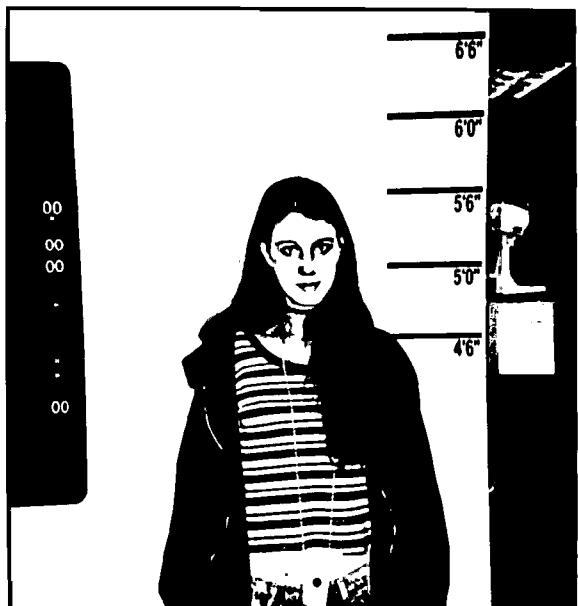


00-131-60  
HEATHER LYNN DIXON -vs- RICHARD NELSON FLECK

HEATHER LYNN DIXON VS. RICHARD NELSON FLECK

No. 2000-131-C.D.



HEATHER LYNN DIXON  
2000-131-C-D

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

ORIGINAL

(u3) Heather Lynn Dixon  
PLAINTIFF

vs.

NO. 2000 - 1 3 1 - C.D.

(d) Richard Nelson Fleck  
DEFENDANT

FILED

[FEB 03 2000]

NOTICE TO DEFEND

William A. Shaw  
Prothonotary

YOU HAVE BEEN ORDERED TO APPEAR IN COURT. If you do not appear at the Hearing, the relief requested by the Plaintiff may be granted in your absence and you may lose money or property rights or other rights important to you; or a BENCH WARRANT may be issued directing the Sheriff to arrest and bring you to Court. Attached is a copy of the Petition which indicates the relief the Plaintiff is requesting. Also, included in the Petition are the Plaintiff's reasons for this request.

You MUST obey the Order which is attached. If you disobey this Order, the police may arrest you. Under federal law, this Order is enforceable anywhere in the United states, and any violation of this Order in another state will result in federal proceedings against you. In addition, if you are subject to a FINAL PROTECTION ORDER, federal law will prohibit you from possessing, transporting, or accepting a firearm.

Attached you will find a copy of the TEMPORARY ORDER issued in this case. You MUST obey this Order until further Order of this Court. Failure to obey the TEMPORARY ORDER may result in your arrest by the police or Sheriff's Office. You will also be subject to the penalties of Indirect Criminal Contempt.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. YOU HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY OF YOUR CHOICE; HOWEVER, EVEN IF YOU DO NOT HAVE AN ATTORNEY YOU MUST APPEAR AT THE HEARING. IF YOU NEED HELP IN LOCATING AN ATTORNEY, PLEASE CONTACT:

OFFICE OF THE COURT ADMINISTRATOR  
230 EAST MARKET STREET  
CLEARFIELD, PENNSYLVANIA 16830  
(814) 765-2641, EXTENSION 32

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

Heather Lynn Dixon :  
PLAINTIFF :  
:  
vs. : NO. 2000 - 1 3 1 - C.D.  
Richard Nelson Fleck :  
DEFENDANT :  
:

PRO SE FORM  
PETITION FOR PROTECTION FROM ABUSE

1. My name is Heather Lynn Dixon

I am filing this Petition on behalf of:  Myself and/or  Another Person(s).  
If you checked "Myself", please answer all questions referring to yourself as "Plaintiff".  
If you checked "Another Person(s)", please answer all questions referring to that person as the "Plaintiff", and provide your address here, unless confidential:

LPV apt 6F Clearfield PA 16830

If you checked "Another Person(s)", also indicate your relationship with Plaintiff:

parent of minor plaintiff(s)  
 adult household member with minor plaintiff(s)  
 guardian ad litem of minor plaintiff(s)  
 court appointed guardian of incompetent plaintiff(s)

2.  My residence which is located at a confidential address within this county, said address to be kept confidential for my protection.

My address (which is not confidential) is: LPV. apt 6F  
Clearfield PA 16830 Clearfield  
(street address) (city/township) (county)

3. The person I am filing this Petition against is the Defendant, who resides at:

LPV. apt 2C Clearfield PA 16830 Clearfield  
(street address) (city/township) (county)

Defendant's date of birth: 9/10/64 and Social Security No.                   

Check here if Defendant is 17 years old or younger.

4. The Defendant's relationship to me is: ex-boyfriend/daughter/dad

5.  I wish the Defendant to be excluded from the following residence:

My residence of which the address is as listed above under question number '2'.  
 My residence of which the address is confidential.

