in Meadville, Pennsylvania,on or before October 27, 1993 for a De Novo Hearing to be held at 9:15 a.m., and if necessary to remain at the Crawford County Jail for a second day of hearings on October 28, 1993 at 9:15 a.m., to testify the truth according to his knowledge in certain cause in the above court, wherein Dale Webster is the plaintiff and Tina Moore and David M.Smith and Ruth K.Smith, his wife, defendants, as well as Hazel WEbster, defendant, and that immediately after the De Novo hearing before our said Judges shall give, you return him to said prison. And have you then and there this WRit.

BY THE COURT,
Anthony J. Vardaro, J.

10-26-93 Copy of Order to Attys. Brode, Jones & Lindsay.

Oct. 20, 1993 Appearance of Peters, Lindsay, Lewis & Gagliotti by Brian J. Lindsay,Esquire for Tina Moore, Defendant, filed.

Oct. 29, 1993 ORDER filed AND NOW, October 28, 1993, at the conclusion of this hearing today, the attorney for David M. Smith and Ruth K. Smith makes an oral motion to require the plaintiff to provide a medical authorization to obtain his SSI records, and likewise, to sign a medical authorization to obtain any pertinent medical records.

Said motion is GRANTED and the plaintiff is directed to sign an authorization immediately for the purpose of Attorney Jones obtaining said SSI or Social Security Disability records; provided, however, that she provide copies of any such records to all other counsel and to the Guardian ad Litem upon receiving them.

The fact that these records shall be in the possessionof Attorney Jones does not ultimately mean that the Court will allow such records to be admitted, not does it mean that the Court will allow said records to be referred to, whether or not it will be valid and whether or not there may be other appropriate objections at this time.

BY THE COURT,
Anthony J. Vardaro, Judge

10-29-93 Copies dist. to all counsel.

Nov. 16, 1993 Petition & Affidavit for Writ of Habeas Corpus Ad Testificandum and ORDER filed. AND NOW, this 12 day of November, 1993, upon consideration of the foregoing Petition and Affidavit for Writ of Habeas Corpus Ad Testificandum, the State Correctional Institue at Mercer is hereby ordered to deliver the petitioner Dale Webster, #Bx-1685, who is under your custody,detained as it is said, under safe and secure conduct, be transported to Crawford County Court of Common Pleas located in Meadville, Pennsylvania, on or before November 23, 1993 for a De Novo hearing to be held at 9:15 a.m. and if necessary to remain at the Crawford County Jail for a second day of hearings on November 24, 1993 at 9:15 a.m., to testify the truth according to his knowledge in certain cause in the above court, wherein Dale Webster is the plaintiff and Tina Moore and David M.Smith and Ruth K. Smith, his wife, defendants, as well as Hazel Webster, defendant, and that immediately after the De Novo hearing before our said Judges shall give, you return him to said prison. And have you then and there this Writ.

BY THE COURT,
Anthony J.Vardaro, J.

11-16-93 Copy of Order given to Sheriff by Court. 11-18-93 Copy of Order mailed to Atty. Jones and dist. toAttys. Brode & Lindsay,Nelson & Pineo

Nov. 29, 1993 ORDER filed. AND NOW, November 24, 1993, it appearing that more time will be necessary to finish this de novo custody trial, this matter will begin on December 9, 1993 at 8:45 A.M.and continue at 8:45 A.M. on December 17, 1993 if additional time beyond December 9, 1993 is needed.

BY THE COURT:
Anthony J.Vardaro,J.

11-29-93 Copies dist.by Court.

Nov.29, 1993 Memorandumand Order filed. ORDER. AND NOW,November 24, 1993,our order of March 29,1993 with respect to the above captioned matter is modified tothe extent that beginning December 2,1993,Dale R.Webster is granted temporary custodyof the minor child every weekend from Thursday at 5:00 P.M. through Sunday at 5:00 P.M.until further order of court and provided that as long as Dale R.Webster shall remain incarcerated such temporary custody shall be with the mother of Dale R.Webster,one Hazel Webster.

So long as Dale R.Webster is in theCrawford County Jail, the said Hazel Webster shallbe required toprovide visitation with Dale R.Webster at the Crawford County Jailduring a Sunday visitation period each week as long as that visitation is available through the facility and if Dale R.Webster is transferred back to a State Correctional Institution or regional correctionalfacility while this order is still ineffect,Hazel WEbster shall only be required to take the child to visit Dale Webster every other weekend but she shallstill have temporary custody each weekend as indicated above.

In all other respects which are not inconsistent withthis order, our order of March29,1993 and the order of June 9,1992 shall remain in full forece and effect.

BY THE COURT:
Anthony J.Vardaro, J.

11-29-93 Copies dist.by Court.

Continued to Page 504 A

Dec. 9, 1993 CUSTODY CONSENT ORDER filed. AND NOW comes, on this 9 day of December 1993, the natural mother, Tina Moore, of the subject minor child, who retains kcustody pursuant to this Court's order dated June 9, 1992, and the natural father, Dale R. Webster, who is the plaintiff in this action, and the paternal grandmother, Hazel Webster, who is a defendant in this action,hereby request the Court to accept this custody consent order as follows:

1. The defendants Smith were properly joined by this Court's order on June 4, 1992.
2. The Court has subject matter jurisdiction over the subject minor child who has been placed inthe home of defendants David M. Smith and Ruth K. Smith, his wife,pursuant to this Court's order dated June 9, 1992.
5. The subject minor child must be transferred as soon as practiable on December 9, 1993 from the defendants David M. Smith and Ruth K. Smith's possession to the physical custody of the paternal grandmother Hazel Webster.
6. The defendant mother Tina Moore, and the plaintiff father Dale Webster agree that the plaintiff father Dale Webster have custody of the subject minor child and that temporary physical custody of the child be with the paternal grandmother, defendant Hazel Webster until such time that plaintiff Dale Webster is released from incarceration and subject to the defendant mother Tina Moore's partial custody as follows:

a) Every other weekend from Saturday 9:00 a.m.until Sunday 5:00 p.m.

b) Holiday visitation is defined as Thanksgiving, Christmas and Easter. The subject minor child shall be with its natural mother, defendant Tina Moore, from 2:00 p.m. until 8:00 p.m. on the above state holidays.

c) The defendant mother Tina Moore shall be entitled to a visit every Mothers Day from 2:00 p.m. to 8:00 p.m.

7. The subject minor child shall not go to the residence of the David M. Smith and Ruth K. Smith at any time nor shall the subject minor child have any overnight visits with the Smiths at any location.
8. The subject minor child shall have no physical contact with the defendants Smiths.
9. The defendant Tina Moore shall give at least 24 hour notice to Hazel Webster if she does not intend to exercise her scheduled visitation. Tina Moore shall call the home of Donna Allen at (814) 398-2197 or the home of Lawrence Kinney at (814) 398-4751 if she intends to cancel any scheduled visitation.
10. The defendant Tina Moore shall not arrive any later than 45 minutes of any scheduled visitation period. If she is later than 45 minutes on any scheduled visitation period, that scheduled visitation shall be waived and no make-up time for the scheduled visit will be extended.
11. The parties shall split transportation, that is, the party receiving custody shall pick up the child at the start of each scheduled visit.
12. The transportation shall remain a shared responsibility as long as both parties reside in Crawford County or otherwise agree.
14. The defendant Hazel Webster shall bring the subject minor child to see its father Dale Webster not less than two times per month while he remains incarcerated.
15. Neither mother, father, or paternal grandmother shall expose the children to any person or situation which may be harmful to the child's health or well being.
16. The parties are permitted the discuss arrangements for visitation of the subject minor child, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the child's schedules, they may adjust the visitation periods accordingly and are permitted to do so by mutual consent and agreement. However, if the parties do not agree, the order is to be followed.
17. This consent order shall not prejudice the right of either party to request further mediation if there are changes in the lives of the parties or if the subject minor child or in the event that the best interest of the child would be served by further mediation.
18. This order shall become effective immediately as to all parties in the above-captioned case.

BY THE COURT,
Anthony J.Vardaro, J.

12-10-93 Copies to Attys. Brode, Jones, Lindsay, dist. by Court.

Dec. 17, 1993 Motion For Court To Strike And Expunge Any Reference To Defendants, David M. Smith and Ruth K. Smith, From The Court's Custody Consent Order Dated December 9,1993, filed.

Dec. 17, 1993 Motion, filed.

Dec. 17, 1993 Memorandum and Order, filed. ORDER: AND NOW, December 15, 1993, the motion of David M. Smith and Ruth K. Smith to strike and expunge any reference to the Defendants David M. Smith and Ruth K. Smith from the Court's Custody Consent Order dated December 9, 1993 is denied. BY THE COURT:
Anthony J. Vardaro, J.

Dec. 22, 1993 copy to C. Brode, B. Lindsay, A. Jones, K. Nelson

Dec. 17, 1993 ORDER filed. AND NOW, December 16, 1993, in light of our Memorandum and Order of December 15, 1993, the County is directed to pay the outstanding costs due from David M. Smith and Ruth K. Smith from the mediationpreviously held in Juen 1992. BY THE COURT
Anthony J. Vardaro, J.

Dec. 22, 1993 copy to C. Brode, B. Lindsay, A. Jones, K. Nelson

Jan. 4, 1993 Exhibits filed.

1992

Brenda L.Peters
vs
Wayne A.Peters

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Sept. 15, 1992 Notice of Assignment of Hearing Date. September 15, 1992: Hearing in the above captioned matter has been scheduled for September, 1992 at 3:30 P.M. in Courtroom 2.

FOR THE COURT:
Imogene Yetman, Court Administrator

Sept. 15, 1992 Copy of the order mailed to Plaintiff, given to Atty. Sullivan and Defendant.

Sept.18, 1992 Order Filed. AND NOW, SEptember 17, 1992, this matter is before the Court on indirect contempt of a Protection From Abuse Order with respect to the Court's Order of April 10, 1992, which was modified by an Order of May 11, 1992 pursuant to agreement of the parties.

Both parties appear without counsel and the Defendant indicates that although he has a right to counsel and may be further incarcerated he wishes to proceed without counsel.

The matter proceeds informally and the parties agree as follows without an adjudication of contempt, the Court postponing any further adjudication subject to the condition that the Defendant comply with the terms and conditions set forth in this Order. Otherwise, he shall be subject to further incarceration if he is found in comtempt.

The terms of the Order are:

1. The Order of May 11,1992 modifying the original April 10, 1992 Order is RESCINDED.
2. The Order of April 10, 1992 is extended through July 9, 1993.
3. All of the terms and conditions of the Order of April 10, 1992 shall thus remain in full force and effect through that date except to the extent that they are modified by the Order of this day.
4. The Defendant is forthwith released from incarceration and he may go to the marital home and not be in violation of Paragraph 2 of the Order of April10, 1992 so long as he does so on Saturday, September 19, 1992 at 4:00 p.m. for the sole purpose of removing his clothing and personal effects and in doing so does not assault, abuse, harass or threaten the Plaintiff or any of the minor children.
5. Paragraph 4 of the Order of April 10, 1992 is modified to the extent that the Defendant shall have visitation with the minor children by the Plaintiff taking them to the Defendant's mother's home each Saturday beginning September 26, 1992 from 1:00 p.m. until she picks them up at 5:00 p.m. and each SAturday thereafter for the same hours and each Sunday beginning September 20, 1992 when she takes them to the homeof his mother at 1:00 p.m. until she picks them up at 5:00 p.m. and each Sunday thereafter.

As indicated in the Order of April 10, 1992, this custody arrangement is without prejudice to either party to file an appropriate custody action.

6. A copy of this Order shall be delivered to the Meadville City Police as well as County Control and to the parties by regular mail at their last indicated address. The Defendant's mail shall be sent care of his mother, Betty Peters at 1235 Chula Court, Meadville,Pennsylvania.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

Sept.18, 1992 Copies given to Jail, County Control and mailed to Deft. Plft. & MCPD.

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1992

Glenn A.Davis
vs
Cytemp Specialty Steel Division,
The Cyclops Corporation

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435 Sixth Avenue, Pittsburgh, PA 15219, on June 22, 1995 by United States Mail, postage prepaid.
By William Taggart, Esquire

Jun.22, 1995 Deposition of Glenn A. Davis, filed.

Jun. 22,1995 Deposition of Robert Newcombe, filed.

Jun. 22, 1995 Deposition of Gary Pezze, filed.

Jun. 22, 1995 Deposition of Glenn A.Davis, Volume II, filed.

Jun. 22, 1995 Deposition of Dennis Howard, filed.

