

00-246-CD  
JOAN PENITZ on behalf of -vs- LYNNWOOD JAMES RISCH II

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

ORIGINAL

②3 Joan Rantz on behalf of daughter

Malinda Smith  
PLAINTIFF

vs.

②6 Lynnwood James Risch II  
DEFENDANT

NO. 00 - 246 - C.D.

FILED

FEB 25 2000

William A. Shaw  
Prothonotary

NOTICE TO DEFEND

**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

Joan Pentz on behalf of daughter  
Malinda Smith

PLAINTIFF

vs.

NO. 00-246 - C.D.

Lynnwood Risch

DEFENDANT

PRO SE FORM  
PETITION FOR PROTECTION FROM ABUSE

1. My name is Joan Pentz  
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:  
R.D. 1 Box 296 Grampian Pa 16838  
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: \_\_\_\_\_  
R.D. #1 Box 296 Grampian Bloom Clearfield  
(street address) (city/township) (county)
3. The person I am filing this Petition against is the Defendant, who resides at:  
Penfield  
(street address) (city/township) (county)  
Defendant's date of birth: \_\_\_/\_\_\_/82 and Social Security No. \_\_\_-\_\_\_-\_\_\_  
☒ Check here if Defendant is 17 years old or younger. ATTENDS DUBOIS HIGH SCHOOL
4. The Defendant's relationship to me is: X- Boy Friend
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: Keith & Joan Pentz  
☐ Residence is rented by: \_\_\_\_\_

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

Name Malinda Smith D.O.B. 9 / 7 / 83  
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: 2 / 21 / 00

Time: 9 : 30 a.m.

Location: DuBois Area High School

Describe in detail what happened, including any physical or sexual abuse, threat, injury, or incident of stalking:

I was at my locker and we were just talking because he came up to me. He started to yell at me and calling me names such as slot, <sup>whore</sup> horror, hoe and other names. I tried to act like I wasn't paying attention to a word he was saying so he grabbed me by my ~~an~~ upper arms + held me really tight + shook me. and put me up against my locker and continued to yell at me. Once he finally realized that many other people were watching + starting to tell him to quit, he stoppeel and walked away.

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. 1/16-00. picked me up off the floor by my apron. Threatened to hit me with a baseball bat to my face + on the phone, + hit me in the face
- B. 7/21/00. the incident at school <sup>(open handed)</sup> where he swore at me many times, grabbed me by my upper arm + put me up against my locker.
- C. 2-24-00. Called my house and threatened me

D.

E.

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

Baseball Bat

10. If Plaintiff and Defendant are parents of any minor child(ren), is there an existing Court Order regarding their custody? N/A. Who has primary physical custody under that 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:

no

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.

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: 2/25/00

Joan Renty

PETITIONER

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

Joan Pentz on behalf of  
Wahida Smith  
PLAINTIFF

vs.

Lynnwood James Rich II  
DEFENDANT

NO. 2000 - 246 - C.D. (PNO)

(d.o.b. 07/26/1982)

(S.S.# 197-62-2060)

TEMPORARY PROTECTION FROM ABUSE ORDER

AND NOW, this 25 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:  
[ ✓ ] RD 1 Box 296 Glampian (Bloom Twnsp)  
[ ] 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):

---

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: As both parties attend DuBois High School, while AT school Defendant shall not come within 10 yards of The Plaintiff.

- ( X ) 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.

- ( X ) 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 6th day of March, 2000 at 9:00 AM 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.

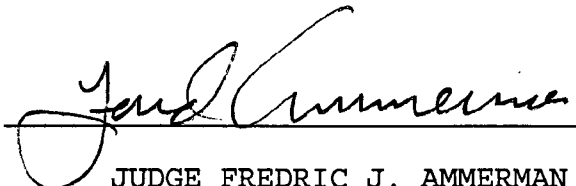
**Absolutely no continuances of the hearing shall be granted unless by Order of Court. The Hearing Officer shall not continue any hearing due to either party's request for counsel as neither party has an absolute right to be represented by counsel in civil Protection From Abuse proceedings.**

( 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

FEB 25 2000

William A. Shaw

Prothonotary

cc - Jay PSP

cc - shuf

cc - Hrg Officer

cc - 18

cc - Judicial Council  
cc - William Hand

cc - 500 - Steve Davis  
cc - 500 - High School

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PENTZ, JOAN ON BEHALF OF

00-246-CD

VS

RISCH, LYNNWOOD JAMES III

PROTECTION FROM ABUSE

SHERIFF RETURNS

NOW FEBRUARY 28, 2000 AT 10:00 AM EST SERVED THE WITHIN PFA  
ON LYNNWOOD JAMES RISCH, III, DEFENDANT AT DUBOIS HIGH  
SCHOOL, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY LYNNWOOD  
JAMES RISCH, III A TRUE AND ATTESTED COPY OF THE ORIGINAL  
PFA AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: DAVIS/MORGILLO.

