

002496-CD  
JANET M. BRATTON -VS- KENNETH J. BRATTON

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

CIVIL ACTION - LAW

JANET M. BRATTON,

PLAINTIFF

vs.

KENNETH J. BRATTON,

DEFENDANT

No. 00-496-CO

TYPE OF PLEADING: COMPLAINT  
IN DIVORCE

FILED ON BEHALF OF:  
Plaintiff

COUNSEL OF RECORD FOR THIS  
PARTY:

MASON LAW OFFICE  
David C. Mason, Esquire  
409 N. Front St.  
P.O. Box 28  
Philipsburg, PA 16866  
(814) 342-2240

**THERE ARE NO MINOR CHILDREN BORN OF THIS MARRIAGE**

**FILED**

**APR 28 2000**

**William A. Shaw  
Prothonotary**

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

JANET M. BRATTON,  
PLAINTIFF

\*  
\* No.  
\*

vs.

\* TYPE OF PLEADING: COMPLAINT  
\* IN DIVORCE  
\*

KENNETH J. BRATTON,  
DEFENDANT

\*

NOTICE TO DEFEND AND CLAIM RIGHTS

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 against 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 the marriage counselors is available in the Office of the Prothonotary at Clearfield County Courthouse, Clearfield, Pennsylvania, 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.

Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

**THERE ARE NO MINOR CHILDREN BORN OF THIS MARRIAGE**

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

## CIVIL ACTION - LAW

JANET M. BRATTON,

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2

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vs.

No.

KENNETH J. BRATTON.

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## DEFENDANT

COMPLAINT

AND NOW, comes the Plaintiff by and through her attorney, David C. Mason, and files this Complaint against the Defendant, and in support thereof avers as follows:

1. Plaintiff is Janet M. Bratton, an adult individual currently residing at 228 Curtain St., Osceola Mills, Clearfield County, Pennsylvania, 16666.
2. Defendant is Kenneth J. Bratton, with a last known residence of R.D. 1 Box 314B, Osceola Mills, Centre County, Pennsylvania, 16666.
3. Plaintiff and Defendant have been bona fide residents of the Commonwealth for at least six months prior to the filing of this Complaint.
4. Plaintiff and Defendant were married on July 12, 1980, in Ashland, Pennsylvania.
5. There was one (1) child born of the marriage, Robyn A. Bratton, DOB 7/11/81.

Robyn A. Bratton is eighteen (18) years of age and not a minor individual.

### **COUNT I - DIVORCE**

6. There has been one prior action of divorce between the parties brought in the Centre County Court of Common Pleas under a currently unknown Docket number in which Janet M. Bratton was the Plaintiff and Kenneth J. Bratton the Defendant. The Complaint was commenced in or about 1992, and upon information and belief, under Sections 3301(a) and (c) of the Divorce Code. This action was voluntarily discontinued by the Plaintiff.

7. The marriage is irretrievably broken.

8. The Plaintiff has been advised of the availability of counseling and the right to request that the Court require the parties to participate in counseling.

WHEREFORE, Plaintiff requests the entry of a Decree of Divorce.

### **COUNT II - DIVORCE**

9. Paragraphs 1 through 8 of Plaintiff's Complaint are incorporated herein by reference as if set forth at length.

10. The Plaintiff avers that the Defendant has offered such indignities to the person of the Plaintiff so as to render her condition intolerable and life burdensome.

WHEREFORE, Plaintiff requests the entry of a Decree of Divorce.

### **COUNT III - EQUITABLE DISTRIBUTION**

11. Paragraphs 1 through 10 are incorporated herein by reference as set forth at length.

12. Plaintiff and Defendant have legally and beneficially obtained property during their marriage.

13. Plaintiff and Defendant have been unable to agree to an equitable division of this said property.

14. An inventory of all property owned or possessed by the parties will be filed in accordance with the law.

WHEREFORE, Plaintiff requests this Court to equitably divide the marital property.

**COUNT IV - SPOUSAL SUPPORT, ALIMONY PENDENTE LITE**

15. Paragraphs 1 through 14 are incorporated herein by reference as set forth at length.

16. Plaintiff lacks sufficient property to provide for her reasonable means and is unable to support herself independently.

