

0-377-CD
IN RE: ROBERT K. FOSTER, SR.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: ROBERT K. FOSTER, SR.,

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* No. 00-377-CO

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* Type of Pleading:

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* PETITION TO POSSESS
* FIREARM

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* Filed on Behalf of:
* Robert K. Foster, Sr.

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* Counsel of Record for
* Petitioner:

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* Timothy A. Schoonover, Esq.
* MASON LAW OFFICE
* P. O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

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FILED

MAR 27 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: ROBERT K. FOSTER, SR.

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PETITION TO POSSESS FIREARM

AND NOW, comes the Petitioner, Robert K. Foster, Sr., by and through his counsel, Timothy A. Schoonover, Esquire, and files this Petition to Possess Firearm based upon the following averments:

1. Petitioner is an adult individual currently residing RR 1 Box 714C, Morrisdale, Clearfield County, Pennsylvania 16858.
2. On July 30, 1997, Petitioner was involuntarily committed under the Pennsylvania Mental Health Procedures Act, 50 P.S. §7302, to the Dubois Regional Medical Center, 100 Hospital Avenue, Dubois, PA after an argument with his girlfriend in which Petitioner made vague statements that he would harm himself or others.
3. Petitioner was hospitalized for the statutory 5 day period and then voluntarily continued his hospitalization to August 5, 1997 at which time he was discharged.
4. Petitioner continually denied any thoughts or intentions to harm himself or others during his hospitalization. (See attached notes of treatment.)

5. As a result of this involuntary commitment, Petitioner is prohibited from possessing a firearm under the Pennsylvania Uniform Firearms Act of 1995, 18 Pa. C.S.A. §6105(c)(4).

6. Petitioner has not been under treatment for mental health issues since his discharge on August 5, 1997 and has not been voluntarily or involuntarily hospitalized for mental health reasons since August 1997.

7. Petitioner does not present a clear and present danger to himself or to others at this time. Petitioner has led a normal, well-adjusted life since his involuntary commitment.

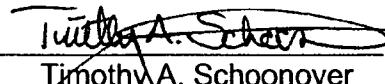
8. Petitioner wishes to purchase and possess firearms.

9. 18 Pa. C.S.A. §6105(f)(1) sets forth that Petitioner may be adjudicated exempt from the firearm prohibition set forth in Section 6105(c)(4) upon a finding by this Court that Petitioner's possession of a firearm does not create a risk to himself or others.

WHEREFORE, Petitioner respectfully requests this Court enter an order adjudicating Petitioner exempt from the firearm prohibition set forth at 18 Pa. C.S.A. §6105(c)(4) and to issue any other appropriate Order necessary to allow Petitioner to legally possess a firearm.

Respectfully submitted,

MASON LAW OFFICE

BY: 
Timothy A. Schoonover
Attorney for Petitioner
409 N. Front St.
P.O. Box 28
Philipsburg, PA 16866
(814) 342-2240

VERIFICATION

I, Robert K. Foster, Sr., hereby attest that the averments contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Date: 3-23-00



Robert K. Foster, Sr.

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PROGRESS NOTE
DUBOIS REGIONAL MEDICAL CENTER
DUBOIS, PENNSYLVANIA
FOSTER, ROBERT

9721100055

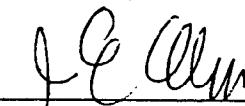
000436297 Room #:

IDENTIFYING INFORMATION: Mr. Foster is a 33-year-old separated gentleman residing in Allport, Clearfield County, admitted to the Psychiatric Unit today July 30, 1997 for treatment of an adjustment disorder complicated by alcohol abuse.

Mr. Foster states that he is here "because I got into an argument with my girlfriend over our 7-year-old son. I didn't think that our son should spend as much time, we are separated, with her." He sincerely and strongly denied any thoughts of harming himself or others. " I would never, never harm myself or anybody else. I want to live. I want to live for my children, I have three of them and I have a lot of brothers and sisters and my mother is still living, no I would never, never harm myself or anybody else." Mr. Foster appears sincere. There was no evidence today of any cursive mood disorder, nor any evidence of a functional psychosis. He appears to be a gentleman who will use effort to learn better coping skills.

