

00-147-CD  
DAVID R. ALBERT -vs- STACEY A. ALBERT

Thomas G. G. DAVID R. ALBERT

~~FE~~BRUARY 7, 2000, COMPLAINT IN DIVORCE, filed by Thomas G. G. Coppolo, Esq., Attorney for the Plaintiff

One Certified Copy to Attorney Coppolo

Printed By: MFL Limited - Form H-411 EP00374

00-147-CD

~~S~~EPTEMBER 15, 2000, PRAECIPE TO TRANSMIT RECORD, filed by Attorney Coppolo, Esq. Attorney for Plaintiff.

~~S~~EPTEMBER 15, 2000, PROPERTY SETTLEMENT AGREEMENT, filed.

/s/ STACEY A. ALBERT /s/DAVID R. ALBERT

STACEY A. ALBERT

~~D~~ECREE/DATED: SEPTEMBER 19, 2000. BY THE COURT: /s/ Fred Ammerman, Judge.

~~O~~CTOBER 13, 2000, VITAL STATISTICS FORM MAILED TO NEW CASTLE, PA.

Pro BY ATTY 100.00

Certified Copies of Decrree to Parties of Record.

PLEASE REFER TO COMPUTER

FOR FURTHER ENTRIES

Date: 08/25/2005

**Clearfield County Court of Common Pleas**

User: LBENDER

Time: 09:32 AM

**ROA Report**

Page 1 of 1

Case: 2000-00147-CD

Current Judge: Paul E. Cherry

David R. Albert vs .Stacey A. Albert

**Divorce with Custody**

Date		Judge
11/01/2000	Please refer to docket book for entries prior to November, 2000.	No Judge
10/18/2004	✓ Petition for Special Relief, filed by s/Lea Ann Heltzel, Esq. Two CC Attorney Heltzel	No Judge
	✓ Certificate of Service of Petition for Special Relief filed on behalf of Petitioner, was forwarded on the 13th day of Oct. , 2004 filed by Atty. Heltzel. No cc.	No Judge
10/22/2004	✓ Order AND NOW, this 22nd day of Oct. 2004 the Petitioner having filed a Petition for Special Relief, it is hereby Ordered and Adjudged that the hearing on Petition for Special Relief be scheduled for Nov. 12, 2004. S/PEC 1 CC to Atty. Heltzel.	Paul E. Cherry
10/27/2004	✓ Preliminary Objections, filed by s/Randi W. Dincher, Esq. One CC Attorney Dincher	Paul E. Cherry
10/29/2004	✓ Rule To Show Cause, AND NOW, this 29th day of October, 2004, upon motion of Randi W. Dincher, Esquire, and upon consideration of the within Preliminary Objections, a Rule is issued upon Respondent to show what cause, if any he may have why the prayer of the Preliminary Objections should not be granted. Rule returnable for hearing the 12th day of November, 2004 at 10:00 a.m. in Court room Number 2 of the Clfd. Co. Courthouse. BY THE COURT, /s/ Paul E. Cherry, Judge. 1CC Atty Dincher	Paul E. Cherry
11/02/2004	✓ Plaintiff's Answer to defendant's Preliminary Objections, filed by s/Lea Ann Paul E. Cherry Heltzel, Esquire. 1 CC Atty Hopkins.	Paul E. Cherry
11/03/2004	✓ Certificate of Service, Notice of Hearing for Preliminary Objections scheduled for hearing on Nov. 12, 2004 served upon Lea Ann Heltzel, Esq. by 1st class mail, on the 2nd of Nov., 2004, to Lea Ann Heltzel. Filed by s/ Randi W. Dincher, Esquire. 1 CC to Atty.	Paul E. Cherry
11/15/2004	✓ Order, NOW, this 12th day of Nov, 2004, following the taking of testimony relative to Preliminary Objections, as well as Petition for Special Relief, it is the ORDER of this Court that counsel for both parties supply letter brief within no more than 7 days from this date. BY THE COURT, /s/ Paul E. Cherry, Judge. Cert. to Atty. Heltzel & Dincher.	Paul E. Cherry
12/14/2004	✓ Order, filed 1 Cert. to Atty Heltzel and Atty. Dincher NOW, this 13th day of December, 2004, RE: Defendant Preliminary Objections are hereby Denied.	Paul E. Cherry
04/14/2005	✓ Praeclipe To Schedule Status Conference, filed by s/ Lea Ann Heltzel, Esquire. 2CC Atty Heltzel	Paul E. Cherry
04/15/2005	✓ Order of Court, now this 15th of April 2005, upon request of Plaintiff, IT IS HEREBY ORDERED that a status Conference is Scheduled on the 17th day of June, 2005, at 1:30 p.m. in Courtroom No. 2. BY THE COURT: /s/ Paul E. Cherry, Judge. 1CC Atty Heltzel	Paul E. Cherry
06/20/2005	✓ Order, this 17th day of June, 2005, this being the date set for status conference; the Court being advised that decision on the Petition for Special Relief having yet to be filed, it is the ORDER of this Court as follows: (see original for custody details). BY THE COURT: /s/ Paul E. Cherry, Judge. 2CC Atty: Heltzel, Dincher	Paul E. Cherry
06/26/2005	✓ Order, NOW, this 25th day of July, 2005, Ordered that status conference is scheduled for the 29th of August, 2005 at 10:30 a.m. in Courtroom No. 2. By The Court, /s/ Paul E. Cherry, Judge. 2CC Atty: Heltzel, Dincher per C/A.	Paul E. Cherry

David R. Albert vs .Stacey A. Albert

## Divorce with Custody

Date	Judge
11/01/2000	Please refer to docket book for entries prior to November, 2000.
10/18/2004	✓ Petition for Special Relief, filed by s/Lea Ann Heltzel, Esq. Two CC Attorney Heltzel ✓ Certificate of Service of Petition for Special Relief filed on behalf of Petitioner, was forwarded on the 13th day of Oct. , 2004 filed by Atty. Heltzel. No cc.
10/22/2004	✓ Order AND NOW, this 22nd day of Oct. 2004 the Petitioner having filed a Petition for Special Relief, it is hereby Ordered and Adjudged that the hearing on Petition for Special Relief be scheduled for Nov. 12, 2004. S/PEC 1 CC to Atty. Heltzel.
10/27/2004	✓ Preliminary Objections, filed by s/Randi W. Dincher, Esq. One CC Attorney Paul E. Cherry Dincher
10/29/2004	✓ Rule To Show Cause, AND NOW, this 29th day of October, 2004, upon motion of Randi W. Dincher, Esquire, and upon consideration of the within Preliminary Objections, a Rule is issued upon Respondent to show what cause, if any he may have why the prayer of the Preliminary Objections should not be granted. Rule returnable for hearing the 12th day of November, 2004 at 10:00 a.m. in Court room Number 2 of the Clfd. Co. Courthouse. BY THE COURT, /s/ Paul E. Cherry, Judge. 1CC Atty Dincher
11/02/2004	✓ Plaintiff's Answer to defendant's Preliminary Objections, filed by s/Lea Ann Heltzel, Esquire. 1 CC Atty Hopkins.
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11/15/2004	✓ Order, NOW, this 12th day of Nov, 2004, following the taking of testimony relative to Preliminary Objections, as well as Petition for Special Relief, it is the ORDER of this Court that counsel for both parties supply letter brief within no more than 7 days from this date. BY THE COURT, /s/ Paul E. Cherry, Judge. Cert/ to Atty. Heltzel& Dincher.
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04/14/2005	✓ Praecipe To Schedule Status Conference, filed by s/ Lea Ann Heltzel, Esquire. 2CC/Atty Heltzel
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IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT,  
Plaintiff

vs.

STACEY A. ALBERT,  
Defendant.

CLEARFIELD COUNTY BRANCH

CIVIL ACTION - LAW

COMPLAINT IN DIVORCE

NO. ~~200~~ 147-CD

Filed on behalf of Plaintiff  
Counsel of Record  
Thomas G.G. Coppolo, Esquire  
ID No. 59179  
COPPOLO & COPPOLO  
19 N. St. Marys St.  
P.O. Box 186  
St. Marys, PA 15857-0186  
(814) 834-2848

Counsel for Defendant  
UNKNOWN

FILED

FEB 07 2000

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT,  
Plaintiff

vs.

STACEY A. ALBERT,  
Defendant

CLEARFIELD COUNTY BRANCH  
CIVIL ACTION - LAW  
COMPLAINT IN DIVORCE  
NO. 2000-\_\_\_\_\_

NOTICE TO DEFEND

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 GROUNDS FOR DIVORCE ARE INDIGNITIES OR IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE, YOU MAY REQUEST MARRIAGE COUNSELING. A LIST OF MARRIAGE COUNSELORS IS AVAILABLE IN THE PROTHONOTARY'S OFFICE, CLEARFIELD COUNTY COURTHOUSE, CLEARFIELD PENNSYLVANIA, 16830, TELEPHONE NUMBER:- (814) 765-2641.

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 ADVICE.

PROTHONOTARY'S OFFICE, CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PENNSYLVANIA, 16830  
TELEPHONE NUMBER:- (814) 765-2641

COPPOLO & COPPOLO,

By \_\_\_\_\_

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT,  
Plaintiff,

VS.

STACEY A. ALBERT,  
Defendant.

