

00-42-CD
RUTH E. THOMAS -vs- KENNETH E. THOMAS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RUTH E. THOMAS, :
Plaintiff : NO. 2000- 40 -CD
VS. :
: IN DIVORCE
KENNETH E. THOMAS, :
Defendant :
:

CASE NUMBER: 2000- -CD

TYPE OF CASE: Divorce

TYPE OF PLEADING: COMPLAINT IN DIVORCE

FILED ON BEHALF OF: Plaintiff

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

CHILDREN: Caitlin Thomas (d.o.b. 9/24/84)
Alan Thomas (d.o.b. 2/27/87)

FILED

JAN 13 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RUTH E. THOMAS, :
Plaintiff : NO. 2000- -CD
VS. :
: IN DIVORCE
KENNETH E. THOMAS, :
Defendant :
:

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a Decree of Divorce or Annulment may be entered against you by the Court. A judgment may also be entered against you for any other claim or relief or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage you may request marriage counseling. A list of marriage counselors is available in the office of the Prothonotary at Clearfield County Courthouse, Clearfield, Pennsylvania, 16830.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

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'S OFFICE
CLEARFIELD COUNTY COURTHOUSE
Second & Market Streets
Clearfield, PA 16830

Phone (814) 765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RUTH E. THOMAS, :
Plaintiff : NO. 2000- -CD
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: IN DIVORCE
KENNETH E. THOMAS, :
Defendant :
:

C O M P L A I N T

AND NOW, comes the Plaintiff, RUTH E. THOMAS, who by and through her attorney, R. Denning Gearhart, Esquire, files this Complaint and avers as follows:

COUNT I - DIVORCE/IRRETRIEVABLE BREAKDOWN 3301(c)

1. That the Plaintiff, RUTH E. THOMAS, is an adult individual who is presently residing at 216 Wilson Avenue, DuBois, Clearfield County, Pennsylvania 15801.
2. That the Defendant, KENNETH E. THOMAS, is an adult individual who is presently residing at 8 Kelly Court, DuBois, Clearfield County, Pennsylvania 15801.
3. That Plaintiff and Defendant have been bona fide residents in the Commonwealth of Pennsylvania for at least six (6) months immediately prior to filing this Complaint.
4. That Plaintiff and Defendant were married on April 7, 1984, in Clearfield County, Pennsylvania.
5. That there were two children born of this marriage, namely, Caitlin Thomas (d.o.b. 9/24/84) and Alan Thomas (d.o.b. 2/27/87).

6. There has been no prior action for divorce or annulment instituted by either of the parties in this or any other jurisdiction.

7. That there has been an irretrievable breakdown of the marriage relationship of the parties within the meaning of Act. No. 26 of the Commonwealth of Pennsylvania, Section 3301(c).

8. That the Plaintiff has been advised of availability of counseling and the right to request that the Court require the parties to participate in counseling.

WHEREFORE, Plaintiff requests your Honorable Court to enter a decree in divorce, divorcing the Plaintiff and Defendant absolutely.

Respectfully submitted,

By

R. Denning Gearhart, Esquire
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

A F F I D A V I T

Before me, the undersigned officer, personally appeared, RUTH E. THOMAS who being duly sworn according to law deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information, and belief.

Ruth E. Thomas
RUTH E. THOMAS

Sworn to and subscribed
before me this 10 day
of January, 2000.

Kathleen A. Ricotta
Notary Public

Notarial Seal
Kathleen A. Ricotta, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 7, 2001

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION IN DIVORCE

RUTH E. THOMAS,
Plaintiff

v.s.

KENNETH E. THOMAS,
Defendant

COMPLAINT IN DIVORCE

FILED

10/13/2000
William A. Shaw
Prothonotary
Pd 590.00

2ccatty Gearhart

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RUTH E. THOMAS, :
VS. Plaintiff :
: NO. 00-42-CD
KENNETH E. THOMAS, :
Defendant :
:

CASE NUMBER: 00-42-CD

FILED

TYPE OF CASE: Civil

FEB 10 2000

TYPE OF PLEADING: AFFIDAVIT OF SERVICE

William A. Shaw
Prothonotary

FILED ON BEHALF OF: Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RUTH E. THOMAS,

Plaintiff

VS.

:

: No. 00-42-CD

:

KENNETH E. THOMAS,

Defendant

:

:

:

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA

:

: SS.

