

00-250-CD
DEBRA KEPHART -vs- MARK A. KEPHART

(1)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DEBRA KEPHART, Plaintiff
-vs-
MARK A. KE PHART, Defendant

No. 00-260-CO

FILED

FEB 28 2000

William A. Shaw
Prothonotary

AFFIDAVIT IN SUPPORT OF
PETITION TO PROCEED IN FORMA PAUPERIS

I am the Plaintiff in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.

I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

I represent that the information below relating to my ability to pay the costs and fees is true and correct.

Name: Debra A. Kephart

Address: 214 Merrill St.

Clearfield PA 16830

Social Security Number: 187-60-6165

Employment:

If you are presently employed, state:

Employer: Quality Farm & Fleet

Address: River Road

Clearfield PA 16830

Salary or wages per month: 398.08

Type of work: Receiving, Stock shelves

If you are not presently employed, state:

Date of last employment: _____

Salary or wages per month: _____

Type of work: _____

Other income within the past twelve months:

Business or profession: _____

Other self-employment: _____

Interest: _____

Dividends: _____

Pension and Annuities: _____

Social Security Benefits: \$105.00 a month

Support payments: \$28.00 Bi-weekly

Disability payments: _____

Unemployment compensation

and supplemental benefits: _____

Workmen's Compensation: _____

Public Assistance: _____

Other: _____

Other contributions to household support:

(Wife)(Husband) Name: _____

If your (wife)(Husband) is employed, state:

Employer: _____

Salary or wages per month: _____

Type of work: _____

Contributions from children: _____

Contributions from parents: _____

Other contributions: _____

Property owned:

Cash: _____

Checking Account: _____

Savings Account: _____

Certificates of Deposit: _____

Real Estate (including home): _____

Motor Vehicle: Make: Pontiac Year: 1989

Cost: \$800.00

Amount owed: 0

Stocks, bonds: _____

Other: _____

Debts and obligations:

Mortgage: _____

Rent: _____

Loans: 480.00 a month

Other: _____

Persons dependent upon you for support:

(Wife)(Husband) Name: _____

Children, if any:

Name: mindie McKinley Age: 13 yrs.

Name: _____ Age: _____

Name: _____ Age: _____

Name: _____ Age: _____

Other Persons Dependent Upon You:

Name: _____ Relationship: _____

PRO BONO INFORMATION AND REFERRAL

DATE: 2.23.00

NAME: Denra A. Kepnart PHONE: _____

ADDRESS: 214 McRill St
Clearfield PA. 16830

OTHER PARTIES INVOLVED: Mark A. Kepnart

DESCRIPTION OF PROBLEM: (Please be specific: failure to do so could result in request being delayed or denied.)

No-fault divorce

TYPE OF ACTION: (Divorce, Custody, District Justice Appeals, Etc. Please specify what kind of action you are pursuing through this.)

I understand that I have a continuing obligation to inform the Court of improvements in my financial circumstances which would permit my to pay the costs incurred herein.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S. S4904, relating to unsworn falsification to authorities.

Date: 3-23.00

Petitioner: Dale A. Kephart

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

DEBRA KEPHART, :
Plaintiff :
-vs- :
MARK A. KEPHART, :
Defendant :
:

ORDER

NOW, this 25 day of February, ²⁰⁰⁰ ~~1999~~, upon
consideration of the foregoing Affidavit in Support of Petition to Proceed In Forma
Pauperis, it is the ORDER of the Court that said Petition is granted.

Filing fee waived.
FJA

BY THE COURT:

Jud Currier

Judge

FILED
FEB 28 2000

William A. Shaw
Prothonotary

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

DEBRA KEPHART,

Plaintiff

- vs -

MARK A. KEPHART,

Defendant

*

*

*

*

*

*

*

No. 00-250-CO

Type of Action:
Divorce

Type of Pleading:
Complaint

Filed on Behalf of:
Plaintiff

Counsel of Record for this
Party:

THERE ARE NO CHILDREN
BORN OF THIS MARRIAGE.