: CLEARFIELD COUNTY BRANCH  
: CIVIL ACTION - LAW  
: COMPLAINT IN DIVORCE  
: NO. 2000-\_\_\_\_\_

**COMPLAINT UNDER SECTION 3301(c)**  
**OF THE DIVORCE CODE**

**COUNT I - DIVORCE**

1. DAVID R. ALBERT is the Plaintiff to this Complaint and resides at PO Box 14, Penfield, Clearfield County, Pennsylvania 15849.
2. STACEY A. ALBERT is the Defendant to this Complaint and resides at 100 Spring Avenue, DuBois, Clearfield, Pennsylvania 15801.
3. Plaintiff and Defendant have been bona fide residents of the Commonwealth of Pennsylvania for a period of more than six (6) months immediately preceding the filing of this Complaint.
4. Plaintiff and Defendant were married in DuBois, Pennsylvania, on August 8, 1992.
5. There have been no prior actions of divorce or annulment between the parties.
6. The marriage is irretrievably broken.
7. Plaintiff has been advised that counseling is available and that plaintiff may have the right to request that the court require the parties to participate in counseling.
8. Plaintiff requests your Honorable Court to enter a Decree of Divorce.

**COUNT II - CUSTODY**

9. Plaintiff hereby incorporates by reference thereto all of averments Nos. 1 - 8 as if each averment was set forth fully hereunder.
10. Plaintiff and Defendant have one minor child born of their marriage, to-wit: CODY A. ALBERT, date of birth September 8, 1993.
11. The aforesaid minor child is currently residing with Defendant, at 100 Spring Avenue,

DuBois, Clearfield County, Pennsylvania, 15801.

12. Plaintiff has not participated in any other litigation concerning the custody of said minor child in this or any other Court.

13. Plaintiff has no information of a custody proceeding concerning said minor child pending in a Court of this Commonwealth.

14. Plaintiff does not know of a person not a party to the proceedings who has a claim to custody or visitation rights with respect to said minor child.

15. Plaintiff believes that the best interest and welfare of the minor child would be served by the entry of an order which would allow the parties to make accommodations for the same.

16. Plaintiff prays Your Honorable Court to enter an Order awarding custody in a fashion which will best address the needs and welfare of the minor child.

COUNT III - EQUITABLE DISTRIBUTION

17. Plaintiff hereby incorporates by reference thereto all of averments Nos. 1 - 8 as if each averment was set forth fully hereunder.

18. During the course of their marriage the parties hereto have acquired certain personal property and appreciation in premarital property.

19. Plaintiff requests your Honorable Court to enter a Decree equitably distributing said marital property.

COPPOLO & COPPOLO  
By: \_\_\_\_\_  
Thomas G. G. Coppolo  
Attorney for Plaintiff

I, **DAVID R. ALBERT**, Plaintiff herein, hereby verify that the facts and statements made in the foregoing Divorce Complaint are true and correct upon my personal knowledge, information and belief. 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 R. Albert  
David R. Albert

IN THE COURT OF COMMON PLEAS  
OF THE 59TH JUDICIAL DISTRICT  
OF PENNSYLVANIA

DAVID R. ALBERT,  
Plaintiff,

vs.

STACEY A. ALBERT,  
Defendant.

CLEARFIELD COUNTY BRANCH  
CIVIL ACTION - LAW  
No. 2000-

COMPLAINT IN DIVORCE

LAW OFFICES  
**COPPOLO & COPPOLO**  
19 N. ST. MARYS STREET  
P. O. BOX 186  
ST. MARYS, PENNSYLVANIA 15857-0186  
(814) 834-2848

RECEIVED  
FEB 07 2000  
M 14/4/CC a/c  
William A. Shaw  
Prothonotary  
Coppolo  
Atty Coppolo  
PA 15850

PA 15850

**IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA**

<b>DAVID R. ALBERT,</b>	:	<b>CLEARFIELD COUNTY BRANCH</b>
<b>Plaintiff,</b>	:	
	:	
	:	<b>CIVIL ACTION - LAW</b>
<b>vs.</b>	:	
	:	
<b>STACEY A. ALBERT,</b>	:	<b>AFFIDAVIT</b>
<b>Defendant.</b>	:	
	:	
	:	<b>NO. 00-147 C.D.</b>

## **PRAECIPE TO TRANSMIT 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 §3301(c) of the Divorce Code.
2. Date and manner of service of the Complaint: Personal Service. See attached Acceptance of Service.
3. Date of execution of the Affidavit of Consent required by §3301(c) of the Divorce Code:

RESPECTFULLY SUBMITTED,  
COPPOLO & COPPOLO

Attorneys for Plaintiff

FILED

CCF 15 2000

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT, : CLEARFIELD COUNTY BRANCH  
Plaintiff, :  
vs. : CIVIL ACTION - LAW  
STACEY A. ALBERT, :  
Defendant. : AFFIDAVIT  
: NO. 00-147 C.D.

**AFFIDAVIT OF CONSENT**

1. A Complaint in Divorce under §3301(c) of the Divorce Code was filed on February 7, 2000.
2. The marriage of Plaintiff and Defendant is irretrievably broken, and ninety (90) days have elapsed from the date of filing and service of the Complaint.
3. I consent to the entry of a Final Decree of Divorce.
4. I understand that if a claim of alimony, alimony pendente lite, marital property or counsel fees, or expenses has not been filed with the Court before the entry of a Final Decree of Divorce, the right to claim any of them will be lost.
5. I hereby waive any right I might have to marriage counseling under §3302(b) of the Divorce Code.

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 R. ALBERT

Dated:- 31 Aug 00

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT, : CLEARFIELD COUNTY BRANCH  
Plaintiff, :  
vs. : CIVIL ACTION - LAW  
STACEY A. ALBERT, :  
Defendant. : AFFIDAVIT : NO. 00-147 C.D.

**AFFIDAVIT OF CONSENT**

1. A Complaint in Divorce under §3301(c) of the Divorce Code was filed on February 7, 2000.
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*Stacey A. Albert*  
STACEY A. ALBERT

Dated: 8-31-00

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT, : CLEARFIELD COUNTY BRANCH  
Plaintiff, :  
vs. : CIVIL ACTION - LAW  
STACEY A. ALBERT, : AFFIDAVIT  
Defendant. : NO. 00-147 C.D.

WAIVER OF NOTICE OF INTENTION TO REQUEST  
ENTRY OF A DIVORCE DECREE UNDER §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.

  
DAVID R. ALBERT

Date: 31 Aug 00

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT, : CLEARFIELD COUNTY BRANCH  
Plaintiff, :  
vs. : CIVIL ACTION - LAW  
STACEY A. ALBERT, : AFFIDAVIT  
Defendant. : NO. 00-147 C.D.

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

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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. §4904, relating to unsworn falsification to authorities.

Stacey A. Albert  
STACEY A. ALBERT

Date: 8-31-00

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

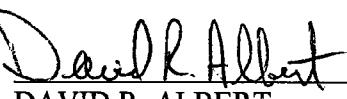
DAVID R. ALBERT, : CLEARFIELD COUNTY BRANCH  
Plaintiff, :  
vs. : CIVIL ACTION - LAW  
STACEY A. ALBERT, : AFFIDAVIT  
Defendant. : NO. 00-147 C.D.

**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA, )  
 ) SS:-  
COUNTY OF CLEARFIELD )

I, DAVID R. ALBERT, Plaintiff herein, being duly sworn according to law, depose and say that the Defendant, STACEY A. ALBERT, is not in the military service and is in no way subject to the provisions of the Soldiers' and Sailors' Relief Act.

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.S.A. relating to unsworn falsification to authorities.

  
DAVID R. ALBERT

DATE:- 31 Aug 00

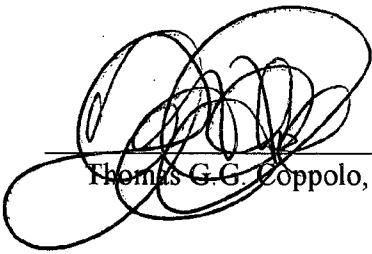
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT,	:	CLEARFIELD COUNTY BRANCH
Plaintiff,	:	
	:	
	:	CIVIL ACTION - LAW
vs.	:	
	:	
STACEY A. ALBERT,	:	AFFIDAVIT
Defendant.	:	
	:	NO. 00-147 C.D.

AFFIDAVIT OF SERVICE

I, THOMAS G.G. COPPOLO, ESQUIRE, do hereby certify that service was made upon the STACEY A. ALBERT, of a certified copy of the original Complaint in Divorce in the above-captioned matter, by personal service on February 9, 2000. A copy of the Acceptance of Service is attached hereto.

I verify that the statements set forth in the foregoing Affidavit are true to the best of my information, knowledge and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

  
Thomas G.G. Coppolo, Esquire

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT,  
Plaintiff,

vs.

STACEY A. ALBERT,  
Defendant.

: CLEARFIELD COUNTY BRANCH  
: CIVIL ACTION - LAW  
: ACCEPTANCE OF SERVICE  
: NO. 2000- 147-C

**ACCEPTANCE OF SERVICE**

I, STACEY A. ALBERT, Defendant herein, on this 9th day of February, 2000, do hereby accept service of the Complaint in Divorce filed in the Prothonotary's Office of the Clearfield County Courthouse in the above referenced matter.

Stacey A. Albert  
Stacey A. Albert, Defendant

Date:- February 9th, 2000

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

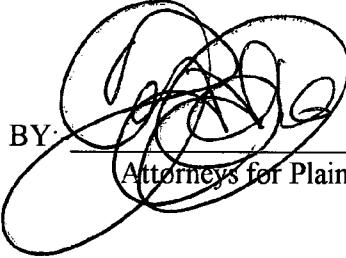
DAVID R. ALBERT, : CLEARFIELD COUNTY BRANCH  
Plaintiff, :  
: CIVIL ACTION - LAW  
vs. :  
: AFFIDAVIT  
STACEY A. ALBERT, :  
Defendant. : NO. 00-147 C.D.