17. Plaintiff requires reasonable support to adequately maintain herself in accordance with the standard of living established by the parties during the marriage.

18. Defendant is gainfully employed and earns well in excess of the Plaintiff. Defendant is financially capable of providing support to Plaintiff.

WHEREFORE, Plaintiff requests this Court enter an Order for alimony pendente during the pendency of this divorce proceeding and spousal support thereafter.

**COUNT V - ATTORNEY'S FEES, COSTS AND EXPENSES**

19. Paragraphs 1 through 18 are incorporated herein by reference as set forth at length.

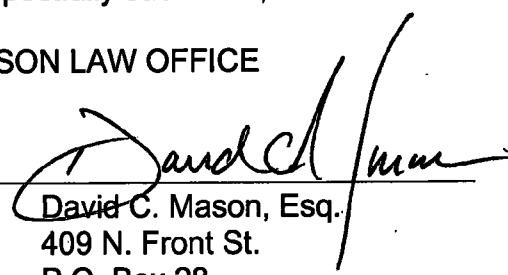
20. Plaintiff has employed David C. Mason, Esquire, as counsel in this matter and requests an award of reasonable attorney's fees, costs and expenses for this action.

WHEREFORE, Plaintiff requests this Court enter an award of reasonable attorney's fees, costs and expenses for this action.

Respectfully submitted,

MASON LAW OFFICE

BY:

  
David C. Mason, Esq.  
409 N. Front St.  
P.O. Box 28  
Philipsburg, PA 16866  
(814) 342-2240

VERIFICATION

Plaintiff verifies that the statements made in this Complaint are true and correct to the best of her knowledge and belief. Plaintiff understands that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

DATED:

Janet M. Brattton 4-27-2001  
Plaintiff

FILED

APR 28 1979

01/23/79 Latry Meeson

William A. Shaw

Prothonotary

Pd \$105.00

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(2)

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

CIVIL ACTION - LAW.

JANET M. BRATTON

Plaintiff

vs.

KENNETH J. BRATTON

Defendant

\*  
\* No. 00-496-CD  
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\*

AFFIDAVIT OF SERVICE

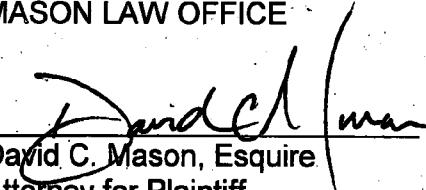
I, DAVID C. MASON, Esquire, hereby certify that I have caused to be served upon the Defendant, KENNETH J. BRATTON, a certified copy of the Divorce Complaint, in the above captioned matter. I served the same by depositing in the U.S. Mail, postage prepaid, certified mail, return receipt requested, addressed as follows:

KENNETH J. BRATTON  
R. D. #1, BOX 314B  
OSCEOLA MILLS, PA 16666

The return receipt card is attached hereto.

DATED: 5/9/08

MASON LAW OFFICE

  
David C. Mason, Esquire  
Attorney for Plaintiff

FILED

JUN 02 2008

William A. Shaw  
Prothonotary

**FILED**

JUN 02 2000

0 / 12:30 / 00

William A. Shaw

Prothonotary

No. C/C

9008

3  
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

JANET M. BRATTON, \*  
Plaintiff \*

-vs-

\* NO. 00-496-CD

KENNETH J. BRATTON, \*  
Defendant \*

Type of Action:

Divorce

Type of Pleading:

Praecipe to Withdraw/  
Enter Appearance

FILED  
JUL 14 2000  
William A. Shaw  
Prothonotary

Filed on behalf of:

Plaintiff

Counsel of Record for this  
Party:

Richard H. Milgrub, Esquire  
ID No. 19865

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

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

111 NORTH BRADY STREET  
DUBOIS, PA 15801

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

JANET M. BRATTON, \*  
Plaintiff \*  
\*  
-vs- \* No. 00-496-CD  
\*  
KENNETH J. BRATTON, \*  
Defendant \*

PRAECIPE TO WITHDRAW/ENTER APPEARANCE

TO THE PROTHONOTARY:

Please withdraw my appearance on behalf of the  
above-captioned Plaintiff.