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

FILED

FEB 28 2000

William A. Shaw
Prothonotary

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

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

DEBRA KEPHART,

Plaintiff

*

*

- vs -

* No.

*

*

MARK A. KEPHART,

Defendant

*

*

NOTICE TO DEFEND

You have been sued in Court for:

[XX] Divorce	[] Annulment of Marriage
[] Support (Child)	[] Custody
[] Division of Property	[] Visitation
[] Temporary Alimony	[] Alimony
[] Costs	[] Attorney Fees

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 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.

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 at the Office of the Prothonotary, Clearfield County Courthouse, Clearfield, Pennsylvania.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, COUNSEL 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.

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

COURT ADMINISTRATOR'S OFFICE
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

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

DEBRA KEPHART, *
Plaintiff *
*
- vs - * No.
*
MARK A. KEPHART, *
Defendant *

COMPLAINT

AND NOW, comes the Plaintiff, DEBRA KEPHART, by and through her attorney, Richard H. Milgrub, Esquire, and files the following Complaint in Divorce:

1. Plaintiff is DEBRA KEPHART an adult individual, who currently resides at 214 Merrill Street, Clearfield, Pennsylvania.
2. Defendant is MARK A. KEPHART an adult individual, who currently resides at Doc Welker Road, Woodland, Pennsylvania, but whose mailing address is PO Box 1232, Clearfield, Pennsylvania.
3. Plaintiff and Defendant have been bona fide residents of the Commonwealth of Pennsylvania for at least six months (6) immediately previous to the filing of this Complaint.
4. Plaintiff and Defendant were married on November 21, 1990, before Honorable John K. Reilly, Jr., President Judge of the Court of Common Pleas of Clearfield County, Pennsylvania.
5. There have been no prior actions for divorce or annulment between the parties.

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

6. Plaintiff avers that she is entitled to a divorce on the ground that the marriage is irretrievably broken.

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

8. This action is not collusive.

WHEREFORE, Plaintiff requests your Honorable Court to enter a Decree in Divorce, divorcing Plaintiff and Defendant.

By 
Richard H. Milgrub, Esquire
Attorney for Plaintiff

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

I, DEBRA KEPHART, verify that the statements made in the 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.

Date: 2/23/00

Debra A. Kephart

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED

BCG FEB 28 2000
O 155/1C cc a/cy
John A. Shaw
Prothonotary
Prothonotary
Prothonotary
Prothonotary

RICHARD H. MILGRUB
Attorney & Counselor at Law
211 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

RICHARD H. MILGRUB
Attorney & Counselor at Law

211 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

FILED
03/08/2001

William A. Shaw
Prothonotary
Court of Common Pleas
of Clearfield County

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

DEBRA KEPHART,

Plaintiff

*

*

*

-vs-

* No. 00-250-CD

*

*

MARK A. KEPHART,

Defendant

*

*

Type of Pleading:
Affidavit of Service

Filed on Behalf of:
Plaintiff

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

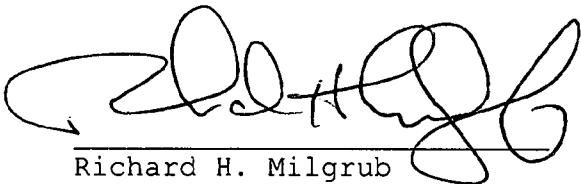
109 NORTH BRADY STREET
DUBOIS, PA 15801

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

DEBRA KEPHART, *
Plaintiff *
*
-vs- * No. 00-250-CD
*
MARK A. KEPHART, *
Defendant *

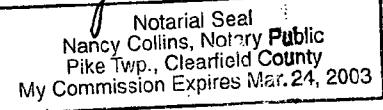
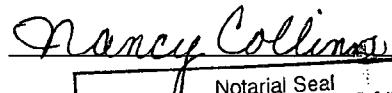
AFFIDAVIT OF SERVICE

Richard H. Milgrub, attorney for the above-named Plaintiff, being duly sworn according to law, deposes and states that Plaintiff's Complaint in Divorce was served upon the Defendant, MARK A. KEPHART, by certified mail, return receipt requested on March 3, 2000 at the Defendant's residence of P.O. Box 1232, Clearfield, PA 16830, as appears from receipt of certified mail attached hereto.