MOTION FOR DIVORCE DECREE

AND NOW, to-wit, this 6th day of September, 2000, Plaintiff and Defendant having voluntarily signed and filed Affidavits of Consent to a final decree of divorce under §3301(c) of the Pennsylvania Divorce Code, and neither Plaintiff nor Defendant having requested counseling services despite the notice of availability of such services given to both parties, and the marriage of Plaintiff and Defendant being irretrievably broken, Plaintiff, by his Attorneys COPPOLO & COPPOLO, moves the Court to enter a final decree of divorce in the above case. Plaintiff further moves your Honorable Court to approve and adopt the Property Settlement Agreement which is attached hereto.

COPPOLO & COPPOLO

BY

  
Attorneys for Plaintiff

FILED  
MAY 15 2000  
Clerk  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

DAVID R. ALBERT, : CLEARFIELD COUNTY BRANCH  
Plaintiff, :  
vs. : CIVIL ACTION - LAW  
STACEY A. ALBERT, : AFFIDAVIT  
Defendant. : NO. 00-147 C.D.

DECREE

AND NOW, to-wit, this 19 day of Sept., 2000, the Court, by virtue of the authority vested in it by law, DECREES that DAVID R. ALBERT, and STACEY A. ALBERT, are hereby divorced from the bonds of matrimony, and the said parties shall be at liberty to marry again.

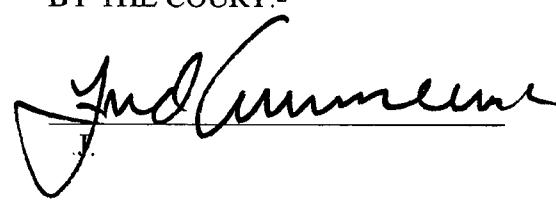
IT IS FURTHER ORDERED that the Property Settlement Agreement which was executed by the parties on February 9, 2000, is hereby approved and adopted as part of the Divorce Decree hereinafter entered for enforcement purposes only, but shall in all other respects be exclusive and survive said Decree.

BY THE COURT:-

**FILED**

SEP 21 2000

William A. Shaw  
Prothonotary



FILED

11 SFP 21 2000  
13:40 2cc 047 Gp2d0  
b6  
William A. Shaw  
Prothonotary

COUNTY  
ClearfieldRECORD OF  
DIVORCE  OR ANNULMENT  
(CHECK ONE) STATE FILE NUMBER  
00-147 CD

STATE FILE DATE

HUSBAND				WIFE			
1. NAME DAVID	(First) R.	(Middle) Albert	(Last)	2. DATE OF BIRTH 11-23-68	(Month)	(Day)	(Year)
3. RESIDENCE PO Box 14, Penfield, Clearfield Co., PA	Street or R.R. City, State or Fips.	County	State	4. PLACE OF BIRTH Lewiston, NY	(State or Foreign Country)		
5. NUMBER OF THIS MARRIAGE 1	6. RACE WHITE <input checked="" type="checkbox"/>	NEGRO <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	7. USUAL OCCUPATION Electrician			
8. MAIDEN NAME STACEY A. Shiner	(First)	(Middle)	(Last)	9. DATE OF BIRTH 4-10-71	(Month)	(Day)	(Year)
10. RESIDENCE 100 SPRING Ave., DuBois, PA	Street or R.R. City, State or Fips.	County	State	11. PLACE OF BIRTH Unknown	(State or Foreign Country)		
12. NUMBER OF THIS MARRIAGE 1	13. RACE WHITE <input checked="" type="checkbox"/>	NEGRO <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	14. USUAL OCCUPATION Nurse's Aid			
15. PLACE OF THIS MARRIAGE DuBois, PA	(County)	(State or Foreign Country)		16. DATE OF THIS MARRIAGE 8-8-92	(Month)	(Day)	(Year)
17A. NUMBER OF CHILDREN THIS MARRIAGE 1	17B. NUMBER OF DEPENDENT CHILDREN UNDER 18 1	18. PLAINTIFF HUSBAND <input checked="" type="checkbox"/>	WIFE <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	19. DECREE GRANTED TO HUSBAND <input type="checkbox"/>	WIFE <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>
20. NUMBER OF CHILDREN TO CUSTODY OF 1	HUSBAND <input type="checkbox"/>	WIFE <input checked="" type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	21. LEGAL GROUNDS FOR DIVORCE OR ANNULMENT 3301(c)			
22. DATE OF DECREE 1	(Month)	(Day)	(Year)	23. DATE REPORT SENT TO VITAL STATISTICS	(Month)	(Day)	(Year)
24. SIGNATURE OF TRANSCRIBING CLERK							

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT, made and entered into this 9th day of February, 2000, by and between **STACEY A. ALBERT**, hereinafter referred to as "Wife"; and **DAVID R. ALBERT**, hereinafter referred to as "Husband";

WHEREAS, the parties hereto are husband and wife having been married on August 8, 1992, in DuBois, Clearfield County, Pennsylvania;

WHEREAS, the parties have one minor child born of their marriage, to-wit:- **CODY A. ALBERT**, born September 8, 1993;

WHEREAS, the parties hereto have encountered certain marital difficulties which have caused them to live separate and apart. A Complaint in Divorce has been, or will shortly be, filed by Husband with the Clearfield County Prothonotary;

WHEREAS, the parties hereto have reached a stipulation concerning the custody of their minor child, the equitable distribution of their marital assets, and the resolution of other economic issues, which stipulation they are desirous of reducing to writing;

NOW THEREFORE, in consideration of the foregoing premises, and the mutual promises, covenants and undertakings hereinafter set forth, and for other good and valuable consideration, receipt of which is hereby acknowledged by each of the parties hereto, Wife and Husband, each intending to be legally bound, hereby covenant and agree as follows, to-wit:-

1. Each party to this Agreement acknowledges that he or she, respectively, is represented by counsel of his or her own choosing; has been and is fully and completely informed of the facts relating to the subject matter of this Agreement and of the rights and liabilities of the Parties;

**FILED**

enters into this Agreement voluntarily after receiving the advice of counsel; fully and completely understands each provision of this Agreement, both as to subject matter and legal effect.

2. It is the purpose and intent of this Agreement to settle forever and completely the interests and obligations of the parties in all property that they own separately, and all property that would qualify as marital property under the Pennsylvania Divorce Code, as between themselves, their heirs, and assigns. The parties have attempted to divide their marital property in a manner that conforms to a just and fair standard, with due regard to the rights of each party.

3. Each party represents and warrants that he or she has made a full and fair disclosure to the other of all of his or her property interest of any nature, and all debts and obligations of any nature. No representation or warranty by either party in this Agreement or in any writing furnished pursuant to this Agreement contains any untrue statement of a material fact, or omits any material fact required to make the statement not misleading.

4. All federal, state and local tax returns required to be filed by the parties have been filed, and all federal, state, and local taxes required to be paid with respect to the periods covered by the returns have been paid. Neither party has been delinquent in the payment of any tax, assessment or governmental charge. Neither party has had any tax deficiency proposed or assessed against him or her, nor has executed any waiver of the statute of limitations on the assessment or collection of any tax.

5. All marital property, including without limitation to all property hereby transferred, has good and marketable title. No marital property is subject to any mortgage, encumbrance, or restriction, except as previously disclosed by the parties.

6. The parties agree that Husband shall retain possession and ownership of all items of marital property currently in his possession, as well as those assets and debts set forth on Exhibit

A attached hereto and made a part hereof

7. The parties agree that Wife shall retain possession and ownership of all items of marital property currently in her possession, as well as those assets and debts set forth on Exhibit B attached hereto and made a part hereof.

8. It is specifically agreed by the parties that they have already divided their household furnishings and other personal property in a manner which is fair and equitable.

9. The parties agree that they shall have shared legal custody of their minor child, CODY A. ALBERT, born September 8, 1993. Shared legal custody shall entitle each parent to equal input into the religious, educational and medical aspects of said child's life. Wife shall have primary physical custody of said minor child, subject to Husband's partial physical custody. The parties specifically avoid setting forth a schedule according to which Husband will exercise his partial physical custody; to the contrary, the parties agree to use their best efforts to accommodate the other party's work and social schedules, and to maximize time spent by each parent with their child. Both parties shall be permitted to have liberal telephone access with their child when he is in the custody of the other parent. If either party does not believe that the current custody arrangements are in the best interests of their minor child, or if Husband does not believe Wife is providing him with a reasonable or acceptable amount of contact with his son to satisfy what he believes should be his partial physical custody, then either party may petition the Court to modify the same at any time.

10. The parties agree that they will not take their son outside of the Commonwealth of Pennsylvania without first giving advance notice of said actions to the other party, and obtaining from said party the express written consent for the child to be removed from the Commonwealth.

11. The parties agree that Wife shall be entitled to claim their minor child as a dependent upon income tax returns, unless the parties agree to the alternative from time-to-time. The parties

do agree to attempt to work together to minimize the amount of taxes which are being paid between them; if, from time-to-time, Wife agrees to allow Husband to claim Cody as a deduction for said purpose, then Husband will also agree to share his refund with Wife in an agreed upon fashion.

12. Cognizant of the fact that Cody will always have the parties hereto as parents, regardless of the personal disagreements between Husband and Wife, the parties agree to use their best efforts to promote a harmonious relationship between themselves when the child is involved. Each party agrees not to disparage the other in the presence of the child, and to use their best efforts to promote the image of the other party in the eyes of their child.