Mr. Foster was born and raised in Philipsburg, Cambria County. He graduated from Philipsburg High School in 1972 and has worked for most of his adult life. He is presently on unemployment from a lumber company that he had been working for. He is near the end of his unemployment benefits. He is fifth of 13 children. His father is deceased, his mother is living. He has been married and divorced two times. He has one child from both these marriages and his youngest child is a 7-year-old son to his present girlfriend.

D: 07/30/97 9:45A
T: 08/01/97 1:02 P JEA/bam
DOCUMENT NO: 1995


J. E. Allen, M.D.

MENTAL STATUS EXAMINATION
DUBOIS REGIONAL MEDICAL CENTER
DUBOIS, PENNSYLVANIA
FOSTER, ROBERT 9721100055 - 000436297 Room #: MH1 105-1

GENERAL APPEARANCE AND BEHAVIOR: He looks stated age of 55, alert, hygiene and grooming are fair. Attention span is outward, in no acute distress. No unusual mannerisms. No evidence of withdrawal from alcohol. He is on detox routine.

SPEECH: Spontaneous, coherent, relevant, goal directed. No noticeable speech impediment, nor language impairment.

AFFECT: This isn't a pervasive mood disorder, this is an adjustment disorder and fortunately Mr. Foster denies strongly and sincerely any thoughts of wanting to harm himself or others.

THOUGHT CONTENT: No evidence of any functional psychosis. No auditory or visual hallucinations, no illusions, no delusions. Stream of thought is good, no circumstantiality.

ORIENTATION: Oriented to time, place and person.

MEMORY: All three spheres intact, registration, retention and recall. No evidence of organic brain damage.

INTELLIGENCE: Average, judgment fair, insight fair.

DIAGNOSIS:

Axis I: Adjustment disorder with mixed emotional features. Alcohol abuse.

Axis II: No diagnosis.

Axis III: No diagnosis.

Axis IV: Inner-personal.

Axis V: Current level of functioning 40.

D: 07/30/97 9:45A
T: 08/01/97 1:10 P JEA/bam
DOCUMENT NO.: 1997



J. E. Allen, M.D.

DISCHARGE SUMMARY

DUBOIS REGIONAL MEDICAL CENTER
DUBOIS, PENNSYLVANIA
PATIENT NAME: FOSTER, ROBERT

9721100055 -000436297

ADMISSION DATE: 07/30/97

DISCHARGE DATE: 08/05/97

HISTORY OF PRESENT ILLNESS: Mr. Foster is a 43-year-old gentleman was admitted to the Psychiatric Unit July 30, 1997 for treatment of an adjustment disorder, secondary to interpersonal difficulties with his girlfriend. Their disagreement resulted in a PFA which was served on Mr. Foster while he was a patient here.

HOSPITAL COURSE: While he was here, he was able to compose himself and deal effectively with the various charges. Throughout his admission, Mr. Foster denied strongly and very sincerely any thoughts of wanting to harm himself or others. "I would never, never harm myself or anybody else. Never did want to, never will want to. I really love my family. One of the disagreements was with my girlfriend and our son. I will still be able to see my son. There are many reasons I have for wanting to live." Mr. Foster was actively engaged in individual and group therapies. By doing this, he uncovered better coping skills which he put into use; this gave him a sense of mastery. This helped him to look even more forward to the future. Again at the time of discharge, he denied any thoughts of wanting to harm himself or others.

SOCIAL HISTORY: Mr. Foster was raised by both parents in Philipsburg. His mother is still living and is 71. His father is deceased. He has many siblings. He has been married and divorced on three occasions. The girlfriend with whom he is having the trouble, was married to him previously. He has three children, a son who is 22, a daughter who is 14 and a son who is 7.

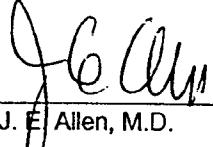
LABORATORY AND OTHER STUDIES: His physical exam was essentially negative, as were laboratory studies. Hemoglobin 14 grams, hematocrit 44 %, urinalysis negative, fasting blood sugar 97, BUN 17, creatinine 1.0, B12 and folate essentially normal. Vitamin B12-level was 297. Folate was 19.1. RPR nonreactive. TSH normal. Chest x-ray normal. Cardiogram normal.