Richard H. Milgrub

SWORN and SUBSCRIBED to before me this 8th day of March, 2000.



Member, Pennsylvania Association of Notaries

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Mark Kephart
PO Box 1232
Clearfield, PA 16830

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

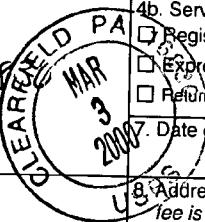
4a. Article Number

Z 303 209 807

4b. Service Type

- Registered
- Express Mail
- Return Receipt for Merchandise
- Certified
- Insured
- COD

5. Received By: (Print Name)



6. Signature (Addressee or Agent)

PS Form 3811, December 1994

102595-99-B-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

File
FEB 19 1980
R. H. Milgrub
Attorney & Counselor at Law
211 North Second Street
CLEARFIELD, PENNSYLVANIA 16830

RICHARD H. MILGRUB
Attorney & Counselor at Law

211 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

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

DEBRA KEPHART,
Plaintiff

- vs -

MARK A. KEPHART,
Defendant

*
*
*
* No. 00-250-CD
*
*
*

Type of Action:
Divorce

Type of Pleading:
Praecipe to Transmit
the Record

Filed on Behalf of:
Plaintiff

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED
JUN 26 2000
William A. Shaw
Prothonotary

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

DEBRA KEPHART,

Plaintiff

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*

*

- vs -

* No. 00-250-CD

*

*

*

MARK A. KEPHART,

Defendant

*

PRAECIPE TO TRANSMIT RECORD

TO THE PROTHONOTARY:

Dear Sir:

Please transmit the record, together with the following information to the Court for entry of a Divorce Decree:

1. Ground for divorce: irretrievable breakdown of the marriage under Section 3301(c) of the Divorce Code.

2. Date and manner of service of the Complaint:

Served on the Defendant by certified mail, restricted delivery, return receipt requested on March 3, 2000.

3. Date of execution of the Affidavit of Consent required by Section 3301(c) of the Divorce Code: By Plaintiff on June 23, 2000 and by Defendant on June 23, 2000.

4. Date of execution of the Waiver of Notice required by Section 3301(c) of the Divorce Code: By Plaintiff on June 23, 2000 and by Defendant on June 23, 2000.

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

By


Richard H. Milgrub, Esquire
Attorney for Plaintiff

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

DEBRA KEPHART, *
Plaintiff *
*
* vs - * No. 00-250-CD
*
*
MARK A. KEPHART, *
Defendant *

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the
Divorce Code was filed on February 28, 2000.

2. The marriage of the Plaintiff and Defendant is
irretrievably broken and ninety days have elapsed from the date
of filing the Complaint.

3. I consent to the entry of a final Decree of
Divorce.

4. I understand that I may lose rights concerning
alimony, division of property, lawyer's fees or expenses if I do
not claim them before a divorce is granted.

I verify that the statements made in this Affidavit are
true and correct. I understand that false statements herein are
made subject to the penalties of 18 Pa.C.S. Section 4904 relating
to unsworn falsification to authorities.

Date: 36/23/00

Debra A. Kephart

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

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

DEBRA KEPHART, *
Plaintiff *
*
* vs - * No. 00-250-CD
*
MARK A. KEPHART, *
Defendant *

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on February 28, 2000.
2. The marriage of the Plaintiff and Defendant is irretrievably broken and ninety days have elapsed from the date of filing the Complaint.
3. I consent to the entry of a final Decree of Divorce.
4. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

Date: 6/23/00

Debra A. Kephart

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

DEBRA KEPHART, *
Plaintiff *
*
-vs- * No. 00-250-CD
*
MARK A. KEPHART, *
Defendant *

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

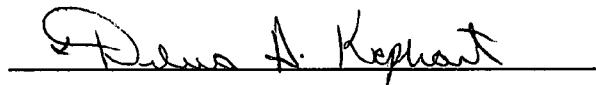
1. I consent to the entry of a final decree of divorce without notice.