13. Husband and Wife agree that this division of their marital property, both assets and debts, has been completed in a manner which they believe to be fair and equitable after having had the opportunity to consult with counsel of their choosing regarding the same. Both Husband and Wife agree to execute any and all documents necessary to perfect the transfer of any property exchanged pursuant to this Agreement. In addition, both Husband and Wife agree to hold the other safe and harmless from any and all payments on the debt related to any assets which they keep, or any debt which is kept unrelated to an asset, and to reimburse the other for any and all costs the other may incur, including legal fees, in the event they would have to defend themselves in an action brought against them on the aforesaid obligations of the other party.

14. Husband and Wife hereby each agree to waive their respective rights to alimony, alimony pendente lite and attorneys fees. Wife agrees to immediately discontinue the spousal support portion of the action filed at No. 99-166SD, Pa.C.S.E.S. 304100816.

15. Husband and wife each agree to waive any and all rights they might have to the other party's pension, retirement or investment accounts, if any should exist other than mentioned in this Agreement.

16. Husband and Wife hereby agree that each of them shall respectively be responsible for any income tax consequences which may result from the division of marital property in accordance with the terms of this Agreement.

17. Husband and Wife each respectively release any and all inchoate, intestate rights in the estate of the other for him/ herself, heirs, administrators, executors and assigns, and do remise, release, quitclaim and forever discharge the other, his/ her heirs executors, administrators and assigns, of any and all claims, demands, damages, actions, causes of action or suits at law or in equity of whatsoever kind or nature for or because of any matter or thing done, omitted or suffered to be done by said other party prior to and including the date hereof.

18. Upon transfer of the assets mentioned hereinabove, each party shall be solely responsible for payment of any insurance premiums due for insurance coverage on the assets respectively received hereunder, as well as any other expenses corresponding with ownership of the same.

19. This Agreement supersedes any and all other agreements between the parties, either oral or written, that relate to the rights and liabilities arising out of the marriage. This Agreement constitutes the entire agreement of the parties.

20. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall continue in full force and effect without being impaired or invalidated.

21. The waiver by one party of any breach of this Agreement by the other party shall not be deemed a waiver of any other provision of the Agreement or of any subsequent breach of the same provision.

22. This Agreement, except as it otherwise expressly provides, shall be binding on and shall inure to the benefit of the legatees, devisees, heirs, executors, administrators, assigns, and successors in interest of the parties.

23. This Agreement shall be submitted to the Court for approval and, if approved, shall be incorporated and made part of an Order of Court for enforcement purposes.

24. If either party is required, because of the non-compliance of the other party with the terms of this Agreement, to seek assistance from the Courts to enforce said terms, the party who has failed to comply hereby agrees to reimburse the other party for any and all legal fees and costs which that party may incur as a result of having to seek assistance from the Court.

25. This Agreement shall be interpreted and construed under the laws of the Commonwealth of Pennsylvania.

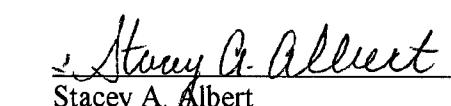
IN WITNESS WHEREOF, the parties hereto have set their hands and seals the first day and year abovementioned.



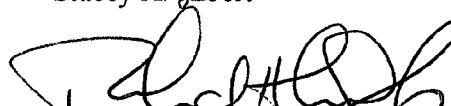
David R. Albert



Thomas G. G. Ceppolo  
Attorney for Husband



Stacey A. Albert



Richard H. Milgrub  
Attorney for Wife

## **EXHIBIT A**

### **1. ASSETS TO BE RETAINED BY HUSBAND:**

- a. any joint bank accounts;
- b. Any bank accounts in his own name;
- c. 1997 Chrysler Sebring;
- d. any pension, retirement, IRA, 401K or similar benefits he now has or may hereafter acquire.
- e. personal belongings in his possession at time of execution of this Agreement.

### **2. DEBTS TO BE RETAINED BY HUSBAND:**

- a. Loan for Chrysler Sebring at St. Marys Federal Credit Union (in joint names)
- b. Loan for Dodge Spirit at Deposit Bank (in joint names)
- c. Personal Loan at Deposit Bank (in joint names)
- d. Line of Credit at Deposit Bank (in joint names)
- e. Beneficial Financial personal loan (in joint names)
- f. Credit Union personal loan (in Husband's sole name)
- g. DuBois Regional Medical Center hospital bill (in joint names)

**THE PARTIES SPECIFICALLY ACKNOWLEDGE THAT HUSBAND IS ASSUMING ALL MARITAL DEBT, AND THAT IT WILL BE IMPOSSIBLE FOR HIM TO REFINANCE OR REMOVE WIFE'S NAME FROM THESE BILLS PRESENTLY.**

## **EXHIBIT B**

### **1. ASSETS TO BE RETAINED BY WIFE:**

- a. 1994 Dodge Spirit
- b. Any bank accounts in her name
- c. any pension, retirement, IRA, 401K or similar benefits he now has or may hereafter acquire.
- d. personal belongings in his possession at time of execution of this Agreement.

### **2. DEBTS TO BE RETAINED BY WIFE:**

- a. None.

THE PARTIES SPECIFICALLY ACKNOWLEDGE THAT HUSBAND IS ASSUMING ALL MARITAL DEBT, AND THAT IT WILL BE IMPOSSIBLE FOR HIM TO REFINANCE OR REMOVE WIFE'S NAME FROM THESE BILLS PRESENTLY.

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

DAVID R. ALBERT,  
Plaintiff

vs. : No. 00-147-CD.

STACEY A. ALBERT,  
Defendant

: Type of Pleading: Petition for  
Special Relief

: Filed on behalf of: David R. Albert,  
Plaintiff.

: Counsel of Record for this party:

: HOPKINS HELTZEL LLP

: LEA ANN HELTZEL  
: Attorney at Law  
: Supreme Court I.D. No. 83998

: 900 Beaver Drive  
: DuBois, Pennsylvania 15801

: (814) 375-0300

FILED 2cc  
01/11/08 BY OCT 18 2004 Atty  
Heltzel  
BBD  
William A. Shaw  
Prothonotary/Clerk of Courts

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

DAVID R. ALBERT, :  
Plaintiff :  
: :  
vs. : No. 00-147-CD.  
: :  
STACEY A. ALBERT, :  
Defendant :  
:

**PETITION FOR SPECIAL RELIEF**

AND NOW comes Petitioner, David R. Albert, Plaintiff in the above-captioned divorce action, by and through his attorneys, Hopkins Heltzel LLP, who files the following Petition for Special Relief and in support thereof avers as follows:

1. The Petitioner is David R. Albert, Plaintiff in the above captioned case, currently residing at P.O. Box 14, Penfield, Clearfield County, Pennsylvania.
2. The Respondent is Stacey A. Albert, Defendant in the above captioned case, currently residing at 142 Heather Brook Estates, Muncy, Pennsylvania 17756.
3. The parties are the parents of a minor child: Cody Aarron Albert, date of birth 9/08/93.
4. Pursuant to Property Settlement Agreement dated February 9, 2000, Respondent has primary physical custody subject to Petitioner's rights of partial physical custody. See attached Exhibit "A".
5. Since the parties' separation in February of 1999, Petitioner exercised custody of his child every weekend from Friday after school until Sunday at 7:00 p.m.
6. In or about September of 2000, Respondent moved to Lock Haven, Pennsylvania with

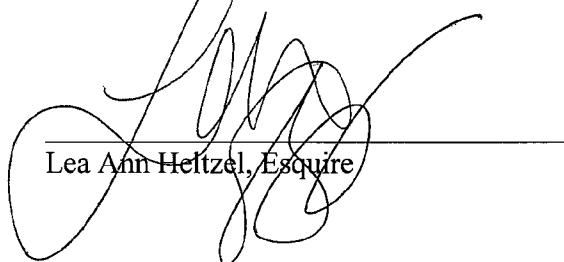
the parties' minor child. Petitioner continued to have the child every weekend with the parties sharing the transportation for the visitation.

7. In or about August of 2004, Respondent again moved from Lock Haven, Pennsylvania to Muncy, Pennsylvania. Respondent is now refusing to allow Petitioner to exercise his every weekend visitation which has occurred for the past five (5) years. Respondent unilaterally decided that Petitioner will now only have visitation every other weekend. Respondent is refusing to participate in the transportation to facilitate the regular visitation every weekend.

WHEREFORE, Petitioner respectfully requests this Honorable Court to enter an Order granting Petitioner his weekend visitation from Friday after school until Sunday at 7:00 p.m. as well as Ordering that the transportation for said visitation be shared between the parties.

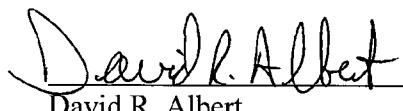
Respectfully submitted,

Lea Ann Heltzel, Esquire

A handwritten signature in black ink, appearing to read "Lea Ann Heltzel, Esquire", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized "L" at the beginning.

**VERIFICATION**

I hereby verify that the statements made in this 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.