FILED

FEB 29 2000

03:05  
William A. Shaw  
Prothonotary

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

SWORN TO BEFORE ME THIS

SO ANSWERS,

29th DAY OF February 2000  
*W. A. Shaw*

*Chester A. Hawkins*  
*by Marilyn Harris*

CHESTER A. HAWKINS  
SHERIFF

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

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

Joan Pentz on behalf of daughter

Malinda Smith,

Plaintiff

vs.

Lynnwood James Rischell,

Defendant

00  
No. 9 - 246 - C.D.  
PROTECTION FROM ABUSE

ENTRY OF APPEARANCE

Please enter my appearance on behalf of Joan Pentz / Malinda Smith,  
the Plaintiff/Defendant in the above captioned case.

FILED

MAR 06 2000

William A. Shaw  
Prothonotary

Robin J. Foor

Robin J. Foor, ATTORNEY

211 1/2 ~~North~~ East Locust St

ADDRESS

Clearfield, PA 16830

(814) 765-9646

PHONE

FILED

MAR 06 2003

William A. Shaw

Probationary

*cc of [unclear] DSP  
1st [unclear]  
cc: [unclear] office*

FILED

MAR 06 2003

William A. Shaw

Probationary

*cc  
[unclear]*

ORIGINAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JOAN PENTZ on behalf of :  
MALINDA SMITH, :  
Plaintiffs :

VS. :

NO. 2000-246-C.D. :

LYNNWOOD JAMES RISCH, II, :  
Defendant :

FILED

MAR 06 2000

William A. Shaw  
Prothonotary

PROTECTION FROM ABUSE FINAL ORDER OF COURT

Plaintiff's Address: R.D.#1, Box 296, Grampian, Pennsylvania 16838

Plaintiff's Social Security Number: 161-46-0567

Plaintiff's Date of Birth: January 21, 1958

Counsel of Record for Plaintiff: Robin Four, Esquire

Defendant's Address: P.O. Box 101, Penfield, Pennsylvania 15849

Defendant's Social Security Number: 197-62-2060

Defendant's Date of Birth: July 26, 1982

Counsel of Record for Defendant: NA

Names of ALL PROTECTED PERSONS: MALINDA Smith.

AND NOW, this 6th day of March, 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 28, 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:  
R.D. #1 Box 896, Grampian PA 16838  
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 <sup>see PARAGRAPH #4 AS to school conditions</sup> 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**, MALINDA SMITH, or  
**Plaintiff's** minor child(ren) NA

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: \_\_\_\_\_

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:

He shall not come within 10 yards of the Plaintiff while attending High School either at the school or school sponsored activities

☐

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ 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 Plaintiff / 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:	\$_____ 38.00
Hearing Officer.....fee:	\$_____ 40.00
Hearing Officer.....costs:	\$_____ 20.00
Administrative.....costs:	\$_____ 10.00
Additional Relief.....(see Paragraph 7):	\$_____ 0.00
Other.....costs:	\$_____ 0.00

**TOTAL AMOUNT DUE:** \$ 188.00

**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 % / \$ 188.00

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 **Plaintiff/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 [ ☒ ] 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 March 6, 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.

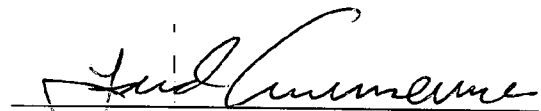
NOTICE TO LAW ENFORCEMENT OFFICIALS

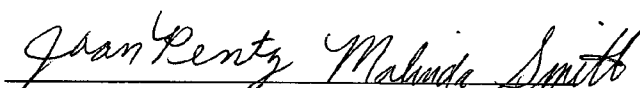
THE POLICE WHO HAVE JURISDICTION OVER THE PLAINTIFF'S RESIDENCE OR ANY LOCATION WHERE A VIOLATION OF THIS ORDER OCCURS OR WHERE THE DEFENDANT MAY BE LOCATED, SHALL ENFORCE THIS ORDER. AN ARREST FOR VIOLATION OF PARAGRAPHS 1 THROUGH 5 OF THIS ORDER MAY BE WITHOUT WARRANT, BASED SOLELY ON PROBABLE CAUSE, 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:

BY THE COURT:

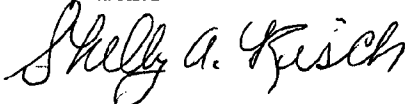
  
WARREN B. MIKESELL, II, ESQUIRE

  
FREDRIC J. AMMERMAN, JUDGE

  
PLAINTIFF

  
COUNSEL FOR PLAINTIFF

  
DEFENDANT



COUNSEL FOR DEFENDANT

FILED

MAR 6 2:00  
303  
Wm A. Shaw  
Prothonotary

1 cc 4 Jan 1950

1 cc hearing officer

1 cc Sherry (KCP)

1 cc Dy.