Sept. 26, 1995 MEMORANDUM and ORDER filed. AND NOW, Sept. 22, 1995, the defendant's motion for summary judgment is:

1. Granted as to the allegations in paragraph 23 of the plaintiff's complaint. Paragraph 23 and the claim made therein are hereby dismissed.
2. Denied in all other respects.

BY THE COURT
Gordon R. Miller, P.J.

Sept. 26, 1995 Order distributed to Attys. Taggart and Haggerty by mail.

Sept. 24, 1997 Settlement Conference REquest filed.

Oct 2, 1997 ORDER: AND NOW, Sept 29, 1997, a settlement conference in this case is hereby scheduled for the 30th day of December, 1997 at 9:15 a.m. in Courtroom No. 1 of the Crawford County Courthouse.
Pursuant to Crawford County Civil Rule L212B 2 at least five (5) days prior to the settlement conference plaintiff shall have made a bonafide or written demand and proposal of settlement on opposing counsel. By the time of the settlement conference the defendant shall have responded in writing to such written demand whether by making a bonafide offer of settlement or reliability is denied, by a written statement to that effect. Gordon R. Miller, P.J.
Oct 2, 1997 Mailed Taggart, Haggerty & Prorok

Dec. 10, 1997 ORDER FILED. AND NOW, Dec. 9, 1997, due to unavailability of the Court, hearing in the above set for Dec. 30, 1997, is hereby reset for Tuesday, Jan 27, 1988, at 11:15 A.M. CR #1 Crawford County Courthouse.

BY THE COURT
ANN A WALKER, CA

12/11/97 Distributed by Court

Jan. 27, 1998 Defendant's Uncontested Motion To Reschedule Settlement Conference and Order filed. AND NOW, this 26th day of January, 1998, in consideration of Defendant's Uncontested Mtoion to Reschedule Settlement Conference, it is hereby ordered that this case shall be removed form the Settlement Conference List for Tuesday, January 27, 1998 and shall be ocntinued until Tuesday, March 24, 1998, at 3:30 P.M., CR #1 No further continuances.
Gordon R. Miller, J

Jan. 27, 1998 Faxed Haggerty & Taggert

March 26, 1998 ORDER FILED. AND NOW, March 25, 1998 pursuant to a letter dated March 24, 1998 from Wm. Taggart, Esq. the trial in this case is continued untiol Oct. 1998 the term of Civil Jury Trials.
This is a 1992 action. We will not continue it generally. We have an interest in the efficient processing of cases (PA.R.J.A. 1901). There shall be no Further Continuances. If this case is not settled it shall absolutely be tried in October of 1998.

BY THE COURT
Gordon R. Miller, PJ

3/26/98 MAILED HAGGERTY & TAGGART

July 31, 1998 Stipulation For Dismissal with Prejudice and ORDER filed. AND NOW, this 31st day of July, 1998, upon the Stipulation for Dismissal with Prejudice filed herein, this action is hereby dismissed with prejudice, each party to bear its own costs and attorney's fees unless otherwise agreed to by them.
Gordon R. Miller, J.

Aug. 6, 1998 FAXED Atty. Haggerty, MAILED Atty. Wm. Taggert.

Jorden & White
William T. Jorden

Quinn,Gent, Buseck & Leemhuis, Inc.
John M.Quinn,Jr.

Ralph E.Steele and Sarah Steele, his wife
vs
Meadville Medical Center

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AD 1992 - 135

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jury's deliverations, answer the Court's questions as follows:

Question 1:

Do you find that the Meadville Medical Center was negligent? Yes X No _____

If you answer Question 1 "No", Ralph E.Steele cannnot recover and you should not answer any further questions and should return to the courtroom.

If you answer Question 1 "Yes", proceed to Question 2.

Question 2:

Was the negligence of Meadville Medical Center a substantial factor in bringing about Ralph E. Steele's harm: Yes _____ No x

If you answer Question2 "No", Ralph E. Steele cannot recover and you should not answer any further questions and should return to the courtroom.

If you answer Question 2 "Yes", you should proceed to Question 3.

Date verdict reached: 4-14-93 Time: 12:05 p.m.

John C. Brittain, Jury Foreman

Date and Time Verdict 4-14-93 at 1:12 P.M.

DAte and Time Verdict returned 4-14-93 at 1:26 P.M.

April 15, 1993 Exhibits filed.

Aug. 22, 1996 ORDER AND NOTICE filed. AND NOW, this 21 day of August, 1996, it is ORDERED and DECREED that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Court House.
BY THE COURT:
Anthony J. Vardaro, J.
8-23-96 FAXED Walton, Spataro, Keenan

ORDER OF COURT: You, Julia Hogan-Woods have been sued in Court to modify custody, partial custody or visitation of the children: Tyler Harmon, Samuel Harmon and Katrina R. Harmon.

You are ORDERED to appear in person at such time and place as will be determine by the Mediator John Spataro, Esquire, for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

Date:8/21/96

BY THE COURT:
Anthony J. VArdaro, J.

Sept. 5, 1996 Petition for Contempt, Notice to Appear Notice and Order to Appear filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed and order of court.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in wiring with the court you defenses or objections.

Whether or not you file in writing with the court your defenses or objections you must appear in person in court on Monday, October 7, 1996, at 2:30 p.m., in Courtroom Number 1, Crawford County Courthouse, Meadville, Pennsylvania.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.
BY THE COURT
Gordon R. Miller, J.
9-5-96 FAXED Walton & Keenan

Sept 13, 1996 Certificate of completion of the Seminar for Separating Parents for JAMES D. HARMON, filed.

Sept. 25, 1996 Motion To Withdraw and Order filed. And now,September 25, 1996, them otion for withdrawal of appearance is granted.
Gordon R. Miller,, J
9-25-96 FAxed Keenan & Walton

Oct 10, 1996 ORDER: ANDNOW, Oct. 7, 1996, at the time this matter is heard, the Court finds the father in contempt because of willful and deliberate failure to see that the child was surrendered to the custody of the mother. Ancillary requests for court orders in this regard relating to attorney fees are denied.
P. Richard Thomas, S.J.
Oct 10, 1996 Dist. Keenan & Irwin

Oct 10, 1996 ORDER: AND NOW, Oct. 7, 1996, after hearing and after lengthy conversation with the 10 year old Tyler Harmon and in spite of Court and counsel's best efforts, he willfully and deliberately refuses to comply with the Court Order which places his custody with his mother. He is advised that he must comply with the Court's Order and return to the custody of the mother particularly in view of the fact that on the 16the of October the matter will be reviewed by a custody mediator regarding whether he should reside with his mother or his father. The 10 year old juvenile advises the Court that if the Court orders him to return to the mother, he will under no circumstances stay with her and will run away. While he probably visualizes returning to his father on the run away, the Court cannot tolerate this willful and deliberate refusal to comply with court orders by a 10 year old child. Accordingly, he is placed under the jurisdiction of the Juvenile Court this day on an emergency situation and delivered to the care and custody of the Sheriff of Crawford County for delivery to Children & Youth Services for placement in temporary shelter care. The father will arrange to pack up sufficient clothing for the child and his bible and see that it is delivered to Children & Youth Services for placement with the shelter care family or institution. P. Richard Thomas, S.J.
Oct 10, 1996 Mailed C&Y, Dist. Keenan & Irwin

Oct. 18, 1996 Order filed. AND NOW, October 17, 1996, counsel for both parties having advised the Court that there has now been a mediation conference resulting in a recommended temporary custody order and further advising the Court that all parties agree the October 7, 1996, Order entered by Senior Judge P. Richard Thomas is no longer needed, it is Ordered and Directed that the Order of October 7, 1996 entered by Senior Judge P. Richard Thomas is rescinded.
BY THE COURT:
Anthony J. Vardaro, J.
10-18-96 FAXED Keenan, Irwin

Nov. 26, 1996 Order filed. AND NOW, this 25th day of November, 1996, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1) The parties shall share legal and physical custody of the subject minor children, Katana Harmon, born May 14, 1983; Tyler Marmon, born August 9, 1986 and Samuel Harmon, born February 21, 1989.

2) The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3) Physical custody of the children shall e arranged as set forth below:

a. Katana Harmon. The mother shall retain primary physical custody of Katana Harmon, subject to the father having the right to take the right to take the child into his care and custody every other weekend beginning on Friday, November 22, 1996 at 6:00 p.m. and continuing until custody mediator that their daughther, Kalana, may need some period of time during which to re-establish her relationship with her father. Accordingly strict adherence to the partial custody schedule will not be expected in the event the child affirmatively states that she does not want to see her father during the scheduled partial custody period. Notwithstanding the child's wishes, both parents are directed to encourage the child to participate with these scheduled partial custody periods and it will be deemed cause for the noncustodial parent to seek mediation at the expense of the other parent in the event that partial custody is denied for a period in excess of three months.

Costs and fees of this Mediation, which are fixed at $240.00 ($60.00/hr. x 4 hrs.) and the $9.00 court Order filing fee are to be divided equally between the parties. Accordingly, since the father has paid the $150.00 toward the acquisition of a mediation conference, the sum of $124.50 is to be applied against the father's share of costs, sum of $25.50, for purposes of reimbursing the father for the mother's share of the costs. The mother shall also, within thirty (30) days of the date of this Order, pay to the Prothonotary of Crawford County the sum of $99.00, representing her share of the unpaid costs and fees of this mediation.

(SEE PAPERS FILED)
BY THE COURT,
Gordon R. Miller, J.
12-2-96 FAXED Irwin, Keenan & Spadafore.

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38	JAMES D. HARMON VS. JULIA HOGAN-WOODS	CONTINUED FROM PAGE 508 OF RECORD A. D. 1992 - 38

Jan. 22, 1997 Petition from Emergency Relief filed.

Jan. 22, 1997 Order filed. AND NOW, January 22, 1997, upon consideration of Plaintiff's Petition for Emergency Relief, hearing is scheduled for Wednesday, February 5, 1997, at 10:30 a.m., CR#2, Crawford County Courthouse.

FOR THE COURT,
Ann A. Walker, Ct. Admin
1-23-97 Keenan & Irwin by Ct. Admin.

Feb. 10, 1997 Order filed. AND NOW, February 3, 1997, this matter comes before the Court at the request of the plaintiff for relief in the nature of emergency relief.

Both parties appear represented by counsel and they have resolved this matter, and based on the agreement of the parties, the existing Custody Order of November 25, 1996 is hereby modified to the extent that Paragraph 1 shall now indicate the plaintiff shall have sole legal custody of Tyler Harmon and the defendant shall have sole legal custody of Katana Harmon and Samuel Harmon.

In all other respects, the Order of November 25, 1996 shall remain in full force and effect.

BY THE COURT,
Anthony J. Vardaro, J.
2-10-97 DISTRIBUTED Irwin & Keenan

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1992

CONTINUED FROM PAGE 483 OF AD 1992 - 5

IN THE MATTER OF THE ADOPTION OF THE CRAWFORD COUNTY CIVIL RULES OF COURT

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY CIVIL RULES OF COURT - CIVIL

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It is further ordered and directed that, in accordance with Pa. R.C.P. 239, seven (7) certified copies of this rule shall be filed with the Administrative Office of PA. courts; two (2) certified copies shall be forwarded to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; one (1) certified copy shall be filed with the Civil Procedural Rules Committee.

BY THE COURT
Anthony J. Vardaro for Gordon R. Miller, P.J.

May 26, 1993 Praecipe for Amendment of Civil Action Tort Claim filed.

May 26, 1993 ORDER FILED. AND NOW, May 21, 1993 upon receipt and review of the plaintiff's "Praecipe for Admendment of Civil Action Tort Claim" the Court denies the Plaintiff's request for leave of court to amend his complaint.

The plaintiff is not following the proper procedure. There is no such thing as a "Praecipe for Amendment of Civil Action Tort Claim." If the plaintiff desires to amend his complaint he may do so only with the defendant's consent or leave of court (Pa.R.C.P. 1033).

If he desires to obtain leave of court he must file a petition with the Court seeking approval. That petition must set forth, among other things, a true and correct copy of the proposed amended complaint so that the defendant and Court will know the exact nature of the amendments in order to make a proper decision on the plaintiff's request. Furthermore, a true and correct copy of the petition must be served upon the defendant so that the defendant may be heard on the petition and know the exact date it is going to be filed with the Court for consideration.

Since the exact details of the amended complaint have not been divulged the Court has no basis upon which to make a ruling. Since the defendant has not been given notice that the plaintiff intends to request leave of court to file an amended complaint proper due process is missing.

Once again this plaintiff must comply with the Pennsylvania Rules of Civil Procedure and the Crawford County Civil Rules of Court. He must comply with the rules even though he is proceeding pro se.