David R. Albert

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

DAVID R. ALBERT, :  
Plaintiff :  
vs. : No. 00-147-CD.  
: :  
STACEY A. ALBERT, :  
Defendant :  
: :

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing Petition for Special Relief filed on behalf of Petitioner, David R. Albert, was forwarded on the 13<sup>th</sup> day of October, 2004 by U.S. Mail, postage prepaid, addressed as follows:

Ms. Stacey A. Albert  
142 Heather Brook Estates  
Muncy, PA 17756

Lea Ann Heltzel, Esquire  
Attorney for Plaintiff  
Supreme Court No. 83998

FILED NO cc  
10/18/08 B7L  
OCT 18 2004

William A. Shaw  
Prothonotary Clerk of Courts

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

DAVID R. ALBERT, :  
Plaintiff :  
vs. : No. 00-147-CD.  
: :  
STACEY A. ALBERT, :  
Defendant :  
: :

**ORDER**

AND NOW, this 23<sup>rd</sup> day of October, 2004 the Petitioner having filed a Petition for Special Relief, it is hereby ORDERED and ADJUDGED that the hearing on Petition for Special Relief be scheduled for the 12 day of December, 2004, at 10:00 A.M. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, PA.

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

  
JUDGE

FILED 1CC  
03-54-01 OCT 22 2004  
Atty Heltzel

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

David R. Albert,  
Plaintiff : CIVIL ACTION-LAW

vs.

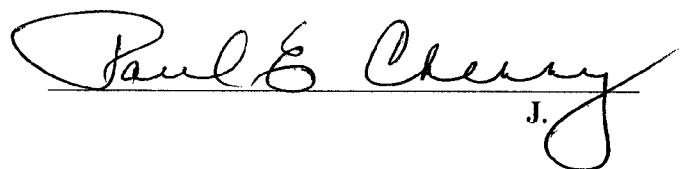
Stacey A. Albert,  
Defendant : NO. 00-147-CD

**RULE TO SHOW CAUSE**

AND NOW, this 29<sup>th</sup> day of October, 2004, upon motion of Randi W. Dincher, Esquire, Attorney for Petitioner/Defendant and upon consideration of the within Preliminary Objections, a Rule is issued upon Respondent to show what cause, if any he may have, why the prayer of the Preliminary Objections should not be granted.

RULE returnable for hearing the 12 day of November, 2004 at 10:00 o'clock A.M. in Court Room Number 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,

  
J.

Cc Randi W. Dincher, Esquire  
Lea Ann Heltzel, Esquire

**FILED** EGR  
5258 100-1000  
OCT 29 2004  
Dincher

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

David R. Albert, : CIVIL ACTION-LAW-CUSTODY  
Plaintiff :  
vs. :  
Stacey A. Albert, : NO. 00-147-CD  
Defendant :  
:

**NOTICE TO PLEAD**

TO: DAVID R. ALBERT, RESPONDENT/PLAINTIFF  
C/O LEA ANN HELTZEL, ESQUIRE  
Hopkins, Heltzel LLP  
900 Beaver Drive  
Dubois, PA 15801

YOU ARE HEREBY NOTIFIED to file a written response to the enclosed Preliminary Objections within twenty (20) days from the date of service hereof or a judgement may be entered against you.

**MATHERS, DINCHER & STAPP, P.C.**



Randi W. Dincher, Esquire, I.D.#66209  
Attorney for Petitioner/Defendant  
416 Pine Street, Suite 308  
Williamsport, PA 17701  
(570) 326-5171

FILED 1CC  
m 11/4/2004 Amy

OCT 27 2004 Dincher  
R&D

William A. Shaw  
Prothonotary Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

David R. Albert : CIVIL ACTION-LAW  
Plaintiff :  
vs.  
Stacey A. Albert : NO. 00-147-CD  
Defendant :  
:

**PRELIMINARY OBJECTIONS**

AND NOW COMES, Stacey A. Albert, Defendant, by and through her attorney Randi W. Dincher, Esquire and files the within Preliminary Objections citing the following reasons therefore:

1. Petitioner is Stacey A. Albert, Defendant, in the above captioned action.
2. Respondent is David R. Albert, Plaintiff, in the above captioned action.
2. Respondent filed a Petition for Special Relief on or about October 13, 2004.
3. The subject of said Petition is custody of the parties' minor child Cody Aaron Albert, born September 8, 1993. A copy of said Petition is attached hereto and incorporated herein as Exhibit "A".
4. Petitioner files these Preliminary Objections asserting that the Court of Common Pleas of Clearfield County, Pennsylvania is not the appropriate venue to determine custody of the parties' minor child.
5. Since the parties' separation in 1999 Petitioner has always been the primary custodian of the parties' minor child.

6. At the time of the parties' separation on or about February 1999, they resided together in Clearfield County, Pennsylvania. Subsequent to their separation Petitioner continued to reside in Clearfield County with the parties' minor child until October 2000.

7. On or about October 2000 Petitioner moved with the parties' minor child from Clearfield County, Pennsylvania to Clinton County, Pennsylvania. Petitioner and the minor child continued to reside in Clinton County, Pennsylvania until June 2004.

8. On or about June 2004 Petitioner and the minor child moved to 142 Heatherbrooke Estates, Muncy, Lycoming County, Pennsylvania. Lycoming County is where Petitioner and the minor child continue to reside and intend to remain.

9. The minor child is in 5<sup>th</sup> grade and attends Ward L. Myers Elementary school in Muncy, Lycoming County, Pennsylvania.

10. The minor child has physicians, caregivers, friends and is involved in activities in Lycoming County, Pennsylvania.

11. Petitioner resides with her paramour, Timothy Snell and his three (3) minor children at 142 Heatherbrooke Estates, Muncy, Lycoming County, Pennsylvania. Timothy Snell has extended family in Lycoming County with which Petitioner and the parties' minor child are involved.

12. Pursuant to 23 Pa C.S.A. Sections 5344 and 5364 Clearfield County is an incorrect forum to hear this matter and Lycoming County is the appropriate venue.

13. Most witnesses who will need to testify in the custody action reside and work in Lycoming County, Pennsylvania.

14. Petitioner filed a custody petition in Lycoming County, Pennsylvania on October 15, 2004.

WHEREFORE, Petitioner respectfully requests this Honorable Court to dismiss Plaintiff's Petition for Special Relief.

Respectfully Submitted,

**MATHERS, DINCHER & STAPP, P.C.**



---

Randi W. Dincher, Esquire, I.D.#66209  
Attorney for Defendant  
416 Pine Street, Suite 308  
Williamsport, PA 17701  
(570) 326-5171

***VERIFICATION***

I, STACEY A. ALBERT, hereby state and aver that I have read the foregoing document which has been drafted by my counsel.

The factual statements contained therein are true and correct to the best of my knowledge, information and belief although the language is that of my counsel and to the extent that the content of the foregoing document is that of counsel, I have relied upon counsel in making this Verification.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Stacey A. Albert  
STACEY A. ALBERT

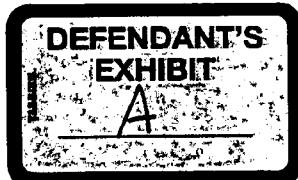
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

DAVID R. ALBERT, :  
Plaintiff :  
: vs. : No. 00-147-CD.  
: :  
STACEY A. ALBERT, :  
Defendant :  
:

**PETITION FOR SPECIAL RELIEF**

AND NOW comes Petitioner, David R. Albert, Plaintiff in the above-captioned divorce action, by and through his attorneys, Hopkins Heltzel LLP, who files the following Petition for Special Relief and in support thereof avers as follows:

1. The Petitioner is David R. Albert, Plaintiff in the above captioned case, currently residing at P.O. Box 14, Penfield, Clearfield County, Pennsylvania.
2. The Respondent is Stacey A. Albert, Defendant in the above captioned case, currently residing at 142 Heather Brook Estates, Muncy, Pennsylvania 17756.
3. The parties are the parents of a minor child: Cody Aarron Albert, date of birth 9/08/93.
4. Pursuant to Property Settlement Agreement dated February 9, 2000, Respondent has primary physical custody subject to Petitioner's rights of partial physical custody. See attached Exhibit "A".
5. Since the parties' separation in February of 1999, Petitioner exercised custody of his child every weekend from Friday after school until Sunday at 7:00 p.m.
6. In or about September of 2000, Respondent moved to Lock Haven, Pennsylvania with



the parties' minor child. Petitioner continued to have the child every weekend with the parties sharing the transportation for the visitation.

7. In or about August of 2004, Respondent again moved from Lock Haven, Pennsylvania to Muncy, Pennsylvania. Respondent is now refusing to allow Petitioner to exercise his every weekend visitation which has occurred for the past five (5) years. Respondent unilaterally decided that Petitioner will now only have visitation every other weekend. Respondent is refusing to participate in the transportation to facilitate the regular visitation every weekend.

WHEREFORE, Petitioner respectfully requests this Honorable Court to enter an Order granting Petitioner his weekend visitation from Friday after school until Sunday at 7:00 p.m. as well as Ordering that the transportation for said visitation be shared between the parties.

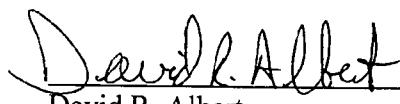
Respectfully submitted,

Lea Ann Heitzel, Esquire



**VERIFICATION**

I hereby verify that the statements made in this 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.