COUNTY OF CLEARFIELD

:

:

I, KATHLEEN A. RICOTTA, Secretary at the Offices of R. Denning Gearhart, Esq., being duly sworn according to law, depose and say that on February 9, 2000, I did serve KENNETH E. THOMAS, Defendant, at the Domestic Relations Section, Court House, Clearfield, PA, by personally handing to him an envelope which contained a certified copy of a Complaint in Divorce filed in the above captioned matter. Included with the Complaint in Divorce was a copy of the Clearfield County Administrative Order of Court dated March 24, 1995, concerning the Children First Program, as well as a brochure from Yola Nola Concerns, Inc., of DuBois, PA, regarding registration for the program.

Kathleen A. Ricotta
KATHLEEN A. RICOTTA

Sworn to and Subscribed

before me this 9th day

of February, 2000.

Jennifer A. Cutler
Notary Public

Notarial Seal
Jennifer A. Cutler, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 17, 2003

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IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION NO. 00-42-CD

RUTH E. THOMAS,
Plaintiff

vs.

KENNETH E. THOMAS,
Defendant

AFFIDAVIT OF SERVICE

FILED

FEB 10 2000

131700
William A. Shaw
Prothonotary
FEB

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RUTH E. THOMAS, :
Plaintiff : NO. 00-42-CD
VS. :
: IN DIVORCE
KENNETH E. THOMAS, :
Defendant :
:

DECREE

AND NOW, this 12th day of July, 2000, it is
Ordered and Decreed that RUTH E. THOMAS, Plaintiff, and KENNETH E.
THOMAS, Defendant, are divorced from the bonds of matrimony.

BY THE COURT,

Jud Cummelman
JUDGE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RUTH E. THOMAS, :
Plaintiff :
VS. : NO. 00-42-CD
: :
KENNETH E. THOMAS, :
Defendant :
:

CASE NUMBER: 00-42-CD

TYPE OF CASE: Civil

TYPE OF PLEADING: PRAECIPE TO TRANSMIT THE RECORD

FILED ON BEHALF OF: Plaintiff

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
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FILED

JUL 11 2000

William A. Shaw
Prothonotary

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VS. :
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KENNETH E. THOMAS, :
Defendant :
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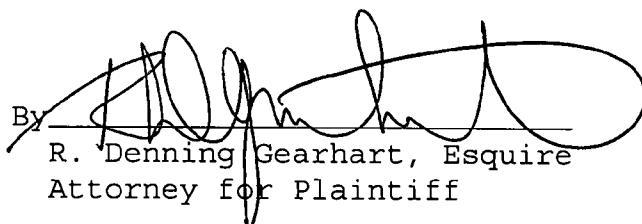
PRAECIPE TO TRANSMIT THE RECORD

TO THE PROTHONOTARY:

Transmit the record, together with the following information, to the Court for entry of a divorce decree:

1. Ground for divorce: irretrievable breakdown under Section 3301[©] of the Pennsylvania Divorce Code.
2. Defendant received said Complaint by personal service. An Affidavit of Service has been filed with the Prothonotary of Clearfield County.
3. Date of execution of the Affidavit of Consent required by Section 3301[©] of the Pennsylvania Divorce Code: by Plaintiff June 21, 2000; by Defendant June 20, 2000.

Respectfully submitted,

By 
R. Denning Gearhart, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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RUTH E. THOMAS, :
Plaintiff : NO. 00-42-CD
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KENNETH E. THOMAS, :
Defendant :
:

AFFIDAVIT OF CONSENT

1. A Complaint in divorce under Section 3301(c) of the Divorce Code was filed on January 13, 2000.
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.
5. I have been advised of the availability of counseling and that I may request the court to require as such where a Complaint has been filed under 3301(a), 3301(c) or 3301(d).

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. Section 4904 relating to unsworn falsification to authorities.