Residence is owned by: Community action of Clearfield PA

Residence is rented by: Heather Lynn Dixon

6. Plaintiff and Defendant are the natural/adoptive parents of the following child(ren):

Name Raelynn Teresa Fleck D.O.B. 9/9/97  
Name \_\_\_\_\_ D.O.B. \_\_\_\_\_  
Name \_\_\_\_\_ D.O.B. \_\_\_\_\_  
Name \_\_\_\_\_ D.O.B. \_\_\_\_\_

7. The facts of the most recent incident of abuse towards me [and the minor child(ren)] are as follows:

Date: 1/6/00 + 02/01/00 Time: 7:00 p.m.

APPROX.

Location: outside of my apartment (6F) in LPV

Describe in detail what happened, including any physical or sexual abuse, threat, injury, or incident of stalking: He came to get a few things, started fighting with me, I walked away, he came after me, grabbed me and told me I was going to pay and spit in my face and tried to push me down the hill. I lost one of my shoes but just ran down to Lindy's. He started to chase me but stopped. He stole my shoe. But before that on Tuesday, Jan 4, 2000 we were at his mom's up in his bedroom and he found a letter to a friend of mine and got mad and started screaming at me calling me a whore and shit and telling me to get out, I was trying to tell him to calm down and wait until Raelynn wasn't sitting right there. But he kept yelling he grabbed me by the throat and threw me into the window, then grabbed my hair and threw me on the floor then kept screaming at me and pushing me as I tried to get up. Raelynn was

QUESTION 7 (most recent incident of abuse) CONTINUED:

cried saying "I'm sorry" and is "mommy OK?" I was trying to tell her it was but Rich wouldn't stop screaming and shouting, and choking me. Then he threw my lotion bottle at me, leaving a bruise on my chest. I got a few of my things together while Rich pushed me and said he was going to kill me. That he'd be waiting for me sometime or somewhere. About this time Shirley and Jack Wisor came in downstairs. She heard Rich yelling and called Raellinn downstairs. Rich told me he was giving me one last chance to get out before he "pounded me in the ground, right in front of Raellinn." So, knowing full well if I didn't go I was going to get hurt a lot worse so I left. And he stalked me, threatened my life and the first and last time I went alone after that was the

QUESTION 7 (most recent incident of abuse) CONTINUED:

to my son when he attacked me.

⑧ 2/1/00 - My daughter RaeAnn was ill.

I My friend call Rich to make arrangement to take myself & RaeAnn to the Clearfield Hospital. On the way to hospital - Rich & I starting fighting. I didn't want to go to the hospital with him - because I knew it would start ~~as~~ a fight. He said, he would not take RaeAnn to the hospital if I would not go. he was not taking RaeAnn. Once at the hospital; I started to unbuckle RaeAnn car seat - myself, RaeAnn & Rich was in the back seat. Rich told me to get out of the car; started pulling at my arms, hair & coat. I grab RaeAnn from the car seat & finally was out of the car. Rich choke me; & punch me in the eye while I was holding RaeAnn. He push me against ~~the~~ the car & told me that he was going to ~~kill~~ me. I push away from him & I ran into

8. The Defendant has committed prior acts of abuse against me, my minor child(ren), or the Plaintiff (if I am filing on behalf of someone else). List examples of such abuse, including any threats, injuries, or incidents of stalking, and state when such acts of abuse occurred:

A. In Reynoldsville when I lived there approx. 1 yr ago the cops <sup>for ruining my belongings</sup> were there 3 times in one day for him hitting me, throwing me through <sup>my</sup> back screen door onto the cement, choking me, and threatening me, he was finally (after all day) thrown off the grounds by the police for the night

He was fighting with me one night, when I first got pregnant (approx Nov. 96) screaming at screaming at mom's apartment (LPU apt 2C) when he knew I had nowhere to go, unless

B. about midnight

C. I called my aunt Teresa collect in Floutzdale and woke her up, again crying, with Rich screaming in the back ground, so after ~~on~~ a few hours I called her and when he seen me ~~on~~ on the phone

D. he kicked the phone well my hand on the phone, Right into my right cheek and ear, my eye almost swelled shut and my ear rang all night and the next, his mom was right there, <sup>through it all</sup> saying oh Heather, it didn't hurt, stop that cause I was crying.

9. The Defendant has used or threatened to use the following weapon(s) against Plaintiff or the minor child(ren) listed above:

He threatened to slice my (Heather) throat many times

10. If Plaintiff and Defendant are parents of any minor child(ren), is there an existing Court Order regarding their custody? NO. Who has primary physical custody under that Order? Rachelle is with me but under no court order

11. Have you and the Defendant been involved in any of the following court actions? (If you are filing this Petition on behalf of another person, please answer this and all questions using that person as Plaintiff.)