2 uncentyred P. Fon, 1950

Clearfield County  
Prothonotary's Office

230 East Market Street, Clearfield, Pennsylvania 16830

# FAX

Date: June 14, 2000  
Number of pages including cover sheet: \_\_\_\_\_

**To:**

\_\_\_\_\_  
Pennsylvania State Police

\_\_\_\_\_  
R.D.#1, Box 314

\_\_\_\_\_  
Woodland, Pennsylvania 16881

\_\_\_\_\_  
Phone: (814) 857-7692

\_\_\_\_\_  
Fax phone: (814) 857-7021

**From:**

\_\_\_\_\_  
William Shaw

\_\_\_\_\_  
Prothonotary

\_\_\_\_\_  
230 East Market Street

\_\_\_\_\_  
Clearfield, Pennsylvania 16830

\_\_\_\_\_  
Phone: (814) 765-2641, extension 1330

\_\_\_\_\_  
Fax phone: (814) 765-

**REMARKS:**    ☒ Urgent    ☐ For your review    ☐ Reply ASAP    ☐ Please comment

I AM FAXING TO YOU A COPY OF A PROTECTION FROM  
ABUSE 'WITHDRAWAL FORM' AND THE PROTECTION FROM  
ABUSE DATA SHEET.

IF YOU HAVE ANY QUESTIONS, FEEL FREE TO CONTACT ME  
AT (814) 765-2641, extension 1330 OR JUDGE  
AMMERMAN'S SECRETARY (JUDITH KRUISE), extension  
1315.

ORIGINAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

(3)  
Joan Renty on behalf of  
Malinda Smith

Plaintiff

VS.

NO. 2000-246 C.D.

(16)  
Lynnwood Risch  
Defendant

ORDER

NOW, this 14 day of June, 2000,  
upon consideration of Plaintiff's Petition to withdraw her/his  
Protection From Abuse Petition and Order entered by this Court  
on the 6<sup>th</sup> day of March, 2000 and the Court  
having been advised that all filing fees and service costs have  
been paid in full, it is the ORDER of this Court that said  
Petition and Order be and are hereby **WITHDRAWN**. If applicable  
the Sheriff of Clearfield County is directed to return any  
weapon(s) to the Defendant which was/were taken as a result of  
these proceedings.

By the Court:

**FILED**

JUN 14 2000

William A. Shaw  
Prothonotary



JUDGE FREDRIC J. AMMERMAN

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

*Joan Penty on behalf of  
Malinda Smith*

Plaintiff

VS.

NO. 2000-246 C.D.

*Lynnwood Resch*  
Defendant

**PETITION TO WITHDRAW PROTECTION FROM ABUSE ACTION**

I, Joan Penty Malinda Smith, do hereby request the Court to withdraw the Protection From Abuse Petition and Order issued on the 6<sup>th</sup> day of March, 2000 regarding the above captioned case.

I fully understand that by withdrawing this Petition and Orders I will no longer be under the Protection of the terms of this Court's Orders, and that any weapon(s) of the Defendant seized by the Sheriff of Clearfield County or any law enforcement agency will be returned to the Defendant.

I fully understand that all costs associated with filing the Petition and service of same must be paid in full and have been paid as of today's date.

Plaintiff's current address:

Malinda Smith Joan Penty  
Rd 1 Box 246  
Grampian Pa 16838

Plaintiff's telephone number: (814) 583-5260

Defendant's current address:

P.O. Box 101  
Penfield Pa 15849

Defendant's telephone number: (814) 637-5002

Joan Penty Malinda Smith  
Plaintiff's signature

6-14-00

Date



FILED

JUN 14 2000

William A. Shaw  
Prothonotary

1 cc Shaw

1 cc hq 888.

1 cc ~~100~~ Keystone

1 cc Day.

1 cc P18.

~~1 cc~~

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Don't  
forget  
us  
Rush

00-246-00



Sherry A. Rasch

2000-246-CP



Malinda Smith  
00-246-CD

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DURCH COPYRIGHT GESCHÜTZT

SIGNAL

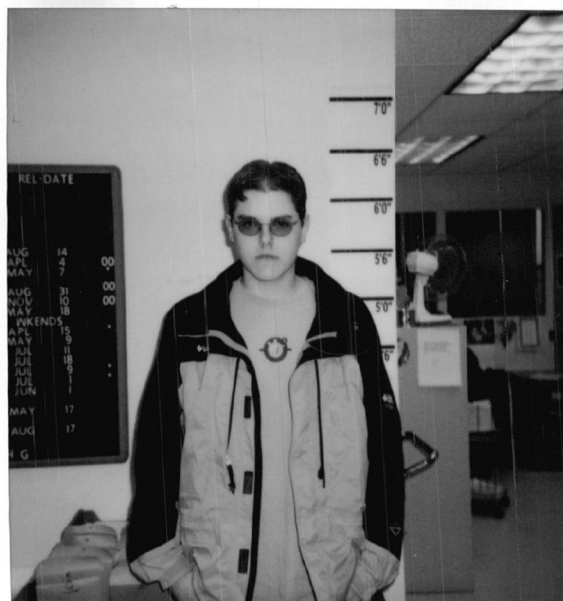
AGFA

REPRODUCE IS REQUIRED IF COPYRIGHT  
DE REPRODUCCION SI ESTA PRO



Joan Pentz

00-246-CD



Lynnwood James  
Risch, II 2000-246 CO