

00-89-  
PHAEDRA E. SANDERS -vs- JASON T. SANDERS

(A)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION

PHAEDRA E. SANDERS,  
Plaintiff

No. 89 of 2000 C.D.

JASON T. SANDERS,  
Defendant

TYPE OF CASE: DIVORCE

TYPE OF FILING: COMPLAINT

FILED ON BEHALF OF: PLAINTIFF

COUNSEL FOR PLAINTIFF:

MARK WHEELER  
PA. SUP. CT. ID #64335

WHEELER LAW OFFICE  
512 MAIN STREET  
P.O. BOX 176  
REYNOLDSVILLE, PA 15851  
(814) 653-2000  
(814)653-2200 FAX

THE PARTIES HAVE THE FOLLOWING MINOR CHILD:

1. WILLIAM B. SANDERS, DOB 6-15-95, AGE 4 YEARS

**FILED**

3/17/00

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION

PHAEDRA E. SANDERS,  
Plaintiff

No. 89 of 2000 C.D.

JASON T. SANDERS,  
Defendant

ORDER OF COURT AND NOTICE TO DEFEND

TO THE DEFENDANT:

You have been sued in Court to determine custody of the minor child, WILLIAM B. SANDERS. YOU ARE ORDERED TO APPEAR IN PERSON THE ~~4th~~ DAY OF February, 2000 AT 1:30 o'clock ~~P~~ .m. for a custody conference. Please report to the Court Administrator's Office at the date and time specified and bring the subject minor children with you.

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.

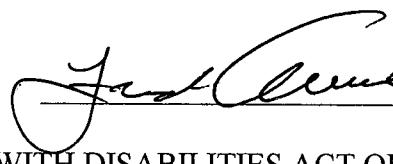
**FILED**

COURT ADMINISTRATOR  
Clearfield County Courthouse  
Clearfield, PA 16830  
Phone: 814-765-2541

**JAN 28 2000**

William A. Shaw  
Prothonotary

Date: 1/26/00

 Judie Cane Judge

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Clearfield 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 the Court, please contact our 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.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION

PHAEDRA E. SANDERS,  
Plaintiff

No. \_\_\_\_\_ of 2000 C.D.

JASON T. SANDERS,  
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 requested in these papers by the plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for 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, Clearfield County, Clearfield County Courthouse, Clearfield, PA.

**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  
Clearfield County Courthouse  
Clearfield, PA 16830  
Phone: 814-765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION

PHAEDRA E. SANDERS,  
Plaintiff

No. \_\_\_\_\_ of 2000 C.D.

JASON T. SANDERS,  
Defendant

COMPLAINT

1. Plaintiff is Phaedra E. Sanders, an individual, *sui juris*, who presently resides at P.O. Box 09, Troutville, County of Clearfield, Commonwealth of Pennsylvania;
2. Defendant is Jason T. Sanders, an individual, *sui juris*, who presently resides P.O. Box 09, Troutville, County of Clearfield, Commonwealth of Pennsylvania;
3. Plaintiff has been a bona fide resident of Pennsylvania for at least six months immediately preceding the filing of this Complaint;
4. The Plaintiff and Defendant were married on March 29, 1998 in Reynoldsville, County of Jefferson, Commonwealth of Pennsylvania;
5. Neither Plaintiff nor Defendant is in the military or naval service of the United States of America or its allies within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940 and its subsequent amendments;
6. There have been no prior actions of divorce or for annulment between the parties;
7. Plaintiff has been advised of the availability of counseling and of the right to request that the Court require the parties to participate in counseling;

COUNT ONE---REQUEST FOR A FAULT DIVORCE

PURSUANT TO SECTION 3301(a)(6) OF THE DIVORCE CODE

8. All prior averments of fact are incorporated herein by present reference hereto;
9. Defendant has offered such indignities to the Plaintiff who is the innocent and injured spouse, as to render her condition intolerable and life burdensome;
10. This action is not collusive, as defined by Section 3309 of the Pennsylvania Divorce Code;

11. The Plaintiff has been advised of the availability of counseling and that Plaintiff or Defendant has the right to request the Court to require the parties to participate in such counseling;

WHEREFORE, Plaintiff respectfully requests that the Court enter a Decree of Divorce, pursuant to Section 3301(a)(6) of the PA Divorce Code.