Divorce       Custody       Support       Protection From Abuse

If you checked any of the above, briefly indicate when and where the case was filed and the Court Number, if known:

~~Brookville~~ Brookville courthouse and transferred to Clearfield County approx March of 98

12.  Defendant owes a duty of support to Plaintiff and/or the minor child(ren).

13.  As a result of the abuse described above, I have suffered financial losses.

QUESTION 8 (prior acts of abuse) CONTINUED:

The Cyd Hospital - with LeAnn. Several people at the hospital see the young & called the police. Rich was arrest that night by Cyd Bar police & was in jail for simple assault, harassment, & disorderly conduct. Prelim hearing set for 7/1/94.

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, and AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (check forms of relief requested):

- Restrain Defendant from abusing, threatening, harassing, or stalking Plaintiff and/or the minor child(ren) in any place where they may be found.
- Evict/exclude Defendant from Plaintiff's residence and prevent Defendant from living at or attempting to enter any temporary or permanent residence of the Plaintiff.
- Require Defendant to provide Plaintiff and/or minor children with other suitable housing.
- Award Plaintiff temporary custody of the minor child(ren) and place appropriate restrictions on contact between Defendant and the child(ren).
- Prohibit Defendant from having any contact with Plaintiff and/or the minor child(ren), either in person, by telephone, or in writing, personally or through third persons, including but not limited to any contact at Plaintiff's school, business, or place of employment, except as the court may find necessary with respect to partial custody and/or visitation with the minor children.
- Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this Petition, except as the court may find necessary with respect to partial custody and/or visitation with the minor children.
- Order Defendant to temporarily relinquish weapons to the Sheriff of this County and prohibit Defendant from transferring, acquiring or possessing any such weapons for the duration of the Order.
- Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the abuse, to be determined at the hearing.
- Order Defendant to pay the costs of this action, including filing and service fees.
- Order Defendant to pay Plaintiff's reasonable attorney's fees.
- Grant such other relief as the Court deems appropriate.
- Order the police or other law enforcement agency to serve Defendant with a copy of this Petition, any Order issued, and the Order for hearing. I will inform the police of any addresses, other than Defendant's residence, where he or she can be served.

#### VERIFICATION

I verify that I am the Petitioner in the present action and that the facts and statements contained in the above Petition are true and correct to the best of my knowledge, information, and/or belief.

I understand that any false statements are made subject to the penalties of 18 Pa. C.S. Section 4094, relating to Unsworn Falsification to Authorities.

Date: 2/3/00

Heather D. Dixon

PETITIONER

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

HEATHER LYNN DIXON,

PLAINTIFF

vs.

NO. 2000 - 1 3 1 - C.D. (PNO)

RICHARD NELSON FLECK,

DEFENDANT

(d.o.b. September 6, 1964)

(S.S.# 565-15-2884)

TEMPORARY PROTECTION FROM ABUSE ORDER

AND NOW, this 3rd day of February, 2000, (ISD) upon consideration of the attached Petition for Protection From Abuse, the Court hereby enters the following TEMPORARY ORDER:

( X ) 1. The Defendant shall refrain from *abusing, harassing, and threatening* the Plaintiff and the minor child(ren) or placing her/him/them in fear of abuse in any place where she/he/they may be found.

( ) 2. Defendant shall not threaten or harass a member of the Plaintiff's family or household.

( ✓ ) 3. Plaintiff is granted exclusive possession of the residence where she/he resides which is located at:

[ ✓ ] Apt 6F Lawrence Park Village CLEARFIELD Lawrence Twp

[ ] a confidential location, and any subsequent address in which Plaintiff resides during pendency of this Order.

( ✓ ) 4. Defendant is prohibited from having any contact with Plaintiff at any location, including but not limited to any contact at Plaintiff's school, business, or place of employment.

( ✓ ) 5. Defendant is restrained from making any communication with the Plaintiff, including but not limited to, personal, written or telephone contact, or others with whom the communication would be likely to cause annoyance or alarm the Plaintiff.

( 6. Pending the outcome of the final hearing in this matter, Plaintiff is awarded temporary custody of the following minor child(ren):

RaeAnn T Fleck

The local law enforcement agency in the jurisdiction where the child(ren) are located shall ensure that the child(ren) are placed in the care and control of the Plaintiff in accordance with the terms of this Order.

( 7. Defendant is prohibited from possessing and/or purchasing a firearm or other weapon. Defendant shall immediately relinquish the following weapons to the local law enforcement agency for delivery to the Sheriff's Office:

( 8. The following additional relief is granted: Hearing Officer to consider Custody Issues

( 9. A COPY OF THIS ORDER SHALL BE SERVED ON THE LAW ENFORCEMENT AGENCY WHERE PLAINTIFF RESIDES AND ANY OTHER AGENCY SPECIFIED HEREAFTER:

( 10. THIS ORDER SUPERSEDES [ ] ANY PRIOR PFA ORDER AND [ ] ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

( 11. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING. (EXP)

#### NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this Order may result in arrest for Indirect Criminal Contempt, which is punishable by a fine of up to \$1,000.00 and/or up to six months in jail. 23 Pa.C.S. Section 6114. Consent of the Plaintiff to Defendant's return to the residence shall not invalidate this Order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S. Section 6113. Defendant is further notified that violation of this Order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C. Sections 2261-2262.