Date: 7-10-00

By

David C. Mason, Esquire

Please enter my appearance on behalf of the  
above-captioned Plaintiff.

Date: 7/14/00

By

Richard H. Milgrub, Esquire

RICHARD H. MILGRUB  
ATTORNEY & COUNSELOR  
AT LAW  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830  
  
111 NORTH BRADY STREET  
DUBOIS, PA 15801.

FILED NO  
0130350  
JUN 14 2000  
William A. Shaw  
Prothonotary

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

JANET M. BRATTON,  
Plaintiff

\*

\*

-vs-

\*

No. 00496-CD

\*

KENNETH J. BRATTON,  
Defendant

\*

\*

Type of Action:  
Divorce

Type of Pleading:  
Praecep to Withdraw Request  
For Alimony Pendente Lite

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**

AUG 21 2000

5/25/00

William A. Shaw

Prothonotary

W.C.C. *JKB*

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

JANET M. BRATTON,  
Plaintiff

\*  
\*  
\*  
\*  
\*  
\*

-vs-

No. 00-496-CD

KENNETH J. BRATTON,  
Defendant

\*

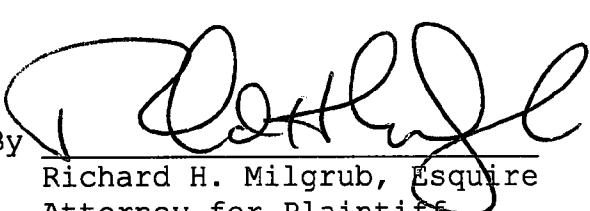
PRAECIPE TO WITHDRAW REQUEST FOR ALIMONY PENDENTE LITE

TO THE PROTHONOTARY:

Please mark the Plaintiff's Request for Alimony  
Pendente Lite withdrawn.

Date: 8/21/00

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

RICHARD H. MILGRUB  
*Attorney & Counseor at Law*

211 NORTH SECOND STREET  
CLEARFIELD, PENNSYLVANIA 16830

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF HEALTH  
VITAL RECORDS

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

STATE FILE NUMBER
STATE FILE DATE

COUNTY  
Clearfield

## HUSBAND

1. NAME <u>Bennett Kenneth James Brattan</u>	(First)      (Middle)      (Last)	2. DATE OF BIRTH <u>9 29 49</u>
2. RESIDENCE Street or R.D. <u>RC Box 314-B Osceola Mills Center Pa.</u>	City, Boro. or Twp. County      State	4. PLACE OF BIRTH (State or Foreign Country) <u>Philipsburg Pa.</u>
5. NUMBER OF THIS MARRIAGE <u>2</u>	6. RACE WHITE <input checked="" type="checkbox"/> BLACK <input type="checkbox"/> OTHER (Specify) <u></u>	7. USUAL OCCUPATION <u>Bulldozer Operator</u>
WIFE		
8. MAIDEN NAME <u>Dunlap Janet Marie Brattan</u>	(First)      (Middle)      (Last)	9. DATE OF BIRTH <u>10 9 52</u>
10. RESIDENCE Street or R.D. <u>Box A12 406 Yachmoned Philipsburg Center Pa.</u>	City, Boro. or Twp. County      State	11. PLACE OF BIRTH (State or Foreign Country) <u>Moersdale Pa.</u>
12. NUMBER OF THIS MARRIAGE <u>2</u>	13. RACE WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> OTHER (Specify) <u></u>	14. OCCUPATION <u>Press Operator</u>
15. PLACE OF OF THIS MARRIAGE <u>Ashland Pa.</u>	(County)      (State or Foreign Country) <u></u>	16. DATE OF THIS MARRIAGE <u>7 12 1980</u>
17. NUMBER OF CHIL- DREN THIS MARRIAGE <u>1</u>	18. NUMBER OF DEPENDENT CHIL- DREN UNDER 18 <u>NONE</u>	19. PLAINTIFF HUSBAND      WIFE <input checked="" type="checkbox"/> OTHER (Specify) <u></u>
20. NUMBER OF CHILDREN TO CUSTODY OF <u></u>	HUSBAND      WIFE      SPLIT CUSTODY      OTHER (Specify) <u></u> <u></u> <u></u> <u>n/a</u>	21. LEGAL GROUNDS FOR DIVORCE OR ANNULMENT <u>3301 (c)</u>
22. DATE OF DECREE <u></u>	(Month)      (Day)      (Year)	23. DATE REPORT SENT TO VITAL RECORDS <u></u>
24. SIGNATURE OF TRANSCRIBING CLERK <u></u>		