BY ORDER OF COURT
Gordon R. Miller, P. J.

May 26, 1993 Copies dist. to Barrett & Brenneman.

June 4, 1993, Motion/Petition for Reconsideration filed. (copy mailed to Mr. and Mrs. Breneman, separately)

June 4, 1993, ORDER filed. AND NOW, June 3, 1993, upon receipt and review of the Plaintiff's Motion/Petition for Reconsideration(sic) of the order of April 6, 1993, denying the plaintiff's motion for an order mandating the Clerk of Courts and/or the court stenographer and/or District Attorney to furnish court records and transcribed notes of testimony, informa pauperis, is denied.

Once again, the plaintiff's request is intended for discovery purposes but it is not discovery under the Rules of Civil Procedure. discovery is a process whereby one party obtains information, answers, documents or admissions from another party to the suit. He is asking the court to provide certaindocuments and information to him which either has no connection with the allegations he has made in his complaint or is information and documents in the hands of the Dist. Attorney who is neither a party to this ac tion nor under the control of the court.

The plaintiff is advised that he must follow the rules of civil procedure and applicable laws governing this lawsuit. In fact if he had done thaT THIS LAWSUIT WOULD HAVE PROgressed much faster and be near completion.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

June 10,1993, copies of order to Plff, plff wife and dft.

Jun. 22, 1993 Praecipe filed.

Jun. 22, 1993 ORDER filed. AND NOW,JUne 21, 1993, it is ordered as follows:

1. The defendant's petition for leave of Court to amend the civil action under Pa. R.C.P.1033 is granted.
2. The complaint which accompanied the petition for leave to amend shall constitute the amended complaint and shall be filed of record.
3. Since there is no evidence of service of original process the Prothonotary is ordered and directed to deliver a true and correct copy of the amended complaint and notice to defend to the Sheriff of Crawford County who shall serve the same upon the defendant and make an appropriate return of service as provided by theRules of Civil Procedure. The cost of service shall be paid by Crawford County as the plaintiff has been permitted to proceed informa pauperis. It does not appear that the plaintiff has taken appropriate steps to obtain service of original process. We think it is long past time that the defendant be served, appear and this case proceed.

BY ORDER OF COURT
Gordon R. Miller, P. J.

Jun. 23, 1993 Copy of Order mailed to Breneman & Sheriff w/amended Complaint for service. 6-29-93 Copy of Order to Atty.Barrett.

Jun. 22, 1993 Amended Complaint filed.

June 30 ,1993 Sheriff's Return filed. SERVED Bruce A. Barrett personally on June 24, 1993 at 10:30 AM by handing a copy of the Amended Complaint and Notice to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

JUly 6, 1993, Certificate of Service of copy of Interrogatories served on Atty. Barrett filed.

JUly 16, 1993, Preliminary Objections to Plaintiff's Complaint or Amended Complaint, filed.

July 23, 1993 Certificate of Service filed. AND NOW on this 15th day of July, 1993 this Notice of Certificate of Service in pursuant to Rule 440 of the Pa. R.C.P. and in accordance of Rule L440B Certificate of Service.
A copy of Admissions has been served on Mr. Bruce A. Barrett, Esq. on the 15th day of July, 1993 by certified first class mail.

By: Ashby O. Brenenman

Aug. 5, 1993 Plaintiff's Response to Defendant's Notice to Plead and Response to Preliminary Objections to Plaintiff's Complaint or Amended Complaint, filed.

Aug. 11, 1993 Objections to the Plaintiff's REquest for Admissions filed. (1 copy atty.)

Aug.11,1993 Defendant's Objections to Plaintiff's Request for Production of Documents filed. (1 copy atty.)

Aug. 11, 1993 Objections to Plaintiff's Interrogatories to Defendant filed. (1 copy atty.)

Aug. 19, 1993 Plaintiff's Motion To Compel Answers To Interrogatories of Defendant and To Impose Sanctions On Defendant's Failure to Answer His Interrogatories filed.

Aug. 19, 1993 MEMORANDUM AND ORDER filed. AND NOW, Aug. 12, 1993, upon consideration of the Plaintiff's motion to compel answers to interrogatories of Defendant and to impose sanctions on Defendant's failure to answer his interrogatories said request is denied without prejudice to the Plaintiff to seek a similar remedy if the Defendant has not answered the interrogatories in question or filed any objections to those interrogatories on or before August 30, 1993.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 19, 1993 Copies distributed by Court.

Continued on Page 509A

Ashby O. Breneman
vs.
Bruce A. Barrett, Esq.

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Aug. 30, 1992 Plaintiff's Motion to Compel Answers to Interrogatories of Defendnat and to Impose Sanctions on Defendant's Failure to Answer His Interrogatories, filed.

Aug. 30, 1993 ORDER filed. AND NOW, August 27, 1993 after receipt and review of the plaintiff's motion "to compel answers to interrogatories of defendant and to impose sanctions on defendant's failure to answer his interrogatories" (sic) said motion is denied as the Court, after reviewing the docket, finds that the defendant filed objections to the plaintiff's interrogatories on August 11, 1993. So long as said objections are outstanding the Court cannot compel the defendant to file answers.

BY ORDER OF COURT
Gordon R. Miller, p.J.

AUG. 30, 1993 copies dist to Barrett & Plf.

Sept. 17, 1993 MEMORANDUM AND ORDER, filed. ORDER: AND NOW, September 16, 1993 it is ordred as follows:

1. The five documents referred to in the attached memorandum which were sent to the Honorable P. Richard Thomas shall be returned to the plaintiff at his address in Bellefonte, Pennsylvania.
2. None of these documents shall be filed of reord at this point.
3. The plaintiff shall send no pleadings,motions, or other documents to the Honorable P. Richard Thomas as sending said douments to the Honorable P. Richard Thomas shall have absolutely no legal effect. Those documents will be returned, and not filed. if that occurs.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Sept. 20, 1993 copies dist to Barrett & mailed to Breneman (per court order w/his filings)

Sept. 30, 1993 Subpoena: Notice To Produce filed.

Nov. 22, 1993, motion for Pretrial Narrative/or Conference filed.

Nov. 22, 1993, ORDER filed. AND NOW, Nov. 19, 1993, upon receipt and review of the plaintiff's Motion For Pretrial Narrative/or Conference said motion is denied.
A pretrial conference will not be scheduled untillall of the pretrial rules have been followed including, but not limited to Rule L 302 ofthe Crawford CountyCivil Rules.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Nov. 23, 1993, copies dist. to Atty. Barrett and Breneman.

December 28, 1994 Motion to Strike and Order filed: And Now, Jan 3, 1994, The above motion allowed. And the case shall be stricken from the trial List.

Gordon R. Miller, J.

(1-5-94 Case was not placed on trial list because pleadings were not complete and after conference with Judge Miller, Prothonotary sent Plaintiff's certificate of readiness back to him)
Jan 11, 1994 Copies of order distributed to Breneman and Barrett.

Jan. 14, 1994 Motion For Judgment On The Pleadings Pursuant to Pa. R. Civil P. Rule 1034, filed.

Jan. 17, 1994 MEMORANDUM AND ORDER filed. AND NOW, Jan. 17, 1994, for the reasons set forth in the attached memorandum it is ordered as follows:
1. The plaintiff's motion for judgment on the pleadings is denied.
2. The defendant's demurrer as to a loss of consortium claim on behalf of Ruby G. Breneman is granted.
3. The defendant's demurer claiming the plaintiff, Ashby O. Breneman, has failed to state a cause of action against him is granted. The amended complaint is hereby dismissed. Ashby O. Breneman is hereby granted leave of court to file an amended complaint within sixty (60) days from the date of this order.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Jan. 17, 1994 Copies distributed to Atty. B. Barrett; copy mailed to Ashby Breneman.

Mar. 16, 1994 Amended Complaint (II) filed. (1 copy of each Pltf. 1 copy Deft.)

Apr. 13, 1994 Preliminary Objections to Plaintiff's Complaint or Amended Complaint II, filed.

Apr. 18, 1994 Certificate of Service filed. I hereby certify that a true and correct copy of Preliminary Objections to Plaintiff's Complaint or Amended Complaint (IIO was sent by first class mail,postage pre-paid, to Ashby O. Breneman, at his last known address on April 13, 1994.

Bruce A.Barrett

Jul. 28, 1994 Motion for Judgment on the Pleadings, and, Motion to Dismiss Defendant's Preliminary Objections, filed.

Jul. 22, 1994 Motion for Judgment on the Pleadings, and, Motion toDismiss Defendant's Preliminary Objections, filed.

Aug. 10, 1994 ORDER filed. AND NOW, August 9, 1994, the Court having reviewed the plaintiffs' Motion for Judgment on the Pleadings, and Motion to Dismiss Defendant's Preliminary Objections enters the following order:
1. The defendant's motion for judgment on the pleadings is denied as it is premature. The pleadings have not been closed.
2. The plaintiffs' motion to dismiss the defendant's preliminary objections will be considered at the time the preliminary objections are considered. A motion to dismiss preliminary objections is not appropriate or necessary. The validity of the preliminary objections will be determined by the Court in a later proceeding and if they are inappropriate would be dismissed anyway.

BY THE COURT
Gordon R. Miller,P.J.

8-16-94 Copy to Atty. Barrett & Pltf.

Nov. 14, 1994 Motion For The Court To Consider The Defendants Preliminary Objections, filed.

Mar.8, 1995 Upon praecipe of Ashby O.Breneman, the above referenced matter is placed on the next available Argument List.

ON APRIL, 1995 ARGUMENT LIST

Apr. 4, 1995 ORDER REGARDING DISPOSITION OF PRELIMINARY OBJECTIONS WITHOUT ORAL ARGUMENT, filed. AND NOW, April 3, 1995, the plaintiff filed (on March 8, 1995) a praecipe to place the defendant's "Preliminary Objections to Plaintiff's Complaint or Amended Complaint II" onthe "the next available argument list," the Court has determined it will make disposition of the preliminary objections on a time schedule consistent with the April argument list,but without oral argument. The defendant shall file and serve any brief in support of his preliminary objections on or before April 10, 1995,and the plaintiff shall file and serve any supplemental brief on or before April 19, 1995.

BY THE COURT,
Gordon R. Miller,P.J.

4-4-95 Dist.to Barrett & Pltf.

(Continued Page 511)

Tawnya J.Consla
vs.
Gary Scott Deeter

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Jun. 25, 1993 Petition for Hearing for purposes of Modifying ExistingCustody Order and Ordering Counsel of the Minor Child in Connection with Potential Physical and/or SexualAbuse and ORDER filed. AND NOW, this 25 day of Jun., 1993, upon consideration of the within Motion the Court Orders as follows:

1) The minor child, JOsie Deeter, shallbe returned to the care and custody of the Mother Tawnya Consla with visitation to continue under present order.

Hearing set for July 2, 1993 at 9:30 A.M. before Senior Judge P. Richard Thomas in Courtroom No. 1.

BY THE COURT,
P. Richard Thomas, J.

6-30-93 Copy of Order to Attys. Walton & Spataro

Jul. 2, 1993 ORDER filed. AND NOW, July 2, 1993, the matter comes before the Court on a Petition by the defendant father for a change in custody of the minor child as it is established by Court Order dated September 18, 1992 by Judge Gordon R.Miller. There is some indication that the father and his parents suspect sexual abuse of the child because of some minor vaginal lesions, a discharge and possible yeast infection in this two and one-half year old child. Before hearing, the defendant father's counsel suggests that not only should the child be evaluated but that both parents should undergo some type of evaluation to ascertain appropriate parenting skills and whether either parent is incapable of custodial care and upbringing of the child. Apparently, medical experts are present and would testify as to the vaginal examination of the child.

After listening to input from both counsel, the Court is of the opinion that an evaluation of the child, with accompanying input from both parents with the examining expert, would give some guidance to the Court and to the parents relating to the child's problems and needs. The Court would expect that after this evaluationand with input from both prents, the person examining the child would be able to present a recommendation of the Court and the child would be able to present a recommendation of the Court and the experts as to the appropriate solution to the problem if indeed one exists. The Court would expect that the expert could ascertain whether the child performs in accordance with her chronological age, evidences severe emotional, psychiatric or psychological problems and likewise, after intereview with the parents, ascertain if either parent is so deficient in the parenting skills that custody of the child would not be appropriate on a long-term basis or on a visitation basis with either parents.

ACCORDINGLY, the parties agree that the defendant, having brought this petition, is directed to contact an appropriate counseling person adequately trained and experienced in adolescent evaluation and both parents agree to cooperation in seeing that appointments of the child with the evaluator will be kept. The expense of this evaluation will be borne initially by the defendant, with the Court reserving the right to allocate costs upon further agreement or further hearing and Order by the Court.