DATE: 6/21/00

Ruth E. Thomas
Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RUTH E. THOMAS, :
Plaintiff :
VS. : NO. 00-42-CD
: :
KENNETH E. THOMAS, : IN DIVORCE
Defendant : :

WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A
DIVORCE DECREE UNDER SECTION 3301(c) OF THE DIVORCE CODE

1. I consent to the entry of a final decree of divorce without notice.
2. 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.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

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: 6/21/00

Ruth E. Thomas
Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

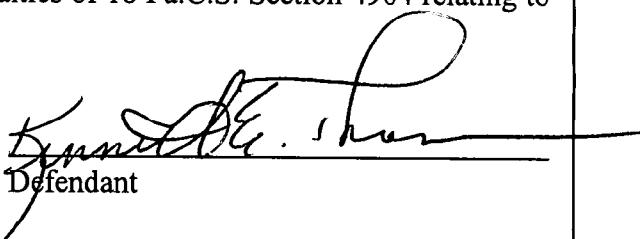
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KENNETH E. THOMAS, :
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DATE: 1/20/00



Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

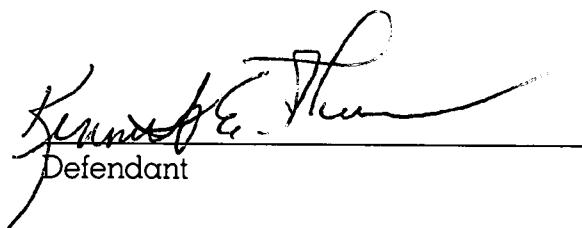
RUTH E. THOMAS, :
Plaintiff :
VS. : NO. 00-42-CD
: :
KENNETH E. THOMAS, : IN DIVORCE
Defendant : :

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DIVORCE DECREE UNDER SECTION 3301(c) OF THE DIVORCE CODE

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DATE: 6-20-00



Kenneth E. Thomas
Defendant

RECORD OF DIVORCE OR ANNULMENT						STATE FILE NUMBER	
<div style="display: flex; justify-content: space-around; align-items: center;"> <input checked="" type="checkbox"/> (CHECK ONE) <input type="checkbox"/> </div>			STATE FILE DATE				
COUNTY CLEARFIELD			HUSBAND				
1. NAME (First) Kenneth E. Thomas (Middle) (Last)			2. DATE OF BIRTH (Month) (Day) (Year) 6/28/55				
2. RESIDENCE Street or R.D. City, Boro, or Twp. County State 8 Kelly Court, DuBois, PA 15801			4. PLACE OF BIRTH (State or Foreign Country) Georgia				
5. NUMBER OF THIS MARRIAGE 1		6. RACE WHITE <input checked="" type="checkbox"/> BLACK <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		7. USUAL OCCUPATION Laborer			
WIFE							
8. MAIDEN NAME (First) (Middle) (Last) Ruth E. Thomas			9. DATE OF BIRTH (Month) (Day) (Year) 1/16/54				
10. RESIDENCE Street or R.D. City, Boro, or Twp. County State 216 Wilson Avenue, DuBois, PA 15801			11. PLACE OF BIRTH (State or Foreign Country) PA				
12. NUMBER OF THIS MARRIAGE 2		13. RACE WHITE <input checked="" type="checkbox"/> BLACK <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		14. OCCUPATION Caseworker			
15. PLACE OF THIS MARRIAGE (County) (State or Foreign Country) Clearfield County, PA			16. DATE OF THIS MARRIAGE (Month) (Day) (Year) 4/7/84				
17A. NUMBER OF CHILDREN THIS MARRIAGE 2		17B. NUMBER OF DEPENDENT CHILDREN UNDER 18 2		18. PLAINTIFF HUSBAND <input type="checkbox"/> WIFE <input checked="" type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		19. DECREE GRANTED TO HUSBAND <input type="checkbox"/> WIFE <input checked="" type="checkbox"/> OTHER (Specify) <input type="checkbox"/>	
20. NUMBER OF CHILDREN TO CUSTODY OF <input type="checkbox"/>		HUSBAND <input type="checkbox"/> WIFE <input checked="" type="checkbox"/> SPLIT CUSTODY <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		21. LEGAL GROUNDS FOR DIVORCE OR ANNULMENT		Section 3301(c) of the PA Divorce Code	
22. DATE OF DECREE (Month) (Day) (Year)			23. DATE REPORT SENT TO VITAL RECORDS (Month) (Day) (Year)				
24. SIGNATURE OF TRANSCRIBING CLERK							

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IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION NO. 00-42-CD

RUTH E. THOMAS,
Plaintiff

vs.

KENNETH E. THOMAS,
Defendant

PRAECIPE TO TRANSMIT THE RECORD

10/23/98
cc
William A. Sisay
Prothonotary

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830