#### NOTICE TO LAW ENFORCEMENT OFFICIALS

THIS ORDER SHALL BE ENFORCED BY THE POLICE WHO HAVE JURISDICTION OVER THE PLAINTIFF'S RESIDENCE 'OR' ANY LOCATION WHERE A VIOLATION OF THIS ORDER OCCURS 'OR' WHERE THE DEFENDANT MAY BE LOCATED. IF DEFENDANT VIOLATES ANY PROVISIONS OF THIS ORDER, DEFENDANT SHALL BE ARRESTED ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT. AN ARREST FOR VIOLATION OF THIS ORDER MAY BE MADE WITHOUT WARRANT, BASED SOLELY ON PROBABLE CAUSE, WHETHER OR NOT THE VIOLATION IS COMMITTED IN THE PRESENCE OF LAW ENFORCEMENT.

SUBSEQUENT TO AN ARREST, THE LAW ENFORCEMENT OFFICER SHALL SEIZE ALL WEAPONS USED OR THREATENED TO BE USED DURING THE VIOLATION OF THIS ORDER 'OR' DURING PRIOR INCIDENTS OF ABUSE. WEAPONS MUST FORTHWITH BE DELIVERED TO THE SHERIFF'S OFFICE OF THE COUNTY WHICH ISSUED THIS ORDER, WHICH OFFICE SHALL MAINTAIN POSSESSION OF THE WEAPONS UNTIL FURTHER ORDER OF THIS COURT, UNLESS THE WEAPON(S) ARE EVIDENCE OF A CRIME, IN WHICH CASE, THEY SHALL REMAIN WITH THE LAW ENFORCEMENT AGENCY WHOSE OFFICER MADE THE ARREST.

( X ) 12. Hearing on this Petition is scheduled for the 14th day of F E B R U A R Y, 2000 at 2 : 00 p.m. before Hearing Officer Warren B. Mikesell, II, Esquire, third floor, Clearfield County Courthouse Annex, Domestic Relations Office Conference Room, Clearfield, Pennsylvania. Please note: The only persons permitted to attend this hearing are the Plaintiff, Defendant and any witness(es) which Plaintiff and/or Defendant have requested to be present. All other persons will be asked to leave, but are permitted to wait on the first floor of the Courthouse Annex for the hearing to end. The hearing is scheduled for one (1) hour only.

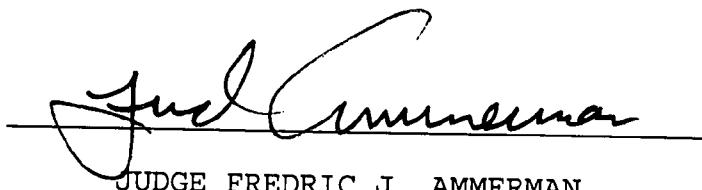
**Absolutely no continuances of the hearing shall be granted unless by Order of Court. The Hearing Officer shall not continue any hearing due to either party's request for counsel as neither party has an absolute right to be represented by counsel in civil Protection From Abuse proceedings.**

( X ) 13. **THE PLAINTIFF AND DEFENDANT ARE HEREBY DIRECTED TO PROVIDE TO THE HEARING OFFICER AT THE HEARING A CURRENT PHOTOGRAPH OF THEMSELVES.**

If the Plaintiff fails to appear for the hearing as set forth in Paragraph 12 above or any subsequent Protection From Abuse hearing, the Plaintiff is advised that filing fee and costs may be assessed against the Plaintiff and that the action may automatically be dismissed.

If the Defendant fails to appear for the hearing as set forth in Paragraph 12 above or any subsequent Protection From Abuse hearing, the Defendant is advised that filing fee and costs may be assessed against the Defendant in addition to the entry of an Order.

BY THE COURT



JUDGE FREDRIC J. AMMERMAN

FILED

100-1000  
FEB 3 2000  
329 | cc + b6 b7c  
William A. Shaw  
Prothonotary  
2cc SMC

1cc-pj  
1cc Law Twp

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DIXON, HEATHER LYNN  
VS  
FLECK, RICHARD NELSON  
PROTECTION FROM ABUSE

00-131-CD

SHERIFF RETURNS

NOW FEBRUARY 4, 2000 AT 9:10 AM EST SERVED THE WITHIN PFA ON  
RICHARD NELSON FLECK, DEFENDANT AT CLEARFIELD COUNTY JAIL,  
410 21ST ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY  
HANDING TO RICHARD NELSON FLECK A TRUE AND ATTESTED COPY OF  
THE ORIGINAL PFA AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: NEVLING.