At this time, the Court does not believe it advisable to meet the defendant's request that both parents be evaluated for determination of their ability to be an adequate custodial parent, but in view of the fact that both parents will be interviewed by the child evaluator, the Court would expect in the eventualevaluation report, a recommendation from the evaluator as to whether or not counseling of any type is necessary for either or both parents.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

7-2-93 Copies dist.to Spataro & Walton. 7-7-93 Copy to Atty. Pineo.

Sept. 19, 1995, Petition to Modify existing Custody Order and to Appoint Child custody Mediator and Order filed:

Order:

You, Tawnya J. Consla, have been sued in Court to obtain custody of Josie Jean Deeter
You are ORDERED to appear in person at such time and place as will be determined by the Mediator, for a mediation conference. WILLIAM PINEO

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 333-7498

BY THE COURT,
10/2/95 Anthony J. Vardaro, J.

Dec. 6, 1995 TEMPORARY ORDER filed. AND NOW, this 5 day of December, 1995, after Mediation in the above referenced matter and upon the recommendation of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Josie Deeter.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The presently effective Order regarding Custody shall remain in effect except that each party shall have the right to designate a two week portion during the months of July and August of each year during which each party may have exclusive custody of subject minor child with no visitation being accorded the other party. Unless otherwise agreed between the parties, the father shall designate his two week period during the month of July and the mother, her two week period during the month of August. Designations shall be made by July 1st.

4. Costs and fees of this Mediation, which are fixed at $182.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

5. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any, shall be remitted to him. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

6. Either party may move the Court for a hearing de novo within ten days from the date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

12-7-95 FAXED Pineo, Walton, Hatheway.

As of 10/26/00 any filings involving this case may be found on computer

Ashby O. Breneman

vs.

Bruce A. Barrett, ESq/.

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✓Aug.15, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 14, 1995, it is ordered as follows:
1. The defendant's demurrers to Counts II (Negligence) and IV (Consortium) are granted. Those counts are dismissed.
2. The defendant's Motion to strike Ruby G. Breneman fromthe caption and as a party is hereby granted. She is not a proper party/plaintiff in this action.
3. The defendant's motion to strike is granted in part as follows:
a. The heading "Count I" is stricken.
b. The heading "Fraudulent Misrepresentation" is stricken.
c. The Word "fraudulently" in paragraph 2 of the original Count I is stricken.
d. Punitive damages are stricken from all prayers for relief.
e. The heading "Count III" is stricken.
f/ The heading "Ambiguous Representation" is stricken.
g. The term "Fraudulent" that appears in paragraph 1 of Count III is stricken.
h. The term "fraudulent" that appears in paragraph 2 of Count II is stricken.
i. The term "reckless" that appears in paragraph 3 of Count II is stricken.
4. The defendant's remaining preliminary objections are denied.
5. The defendant shall file an answer within twenty (20) days from the date of this order.
6. The plaintiff is not given leave to file another amended complaint.

by THE COURT,
Gordon R. Miller, P.J.

8/15/95 dist. toBreneman and Barrett.

✓Sept. 6, 1996 ORDER filed. AND NOW, September 4, 1996, it is ordered as follows:
1. The plaintiff's request for an argument is denied.
2. The "plaintiff's motion to compel defendant, Bruce A. Barrett, Esquire, to answer court order of August 14, 1995 and impose sanctions" is denied. The defendant has not filed an answer to the second amended complaint that was endorsed with a notice to plea. The defendant's failure to answer is at his own risk. The defendant's failure to answer is at his own risk. The Rules of Civil Procedure cover this situation. The plaintiff's current motion is neither necessary nor appropriate.

BY THE COURT
Gordon R. Miller, P.J.

9-6-96 DISTRIBUTED Barrett & MAILED Pltf.

✓Sept. 6, 1996 Praecipe for Expedited Argument filed.

✓Feb. 26, 1997 Default Notice filed.

✓Mar 4, 1997 Answer filed. (1 copy atty)

✓Apr 2, 1997 Certificate of Service: I, Bruce A. Barrett, certify that a true and correct copy of the Answer to the Complaint has been served upon the Plaintiff by first class mail, postage prepaid, on March 4, 1997.

✓May 27, 1997 Plaintiff's Certificate of Readiness filed.

✓Aug. 14, 1997 Appearance of Shafer, Swick, Bailey, Irwin, Stack and Millin, by Jeffrey Millin, attorneys for defendant, filed.

✓Aug. 22, 1997 Motion to Strike Certificate For Readiness and ORDER filed. AND NOW, August 22, 1997, upon consideration of Defendant's Motion to Strike Plaintiff's Certificate of Readiness, and upon reveiw of pleadings, as well as this Court's Memorandum and Order of August 14, 1995.
It is hereby Ordered, Adjudged, and Decreed that Plaintiff's Certificate of Readiness is hereby stricken in this matter, and this matter is referred to arbitration as it is clear that there is a limitation on Plaintiff's prospective damages to the sum of $2,500.00, plus statutory interest. See Bailey v. Tucker, 533 Pa. 237,621A.2d108(1993).

By the Court;
Anthony J. Vardaro, J.

Sept. 9, 1997 Order FAXED Attys. Millin, Barrett; mailed Breneman.

✓Aug 27, 1997 Motion For Appointment of Civil Counsel and Order: And Now, August 26, 1997 the Plaintiff request for counsel is denied as he has no right to counsel in a civil action. Anthony J. Vardaro, J.
Aug 27, 1997 Faxed Barrett & Millin and mailed Breneman

* next page ...

✓Sept. 26, 1997, ORDER: AND NOW, Sept. 25, 1997 the order entered by the undersigned judge on sept. 10, 1997 granting the plff's writ of habeas corpus ad testificandum for his appearance on Oct. 6, 1997 is hereby vacated.
Apparently Judge Vardaro entered an order on Aug. 22, 1997 granting the dft's motion to strike the plaff's Cert. of readiness and referring the matter to arbitration.
When the dft's writ of hab. corpus was filed it was sent to the undersigned judge for signing. We reviewed the file and idd not find Judge Vardaro's order of Aug. 22, 1997 in the file and therefore granted the plff's motion for writ of habeas corpus.
As it turns out, that was improper and the order of Sept. 10, 1997 is herebyvacated.
For the plaintff's benefit, when the arbitration hearing is scheduled, he must file another petition for writ of habeas corpus ad testificandum to obtain the court order directly transporting him from a state correctional facility to Craw. County for the purpose of appearing at the hearing if he desires to appear.

by the court,
Gordon R. Miller, p.J.

9/26/97 Dist. to Millin and sheriff Mailed to Breneman.

✓Sept. 15, 1997 Writ of HABEAS CORPUS and order filed. ORDER: AND NOW, this 10 day of Sept. 1997 on consideration of the within Writ, the court orderes and directs that a writ shall issue directing the Crawford County Sheriffs office to produce the body of Ashby O. Breneman, for pre trial conferences, jury selection, and jury trial at Crawford County courthouse, and following conclusion, return him to SCI-Rockview.
The warden at SCI-Rockview is authorized to deliver the said Ashby O. breneman to custody of Crawford county Sheriff, for appearance at said civil proceedings sc heduled for Oct. 6, 7, and 8, 1997 and to temporarily confine him at Craw. County Correctional Institution as necessary, BY THE COURT,
Gordon R. Miller, P.J.

9/16/97 faxed to Barrett, Millin, mialed to plff.

Continued on Pg. 511A

Sept. 15, 1997 Counter Motion to Strike Defendant's Motion - Certificate of Readiness and Order filed.
ORDER: AND NOW, hereby ordered that the plff's Counter-Motion is hereby denied.
by the court,
Gordon R. Miller, P.J.
9/16/97 faxed to Barrett and MIllin, mialed to plff.

Sept. 15, 1997 Addendum to Motion and order filed. ORDER: AND NOW, this 12 day of Sept. 1997 upon consideration of the plff's Addendum to his motion to Strike dft's Motion to strike the plff's cert. of REadiness: Said motion is denied.
by the court,
Gordon R. Miller, J.
9/16/97 faxed to Barrett and MIllin, mailed to plff.
..., * see Sept 26 order ....

Oct. 2, 1997 Notice of Appeal of plaintiff to the Superior Court of Pa. from Judgment of court of common Pleas filed. (1 copy Superior court, 1 copy Judge Vardaro)

Oct. 9, 1997 Notice from The Superior Court of Pa. , that Appeal is being returned because of defects.

November 7, 1997 Amended Notice of Appeal of plaintiff filed. (Distributed one copy to Superior Court, one copy to Plff).

Nov. 14, 1997 Superior Court of Pennsylvania Offical Docket Docket #02245PGH97 filed.

January 9, 1998 ORDER FILED. PLAINTIFF'S MOTION FOR AN EXIENSION OF TIME FILED.

January 9, 1998 ORDER FILED AND NOW, January 7, 1998, the Plaintiff's Motion For An Extension of Time to file his brief is denied in so far as it appears that this matter is currently in the Superior Court of Pennsylvania and the Order of Dec. 1, 1997, the defendant refers to apparently is an Order from that Court since we can find no Order on the docket in this court and this matter was appealed approximately a month prior to December 1, 1997.
This Order is without prejudice to the plaintiff to request his relief from the Superior Court.
BY THE COURT
ANTHONY J. VARDARO, J.
1/12/98 DISIRIBUTED Millin & Pltf.

Feb. 25, 1998 CERTIFICATE OF CONTENTS OR REMANDED RECORD AND NOTICE OF REMAND FROM SUPERIOR COURT FILED.

Feb. 25, 1998 ORDER OF COURT OF SUPERIOR COURT FILED. The Court hereby GRANTS the Application in the Nature of a Motion to Quash Appeal.
Date: Jan. 12, 1998 PER CURIAM

Apr. 5, 1999 Certificate of Readiness filed. (Jury Trial)

April 27, 1999 Motion to Strike Certificate of Readiness and Order filed. And Now, this 26 day of April 199 upon consideration of the Defendant's Motion to Strike Plaintiff's Certificate of Readiness and upon review of the pleadints, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiff's Certificate of Readiness is hereby stricken in accordance with this Court's prior Order of August 22, 1997.
by the court
Anthony J. Vardaro, J.
4/27/99 Faxed Millin Dist Breneman

Sept. 24, 1999 Motion To Strike/Remove from Trial List and Order filed. AND NOW, this 24 day of September, 1999, upn consideration of defendant's Motion to Strike thismatter formthe October, 1999 Civil Trial List, said Motion is granted.
IT IS HEREBY ORDERED, ADJUDGED AND ECREED that thismatter shall be stricken formthe October 1999 Civil Trial List and the Prothonotary is directed not to list this matter for further Cviil Trial unless and until an arbitration in accordance with the Local Rules of Court and the Pennsylvania Rules of Civil Procedure has been completed and appropriate appeal filed therefrom.
BY THE COURT,
Gordon R. Miller, J

9/24/99 Faxed Barrett mailed Breneman

FOR FUTURE ENTRIES AS OF OCTOBER 5, 2000 SEE COMPUTER.

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1992

Bruce Taylor
vs.
Joseph E. Altomare

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Oct. 15, 1993 Second Amended Complaint filed.

Oct. 19, 1993 Answer to Second Amended Complaint filed.

Feb. 18, 1994 Upon Praecipe of James F. Geronimo, Esquire, Attorney for Plaintiff, the above number and term is hereby marked settle and discontinue of record.

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1992

BOBBIE R. SEE

VS.

ROBERT C. SEE

RECORD CONTINUED FROM PAGE 397

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DIVORCE DECREE FILED

May 11, 1994 STIPULATION AND FINAL DECREE filed. AND NOW, this 21st day of April, 1994, it is ordered and decreed taht BOBBIE R. SEE, Plaintiff, and ROBERT C. SEE, Defendant, are divorced from the bonds of matrimony. IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

I--EQUITABLE DISTRIBUTION - REAL ESTATE

1. Defendant, Robert C. See, is awarded the marital real estate located in oil Creek Township, Crawford Co., PA., having a mailing address of R.D.#1, Titusville, Crawford Co. PA., and being the same land conveyed to the Plaintiff and Defendant, Robert C. See and Bobbie R. See, his wife, by Deed dated the 21st day of July, 1989 and recorded in Crawford county Record Book 80, Page 510.