FINAL DIAGNOSES:

- Axis I. Adjustment disorder with mixed emotional features.
- Axis II. No diagnosis.
- Axis III. No diagnosis.
- Axis IV. Interpersonal.
- Axis V. Level of functioning at the time of discharge, 80.

DISPOSITION: Mr. Foster will resume his outpatient treatment at the Clearfield satellite of the Clearfield-Jefferson Community Mental Health Center. He has seen his therapist on one occasion. He will see him a second time Wednesday night, August 6 at 6:30 p.m.

D: 08/06/97 9:50 A
T: 08/11/97 9:35 P JEA/mer
DOCUMENT NO: 2627
cc: J. E. Allen, M.D.


J. E. Allen, M.D.

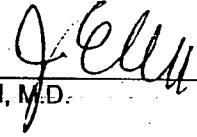
PROGRESS NOTE
DUBOIS REGIONAL MEDICAL CENTER
DUBOIS, PENNSYLVANIA

FOSTER, ROBERT 9721100055 - 436297

DATE: 08-01-97

Mr. Foster since being here is definitely improved. Again, when I talked to him in his room this morning, he denied sincerely any thoughts of wanting to harm himself or others. "I want to live. My girlfriend and I won't be getting back together. There are a lot of other things I am looking forward to. I would never harm myself or anybody." Today, he will be transferred to the moderate acuity side.

D: 08-01-97 0916
T: 08-05-97 1058 JEA/Imp
15990801


J. E. ALLEN, M.D.

FILED

BS
[MAR 27 2000]
M131513 Atty Schoonover
William A. Shaw
Prothonotary
\$80.00

1cc atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

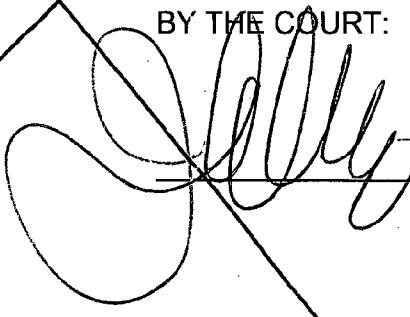
IN RE: ROBERT K. FOSTER, SR.

No. 00-377-00

ORDER

AND NOW, this _____ day of _____, 2000, upon consideration of Petitioner's Petition to Possess Firearm, it is hereby Ordered and Decreed that Robert K. Foster, Sr., is exempt from the firearm prohibition set for at 18 Pa. C.S.A. § 6105(c)(4). Robert K. Foster, Sr. is legally entitled to possess firearms as of the date of this Order.

BY THE COURT:



J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

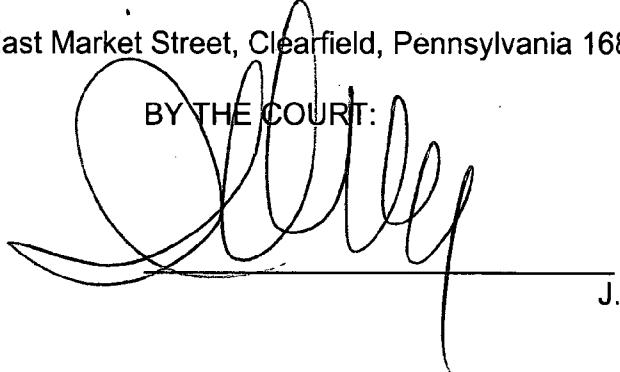
IN RE: ROBERT K. FOSTER, SR.

No. 00-377-CO

NOTICE OF HEARING

NOW, this 21st day of March, 2000, upon consideration of the attached Petition to Possess Firearm, a hearing upon said Petition is scheduled for the 18th day of April, 2000, at 3:00 o'clock, in Courtroom No. 1, Clearfield County Courthouse, 230 East Market Street, Clearfield, Pennsylvania 16830.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J. Shaw", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized initial 'J' on the left.

FILED

MAR 29 2000

William A. Shaw
Prothonotary

300
FILED

MAR 29 2000

O/11/09/1/C/Cathy

William A. Shaw

Prothonotary
Schoonover