COUNT II---REQUEST FOR A NO FAULT DIVORCE  
PURSUANT TO SECTION 3301(c) OF THE DIVORCE CODE

12. All prior averments of fact are incorporated herein by present reference hereto;
13. The marriage is irretrievably broken;
14. The Plaintiff, after the passing of 90 days after the filing of this Divorce Complaint, plans on signing an affidavit of consent and other necessary forms to obtain a no fault divorce and Plaintiff further avers that she believes that the Defendant may also enter into the same;
15. The Plaintiff would request that the Court accept said Affidavits of Consent and endorse the same, permitting the parties to divorce on no fault by consent;
16. This action is not collusive, as defined by Section 3309 of the Pennsylvania Divorce Code;
17. Plaintiff has been advised of the availability of counseling as outlined heretofore and incorporated herein;

18. Plaintiff requests the Court to enter a Decree of Divorce;

WHEREFORE, Plaintiff requests the Court to enter a Decree of Divorce, pursuant to Section 3301(c) of the PA Divorce Code.

**COUNT III---REQUEST FOR EQUITABLE DISTRIBUTION OF MARITAL PROPERTY UNDER SECTIONS 3323(b) AND 3502 OF THE CODE**

19. All prior averments of fact are incorporated herein by present reference hereto;

20. The Plaintiff and Defendant have acquired property and marital debt during the course of their marriage;

21. The Plaintiff and the Defendant have been unable to agree as to an equitable distribution of said property;

WHEREFORE, Plaintiff requests that this Court equitably divide the marital property and assign the marital debt of the parties.

**COUNT IV---REQUEST FOR APPROVAL OF ANY SETTLEMENT AGREEMENT AND INCORPORATION THEREOF INTO DIVORCE DECREE UNDER SECTION 3104(a) AND SECTION 3323 (b) OF THE PENNSYLVANIA DIVORCE CODE**

22. All prior averments of fact are incorporated herein by present reference;

23. The public policy of the Commonwealth of Pennsylvania encourages parties in a marital dispute to negotiate a settlement of their differences;

24. While no settlement has been reached as of the date of filing this Divorce Complaint, Plaintiff is and always had been willing to negotiate a fair and reasonable settlement of all matters with the Defendant. Plaintiff avers that Defendant may also be willing to enter into a written settlement agreement;

25. To the extent that a written settlement agreement might be entered into between the parties prior to the time of hearing on this Complaint, this Plaintiff desires

that such a written agreement be approved by the Court and incorporated into any Divorce Decree which may be entered dissolving the marriage between the parties;

WHEREFORE, if a written settlement agreement is reached between the parties prior to the time of hearing on this Complaint, Plaintiff requests that the Court approve and incorporate said agreement into the final Divorce Decree;

COUNT V---CUSTODY

26. All prior averments of fact are incorporated herein by present reference;  
27. Plaintiff seeks custody of the following child: William B. Sanders, DOB 6-15-95, Age 4 years.

28. The child was born out of wedlock;  
29. The child is presently in the custody of the Defendant, who resides at the address indicated heretofore:

30. During the past five years, the child has lived as follows:

NAME	ADDRESS	DATES
Linda Patton	P.O. Box 115, Reynoldsville, PA	10/95 thru 1/96
Plaintiff & Defendant	P.O. Box 09, Troutville, PA	1/96 to present

31. The biological mother of the child is the Plaintiff;  
32. The biological father of the child is the Defendant;  
33. Plaintiff has not participated as a party or witness or in any capacity, in other litigation concerning the custody of the subject child in this or any other court:

34. Plaintiff does not know of any other person not a party to this proceeding that has physical custody of the subject child or claims to have rights to custody or visitation with the subject child;

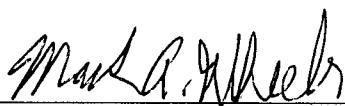
35. The best interest of the child will be served by granting the relief requested because the Plaintiff loves her child and wants him to have a healthy relationship with both parents and will do her best to foster the same;

36. Neither parent has had their parental rights terminated;

37. Plaintiff fears that the Defendant is poisoning the minds of her child and avers that the Defendant father is telling the child lies about her and in other ways harming the natural bond of affection between mother and child:

WHEREFORE, the Plaintiff would request shared legal custody and joint physical custody of the minor child.

RESPECTFULLY SUBMITTED:

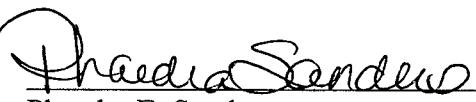


---

WHEELER LAW OFFICES

PLAINTIFF'S VERIFICATION

I verify that the statements in this Divorce Complaint 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.



---

Phaedra E. Sanders

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION

PHAEDRA E. SANDERS,  
Plaintiff

No. 89 of 2000 C.D.

WILLIAM B. SANDERS,  
Defendant

CERTIFICATE OF SERVICE

I, MARK WHEELER, attorney for the Plaintiff, hereby certify that I have caused to be mailed to the defendant a true and correct copy of the foregoing Divorce Complaint and Notice to his address indicated below by way of first class postage prepaid U.S. Mail.  
CERTIFIED, RETURN RECEIPT REQUESTED.

JASON T. SANDERS  
P.O. Box 09  
Troutville, PA 15866



---

MARK WHEELER  
Sup. Ct. ID #64335

WHEELER LAW OFFICES  
512 Main Street  
Reynoldsville, PA 15851  
(814) 653-2000  
(814) 653-2200

Case No. 02-2327

Priority  
William A. Shaw  
2/25/2000

FILED  
FEB 24 2000

RECEIVED  
FEB 24 2000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION

PHAEDRA E. SANDERS,  
Plaintiff

v.

Number 89 of 2000 - C.D.

JASON T. SANDERS,  
Defendant

*Tell her I  
said HK*

CONSENT ORDER AND STIPULATION

Phaedra Sanders

Phaedra E. Sanders,  
Plaintiff

Mark A. Walker

Attorney for Plaintiff

John T. Sanders

John T. Sanders,  
Defendant

Attorney for Defendant

AND NOW THIS 1st day of June, 2000, this matter comes before the court on a Complaint for Custody and the said parties have agreed that the court enter the Order that hereinafter appears. Now, therefore, it is hereby ORDERED AND DECREED that:

1. The parties shall have shared legal custody of their minor child;
2. Mother shall have primary physical custody subject to the partial custody of the father as follows:
  - a. Father shall have periods of partial custody from Sunday, July 9th at 12:00 noon until Sunday, August 20th at 8:00 p.m.;

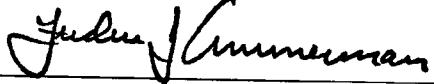
**FILED**

JUN 01 2000

William A. Shaw  
Prothonotary

- b. Father will provide all transportation to and from the mother's residence;
- c. At all other times as the parties may mutually agree;
- d. Father agrees that he is not to receive any reduction in child support for the care he provides during his periods of partial custody;
- 3. Father shall have reasonable telephone and mail contacts;
- 4. Both parties agree to make no derogatory statements about the other party in the presence of the child and shall at all times hold the other parent out as worthy of the child's respect and love;
- 5. This Court will retain jurisdiction.