II--EQUITABLE DISTRIBUTION - TANGIBLE PERSONAL PROPERTY

1. The Plaintiff is awarded a certain 1986 Chevrolet Blazer Motor Vehicle.
2. The Defendant is awarded a 1984 Ford Tempo Motor Vehicle;
3. The Defendant is awarded all tangible personal property presently in the Defendant's custody or under the Defendant's control and which property is located at the former marital residence of the Plaintiff and Defendant at RD #1, Titusville, Oil Creek Township, Crawford Co., PA.
4. The Plaintiff is awarded such tangible personal property that was formerly located at the marital residence of the plaintiff and Defendant at RD # 1, Titusville, Oil Creek Township, Crawford Co., PA., which tangible personal property presently is in her custody or under her control and located at the Plaintiff's residence at 311 West Elm St., Titusville, Crawford Co. PA. 16354.

III-- EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY

1. The Plaintiff is awarded all benefits to which she is entitled as a former employee and a participant in the Cyclops Pension Plan for salaried employees.
2. The Plaintiff is awarded all funds in a 401K Plan known as the Cyclops Profit Sharing Investment Plan (401K) in which the Plaintiff participated as a former employee of the Cytemp Specialty Steel Corporation.
3. The Plaintiff is awarded all life insurance benefits to which she is entitled as a former employee and participant as a salaried employee of the Cytemp Specialty Steel Corporations's insurance plan.
4. The Defendant is awarded all retirement benefits to which he is entitled as an employee at Weyerhaeuser Corporation and as a participant in the retirement plan of said corporation.
5. That the Defendant is awarded all life insurance benefits to which he is entitled as an employee and participant in an insurance plan at Weyerhaeuser Corporation.
6. That the accounts that have been established at Cyclops Titusville Federal Credit Union for Brian C. See under Account Number 3750, and for Becki R. See under Account Number 3751, shall remain in the custody and control of the Plaintiff and the disposition of those accounts shall be at the sole and exclusive discretion of the plaintiff.
7. Thata the Plaintiff is awarded the United States Series E Bonds presently in her custody and control and which Bonds have an approximate value of $4,000.00. The disposition of the aforesaid Bonds shall be within the sole and exclusive discretion of the Plaintiff.

IV--MARITAL DEBTS

1. The Defendant shall be solely and exclusively responsible for the following marital debts:

(a) Mortgage in favor of PennWest encumbering the marital residence at RD #1, Oil Creek Township, Crawford Co., PA;
(b) Installment loan with AVCO Financial Services;
(c) Installment loan with Beneficial Finance company;
(d) Installment loan with Integra Bank;
(e) Open account with Centerville Hardware.

The Defendant will make regular and timely payments on account of the aforesaid obligations and shall indemnify and hold the Plaintiff harmless from any liability on the aforesaid obligations. In the event that claim is made against the Plaintiff on account of any of the aforesaid obligations, then and in that event the Defendant shall be responsible for payment of any counsel fees incurred by the plaintiff in connection with the defense of said claim(s).

V--MISCELLANEOUS

1. The Plaintiff and Defendant shall sign, execute and acknowledge any and all documents necessary to effectuate the terms and conditions of this Decree, including but not limited to deeds, titles to motor vehicles, all forms from insurance companies and credit unions for the purpose of changing ownership and/or for the purpose of the withdrawal of funds.
2. Neither the plaintiff nor the Defendant shall make any further claims against the other hereto except for the enforcement of the rights and responsibilities as set forth in this Decree in Divorce.

BY THE COURT,
Gordon R. Miller, J.

CINDY SPECK
vs
RANDY SPECK

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It also appears that commutation is certainly arguably a marital asset and the Court would be inclined to grant an injunction freezing that asset until the parties have litigated this marital matter.

As an alternative the parties instead agree that the Defendant may take the sum of $2,000.00 from said commutation as well as whatever attorney's fees are due and the remainder shall not be spent in any manner at all until the first part of August, 1994 when it is agreed by the parties that the funds shall be used to pay off a PNC mortgage, two loans to FNB Consumer Discount Company and one loan to Nations Credit.

The parties further agree that once those loans have been paid off the remaining funds shall go to the Defendant for use in a manner he deems appropriate.

We will ORDER that the parties comply with the plan we have just set forth and they have agreed to and we note that this Order is without prejudice to either party to make whatever ar guments hey wish with respect to the marital assets including these funds in front of a Master and ultimately in front of the Court if necessary, it not being our intention to ultimately resolve the marital assets in this matter, but only our intention to make sure that the funds to be received from the Worker's Compensation commutation are appropriately applied in this matter.

In light of tthe nature of these proceedings, we will waive any bond requirement.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

7-7-94 Copies dist. to Pltf.,deft, Tinko & Walton

Nov. 22, 1994 Affidavit of Consent of Plaintiff filed.

Dec. 5, 1994 Amended Complaint in Divorce, filed. (1 copy Atty.)

Dec. 16, 1994 Inventory of Plaintiff filed.

Dec. 16, 1994 Income/Expense Statement filed.

Dec. 16, 1994 Affidavit of Service filed. And Now,December 16, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of theAmended Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt onDecember 7, 1994.
2. That the Defendant signed the return card on December 15, 1994, and in accordance with Pa. R.C.P. 412, serivce of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070383627) attached hereto as Exhibit'"A".

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

Barbara J. Walton

Dec. 30, 1994 Motion to Appoint Master in Divorce and ORDER APPOINTING MASTER filed. AND NOW, 12-30-1994, David Pickens, Esquire is appointed Master in respect to the following claims:
divorce, equitable distribution, counsel fees, costs & expenses.
Deposit required: By Plaintiff $_____ By Defendant $_____
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.

Per Curiam,
Gordon R. Miller, Judge

12-30-94 Faxed toAttys.Pickens, Walton & Tinko

Jan. 6, 1995 Notic eof Scheduled Pre-Hearing Conference on Friday, Feb. 10, 1995 at 10:00 a.m., filed.

Jan. 26, 1995 Motion To Quash Plaintiff's Motion For Appointment of Master in Divorce and to Rescind Court Appointing Master, filed.

Jan. 26, 1995 ORDER filed. AND NOW, January 20, 1995, the attorneys for the parties appear in Motion Court with the attorney for the Defendant filing this motion to quash with respect wo the appointment of a Master in this case.

After having heard counsel in Motion Court and reviewing the file, it is apparent that there has been some confusion procedurally in this case with the parties at one time at least representing themselves pro se.

Nonetheless, the record reflects that both attorneys are currently of record and have been for a period of time and , in light of that fact and it appearing from the record that a true and correct copy fo the Plaintiff's amended complaint in divorce filed on December 5, 1994 was never served upon the attorney for the Defendant and, likewise, the record reflecting that a true and correct copy of the Plaintiff's inventory filed on December 16, 1994 and her income and expense statement filed on the same date was not provided to the attorney for the Defendant as well as a motion for appointmant of master in divorce filed on December 30, 1994 even though Attorney Tinko is listed on that motion as representing the Defendant, it is hereby ordered and directed that the Defendant's motion to quash Plaintiff's motion for appointment of master in divorce is granted and Judge Miller's order of December 30, 1994 appointing David Pickens, Esquire, to be Master in Divorce in this case is rescinded without prejudice to either party to request the appointment of a Master when the record is in a proper state to do so.

The Prothonotary shall refund to the attorney for the Plaintiff the $250 deposit paid with the motion for appointment of master in divorce.

The Plaintiff's request for attorney's fees is denied.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 26, 1995 Walton, Tinko, Pickens

Feb. 7, 1995 Certificate of Service filed. I, the undersigned, hereby certify that on the 20th day of January, 1995, I served a true and correct copy of the Plaintiff's Income and Expense Statement and Inventory on Joseph W. Tinko Esquire, Attorney of record for Defendant, in thea bove captioned matter by personally handing him a copy of same.
Dated: 2/7/95
Barbara J. Walton

Feb. 7, 1995 Certificate of Service filed. I, the undresigned, hereby certify that onthe 2nd day of February, 1995, I served a true and correct copy of the Amended Complaint in Divorce on Joseph W. Tinko, Esquire, Attorney of reocrd for Defendant, in the above captioned matter by personally handing him a copy ofthe Amended Complaint.
Date: 2-7-95
Barbara J. Walton

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A

_____TERM

Feb. 13, 1995 Defendant's Answer and Coutnerclaim to Plaintiff's Amended Complaint in Divorce, filed.

June 28, 1995, ORDER filed. AND NOW, June 26, 1995, the plaintiffs request for the appointment of a master is denied and this file is returned to the Prothonotary insofar as the plaintiff's amended motion for appointment for master in divorce indicates that equitable distribution is a matter to be decided by the Master but the plaintiff has not included any information with regard tot he marital assets as required in Paragraphs 12 and 13 of that motion.
This order is without prejudice for the same to be resubmitted with that information supplied.
by the court:
Anthony J. Vardaro, J.
6/28/95 faxed to Tinko and Walton.

June 28, 1995, Amended Motion to Appoint Master and Order appointing Master filed. ORDER: AND NOW, this 5 day of JUly 1995 David Pickens, Esq. is appointed master in respect to the following claims:
Equitable Distribution
Counsel Fees, costs and expenses
Alimony and Alimony pendente lite
If not filed already the parties are ordered to file their pretrial statements within thrity days (30) from this date.
By the Court:
Gordon R. Miller, J.
7/5/95 faxed to Tinko, Pickens, given Walton.

Jul 6, 1995 Notice of Scheduled Pre-hearing Conference, filed.

Aug. 23, 1995, Petition to withdraw as Counsel for defendant and order filed. ORDER: AND NOW, this 23 day of Aug. 1995, upon petition of Joseph w. Tinko, Esq. to withdraw as counsel for the defendant, and upon consideration of the facts set forth in said Petition, it is hereby Ordered, aDjudged and Decreed as follows:
1. The said Petition is granted; and
2. The said Petitioner, Joseph W. Tinko, Esq. is hereby granted leave to immediately withdraw as the atty. for the defendant in this matter.
3. Mr. Tinko should serve a true and correct copy of this petition and order on the defendant first class amil to his last known address.
by the court,
Gordon R. Miller, J
8/23/95 to Tinko (faxed) Walton and Pickens.

Aug. 23, 1995, Motion to Continue Pre-Trial Conference and Order filed. ORDER: AND NOW, Aug. 23, 1995, the pre-trial conference scheduled before David Pickens, Divorce Master, scheduled for Aug. 24, 1995 is hereby continued. This pre-trial conference shall be rescheduled upon motion of the parties.
By the Court:
David Pickens Esq.
8-29-95 Copy to Attys. Walton, Pickens, mailed to Deft.

July 5, 1996, Notice of Scheduled Pre-Hearing Conference filed.

July 16, 1996 Motion To Withdraw filed.

July 16, 1996 Order filed. AND NOW, July 11, 1996 counsel's motion to withdraw is denied as she has not complied with Crwaford County Civil Rule L1012B.
An attorney may withdraw an appearance provided the attorney has given the client five (5) days written notice of her intention to withdraw. This motion was fled on July 10th and it indicates that notice was mailed on JUly 10th to the plaintiff. That is not in compliance with the local rules.
BY THE COURT,
Gorodn R. Miller, J
7-16-96 Faxed Walton & Tinko

Aug. 5, 1996 Motion to Withdraw by Barbara J. Walton, Esq., and ORDER filed. And now, August 2, 1996, the motion for withdrawal of appearance is granted. Anthony J. Vardaro, J.
8-5096 FAXED Walton & Tinko

Aug. 12, 1996 Summary of Pre-Hearing Conference filed.

Aug 19, 1996 Petition To Amend Divorce Complaint and Order: AND NOW, it is hereby ORDERED this 16th day of August 1996, that Petitioner's request to amend her Divorce Complaitn is hereby granted. The Plaintiff shall file her Amended Complaint within 20 days. Anthony J. Vardaro, J.
Aug 21, 1996 sent copy to Plf.

Aug 19, 1996 Petition For Special Relief, filed.

Aug 19, 1996 ORDER: AND NOW, August 16, 1996, the plaintiff presents a Petition for Spe;cial Relief in Motion Court pro se and the defendant appears pro se and apposes the Petition.
ACCORDINGLY, hearing in this matter is set for August 27, 1996, at 9:15 a.m., on Courtroom No. 2 before the undersigned. Anthony J. Vardaro, J.
Aug 19, 1996 Mailed Plf. & Dft.

Aug 27, 1996 ORDER: AND NOW, August 27, 1996, at the time set for a hearing on the Plaintiff's Petition for Special Relief, neither party appears and we note that both were notified of this hearing date in Motion Court when it was set on August 16, 1996.
Therefore, the Plaintiff's Petition for Special Relief is dismissed. Anthony J. Vardaro, J.
Aug 27, 1996 mailed Plf. & Dft.

Sept. 5, 1996 Amended Complaint filed.