19.00 SHFF. HAWKINS (COSTS DUE)  
10.00 SURCHARGE (COSTS DUE)

SWORN TO BEFORE ME THIS

7th DAY OF February 2000  
William A. Shaw

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co., Clearfield, PA.

SO ANSWERS,

*Chester A. Hawkins*  
*by Marilyn Harris*  
CHESTER A. HAWKINS  
SHERIFF

FILED

*FEB 07 2000*  
*01351 pm*  
William A. Shaw  
Prothonotary  
*EAS*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ORIGINAL

CIVIL DIVISION

HEATHER LYNN DIXON, :  
Plaintiff :  
: :  
VS. : NO. 2000-131-C.D.  
: :  
RICHARD NELSON FLECK, :  
Defendant :  
: :

FILED

FEB 16 2000

William A. Shaw  
Prothonotary

PROTECTION FROM ABUSE FINAL ORDER OF COURT

Plaintiff's Address: Lawrence Park Village, Apt. 6F, Clearfield, PA 16830

Plaintiff's Social Security Number: 167-56-7502

Plaintiff's Date of Birth: January 25, 1976

Counsel of Record for Plaintiff: \_\_\_\_\_

Defendant's Address: Lawrence Park Village, Apt. 2C, Clearfield, PA 16830

Defendant's Social Security Number: 565-15-2884

Defendant's Date of Birth: September 6, 1964

Counsel of Record for Defendant: \_\_\_\_\_

Names of ALL PROTECTED PERSONS: HEATHER LYNN DIXON

AND NOW, this 14th day of February, 2000, an action under the Protection From Abuse Statute having been filed by the Plaintiff; the Petition and Notice of said Hearing having been served on the Defendant by the Clearfield County Sheriff's Office on or about February 4, 2000;

Plaintiff  having appeared or  having failed to appear;  
Defendant  having appeared or  having failed to appear;  
 following a full Hearing or  
 by Consent Order - *without determination of facts on the underlying complaint*;

upon consideration of the Petition in the above-captioned case, the following Order is Issued:

Plaintiff's request for a Final Protection Order is DENIED; or  
 Plaintiff's request for a Final Protection Order is GRANTED subject to the following terms and conditions:

1. Except as otherwise provided in Paragraph 2, the Defendant is:

01 a. Directed to refrain from abusing, harassing, threatening or stalking Plaintiff or the minor child(ren) named as Protected Persons above.  
 02 b. Directed to refrain from threatening any member of Plaintiff's immediate family or household.  
 03 c. Defendant is completely excluded from the residence located at:

**Lawrence Park Village, Apt. 6F, Clearfield, Pennsylvania 16830, Lawrence Township, Clearfield County, Pennsylvania** or any other residence where Plaintiff may live. Exclusive possession of the residence is granted to Plaintiff; Defendant shall have no right or privilege to enter or be present on the premises.

04 d. Defendant is prohibited from entering the residence, place of employment, business or school of the Plaintiff and/or the minor child(ren).  
Name(s) of Plaintiff and/or minor children is/are listed on Page 1 of this Final Order under ALL PROTECTED PERSONS.

05 e. Defendant is prohibited from having ANY CONTACT with:  
Plaintiff, HEATHER LYNN DIXON, or  
Plaintiff's minor child(ren) \_\_\_\_\_

\_\_\_\_\_.  
Contact with the Plaintiff and/or the minor child(ren) herein listed shall include, but not be limited to, personal, written and/or telephone contact.

2. Temporary custody of the below named child(ren) is awarded to:

06 a. The *Plaintiff*  
 b. The *Defendant*

The child(ren)'s name(s) is/are: Raeann Teresa Fleck

until final Order of Court or as per Addendum "A" attached to this Order.

Visitation shall be as per Addendum "A", and/or: \_\_\_\_\_

\_\_\_\_\_

07 3. Defendant shall immediately turn over to the local law enforcement agency, or deliver to the Sheriff's Office, any and all weapons used or threatened to be used by Defendant in an act of abuse against Plaintiff and/or the minor child(ren). Defendant is prohibited from acquiring or possessing any other like or similar weapons for the duration of this Order.

08 4. The Plaintiff/Defendant is/are ORDERED to provide the following additional relief:

\_\_\_\_\_

08 5. The Plaintiff/Defendant is ORDERED to permit the Plaintiff/Defendant to return to the Plaintiff's/Defendant's residence, as herein described, on \_\_\_\_\_, 2000, between \_\_\_\_:\_\_\_\_ a.m./p.m. and \_\_\_\_:\_\_\_\_ a.m./p.m. for the sole purpose of permitting the Plaintiff/Defendant to retrieve items of personal property belonging to Plaintiff/Defendant. Any items of personal property in dispute as to ownership shall remain at the Plaintiff's/Defendant's residence until the Court of proper jurisdiction shall have determined its rightful owner. There shall be no conversation as to the basis or circumstances surrounding this Order or the nature of the Plaintiff and Defendant's broken relationship.