  
\_\_\_\_\_  
David R. Albert

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

DAVID R. ALBERT, :  
Plaintiff :  
vs. : No. 00-147-CD.  
STACEY A. ALBERT, :  
Defendant :  
:

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Petition for Special Relief filed on behalf of Petitioner, David R. Albert, was forwarded on the 13<sup>th</sup> day of October, 2004 by U.S. Mail, postage prepaid, addressed as follows:

Ms. Stacey A. Albert  
142 Heather Brook Estates  
Muncy, PA 17756

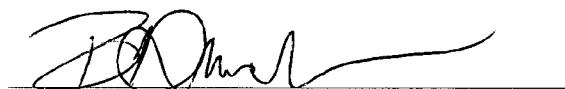
Lea Ann Heltzel, Esquire  
Attorney for Plaintiff  
Supreme Court No. 83998

**CERTIFICATE OF SERVICE**

I, **Randi W. Dincher, Esquire**, Attorney for Defendant, do hereby certify that a true and correct copy of the within Preliminary Objections was served upon LEA ANN HELTZEL, ESQUIRE, ATTORNEY FOR PLAINTIFF, by placing a copy of the same in the United States mail, first class, postage prepaid, addressed as follows on this 26<sup>th</sup> day of October 2004.

LEA ANN HELTZEL, ESQUIRE  
HOPKINS, HELTZEL, LLP  
900 BEAVER DRIVE  
DUBOIS, PA 15801

**MATHERS, DINCHER & STAPP, P.C.**



---

Randi W. Dincher, Esquire, I.D.#66209  
Attorney for Defendant  
416 Pine Street, Suite 308  
Williamsport, PA 17701  
(570) 326-5171

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

DAVID R. ALBERT, Plaintiff  
vs. No. 00-147-CD.  
STACEY A. ALBERT, Defendant  
Type of Pleading: PLAINTIFF'S  
ANSWER TO DEFENDANT'S  
PRELIMINARY OBJECTIONS  
Filed on behalf of: David R. Albert,  
Plaintiff  
Counsel of Record for this party:  
HOPKINS HELTZEL LLP  
DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court I.D. No. 42519  
LEA ANN HELTZEL, ESQUIRE  
Attorney at Law  
Supreme Court I.D. No. 83998  
900 Beaver Drive  
DuBois, Pennsylvania 15801  
(814) 375-0300

FILED *E64*  
12/30/04  
NOV 02 2004 Atty Hopkins  
William A. Shaw  
Prothonotary/Clerk of Courts

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

DAVID R. ALBERT, :  
Plaintiff :  
vs. : No. 00-147-CD.  
: :  
STACEY A. ALBERT, :  
Defendant :  
:

**NOTICE TO DEFEND**

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 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 Second and Markets Streets, Clearfield, PA 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.**

MidPenn Legal Services  
211 ½ East Locust Street  
Clearfield, PA 16830  
(814) 765-9646

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

DAVID R. ALBERT, :  
Plaintiff :  
vs. : No. 00-147-CD.  
STACEY A. ALBERT, :  
Defendant :  
:

**PLAINTIFF'S ANSWER TO DEFENDANT'S PRELIMINARY OBJECTIONS**

AND NOW comes Plaintiff, David R. Albert, by and through his attorneys, Hopkins Heltzel LLP, and sets forth the following Answer to Defendant's Preliminary Objections and in support thereof would aver as follows:

1. Paragraph 1 of Defendant's Objections is Admitted.
2. Paragraph 2 of Defendant's Objections is Admitted.
2. Paragraph 2 of Defendant's Objections is Admitted.
3. Paragraph 3 of Defendant's Objections is Admitted.
4. Paragraph 4 of Defendant's Objections is Denied. The Court of Common Pleas of Clearfield County is the appropriate venue to determine custody of the parties' minor child.
5. Paragraph 5 of Defendant's Objections is Denied. Respondent has had the child every weekend and every summer since the parties separation.
6. Paragraph 6 of Defendant's Objections is Admitted.

7. Paragraph 7 of Defendant's Objections is Admitted in part and Denied in part. It is admitted that Petitioner moved to Clinton County. Although the minor child resided in Clinton County and Clearfield County in that the child stayed with Respondent every Friday until Sunday as well as every summer.

8. Paragraph 8 of Defendant's Objections is neither Admitted nor Denied. Respondent does not know the truth of the matter asserted.

9. Paragraph 9 of Defendant's Objections is Admitted.

10. Paragraph 10 of Defendant's Objections is Denied. The minor child also has physicians, care-givers, family and friends and is involved in many activities in Clearfield County, Pennsylvania.

11. Paragraph 11 of Defendant's Objections is neither Admitted nor Denied. Respondent does not know the truth of the matter asserted.

12. Paragraph 12 of Defendant's Objections is Denied. Clearfield County is the correct forum to hear this matter.

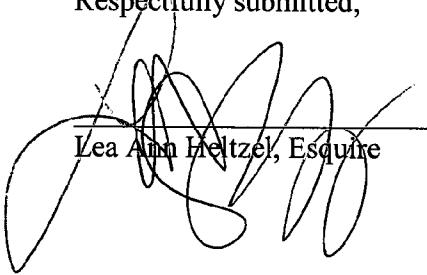
13. Paragraph 13 of Defendant's Objections is Denied. Most of the witnesses who would testify with regard to the Custody action reside and work in Clearfield County, Pennsylvania.

14. Paragraph 14 of Defendant's Objections is neither Admitted nor Denied. Respondent has no knowledge of any Custody Petition nor has he been served with a Custody Petition filed in Lycoming County.

WHEREFORE, Defendant requests Your Honorable Court to dismiss Petitioner's  
Preliminary Objections.

Respectfully submitted,

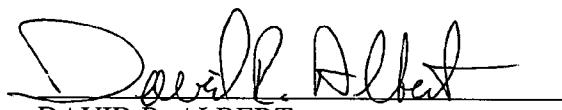
Lea Ann Heltzel, Esquire



**VERIFICATION**

I hereby verify that the statements made in this pleading 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.

Date: 29 OCT 24

  
DAVID R. ALBERT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

David R. Albert,  
Plaintiff

CIVIL ACTION-LAW

vs.

Stacey A. Albert,  
Defendant

NO. 00-147-CD

**CERTIFICATE OF SERVICE**

I, Randi W. Dincher, Esquire, Attorney for Petitioner/Defendant, do hereby certify that a true and correct copy of the within Notice of Hearing for Preliminary Objections scheduled for hearing on November 12, 2004 at 10:00 a.m. was served upon LEA ANN HELTZEL, ESQUIRE, ATTORNEY FOR RESPONDENT/PLAINTIFF, by placing a copy of the same in the United States mail, first class, postage prepaid, addressed as follows, on this 2<sup>nd</sup> day of November 2004.

LEA ANN HELTZEL  
HOPKINS, HELTZEL, LLP  
900 BEAVER DRIVE  
DUBOIS, PENNSYLVANIA 15801

**FILED**

NOV 03 2004

William A. Shaw  
Prothonotary/Clerk of Courts

MATHERS, DINCHER & STAPP, P.C.

  
Randi W. Dincher, Esquire, I.D.#66209  
Attorney for Petitioner/Defendant  
416 Pine Street, Suite 308  
Williamsport, PA 17701  
(570) 326-5171

RECEIVED

NOV 01 2004

MATHERS, DINCHER & STAPP

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

David R. Albert, Plaintiff CIVIL ACTION-LAW

vs.

Stacey A. Albert, Defendant NO. 00-147-CD

RULE TO SHOW CAUSE

AND NOW, this 20th day of October, 2004, upon motion of Randi W. Dincher, Esquire, Attorney for Petitioner/Defendant and upon consideration of the within Preliminary Objections, a Rule is issued upon Respondent to show what cause, if any he may have, why the prayer of the Preliminary Objections should not be granted.

RULE returnable for hearing the 12 day of November, 2004 at 10:00 o'clock A.M. in Court Room Number 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,

April E. Cherry

J.

Cc Randi W. Dincher, Esquire  
Lea Ann Heltzel, Esquire

I hereby certify this to be a true and attested copy of the original statement filed in this case.

OCT 29 2004

Attest.

*John D. Cherry*  
Prothonotary/  
Clerk of Courts

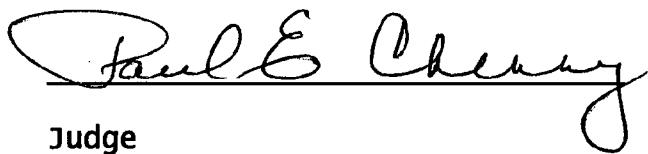
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

DAVID R. ALBERT :  
-vs- : No. 00-147-CD  
STACEY A. ALBERT :

O R D E R

NOW, this 12th day of November, 2004, following the taking of testimony relative to Preliminary Objections, as well as Petition for Special Relief, it is the ORDER of this Court that counsel for both parties supply letter brief within no more than seven (7) days from this date.

BY THE COURT,

  
Judge

FILED *667*  
NOV 15 2004  
10/24/04  
William A. Shaw  
Prothonotary/Clerk of Courts  
Cmt to Atty  
HETZEL  
&  
DINCHEN

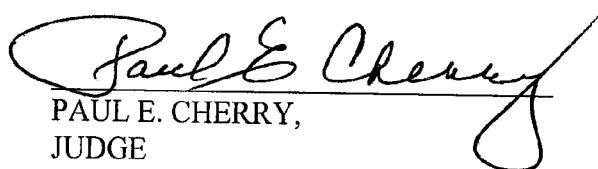
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

DAVID R. ALBERT : NO. 00-147-CD  
V. :  
STACEY A. ALBERT :  
:

ORDER

AND NOW, this 13<sup>th</sup> day of December, 2004, following testimony with regard to Preliminary Objections filed by Defendant, Stacey A. Albert and the timely receipt of Briefs, upon consideration of same and the presentation of issues to the Court, the Court is satisfied that proper jurisdiction lies with Clearfield County as opposed to that of Lycoming County. Therefore, it is the ORDER of this Court that the Preliminary Objections be and are hereby DENIED. Clearfield County shall retain jurisdiction in this matter.