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. Section 4904 relating to unsworn falsification to authorities.

Date: 6/23/00


Debra A. Kephart

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

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

DEBRA KEPHART,

Plaintiff

*

*

*

-vs-

* No.

00-250-CD

*

*

*

MARK A. KEPHART,

Defendant

*

**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. Section 4904 relating to unsworn falsification to authorities.

Date: 6/23/00

Mark A. Kephart

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

(6)

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

DEBRA KEPHART,

Plaintiff

*

*

*

- vs -

* No. 00-250-CD

*

*

*

MARK A. KEPHART,

Defendant

*

O R D E R

AND NOW, this 07 day of June, 2000,

Plaintiff having filed a Complaint in Divorce under the Divorce Act on the 28th day of February, 2000, and the parties having filed Affidavits of Consent stating that the marriage of the Plaintiff and Defendant is irretrievably broken and ninety days (90) have elapsed from the date of the filing of the Complaint,

IT IS DECREED that DEBRA KEPHART be divorced and forever separated from the nuptial ties and bonds of matrimony hereto contracted between herself and MARK KEPHART thereupon all of the rights, duties or claims accruing to either of said parties and pursuance of said marriage shall cease and determine and each of them shall be at liberty to marry again as though they had never been heretofore married.

BY THE COURT:



Judge

RICHARD H. MILGRUB
ATTORNEY & COUNSELOR
AT LAW
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HEALTH
VITAL RECORDS

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

STATE FILE NUMBER
STATE FILE DATE

COUNTY
Clearfield

HUSBAND

1. NAME Mark	(First) Alan	(Middle)	(Last) Kephart	2. DATE OF BIRTH 1 22 63
2. RESIDENCE Doc Welker Road, Woodland, Clearfield Co., PA	Street or R.D.	City, Boro, or Twp.	County	State
3. NUMBER OF THIS MARRIAGE 2	6. RACE WHITE <input checked="" type="checkbox"/>	BLACK <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	7. USUAL OCCUPATION laborer

WIFE

3. MAIDEN NAME Kimbell	(First) Debra	(Middle)	(Last) Kephart	9. DATE OF BIRTH 4 10 65
4. RESIDENCE Curtain Street, Osceola Mills, Clearfield Co., PA	Street or R.D.	City, Boro, or Twp.	County	State
5. NUMBER OF THIS MARRIAGE 4	10. RACE WHITE <input checked="" type="checkbox"/>	BLACK <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	11. PLACE OF BIRTH Pennsylvania
6. PLACE OF MARRIAGE Clearfield	(County)	(State or Foreign Country) PA		12. OCCUPATION laborer
7. NUMBER OF CHILDREN THIS MARRIAGE 0	17. NUMBER OF DEPENDENT CHILDREN UNDER 18 0	18. PLAINTIFF HUSBAND <input checked="" type="checkbox"/>	WIFE <input type="checkbox"/>	19. DEGREE GRANTED TO HUSBAND <input type="checkbox"/> WIFE <input checked="" type="checkbox"/> OTHER (Specify) <input type="checkbox"/>
8. NUMBER OF CHILDREN TO CUSTODY OF <input type="checkbox"/>	9. NUMBER OF CHILDREN TO CUSTODY OF <input type="checkbox"/>	10. SPLIT CUSTODY <input type="checkbox"/>	11. OTHER (Specify) n/a	20. LEGAL GROUNDS FOR DIVORCE OR ANNULMENT 3301(c)
21. DATE OF DECREE 	(Month)	(Day)	(Year)	22. DATE REPORT SENT TO VITAL RECORDS
23. SIGNATURE OF TRANSCRIBING CLERK 				