June 4, 1997 Appearance of Schroeck & Associates, P.C. by William C. VanScyoc, Esquire, on behalf of the Plaintiff.

June 20, 1997 Petition for Special Relief and Order filed. AND NOW, to-wit, this 20 day of June, 1997, upon consideration of the within Petition for Special Relief, it is hereby ordered that a Rule to Show Cause why the relief requested should not be granted shall issue and a hearing on the above Petition is scheduled for the 25th day of July 1997, at 2:30 PM in a Court Room to be assigned by Court Administrator. Copy to Plaintiff counsel & to Defendant.
BY THE COURT,
P. Richard Thomas, S.J.
6-23-97 FAXED VanSyoc & MAILED Deft.

RECORD CONTINUED ON PAGE 514 (b).....

July 29, 1997 Hearing on Petition for Exclusive Possession and ORDER filed. AND NOW, July 25, 1997, at the time scheduled for hearing on a Petition for Special Relief, the plaintiff arrives with counsel and the defendant arrives pro se. The matter is informally discussed and the parties mutually agree as follows:

1. Immediately at the close of this hearing, the defendant Randy Speck will deliver to the plaintiff Cindy Speck a key for the marital residence located at 22524 Berry Knolls, Cambridge Springs, PA. 16403.
2. The defendant husband is residing in the home now and does not object to the petition before the Corut for special relief granting the wife possession of the marital residence on the following conditions: (SEE PAPERS FILED).

BY THE COURT,
P. Richard Thomas, S. J.

July 27, 1997 Order Mailed Atty. Van Scyoc and Deft.

Aug 4, 1997 Petition For Special Relief, filed.

Aug 5, 1997 ORDER: AND NOW, Aug 4, 1997, the attached Petition was presented in motion's court. Both parties appeared. State Farm Fire and Casualty Company issued a check in the amount of $7,173.10 to Randy L. Speck and Cynthia D. Speck. The check was dated July 31, 1997. Mrs. Speck believes she is entitled to all of the proceeds on teh theory that the items that were lost in fire were owned solely by her and that this check represents payment for the personal property lost in that fire. Mr. Speck counters with the allegation that most of the items were marital property and he is entitled to a share of that. He asks to receive $1,500.00 of the settlemetn proceess so that he can purchase items.

The Court indicated that we would not resolve this matter in motion's court, but that we would schedule an evidentiary hearing to hear evidence on this matter. The parties have arrived at a settlement for the sole purpose of disposing of the insurance check and for no other purpose. Therefore, it is ORDERED as follows:

1. The parties shall endorse the check for $7,173.10.
2. Randy L. Speck shall receive $1,500.00 of those proceeds.
3. Cynthia D. Speck shall receive the rest.

(FOR COMPLETE ORDER SEE PAPER FILED) Gordon R. Miller, P.J.
Aug 6, 1997 Mailed Van Scyoc and Dft.

Dec 19, 1997 Affidavit of Service of Affidavit of Consent and a Waiver of Notice on the Defendant, filed.

Dec 19, 1997 Marriage Separation Agreement, filed.

Dec 19, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Plaintiff, filed.

Dec 19, 1997 Affidavit of Consent of Plaintiff, filed.

Dec 19, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Defendant, filed.

Dec 19, 1997 Affidavit of Consent of Defendant, filed.

Dec 19, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

January 15, 1998 ORDER FILED. This divorce mttter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because.

The parties are asking that an agreement be incorporated into the decree yet:

There is no written indication of record that both parties agree to the incorporation of the agreement into the decree.

Unpaid costs of AD 1997 - 310 in the amount of $97.50 must be paid.

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parites are entitled to a final decree.

BY THE COURT
ANTHONY J. VARDARO, J.

1/15/98 VanScycc Jr. & deft.

Feb. 20, 1998 Addendum To Marriage SeparationAgreement filed.

Feb. 20, 1998 Upon praecipe of Plaintiff Attoreny To Transmit Record, this case moved to court.

Mar. 12, 1998 ORDER filed. This div. matter has been referred to court for review and decree. The ct. has reviewed the record and is returning the record to the Pro. A final decree will not be granted at this time because:

Unpaid costs at AD 1997-310 in amt. of $97.50 must be paid.

Either party may file a praecipe to refer the matter back tothe court when the record is in such a state that parties are entitled to final decree. BY THE COURT,
Anthony J. Vardaro, J.

3/12/98 mailed to Van Scyoc and dft.

March 24, 1999 Upon Praecipe of Felicia R. Schroeck Esq Attorney for Plaintiff to transmit record, this case moved to Court.

DIVORCE DECREE FILED

AND NOW, April 5, 1999, it is hereby ordered and decreed that CINDY SPECK, Plaintiff, and RANDY SPECK, Defendant are divorced from the bonds of matrimony.

The Marriage Separation AGreement of Dec. 2, 1997, shall be incorproated into this decree.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente ltie if any economic claims remain pending.

BY THE COURT,
Anthony J. Vardaro, J.

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1992

1992 TERM

Darlene M. Brenot

vs.

David Austin Brenot

RECORD CONTINUED FROM PAGE 121

OF

AD 1992 - 121

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AND NOW, this day of , 19 , the Court having appointed a custody mediator in this action for custody, and/or partial custody and/or visitation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.

2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.

3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.

4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT
Anthony J. Vardaro, J.

Sept. 7, 1994 Copy FAXED to Atty. Lindsay, copy given Dft.

Sept. 9, 1994 SHERIFF'S RETURN, filed. SERVED Plaintiff Darlene Brenot personally on September 1, 1994 at 3:05 PM by handing a copy of the Custody Complaint Modification to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers,

Barbara J. Bernoski, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 15, 1994 ORDER filed. AND NOW, November 10, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Justin Carl Brenot, Shane Edward Brenot and William Christian Brenot shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Justin Carl Brenot, Shane Edward Brenot and William Christian Brenot shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit and take the children into his custody on such dates and for such periods of time as he and the mother shall mutually agree.

B. The father is directed not to harass the mother or say anything negative about mother to the children. When father is able to be courteous and speak respectively to and about mother, mother is encouraged to arrange visits between the children and father.

C. Neither mother nor father shall say or do anything in an atatempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

D. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

E. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number. Telephone contact between father and the children shall be only that contact initiated by the children.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof.

IV. Cost of the mediation conference will be paid by Crawford County.

Gordon R. Miller, J.

Nov. 15, 1994 Faxed to Brode, Lindsay, Fuller & CYS
Nov. 17, 1994 copy sent to Plf. & Dft.

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_____TERM

1992 TERM

Beth A. Brunot
vs
John A.Brunot

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Sep. 8, 1994 Motion to Withdraw Appearance of Attorney Barbara J. Walton, and ORDER filed. And Now, September 7, 1994, the motion for withdrawal of appearance is granted.

By the Court:
Gordon R. Miller, J.

9-8-94 Faxed to Halliday, given to Walton. 9-12-94 Faxed to Atty.Thomas

Dec.2, 1994 Defendant's Income and Expense Statement,filed.

?Dec.2, 1994 Certificate of Service filed. Notice is herebygiven that a true and correct copy of the Inventory and the Statement of Income and Expenses in the above matter has been served upon R.Charles Thomas, Esquire, Attorney for Plaintiff, by U.S.mail, first class,postage prepaid, on this date.
Date: 12/2/94 BY Michael Halliday, Esquire

Mar. 15, 1995 Affidavit of Service of Complaint in Divorce, filed. R. Charles Thomas, Esquire, being duly sworn according to law, deposes and says that on January 17th, 1992, he sent a true and correct copy of the Complaint In Divorce, properly endorsed with the Notice To Defend, filed in the above action to the Defendant, John A. Brunot, at Defendant's last known address of 955 A St., Meadville, Pa. 16335, by Certified Mail No. P 899 088 177, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as 1-22-1992.

Mar. 15,1995 Affidavit of Consent of Plaintiff, filed.

May 5, 1995 Upon Praceipe of R.Charles Thomas,Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

May 17, 1995 ORDER filed. AND NOW, May 16, 1995 this matter has come to the Court for review for a final divorce. Since there are outstanding costs in a custody action at 1992-57 the divorce will not be considered until those costs are paid.
Once the costs in the custody action are paid in full the Prothonotary shall notify the Judges' Chambers and the file will be reviewed for the entry of a final decree in divorce.

BY THE COURT
Gordon R.Miller, P. J.

5-17-95 Dist. to R.C.T. &Halliday

DIVORCE DECREE FILED

MMay 23, 1995 STIPULATION and FINAL DECREE FILED. AND NOW, this 12th day of May, 1995, it is ordered and decreed that BETH A. BRUNOT, Plaintiff, and JOHN A. BRUNOT, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED as follows:

I. EQUITABLE DISTRIBUTION--INTANGIBLE PERSONAL PROPERTY

1. The Plaintiff is awarded the net proceeds from the sale of the former marital residence of the Plaintiff and Defendant located at 965 Render Ave., Meadville, Crawford Co., PA. 16335.

2. The Defendant is awarded the business and all assets of the business in which he engages as a certified financial planner at 297 Chestnut St., Meadville, Crawford Co., PA. 16335.

3. The Plaintiff is awarded a certain life insurance policy issued by Security Mutual Life and being Policy #101331, which policy insures the life of the Plaintiff and has a face value of $100,000.00. The Defendant shall pay all premiums due on the aforesaid life insurance policy to Security Mutual Life in a regular and timely manner so as to maintain the aforesaid insurance policy in full force and effect for a period of at least three years from the date of the filing and entry of this Decree. At the end of three years the Plaintiff shall be solely and exclusively responsible for the payment of the premium due on the aforesaid policy to Security Mutual Life Insurance Company.

4. The Defendant is awarded a certain life insurance policy issued by the Jackson National Life Insurance co. being Policy #885251H, insuring the life of the Defendant. The Defendant shall be obligated to pay the premiums due on the aforesaid policy issued by the Jackson National Life Insurance Co.and shall pay said premiums on a regular and timely basis and will maintain said policy in full force and effect so as to comply with the provisions of Paragraph 5 of this Decree.

5. The Defendant shall, within ten (10) days after the entry and filing of this Decree in Divorce provide to the Plaintiff an executed copy of an Intervivos Insurance Trust Agreement. The beneficiaries of said Trust shall be the minor children born of the marriage of the Plaintiff and Defendant, to-wit: Carleight Brunot, born Feb. 10, 1985; Kaylan Brunot, born March 13, 1985; and Charris Brunot, born april 16, 1988. The Trustee of said Trust Agreement shall be a corporate trustee and shall be named the beneficiary of the policy hereinbefore referred to in Paragraph 4 of the Divorce Decree. The Trust to be created for the benefit of the aforesaid minor children shall continue in full force and effect until Charris Brunot attains the age of twenty-six (26) years. The aforesaid Trust Agreement provides that the Trustee shall have all of the powers conferred upon Trustees by law and in addition thereto, without limitation by reason of specification the following specific powers: during the minority of any beneficiary, the Trustee may pay, transfer or assign income or corpus in any one or more of the following ways:

(a) Strictly to the beneficiary in such amounts that it may deem advisable as an allowance;
(b) To the guardian of the person or of the property of the beneficiary;
(c) To a relative of the beneficiary upon the agreement of such relative to expend such income or corpus solely for the benefit of the beneficiary;
(d) By expending such income or corpus directly for the education, maintenance and welfare of the beneficiary(s).

II. EQUITABLE DISTRIBUTION--TANGIBLE PERSONAL PROPERTY

1. The Plaintiff is awarded a certain 1987 Ford Taurus Automobile which previously has been traded in connection with the acquisition of a certain Toyota Camry Automobile.

2. The Defendant is awarded a 1986 Toyota Celica Automobile which automobile has previously been traded in connection with the acquisition of a certain 1986 Audi Automobile.

3. The Plaintiff is awarded all tangible personal property presently located at the residence of the Plaintiff at 894 Lafayette St., Meadville, PA., which tangible personal property was formerly located at the marital residence of the Plaintiff and Defendant at 965 Render Ave., Meadville, Crawford Co., PA.

4. The Defendant is awarded all tangible personal property presently located at Defendant's residence at 730 Pine St., Meadville, PA., and formerly located at the marital residence of the Plaintiff and Defendant at 965 Render Ave., Meadville, PA.

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1992 TERM

BETH A. BRUNOT

VS.

JOHN A. BRUNOT

RECORD CONTINUED FROM PAGE 517

OF

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5. The Plaintiff shall deliver to the Defendant negatives of family photographs immediately upon the filing and entry of this Decree In Divorce and said negatives shall be returned by the Defendant to the Plaintiff within 90 days of the date of the receipt of same.