BY THE COURT,

  
PAUL E. CHERRY,  
JUDGE

FILED  
DEC 14 2004

WILL  
Prothonotary  
1 CERT to ATT HUNTER  
1 CERT to ATT R. DINCHEV

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

DAVID R. ALBERT, :  
Plaintiff :  
vs. : No. 00-147-CD.  
STACEY A. ALBERT, :  
Defendant :  
: :  
: : Type of Pleading: Praeclipe to  
: : Schedule Status Conference  
: : Filed on behalf of David R. Albert,  
: : Plaintiff.  
: :  
: : Counsel of Record for this party:  
: : HOPKINS HELTZEL LLP  
: : LEA ANN HELTZEL  
: : Attorney at Law  
: : Supreme Court I.D. No. 42519  
: : 900 Beaver Drive  
: : DuBois, Pennsylvania 15801  
: : (814) 375-0300

64  
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04/11/2005 A. Helzel  
APR 14 2005

William A. Shaw  
Prothonotary/Clerk of Courts

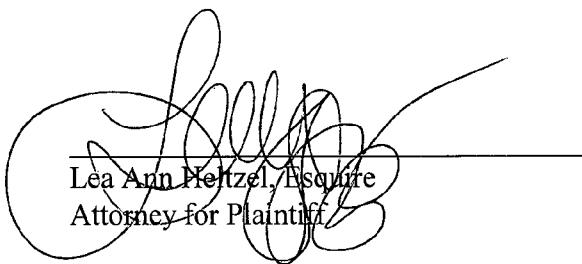
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

DAVID R. ALBERT, :  
Plaintiff :  
: :  
vs. : No. 00-147-CD.  
: :  
STACEY A. ALBERT, :  
Defendant :  
: :

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing Praeclipe to Schedule Status Conference filed on behalf of Plaintiff, was forwarded on the 14<sup>th</sup> day of April, 2005, by U.S. Mail, postage prepaid, as follows:

Randi W. Dincher, Esquire  
416 Pine Street, Suite 308  
Williamsport, PA 17701

  
Lea Ann Heitzel, Esquire  
Attorney for Plaintiff

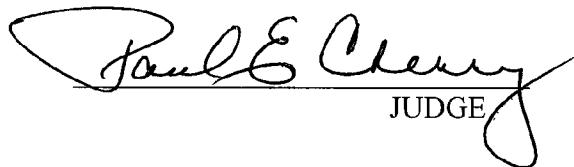
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

DAVID R. ALBERT, :  
Plaintiff :  
vs. : No. 00-147-CD.  
: :  
STACEY A. ALBERT, :  
Defendant :  
: :

**ORDER OF COURT**

Now this 15<sup>th</sup> day of April, 2005, upon request of Plaintiff, IT IS HEREBY ORDERED that a Status Conference is Scheduled on the 17<sup>th</sup> day of June, 2005, at 1:30 o'clock P.M. in Courtroom No. 2 of the Clearfield County Courthouse, One North Second Street, Clearfield, Pennsylvania.

BY THE COURT:

  
Paul E. Cherry  
JUDGE

FILED <sup>64</sup>  
1CC  
04-00-311 *Atty Heltzel*  
APR 15 2005

William A. Shaw  
Prothonotary/Clerk of Courts

AMERICAN 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.

BY THE COURT,

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE

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JUN 20 2005 Dincer

William A. Shaw (6)  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DAVID R. ALBERT

:

VS.

: NO. 00-147-CD

STACEY A. ALBERT

:

O R D E R

NOW, this 17th day of June, 2005, this being the date set for status conference; the Court being advised that decision on the Petition for Special Relief having yet to be filed, it is the ORDER of this Court as follows:

1. Plaintiff, David R. Albert (hereinafter "Father"), and Defendant, Stacey A. Albert (hereinafter "Mother"), shall share joint legal custody of their minor child. Legal custody shall be defined as the legal right to make major decisions affecting the best interests of the child including, but not limited to, medical, religious and educational decisions, and that each parent shall have equal access to any and all medical, dental, ocular, mental health, school and legal records. Medical, dental, ocular and other professional providers, as well as school administrations, shall accept a copy of this Order as authorization to release documentation to either parent as may be requested.

In addition, it is also understood by both parents that they shall communicate fully with each other to ensure all directives pertaining to the child from physicians, dentists,

and teachers are followed absolutely and that all information pertaining to any prescriptions for the child is exchanged between the parties.

2. During the school year, Mother shall have primary physical custody of the minor child, with Father to have partial custody as follows;

a) On the first, second and fourth weekend of each month, with said periods of partial custody to begin on Friday at 5:30 p.m. and ending on Sunday at 5:30 p.m;

b) During each summer, Father shall have the minor child from the first Sunday following the last day of school until August 15th of each year. Mother shall be entitled to one (1) week during Father's summertime period of partial custody, with Mother providing Father with at least thirty (30) days' advance notice of which week of custody she desires. Mother's week period of summertime custody shall be from Sunday at 12:00 p.m. until the following Sunday at 12:00 p.m;

3. The parties shall share custody for the following holidays:

a) EASTER: In odd-numbered years, Father shall have partial custody of the child from the Friday before Easter at 5:30 p.m. until 2:00 p.m. on Easter Sunday. Mother shall have custody from 2:00 p.m. until 8:00 p.m. on Easter Sunday.

In even-numbered years, Mother shall have custody of the child from the Friday before Easter at 5:30 p.m. until 2:00

p.m. on Easter Sunday. Father shall have custody from 2:00 p.m. until 8:00 p.m. on Easter Sunday.

b) THANKSGIVING: In odd-numbered years, Mother shall have custody from 5:30 p.m. the day before Thanksgiving until 2:00 p.m. on Thanksgiving Day. Father shall have partial custody from 2:00 p.m. on Thanksgiving Day until 8:00 p.m. the day after Thanksgiving.

In even-numbered years, Father shall have partial custody from 5:30 p.m. the day before Thanksgiving until 2:00 p.m. on Thanksgiving Day. Mother shall have custody from 2:00 p.m. on Thanksgiving Day until 8:00 p.m. the day after Thanksgiving;

c) CHRISTMAS: In odd-numbered years, Father shall have partial custody from 4:00 p.m. the day before Christmas until 2:00 p.m. on Christmas Day. Mother shall have custody from 2:00 p.m. on Christmas Day until 5:30 p.m. on December 28th. Father shall then have partial custody from 5:30 p.m. on December 28th until 5:30 p.m. on December 31st.

In even-numbered years, Mother shall have custody from 4:00 p.m. the day before Christmas until 2:00 p.m. on Christmas Day. Father shall have partial custody from 2:00 p.m. on Christmas Day until 5:30 p.m. on December 28th. Mother shall then have custody from 5:30 p.m. on December 28th until 5:30 p.m. on December 31st;

d) The parties shall alternate the minor holidays

of New Year's Day, Memorial Day, Independence Day (4th of July) and Labor Day. The schedule will start with Mother to have Labor Day in 2005. The party entitled to possession shall have the child from 9:00 a.m. until 8:00 p.m. In the event that a parent is entitled to possession of the child on a holiday which falls on a Monday and that parent is also entitled to the immediately preceding weekend, that parent shall then be able to keep the child over Sunday evening;

e) Mother shall always have custody of the parties' child for the weekend including Mother's Day;

f) Father shall always have custody of the parties' child for the weekend including Father's Day;

g) Holiday, summertime and Mother's/Father's Day periods of custody shall take precedence over the other periods of custody as set forth herein.

4. Unless otherwise agreed upon by the parties, the parties shall meet at the Milesburg Exit of Interstate 80 for exchange of the minor child.

5. Each party, at all times, shall inform the other party of his/her current address and telephone number.

6. Neither party shall malign or speak in a derogatory fashion about the other party in the presence of the child, nor will he/she permit anyone else to do so. Each parent will exercise his or her best efforts to promote a healthy relationship between the child and the other parent and the

other parent's family. The parties are directed to conduct themselves in a reasonable and appropriate manner at all times during their interactions with each other and their family members concerning custody of the child and issues relating to the child's care and nurturance.

7. Neither parent shall restrict telephone contact between the child and the parent not in possession of the child. The parent who is not in possession of the child may have reasonable telephone contact with the child, which means up to three (3) telephone calls per week, providing the same is done by and no later than 8:00 p.m.

8. During either parties' possession of the minor child, if the child has a serious illness or injury which requires medical attention, that party shall immediately notify the other parent.

BY THE COURT,

  
Judge

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

DAVID R. ALBERT

V.

NO. 00-147-CD

STACEY A. ALBERT

**ORDER**

AND NOW, this 25<sup>th</sup> day of July, 2005, it is the ORDER of this Court that status conference with regard to this matter be and is hereby scheduled for the 29<sup>th</sup> day of August, 2005, beginning at 10:30 o'clock A.M. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,

  
PAUL E. CHERRY,  
JUDGE

FILED <sup>cc</sup>  
01/01/2005 Atty's:  
JUL 26 2005 Heltzel  
William A. Shaw  
Prothonotary/Clerk of Courts  
Dincher  
per CJA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

FILED

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012:10/01  
AUG 30 2005

Attn: Michael  
Coppolo  
Dincher

DAVID R. ALBERT

:

William A. Shaw  
Prothonotary/Clerk of Courts

VS.