BY THE COURT:

  
Judge J. Zimmerman  
Judge

100-1000  
100-1000  
100-1000  
100-1000

FILED

JUN 01 2000  
018-474-4.4  
William A. Shaw

Prothonotary

True (3) Cut to City (6)  
*Feb*

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF HEALTH  
VITAL STATISTICS

COUNTY  
**Clearfield**

RECORD OF		
DIVORCE	OR	ANNULMENT
<input checked="" type="checkbox"/>	(CHECK ONE)	<input type="checkbox"/>

STATE FILE NUMBER
STATE FILE DATE

HUSBAND				
1. NAME <b>Jason</b>	(First)	(Middle)	(Last) <b>T. Sanders</b>	2. DATE OF BIRTH <b>8 - 12 - 74</b>
3. RESIDENCE Street or R.D. <b>2016 Ardsley Lane, Holiday</b>	City, Boro. or Twp.	County	State	4. PLACE OF BIRTH <b>VA</b>
5. NUMBER OF THIS MARRIAGE <b>1</b>	6. COLOR OR RACE WHITE <input checked="" type="checkbox"/>	NEGRO <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	7. USUAL OCCUPATION <b>unemployed</b>
WIFE				
8. MAIDEN NAME <b>Phaedra</b>	(First)	(Middle)	(Last) <b>E. Patton</b>	9. DATE OF BIRTH <b>1 - 4 - 74</b>
10. RESIDENCE Street or R.D. <b>P.O. Box 09</b>	City, Boro. or Twp.	County	State	11. PLACE OF BIRTH <b>PA</b>
12. NUMBER OF THIS MARRIAGE <b>1</b>	13. COLOR OR RACE WHITE <input checked="" type="checkbox"/>	NEGRO <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	14. USUAL OCCUPATION <b>payroll clerk</b>
15. PLACE OF THIS MARRIAGE (County) <b>Jefferson</b>	(State or Foreign Country)		16. DATE OF THIS MARRIAGE <b>3 - 29 - 98</b>	
17A. NUMBER OF CHILDREN THIS MARRIAGE <b>1</b>	17B. NUMBER OF DEPENDENT CHILDREN UNDER 18 <b>1</b>	18. PLAINTIFF HUSBAND <input type="checkbox"/>	WIFE <input checked="" type="checkbox"/>	19. DECREE GRANTED TO HUSBAND <input type="checkbox"/>
20. NUMBER OF CHILDREN TO CUSTODY OF <input type="checkbox"/>	HUSBAND <input type="checkbox"/>	WIFE <input type="checkbox"/>	OTHER (Specify) <b>1</b>	WIFE <input type="checkbox"/>
22. DATE OF DECREE (Month) <b>1</b>	(Day) <b>1</b>	(Year)	21. LEGAL GROUNDS FOR DIVORCE OR ANNULMENT <b>3301 (c)</b>	(Year)
23. DATE REPORT SENT TO VITAL STATISTICS	(Month)	(Day)	(Year)	
24. SIGNATURE OF TRANSCRIBING CLERK				

(J)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL ACTION

PHAEDRA E. SANDERS,  
Plaintiff

v.

Number 89 of 2000 C.D.

JASON T. SANDERS,  
Defendant

PRAECIPE TO TRANSMIT RECORD

TO THE PROTHONOTARY:

Transmit the record, together with the following information to the court for the entry of a Divorce Decree:

1. Ground for divorce: irretrievable breakdown under Sec. 3301 (c) of the Divorce Code.
2. Date and manner of service of the Complaint: FEBRUARY 10, 2000 by certified mail, return receipt requested upon the Defendant.
3. Date of execution of the Affidavit of Consent required by Sec. 3301 (c) of the Divorce Code: by Plaintiff on 5-26, 2000, by Defendant on 5-15, 2000.
4. There are no other claims pending regarding this divorce action.

**FILED**

JUN 01 2000

William A. Shaw  
Prothonotary

  
\_\_\_\_\_  
Mark Andrew Wheeler, Esq.  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL ACTION

PHAEDRA E. SANDERS,  
Plaintiff

v.

Number 89 of 2000 C.D.