III. MARITAL DEBTS

1. Plaintiff shall be solely and exclusively responsible for payment of the following marital debts, to-wit:

a) Plaintiff's student loan, evidenced by a Note in favor of the Commonwelath of PA.;

b) Charge account with Montgomery Ward.

The Plaintiff shall make regular and timely paymetns on the aforesaid accounts and shall indemnify and hold the Defendant harmless from any liability thereon.

2. The Defendant shall be solely and exclusively responsible for the payment of the following marital debts, to-wit:

a) Charge accounts with Sears, Montgomery Ward, and Horne's;

b) VISA charge card;

c) Line of credit with Northwest Savings Bank;

d) Integra Bank (husband's student loan);

e) EquiBank loan.

3. The Defendant shall be solely and exclusively responsible for the payment of all income taxes that may be due and owing to the U.S. Government (Internal Revenue Servie), the commonwealth of PA. (Dept. of Revenue), the Township of West Mead and/or the City of Meadville and/or the Crawford Central School District (local income taxes), together with all interest and penalties due thereon that may be due and owing by the Plaintiff and Defendant for the taxable years ending Dec. 31, 1990, Dec. 31, 1991, and Dec. 31, 1992. The Defendant shall diligently resolve any and all tax liabilities incurred by the Plaintiff and Defendant with the aforesaid entities and shall further indemnify and save harmless the Plaintiff from any liability on the aforesaid obligations. In the event that the Defendant fails to comply with this provision and in the event that it is necessary for the Plaintiff to secure representation for the purpose of defending the Plaintiff in any proceedings reltive to the collection of the aforesaid taxes, then and in that event the Defendant shall be solely and exclusively responsible for payment of fees and costs incurred by the Plaintiff in connection with said proceedings.

Defendant shall be permitted to claim as exemptions on all income tax returns the minor children born of the marriage of the Plaintiff and Defendant to-wit: Carleigh Brunot, Kaylan Brunot and Charris Brunot, for the taxable years 1995, 1996 and 1997. Thereafter the Plaintiff and Defendant will, prior to April 15th of each subsequent taxable year, resolve between themselves the matter of the claiming of the aforesaid minor children as tax exemptions for all income tax purposes. The Defendant shall be permitted to amend his prior year tax return so as to claim the aforesaid minor children as exemptions.

IV. ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS

1. The Plaintiff's request for temporary alimony is denied.

2. The Plaintiff's request for counsel fees and costs is denied.

3. The Plaintiff's request for permanent alimony is granted.

The Plaintiff is awarded the sum of $300.00 per month for a period of thirty-six (36) consecutive months commencing March 1st, 1995 and terminating Feb. 28, 1998. The award of alimony as hereinbefore set forth shall terminate immediately upon the occurrence of any of the following events: The death of the Plaintiff or the death of the Defendant.

4. Upon the filing and entry of this Decree In Divorce the Plaintiff shall be solely and exclusively responsible for providing her own health care coverage.

V. MISCELLANEOUS

1. The Defendant is currently obligated to pay the sum of $2000.00 per month for the support of the Plaintiff and three (3) minor children to-wit Carleigh Brunot, Kaylan Brunot and Charris Brunot, pursuant to the Domestic Relations Order entered at DR 1991-500, which Order was affirmed by Order of the Court entered on June 29, 1993. Upon the filing and entry of this Decree In Divorce the award for spousal support shall terminate immediately and thereafter the Defendant shall be obligated to pay the sum of $1500.00 per month for the support of the aforesaid minor children to-wit Carleigh Brunot, Kaylan Brunot and Charris Brunot. This Order for the support of the aforesaid minor children shall continue for a period of thirty-six (36) consecutive months commencing on April 1st, 1995 and terminating on March 31, 1998 and thereafter support for the aforesaid minor children shall be established by agreement of the Plaintiff and Defendant provided, however, that in the event that athe Plaintiff and Defendant cannot agree as to the amount of support for the aforesaid minor children, then in that event support shall be determined by the Court having jurisdiction over the subject matter at the time. This award for child support at the rate of $1500.00 per month shall not be subject to modification by either the Defendant or the Plaintiff during the period of thirty-six (36) months as hereinbefore established. In addition to the aforesaid payment of $1500.00 per month the Defendant shall maintain at his sole and exclusive expense health care coverage on the aforesaid minor children and in addition thereto shall be solely and exclusively responsible for all uninsured hospital, medical, dental, optical expenses incurred by the aforesaid minor children until March 31, 1998 and thereafter this provision shall be resolved in the same manner as the support obligation is resolved as hereinbefore provided.

BY THE COURT,
Gordon R. Miller, J.

July 31, 1995 Motion For Modification of Custody Order and Order filed. AND NOW, this 31st day of July, 1995, upon consideration of the within motion, it is hereby ordered and decreed as follows:
This matter is ferred back to the custody mediation for a hearing as soon as possible.

BY THE COURT,
Gordon R. Miller, J

Aug. 1, 1995 Faxed Thomas, Walton, PIneo & Halliday

October 2, 1995 TEMPORARY ORDER FILED. AND NOW, this 2nd day of October, 1995, after Meiation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Carleigh, Brunot, Kaylan Brunot and Charris Brunot.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor children. Health care, school personnel, and other care providers hereby authorized to release to either party any and all confidential information which the may have regarding the subject minor children.

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BETY A. BRUNOT
BETH A. BRUNOT
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3.a. The mother shall have primary physical custody of the subject minor children.

b. For the Summer of 1996, the father shall have physical custody of the subject minor children from the first Saturday in July until the fourth Saturday in July. For 1997, the father shall have physical custody from June 15 until July 30th. For the Summer of 1998 and in following years, the father shall have physical custody from June 15th of each year through August 15th of each year. The parent not having physical custody of the subject minor children shall have the right to telephone them at reasonable time and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

c. Whenever the parent not having physical custody happens to find himself within reasonable proximity of the household of the parent having physical custody, he or she shall have the right to reasonable temporary physical custody and visitaion providing that the party seeking visitation providing that the party seeking visitation shall have given the other party one month's notice of the visit.

4. Holiday visitations shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitaion periods to occur during the children's Christmas vacation from school. The first shall begin on Christmas Eve and end on December 27th and the second shall begin on December 27th and end on New Year's Day. In Odd numbered years the father shall have temporary physical custody and visitation for the second period and in even numbered years, teh first period.

b. Thanksgiving: In even numbered years the fathershall have visitation and temporary physical custody during the children's Thanksgiving vacation from school from 6 P.M. of the Wednesday prededing Thanksgiving until Noon of the Sunday after Thanksgiving.

c. The provisions of this paragraph shall ake precedence over the other provisions of this Order relating to the custodial or visitation periods.

5. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

6. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the shall attempt to once to arrange for alternative visits or to make alternative arrangements.

7. The father shall be responsible for arranging transportation and bearing its costs. Should the father choose to have the children fly, the mother shall be required to deliver the children to the airport and pick them up on their return, provided that the children are flying from Pittsburgh, Cleveland, or Erie. Any person transporting the children by automobile shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, in a closed automobile in which the children are being transported, or in the bedroom of the children.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the childrens estimation.

11. The parties shall make their arrangements and conduct all necessary discussion and negotiations directly with each other and neither shall involve the children in bearing messages to the other. Neither parent shall interrogate the children with respect to the details of the other's life nor attempt to make the children a informant against the other. Each party shall respect the privacy of the other.

12. Costs and fees of this Mediation, which are fixed at $272.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Also the parties shall split the $9.00 entry fee so that each must pay $140.50 within 30 days.

14. Either party may move the Court for a hearing de novo within ten days from the date hereof. If neither party so moves, this Order shall be considered permanent.

BY THE COURT
ANTHONY J. VARDARO, J.

October 11, 1995 Faxed Thomas, Holliday & Pineo

Oct. 5, 1995, Request for Hearing De Novo filed.

Oct. 18, 1995 REQUEST FOR HEARING DE NOVO filed.

Dec. 1, 1995 ORDER filed. AND NOW, this 30th day of November, 1995, in consideration of the foregoing motion, a de novo custody hearing is set for January 3, 1996 at 9:15 o'clock a.m. in Courtroom 1 or 2. BY THE COURT,
Gordon R. Miller,J.

12-1-95 FAXED Thomas & Halliday.

Dec. 1, 1995 Petition to Adjudicate Defendant in Contempt and for Imposition of Sanctions and ORDER filed. AND NOW, this 30th day of November, 1995, upon presentation and consideration of the within Petition, a Rule is granted upon the Defendant to show cause, if any he has, why he should not be adjudicated in contempt and sanctions imposed upon him.

Returnable for hearing on the 3rd day of January, 1995 at 9:15 o'clock A.M. in Court Room No 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania.

A copy of this Petition and Order shall be served upon the Defendant, John A. Brunot, and upon Defendant's counsel, Michael Halliday, Esquire.

BY THE COURT,
Gordon R. Miller, J.

12-1-95 Faxed Thomas, Halliday.

Jan. 3, 1996 Motion for Continuance for Sanctions against the Defendant and ORDER filed. ORDER. AND NOW, December 29, 1995 , denied. Filed as uncontested but it is contested.

Anthony J.Vardaro, J.

1-3-96 Faxed Halliday & Thomas

Jan. 43, 1995 Motion for Continuance for Rrequest for Hearing Der Novo and ORDER filed. ORDER. AND now,December 29, 1995 denied. Filed as uncontested but it is contested.

Anthony J.Vardaro, J.

1-3-96 Faxed Halliday & Thomas

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Jan.9, 1996 ORDER filed. AND NOW, January 3, 1996, this matter is before the Court for a denovo custody hearing at the request of the defendant. An Order was entered on October 2, 1995, as a result of a mediation after a motion for modification filed by the defendant.

For reasons we have indicated previously on the record this day, neither the defendant nor his attorney have appeared and this matter has not been continued by the Court as the defendant's counsel was advised on December 29, 1995 through contact to his office and personally on December 30, 1995 by the Court Administrator.

The plaintiff, through her counsel, indicates that she is satisfied with the Temporary Order entered on October 2, 1995 after mediation and would not present testimony to the contrary or request anything other than the terms of that Order.

ACCORDINGLY, we affirm the order of October 2, 1995, and that shall become a permanent Custody Order forthwith.

BY THE COURT,
Anthony J. Vardaro,Judge

1-9-96 Mailed Halliday, Thomas (Box)

Jan. 9,1996 ORDER filed. AND NOW, January 3, 1996, this matter is before the Court on a Petition to Adjudicate Defendant in Contempt and for Imposition of Sanctions. The Plaintiff appears with her attorney and neither the defendant nor his attorney appear, and we have previously placed on the record this day the fact that counsel for the defendant has requested a continuance on December 29, 1995, not in compliance with the Local Rules and not with the consent of the plaintiff.

It appearing clear that the terms and conditions of the divorce decree in Paragraphs 3, 4 and 5 have not been complied with and while it appears that there may be some ongoing efforts by the defendant to do so, nonetheless,we find that the defendant is in contempt of court, specifically, with respect to the provisions of the final divorce decree of May 12, 1995.

It is ORDERED and DIRECTED that for his contempt, he pay directly to counsel for the plaintiff attorney's fees which we find to be reasonable in the amount of $225 within 30 days of the date of this Order.

ADDITIONALLY, he shall comply fully with the provisions of Paragraphs 3, 4, and 5 of the divorce decree of May 12, 1995, no later than 4:30 p.m. on January 16, 1996, or commencing on January 17, 1996,and every calendar day thereafter, he shall pay a fine of $100 until he complies with the requirements of Paragraphs 3, 4 and 5 of the May 12, 1995 divorce decree.

BY THE COURT,
Anthony J. Vardaro, Judge

1-9-96 Mailed Halliday, Thomas (Box)

Jan. 24, 1996 Motion for Reconsideration and ORDER filed. AND NOW this 24 day of January, 1996, upon consideration of the within Motion for Reconsideration, said motion is denied.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 24, 1996 Order FAXED Attys. Halliday and Irwin, Thomas.

Jan. 28, 1997 Praecipe for Appearance by Peters, Lindsay, Lewis & Hatheway by Edward J. Hatheway, Esq., for Defendant filed.

Feba 7, 1997 Petition for Contempt and Order: Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court concerning the custody/visitation arrangement of your minor children.

If you wish to defend agaisnt the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses orobjections.

Whether or not you file in writign with the court your defenses or objections, you must appear in person in court on the 26th dayof March, 1997 at 9:15 A.M. in Courtroom 2 of the Crawford County Courthouse located at 903 Diamond Square Meadville, PA 16335.

IF YOU DO NOT APPEAR IN PERSON, THE COUR TMAY ISSUE A WARRANT FOR YOUR ARREST.