: NO. 00-147-CD

STACEY A. ALBERT

:

O R D E R

NOW, this 29th day of August, 2005, following status conference, it is the ORDER of this Court that this Court's Order of June 17, 2005, be and is hereby AMENDED as follows:

1. Father shall ensure that, during his periods of partial custody, the minor child attend all activities that the minor child may be involved in including, but not limited to, school and any other activities.

2. Paragraph 2(b) of the June 17, 2005, Order shall be amended to read that Mother shall be entitled to one (1) week during each of the months of June and July, with Mother providing Father with at least thirty (30) days' advance notice of which weeks of custody she desires.

3. Paragraph 3 of the June 17, 2005, Order is hereby amended to read that Mother and Father shall alternate the holidays of Easter, Thanksgiving and Christmas, as follows:

a) Easter: In odd-numbered years, Father shall have custody on the Friday before Easter at 5:30 p.m. until 7:00

p.m. on Easter Sunday.

In even-numbered years, Mother shall have custody from Friday before Easter at 5:30 p.m. until 7:00 p.m. on Easter Sunday;

b) Christmas: In odd-numbered years, Father shall have custody from 4:00 p.m. the day before Christmas until 5:30 p.m. on December 27th. Mother shall then have custody from 5:30 p.m. on December 27th until 5:30 p.m. on December 31st.

In even-numbered years, Mother shall have custody from 4:00 p.m. the day before Christmas until 5:30 p.m. on December 27th. Father shall have custody from 5:30 p.m. on December 27th until 5:30 p.m. on December 31st;

c) Thanksgiving: In even-numbered years, Father shall have custody from 5:30 p.m. the day before Thanksgiving until Friday following Thanksgiving at 5:30 p.m.

In odd-numbered years, Mother shall have custody from 5:30 p.m. the day before Thanksgiving until Friday following Thanksgiving at 5:30 p.m.

4. Paragraph 3(d) of the June 17, 2005, Order is hereby amended to read: If the party entitled to possession shall have the child on a holiday which falls on a Thursday or Monday and that party is also entitled to either the immediately preceding weekend or subsequent weekend, that party shall then be able to maintain the child for his/her scheduled weekend partial custody.

5. All other terms and provisions of this Court's  
Order of June 17, 2005, not inconsistent herewith shall continue  
to be in full force and effect.

BY THE COURT,

Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

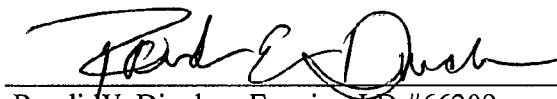
David R. Albert, : CIVIL ACTION-LAW-CUSTODY  
Plaintiff :  
vs. :  
Stacey A. Albert, : NO. 00-147-CD  
Defendant :  
:

**PRAECIPE FOR WITHDRAWAL AND ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

Kindly withdraw my appearance on behalf of Stacey A. Albert, Defendant, in the above captioned action.

MATHERS, DINCHER & STAPP, P.C.

 8/29/2005  
Randi W. Dincher, Esquire, I.D.#66209  
Attorney for Defendant  
416 Pine St. Suite 308  
Williamsport, PA 17701  
(570) 326-5171

TO THE PROTHONOTARY:

Kindly enter my appearance pro se in the above captioned action.

DATE: 8/29/2005

Stacey A. Albert 8-29-05  
Stacey A. Albert, Defendant  
142 Heatherbrooke Estates  
Muncy, PA 17756

FILED 01:24 PM SEP 07 2005  
1CC Atty  
Dincher

William A. Shaw  
Prothonotary/Clerk of Courts

CC: Lea Ann Heltel, esq  
Randi Dincher, esq

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

David R. Albert, : CIVIL ACTION-LAW  
Plaintiff :  
vs. :  
Stacey A. Albert, : NO. 00-147-CD  
Defendant :  
vs.

## ORDER

AND NOW, this 6<sup>th</sup> day of September, 2005, Attorney Dincher's  
Petition for Withdrawal of Appearance is granted and Attorney Dincher is deemed withdrawn  
from representing Stacey Albert in this action.

BY THE COURT.

Paul E. Cherry  
J.

cc Randi W. Dincher, Esquire  
Lea Ann Heltzel, Esquire  
Stacey Albert, Defendant

FILED 1CC  
01/24/2011  
SEP 07 2005  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty  
Dincher  
RE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

David R. Albert, : CIVIL ACTION-LAW  
Plaintiff :  
vs. :  
Stacey A. Albert, : NO. 00-147-CD  
Defendant :  
*OK*

**PETITION TO WITHDRAW APPEARANCE**

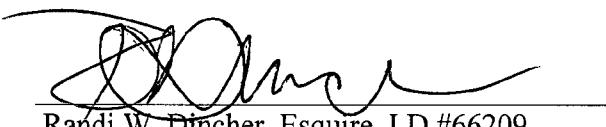
AND NOW COMES, Randi W. Dincher, Esquire and files this Petition for Withdrawal of Appearance citing the following reasons therefore:

1. Petitioner is Randi Dincher, the attorney for Defendant in the above stated custody action.
2. Respondent is Stacey Albert, an adult individual residing at 142 Heatherbrooke Estates, Muncy, Lycoming County, Pennsylvania.
3. Attorney Dincher and Respondent have agreed to Attorney Dincher's withdrawal of appearance. Attached hereto and incorporated herein as Exhibit "A" is a copy of the Praeclipe for Withdrawal and Entry of Appearance, the original is being filed concurrent with this Petition.
4. There are no petitions nor hearings currently pending in the action.

WHEREFORE, Petitioner respectfully requests this Honorable Court enter an Order approving the withdrawal of Attorney and the appearance pro se of Stacey A. Albert, in the above stated custody action.

Respectfully Submitted,

**MATHERS, DINCHER & STAPP, P.C.**

  
Randi W. Dincher, Esquire, I.D.#66209  
Attorney for Defendant  
416 Pine Street, Suite 308  
Williamsport, PA 17701  
(570) 326-5171

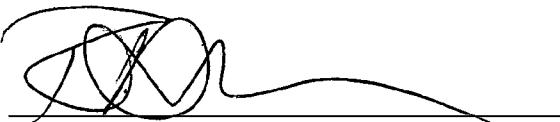
**FILED** *cc*  
*m/11/34801* *Anty*  
**SEP 02 2005** *Dincher*  
William A. Shaw *(CR)*  
Prothonotary/Clerk of Courts

***VERIFICATION***

I, **Randi W. Dincher, Esquire**, hereby state and aver that I have read and drafted the foregoing document.

The factual statements contained therein are true and correct to the best of my knowledge, information and belief.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.



Randi W. Dincher, Esquire, I.D.#66209  
416 Pine Street, Suite 308  
Williamsport, PA 17701  
(570) 326-5171

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

David R. Albert,  
Plaintiff

CIVIL ACTION-LAW-CUSTODY

vs.

Stacey A. Albert,  
Defendant

NO. 00-147-CD

**PRAECIPE FOR WITHDRAWAL AND ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

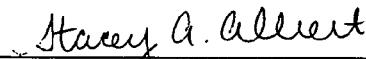
Kindly withdraw my appearance on behalf of Stacey A. Albert, Defendant, in the above captioned action.

MATHERS, DINCHER & STAPP, P.C.

 8/29/2005  
Randi W. Dincher, Esquire, I.D.#66209  
Attorney for Defendant  
416 Pine St. Suite 308  
Williamsport, PA 17701  
(570) 326-5171

TO THE PROTHONOTARY:

Kindly enter my appearance pro se in the above captioned action.

 8-29-05  
Stacey A. Albert, Defendant  
142 Heatherbrooke Estates  
Muncy, PA 17756

DATE: 8/29/2005

CC: - Lea Ann Heltzel, esq  
Randi Dincher, esq



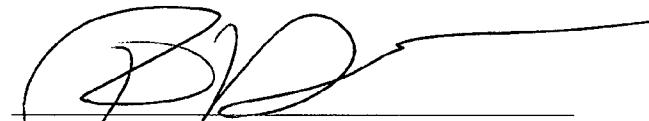
**CERTIFICATE OF SERVICE**

I, **Randi W. Dincher, Esquire**, Attorney for Defendant, do hereby certify that a true and correct copy of the within Petition for Withdrawal of Appearance was served upon LEA ANN HELTZEL, ESQUIRE, ATTORNEY FOR PLAINTIFF, and STACEY ALBERT, DEFENDANT, by placing a copy of the same in the United States mail, first class, postage prepaid, addressed as follows on this 31<sup>st</sup> day of August 2005.

LEA ANN HELTZEL, ESQUIRE  
HOPKINS HELTZEL, LLP  
900 BEAVER DRIVE  
DUBOIS, PA 15801

STACEY ALBERT  
142 HEATHERBROOKE ESTATES  
MUNCY, PA 17756

**MATHERS, DINCHER & STAPP, P.C.**



Randi W. Dincher, Esquire, I.D.#66209  
Attorney for Defendant  
416 Pine Street, Suite 308  
Williamsport, PA 17701  
(570) 326-5171

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

DAVID R. ALBERT

:

VS.

: NO. 00-147-CD

STACEY A. ALBERT

:

N O T I C E

In accordance with the Rules of Appellate Procedure Rule 1922, Notice is hereby given that if no objections are made to the text of the transcript within five (5) days after such notice, the transcript in the above-captioned matter will become part of the record upon being filed in the Prothonotary's Office.

DATE: March 28, 2007



CATHY J. PROVOST, RMR

Official Court Reporter

FILED *018141Bd* <sup>No</sup> <sub>CC</sub>  
APR 09 2007 *BS*

William A. Shaw  
Prothonotary/Clerk of Courts