6. Defendant shall pay \$ \_\_\_\_\_ to Plaintiff as compensation for Plaintiff's losses, which are as follows:

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7. The Plaintiff/Defendant shall provide the Clearfield County Prothonotary a recent photograph of herself/himself within fifteen (15) days of this Order.

8. The Defendant shall pay the costs and fees of this suit within FORTY-FIVE (45) DAYS of the date of this Order to the Clearfield County Protection From Abuse Coordinator's Office located on the second floor in the Annex of the Clearfield County Courthouse (230 East Market Street, Clearfield, PA 16830):

Prothonotary's Office.....	filing fee:	\$ 80.00
Prothonotary's Office.....	state assessment fee:	\$ 0.00
Sheriff's Office.....	service fee:	\$ 29.00
Hearing Officer.....	fee:	\$ 40.00
Hearing Officer.....	costs:	\$ 20.00
Administrative.....	costs:	\$ 10.00
Additional Relief.....(see Paragraph 7):		\$ _____
Other.....	costs:	\$ _____

**TOTAL AMOUNT DUE:** \$ 179.00

**PLEASE SUBMIT A MONEY ORDER MADE PAYABLE TO "PROTHONOTARY'S OFFICE" AS PAYMENT. NO OTHER FORM OF PAYMENT WILL BE ACCEPTED BY THE COORDINATOR.**

PLAINTIFF'S share of fees and costs: 0 % / \$ 0.00 .

DEFENDANT'S share of fees and costs: 100 % / \$ 179.00 .

ALL COSTS PERTAINING TO THIS ACTION MUST BE PAID WITHIN THE FORTY-FIVE (45) DAY PERIOD. FAILURE TO COMPLY WITH THIS PROVISION OF THIS 'FINAL ORDER' WILL RESULT IN THE RESPONSIBLE PARTY BEING IN CONTEMPT AND IN THE AUTOMATIC ISSUANCE OF A BENCH WARRANT FOR THAT PARTY'S ARREST WITHOUT FURTHER NOTICE OR HEARING. THERE WILL BE ADDITIONAL COSTS ASSIGNED ONCE THE BENCH WARRANT HAS BEEN ISSUED AND THE RESPONSIBLE PARTY WILL BE OBLIGED TO PAY ANY AND ALL ADDITIONAL COSTS RELATED THERETO.

The **Defendant** shall **ALSO** be responsible for payment of all service fees registered with the Prothonotary's Office within thirty (30) days of the date of this Order. Payment shall be made directly to the Protection From Abuse Coordinator within the 45 day payment period.

- 9. In the event either party shall relocate or have a change of address, the said party shall immediately, in writing, notify the Court of same. Said writing shall contain the new address and shall reference the caption in this matter. All mail shall be addressed to the Protection From Abuse Coordinator, 230 East Market Street, Clearfield, Pennsylvania 16830.
  
- 10. **BRADY INDICATOR.**      [   ] YES response      [ x ] NO response
  - a. The **Plaintiff** or protected person(s) is a spouse, former spouse, a person who cohabits or has cohabited with the **Defendant**, a parent or a common child, a child of that person, or a child of the **Defendant**.
  - b. This Order is being entered either in lieu of a full hearing and by consent of both parties, OR following a full hearing during which the **Defendant** was present and had an opportunity to be heard or of which the **Defendant** received actual notice thereof and failed to appear.
  - c. Paragraph 1(a) of this Order has been checked to restrain the **Defendant** from harassing, stalking, or threatening the Plaintiff or the listed protected persons.
  - d. The **DEFENDANT** represents:
    - i. A credible threat to the physical safety of the **Plaintiff** or the other listed protected person(s); OR
    - ii. The terms of this Order prohibit the **DEFENDANT** from using, attempting to use, or threatening to use physical force against the **Plaintiff** or the listed protected person(s) that would reasonably be expected to cause bodily injury.
  
- 11. **This Order supersedes**
  - [   ] any prior Protection From Abuse Order **AND/OR**
  - [   ] any prior Order of Court relating to child custody.
  