Anthony J. Vardaro, J.

Feb 10, 1997 Faxed Thomas & Hatheway

Feb. 18, 1997 Petition to Adjudicate Defendant in Contempt and for Imposition of Sanctions by Plaintiff and Order filed. AND NOW, that 18th day of February, 1997, upon presentation and consideration of the within Petition, a Rule is granted upon the Defendant to show cause, if any he has, why he should not be adjudicated in contempt of the Divorce Decree heretofore entered in this case, and sanctions imposed upon him.

RETURNABLE for hearing and/or argument on the 26th day of March, 1997, at 9:15 o'clock A.M. in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

A copy of this Petition and Order shall be served upon the defendant, John A Brunot, and upon Defendant's counsel, Edward Hatheway, Esquire, by certified mail and regular mail respectively.

BY THE COURT
Anthony J. Vardaro, J.

2-18-97 FAXED Hatheway & Thomas

Mar. 5, 1997 Motion for Continuance and Order filed. AND NOW, this 5 day of March, 1997, upon presentation and consideration of the within Motion, the hearings in this matter are continued to the 3 day of April, 1997 at 3 o'clock P.M. in Court Room No. 2 of the Crawford County Court House, Meadville, Pennsylvania.

BY THE COURT,
Anthony J. Vardaro, J.

Apr 14, 1997 ORDER: AND NOW, April 3, 1997, this matter is before the Court for cross contempt petitions. This hearing has been continued from yesterday afternoon and after the Court sessions yesterday afternoon there apparently were some negotiations between the parties.

The Defendant's counsel at one point was under the impression this matter was resolved although he never actually received final word from Plaintiff's counsel that Plaintiff had approved a proposed settlement. Unfortunately, the Defendant's attorney indicated to Defendant that he did not have to be here this afternoon because the Defendant's attorney was under the impression that this matter was settled and the Defendant does not appear and cannot be reached.

Under these circumstances, it is not the Defendant's fault that he is not here and therefore, the Court will continue this matter until April 18, 1997 a.m. in Courtroom No. 2 before the undersigned.

The parties should proceed or should appear to proceed with the continuation of the hearing regarding the Defendnat's petition for contempt against the Plaintiff and immediately thereafter we will proceed with the Plaintiff's petition for contempt against the Defendant.

Anthony J. Vardaro, J.

Apr 17, 1997 Faxed Halliday & thomas

May 6, 1997 ORDER: AND NOW, April 25, 1997, this matter comes before the Court for a continuation of a hearing athat commenced on April 2, 1997. This matter has been continued on the lat couple occasions to allow the Defendant to attend but he is not present this day. He was present for the first day of the hearing.

After hearing in this matter, the Defendant's petition for contempt against the Plaintiff is dismissed in its entirety as we find as a fact tht there are no facts to support the allegations made in that petition.

With respect to the Plaintiff's petition against the Defendant, we find that the Defendant is in contempt of the Court's Order in the nature of a Divorce Decree entered on May 12, 1995 in that he has violated the conditions and terms of Paragaraph No. 3 of that Final Decree in that he did not keep the premiums due woth respect to that life insurance policy set forth in that paragaraph paid when due.

Further, he is in violation of the provisions of that Final Decree requiring him to keep health insurance at all times with srespect to the minor children and with respect to his obligation to pay child support and spousal support.

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Additionally, he has failed to pay orthodontic expenses to Dr. Paul Shok and has failed to pay other medical expenses to Dr. Choi in a timely manner.

Finally, he is in contempt of our Jan 3, 1996 Order for failing to pay the total counsel fees awarded to Plaintiff's counsel at that time.

Based on his contempt, the Defendant is sentenced to undergo improsonment in the Crawford County Jail for a minimum term of 3 months and a maximum term of 6 months with Work Release Privileges. His sentence of incarceration issuspended at this time in order to give him an opportunity to purge hinmself of contempt. He maydo so as follows:

1. He shall beginning in May of 1997 keep current with respect to his spousal support and child support obligation tha tmeaning that he must have both paid in full by the last day of the month that those obligations are due.

(FOR COMPLETE ORDER SEE PAPER FILED)
Anthony J. Vardaro, J.
May 6, 1997 Dist Thomas & Hatheway
May 13, 1997 Faxed to Pineo

May 6, 1997 Motion for Rescheduling of Hearings and Order: AND NOW, this 18 day of April, 1997, upon presentation and consideration of the within Motion, the hearings in this case are rescheduled for the 25 day of April, 1997 at 9 o'clock A.M. in Court Room No 2 of the Crawfor dCounty Court House, Meadville, Pennsylvania.

Anthony J. Vardaro, J.

May 6, 1997 Motion to continue April 18, 1997 Hearing and Order: AND NOW, this 18 day of April, 1997, after presentation and consideration of the Defendant's Motion to Contineu the April 118, 1997 hearing, said motion is granted and the hearing is continued generally and can be re-scheduled upon motion by either party.

Anthony J. Vardaro, J.

May 13, 1997 Faced both orders to Thomas Hatheway & Pineo

May 21, 1997 Exhibits filed.

June 27, 1997 Motion to Withdraw as Legal Counsel by Edward J. Hatheway, Esq., and Order filed. AND NOW, this 27th day of June, 1997, upon presentation and consideration of Edward J. Hatheway, Esq.'s Motion to Withdraw as Legal Counsel in this case, said motion is hereby granted.

Edward J. Hatheway, Esq. is hereby directed to serve a copy of this court order upon the Defendant, John A. Brunot.

BY THE COURT:
Gordon R. Miller, J.

6-27-97 FAXED Thomas & Hatheway

July 7, 1997 Petition for Suspension of Temporary Custody and Order filed. AND NOW, this 7th day of July, 1997 upon presentation and consideration of the wtihin Petition, a Rule is granted upon the Defendant, John A. Brunot, to show cause, if any he has, why the visitations afforded to him with his minor children pursuant to the Order heretofore entered by this Court onOctober 2nd, 1995 should not be suspended pending further hearing by this court,.

Returnable for hearing and/or argument on the 18th day of August, 1997 at 10:30 a.m. in Court Room No. 2 of the Crawford County Court House, Meadville, Pennsylvania.

FOR THE COURT,
Ann A. Walker, C.A.

7-17-97 Faxed Thomas & Hatheway

July 21, 1997 Petition for release of money in escrow with Prothonotary's Office and Order: AND NOW, July 18, 1997, upon consideration of the defendant's Petition For Release of Money in Escrow With The Prothonotary's Office, and it appearing that even though the divorce in this matter was granted on May 23, 1995, the defendant's deposit of $700 for a master remains with the Prothonotary, it is Ordered an Direcrted that the Prothonotary may release the $700 to the Domestic Relations Section of Crawford County to be applied as requested by the defendant with the regard to the contempt order of April 25, 1997.

The defendant shall notify the Domestic Relations Sectiion within ten (10) days as to how he wishes for that money to be applied toward what he owes pursuant to the April 25, 1997 Order. Anthony J. Vardaro, J.
July 22, 1997 Distributed Dom Rel & Thomas and Mailed Dft.
July 31, 1997 copy to Peterson-Muth

Aug. 12, 1997 Petition for Continuance of Custody Hearing on Aug. 18, 1997, filed.

Aug. 12, 1997 ORDER filed. And Now, Aug. 12, 1997 the dft's pro se petition to continue a custody hearing scheduled for Aug. 18, 1997 is denied.

The dft. in the unsigned and unverified "petition" gives the reason that he does not want to return as the fact that there is an outstanding bench warrant for him in Crawford County, we cannot continue a hearing in order to allow a person to avoid incarceration due to a bench warrant.

BY THE COURT,
Anthony J. Vardaro, J.

8/12/97 Copies dist. by court.

Aug 20, 1997 ORDER: AND NOW, August 18, 1997, at the time set for a hearing on the Plaintiff's Petition for Suspension of Temporary Custody, the plaintiff appears with counsel and the defendant does not appear.

The Petition originally addressed a time period for summer visitation or temporary physical custody with the defendant, which has now passed, but in order to address possible future problems with visitation or temporary physical custody with the defendant, it is ordered and directed that he promptly provide the plaintiff with photographs of the general neighborhood in which the residence in which the chidlren will be residing with him is located and that he also provide assurances through photographs or any other appropriate manner that the children will be sleeping in the same building in which the defendant resides.

We note specifically that the defendant provided a photograph of what was pruported to be the sleeping room for the children and it appears to be a basement area with only a chair present. Obviously, if that is the sleeping area, he should supply a photograph showing that it does have beds for the children to sleep in.

Anthony J. Vardaro, J.

Aug 20, 1997 Distr. Thomas & Dft by mail

Nov 18, 1997 ORDER: AND NOW, Nov 17, 1997, the Court has received a packet of documents from the defendant, including what is headed a Petition For Release of Escrow With Prothonotary's Office.

The petition is unverified and there has not been notice given to the plaintiff as required by thelocal rules. Additionally, the petition seems to be indicating that the defendant is alleging the plaintiff is previously in contempt but is not asking the Court to hold a contempt hearing. Instead the defendnat seems to be asking the Court to take action in advance regarding his Christmas of 1997 period of temporary physical custody with the parties' minor children.

These documents are not even in order for the court to set a hearing in this matter let alone grant the relief the defendant requests.

ACCORDINGLY, we are returning the documents to the defendnat without prejudice to him to file a proper petition on any issues he wishes to raise.

Anthony J. Vardaro, J.
Nov 19, 1997 Dist. Thomas, Hatheway (dft by ct)

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John A. Brunto

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Dec. 10, 1997 Petition for enforcement of Defendants Christmas Visitation with his children and ORDER FILED. AND NOW, Dec. 9, 1997 the defendant has filed a Petition for Enforcement of Defendant's Visitation With His Children in which he is essentially requesting that we direct the plaintiff to comply with an existing court order.

He alleges that she has violated the Order previously, but he does not seek to hold her in contempt obviously because he is asking for relief in anticipation of her violating the court order rather than actually having done so.

Further, the defendant has not even signed the petition nor has he verified the contents of it.

Based on all of this, his Petition for Enforcement of Defendant's Christmas Visitation With His Children is dismissed without prejudice to him to file a contempt petition, if in fact, he believes the plaintiff is in contempt of the court's order if he does so procedurally correctly.

BY THE COURT
Anthony J. Vardaro, Judge

Distributed 12/10/97 by the Court

Dec. 22, 1997 COPY OF NOTIFICATION TO PICKUP THE BRUNOT CHILDREN FOR FATHERS COURT ORDERED CHRISTMAS VISITATION. SENT TO BETH A. BRUNOT, via FED EX 12-17-97 FILED.

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1992 ~~TERM~~

LAURA J. ORDWAY

vs.

LARRY ORDWAY

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5. Husband shall receive teh 1989 Sears Garden tractor and accessories from the Wife within 30 days of the entry of the divorce decree.

6. Husband shall retain the 1987 Dodge Dakota truck, the 1987 14' Gruman boat, the 1989 Bass Tracker boat, motor and trailer, his Wainoco pension and all household goods currently in the marital residence.

7. Except as provided for in this final decree each party shall retain the tangible personal property that each now has in his or her possession.

8. From the deposits paid into the court, the Prothonotary shall pay the Master's fee of $338.00 to David W. Pickens, Esquire, as well as $45.00 to David W. Pickens for immediate payment to the reporter. The remainder shall be returned to the parties in equal shares.

9. All claims for alimony, alimony pendente lite, counsel fees, costs and expenses raised in the record are dismissed.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 10, 1994, Notice of Election to Retake Maiden Name filed. To be known as: LAURA JEAN GRINNELL.

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The Seminar must be completed within forty-five (45) days after application, failure to attend the Seminar may result in Sanctions, including contempt of court, a dismissal of the action or a delay in the proceedings unless attendance is waived by Order of Court.

If either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford Co. Civil Rules of Court that are available in the Prothonotary's office and in the Crawford Co. Law Library or contact the Center for Family Services, Inc.

BY THE COURT:
Gordon R. Miller, J.

July 23, 1998 FAXED Attys. White, Fuller, Irwin, DISRIBUTED to Atty. Walton.

NOTICE AND ORDER TO APPEAR

You, Betti J. Norman have been sued in Court to obtain custody of Molli, Blake and Curtis.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator, John Fuller, Esq. for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

You should take this paper to you lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Court Administrator
Courthouse
Meadville, PA 16335
Phone: (814) 336-1151 ext. 298
Date: 7-21-98

Gordon R. Miller, J.

July 23, 1998 FAXED Attys. White, Irwin, Fuller; DISTRIBUTED to Atty. Walton