JASON T. SANDERS,  
Defendant

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301 (c) of the Divorce Code was filed on January 24, 2000.
2. The marriage of the Plaintiff and the Defendant is irretrievably broken and more than ninety days have elapsed from the date of filing of the Complaint.
3. I consent to the entry of a final decree of divorce.
4. I understand that if a claim for alimony, alimony pendente lite, equitable distribution of marital property or counsel fees or expenses has not been filed with the court before the entry of a final decree in divorce, the right to claim any of them will be lost.

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.A. Section 4904, relating to unsworn falsification to authorities.

Dated: 5-26-00

Phaedra Sanders  
PHAEDRA E. SANDERS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL ACTION

PHAEDRA E. SANDERS,  
Plaintiff

v.

Number 89 of 2000 C.D.

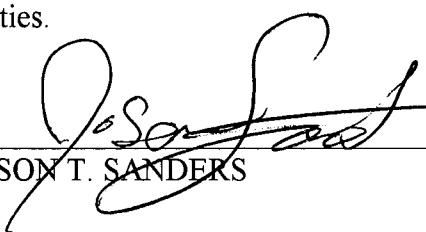
JASON T. SANDERS,  
Defendant

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301 (c) of the Divorce Code was filed on January 24, 2000.
2. The marriage of the Plaintiff and the Defendant is irretrievably broken and more than ninety days have elapsed from the date of filing of the Complaint.
3. I consent to the entry of a final decree of divorce.
4. I understand that if a claim for alimony, alimony pendente lite, equitable distribution of marital property or counsel fees or expenses has not been filed with the court before the entry of a final decree in divorce, the right to claim any of them will be lost.

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.A. Section 4904, relating to unsworn falsification to authorities.

Dated: MAY 15, 2000

  
\_\_\_\_\_  
JASON T. SANDERS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL ACTION

PHAEDRA E. SANDERS,  
Plaintiff

v.

Number 89 of 2000 C.D.

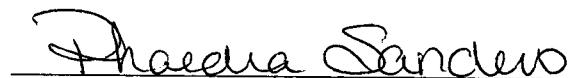
JASON T. SANDERS,  
Defendant

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 further 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.A. Section 4904, relating to unsworn falsification to authorities.

Dated: 5-26-00

  
\_\_\_\_\_  
PHaedra E. SANDERS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL ACTION

PHAEDRA E. SANDERS,  
Plaintiff

v.

Number 89 of 2000 C.D.

JASON T. SANDERS,  
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 further 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.A. Section 4904, relating to unsworn falsification to authorities.

Dated:

May 15 2000

JASON T. SANDERS



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL ACTION

PHAEDRA E. SANDERS,  
Plaintiff

v.

Number 89 of 2000 C.D.

JASON T. SANDERS,  
Defendant

AFFIDAVIT OF NON-MILITARY SERVICE

PHAEDRA E. SANDERS, being duly sworn according to law, deposes and says that:

1. She is the Plaintiff in the above-captioned divorce action;
2. That the Defendant is 25 years of age;
3. That he lives at 2016 Ardsley Lane, Holiday, Florida 34690;
4. Defendant is unemployed;
5. That Defendant is not in the military or naval services of the United States or its allies, or is otherwise within the provisions of the Soldiers and Sailors Civil Relief Act of Congress of 1940 and its amendments.

  
\_\_\_\_\_  
PHaedra Sanders

Sworn to and subscribed  
before me this 20 day  
of May, 2000



Notarial Seal  
Mark Andrew Wheeler, Notary Public  
Reynoldsburg Boro, Jefferson County  
My Commission Expires Oct. 13, 2001

Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL ACTION

PHAEDRA E. SANDERS,  
Plaintiff

v.

Number 89 of 2000 C.D.

JASON T. SANDERS,  
Defendant

DIVORCE DECREE

AND NOW, this 1<sup>ST</sup> day of June, 2000,

IT IS HEREBY ORDERED AND DECREED:

The Plaintiff and Defendant shall be henceforth divorced from the bonds of  
matrimony.

BY THE COURT:

Judie J. Cummelman  
Judge