- 12. **All provisions of this Order shall expire in one year, on February 14, 2001.**

NOTICE TO THE DEFENDANT

VIOLATION OF THIS ORDER MAY RESULT IN YOUR ARREST ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT WHICH IS PUNISHABLE BY A FINE OF UP TO \$1,000 AND/OR A JAIL SENTENCE OF UP TO SIX MONTHS. 23 PA. C.S. § 6114. VIOLATION MAY ALSO SUBJECT YOU TO PROSECUTION AND CRIMINAL PENALTIES UNDER THE PENNSYLVANIA CRIMES CODE. THIS ORDER IS ENFORCEABLE IN ALL FIFTY (50) STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES AND THE COMMONWEALTH OF PUERTO RICO UNDER THE VIOLENCE AGAINST WOMEN ACT, 18 U.S.C. SECTION 2265. IF YOU TRAVEL OUTSIDE OF THE STATE AND INTENTIONALLY VIOLATE THIS ORDER, YOU MAY BE SUBJECT TO FEDERAL CRIMINAL PROCEEDINGS UNDER THAT ACT. 18 U.S.C. §§ 2261-2262. IF PARAGRAPH 12 OF THIS ORDER HAS BEEN CHECKED, YOU MAY BE SUBJECT TO FEDERAL PROSECUTIONS AND PENALTIES UNDER THAT "BRADY" PROVISION OF THE GUN CONTROL ACT, 18 U.S.C. § 922(g), FOR POSSESSION, TRANSPORT OR RECEIPT OF FIREARMS OR AMMUNITION.

NOTICE TO LAW ENFORCEMENT OFFICIALS

THE POLICE WHO HAVE JURISDICTION OVER THE PLAINTIFF'S RESIDENCE OR ANY LOCATION WHERE A VIOLATION OF THIS ORDER OCCURS OR WHERE THE DEFENDANT MAY BE LOCATED, SHALL ENFORCE THIS ORDER. AN ARREST FOR VIOLATION OF PARAGRAPHS 1 THROUGH 5 OF THIS ORDER MAY BE WITHOUT WARRANT, BASED SOLELY ON PROBABLE CAUSE, WHETHER OR NOT THE VIOLATION IS COMMITTED IN THE PRESENCE OF THE POLICE. 23 PA. C.S. § 6113. SUBSEQUENT TO AN ARREST, THE POLICE OFFICER SHALL SEIZE ALL WEAPONS USED OR THREATENED TO BE USED DURING THE VIOLATION OF THE PROTECTION ORDER OR DURING PRIOR INCIDENTS OF ABUSE. THE CLEARFIELD COUNTY SHERIFF'S OFFICE SHALL MAINTAIN POSSESSION OF THE WEAPONS UNTIL FURTHER ORDER OF THIS COURT. WHEN THE DEFENDANT IS PLACED UNDER ARREST FOR VIOLATION OF THE ORDER, THE DEFENDANT SHALL BE TAKEN TO THE APPROPRIATE AUTHORITY OR AUTHORITIES BEFORE WHOM DEFENDANT IS TO BE ARRAIGNED. A "COMPLAINT FOR INDIRECT CRIMINAL CONTEMPT" SHALL THEN BE COMPLETED AND SIGNED BY THE POLICE OFFICER OR THE PLAINTIFF. PLAINTIFF'S PRESENCE AND SIGNATURE ARE NOT REQUIRED TO FILE THE COMPLAINT. IF SUFFICIENT GROUNDS FOR VIOLATION OF THIS ORDER ARE ALLEGED, THE DEFENDANT SHALL BE ARRAIGNED, BOND SET AND BOTH PARTIES GIVEN NOTICE OF THE DATE OF HEARING.

BY THE COURT:

  
WARREN B. MIKESELL, II, ESQUIRE

BY THE COURT:

  
FREDRIC J. AMMERMAN, JUDGE  
2/15/00

Heather L. Dixon  
PLAINTIFF  
Richard T. Leck  
DEFENDANT

NA  
COUNSEL FOR PLAINTIFF  
NA  
COUNSEL FOR DEFENDANT

**ATTACHMENT "A"**

**Visitation issues continued from page 3, item 2.**

**Plaintiff/Defendant** shall enjoy **Temporary Visitation** with the partie's child(ren) Raeann Teresa Flock

1. Every other weekend commencing on Friday / Saturday, the 25th day of February, 2000 199 at 3:30 o'clock a.m./p.m. and continuing until Sunday at 6 o'clock p.m. and continuing thereafter every other weekend during the pendency of this Order.

2. Every Tuesday and Thursday from 3:30 o'clock a.m./p.m. until 11:30 o'clock a.m./p.m. commencing on February 15, 2000 199 and thereafter on a weekly basis during the pendency of this Order.

3. Visitation as agreed upon by the parties.

4. For purposes of fulfilling the **Temporary Visitation** as ordered, **Defendant/Plaintiff** shall be permitted **limited contact** with the **Plaintiff/Defendant**.

NOTE: **limited contact** shall mean:

1. **Defendant/Plaintiff** shall be permitted to contact **Plaintiff/Defendant** for the sole purpose of confirming that **Temporary Visitation** will occur. Any such communication shall occur between the hours of 8:00 o'clock a.m. and

8:00 o'clock p.m. There is to be no conversation between the parties as to the remaining issues of Plaintiff and Defendant's relationship of any type.

2. ~~Plaintiff/Defendant~~ shall be permitted to retrieve and return said minor child(ren) from and to ~~Defendant's/Plaintiff's~~ residence; however, no lengthy conversation shall be permitted other than discussing the child(ren)'s needs and making arrangements for Temporary Visitation to continue as ordered.
5. The ~~Plaintiff/Defendant~~ shall be responsible for transportation of the child(ren) during her/his Temporary Visitation.
6. The **Plaintiff and Defendant** shall share equally the transportation of the child(ren). ~~Plaintiff/Defendant~~ is hereby directed to transport the child(ren) to ~~Defendant's/Plaintiff's~~ residence/or designated area for purposes of commencing Temporary Visitation. ~~Plaintiff/Defendant~~ is hereby directed to transport the child(ren) to ~~Defendant's/Plaintiff's~~ residence/or designated area for purposes of ending Temporary Visitation.

For Temporary Visitation purposes Plaintiff's residence/designated area is:

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and Defendant's residence/designated area is:

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7. The ~~Plaintiff/Defendant~~ shall not consume nor shall she/he have in her/his possession any alcohol during any period of Temporary Visitation.
8. The ~~Plaintiff/Defendant~~ shall be permitted to contact the above listed child(ren) by telephone on no more than \_\_\_\_\_ days per week between the hours of \_\_\_\_\_ o'clock a.m. and \_\_\_\_\_ o'clock p.m. During such conversations, the ~~Plaintiff/Defendant~~ shall not malign or run down the ~~Defendant/Plaintiff~~ or discuss the motive or reason for the ~~Plaintiff~~ obtaining a Protection From Abuse Order.

9. Other: \_\_\_\_\_

---

10. ***Plaintiff or Defendant*** shall file with the Court a separate action for custody or a divorce action which includes a count for custody wherein an Order of Court in the custody and/or divorce case will determine the matter of custody of the minor child(ren).

The Temporary Custody provision of the Final Order in this case [*listed on Page 3, Item 2 awarding temporary custody of, and rights of visitation with, the child(ren)*]

shall expire after Sixty (60) days from the date of this Final Order unless an action for custody shall have been duly filed with the Court by one of the parties as directed above. To maintain the Temporary Visitation provisions listed herein, either party, Plaintiff or Defendant must timely file a custody action with the Court within the sixty (60) day period. If Plaintiff or Defendant timely file a custody action, the Temporary Custody and Temporary Visitation provisions of this Final Order shall remain in effect until further Order has been entered in the custody action by the Court.

FILED

FEB 16 2000

cc + fax PSP  
William A. Shaw  
Prothonotary

1 CC Shrub  
1 CC Pkg.

1 CC def.

1 CC hearing officer  
REB

ORIGINAL

**CIVIL BENCH WARRANT**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

HEATHER LYNN DIXON,  
Plaintiff

\*

\*

\*

\*

\*

\*

\*

vs.

No. 2000-131-C.D.

RICHARD NELSON FLECK,  
Defendant

**FILED**

APR 03 2000

TO: **C & D INVESTIGATIONS (814) 765-2740**  
**P.O. Box 263, Hyde, Pennsylvania 16843**

William A. Shaw  
Prothonotary

You are hereby commanded by the Court of Common Pleas of Clearfield County, Civil Division, to take **DEFENDANT, RICHARD NELSON FLECK** who stands charged in said Court for failure to make payment in full of Protection From Abuse fees/costs and forthwith bring said person before Judge Fredric J. Ammerman to be dealt with according to law.

WITNESS this 3rd day of April, 2000.



\_\_\_\_\_  
Prothonotary/Clerk of Courts  
Civil Division

Defendant's Address: Lawrence Park Village. Apt. 2C  
Clearfield, Pennsylvania 16830

Social Security #: 565-15-2884

Date of Birth: 09/06/1964

Costs: \$ 1 7 9 . 0 0

Service Fee: \$ 6 0 . 0 0

Service Date: \_\_\_\_/\_\_\_\_/2000

Expenses: \$ \_\_\_\_\_

Served By: \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_  
=====

FILED

APR 03 2000  
OQ 40/3 cc C&D Investigations  
William A. Shaw  
Prothonotary

EAS  
REY

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

HEATHER LYNN DIXON,  
Plaintiff

vs.

RICHARD NELSON FLECK,  
Defendant

\*  
\*  
\*  
\*  
\*

No. 2000-131-C.D.

O R D E R

NOW, this 17th day of April, 2000, Defendant having paid costs related to the Protection From Abuse Petition filed to the above referenced docket number and Bench Warrant costs related thereto, it is the ORDER of this Court that the Bench Warrant previously issued in this matter April 3, 2000 be and is hereby RESCINDED.

By the Court,



FREDRIC J. AMMERMAN, JUDGE

FILED

APR 17 2000

William A. Shaw  
Prothonotary

*movement for filing*

**FILED**

APR 17 2000  
073:50/602

William A. Shaw  
Pro. Notary

I CERT. TO C&N  
*E*  
*12*