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

JANET M. BRATTON,

Plaintiff \*

- vs -

\* No. 00-496-CD

KENNETH J. BRATTON,

Defendant \*

Type of Action:  
Divorce

Type of Pleading:  
Praecipe to Transmit  
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

FILED

SEP - 5 2000

William A. Shaw  
Prothonotary

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

111 NORTH BRADY STREET  
DUBOIS, PA 15801

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

JANET M. BRATTON, \*  
Plaintiff \*  
\*  
- vs - \* No. 00-496-CD  
\*  
KENNETH J. BRATTON, \*  
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 May 4, 2000.

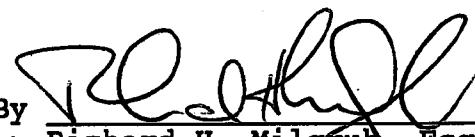
3. Date of execution of the Affidavit of Consent required by Section 3301(c) of the Divorce Code: By Plaintiff on August 4, 2000 and by Defendant on August 1, 2000.

4. Date of execution of the Waiver of Notice required by Section 3301(c) of the Divorce Code: By Plaintiff on August 4, 2000 and by Defendant on August 1, 2000.

RICHARD H. MILGRUB  
ATTORNEY & COUNSELOR  
AT LAW

211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

111 NORTH BRADY STREET  
DUBOIS, PA 15801.

By   
Richard H. Milgrub, Esquire  
Attorney for Plaintiff

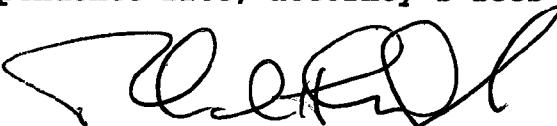
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

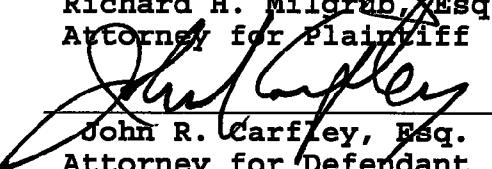
JANET M. BRATTON, :  
Plaintiff :  
vs. : No. 00-496-CD  
KENNETH J. BRATTON, : IN DIVORCE  
Defendant :  
:

STIPULATION FOR BIFURCATION

AND NOW comes the plaintiff, JANET M. BRATTON, by and through her attorney, Richard H. Milgrub, Esquire, and the defendant, KENNETH J. BRATTON, by and through his attorney, John R. Carfley, Esquire, and stipulate as follows:

1. A Complaint for Divorce was filed on April 28, 2000.
2. The parties hereto specifically agree to a Bifurcation of this action whereby the Decree of Divorce terminating the marriage shall be entered following the filing of the Affidavits of Consent and the Court shall reserve jurisdiction over the pending issues of equitable distribution, alimony pendente lite, attorney's fees and costs.

  
Richard H. Milgrub, Esq.  
Attorney for Plaintiff

  
John R. Carfley, Esq.  
Attorney for Defendant

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

JANET M. BRATTON, \*  
Plaintiff \*  
\*  
- vs - \* No. 00-496-CD  
\*  
KENNETH J. BRATTON, \*  
Defendant \*

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the  
Divorce Code was filed on April 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  
  
111 NORTH BRADY STREET  
DUBOIS, PA 15801.

Date: Aug. 04, 2000

Janet M. Bratton

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

JANET M. BRATTON, :  
Plaintiff :  
vs. : No. 00-496-CD  
KENNETH J. BRATTON, : IN DIVORCE  
Defendant :  
:

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

Date: August 1, 2000

Kenneth J. Bratton  
Defendant

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

JANET M. BRATTON,

Plaintiff

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\*

\*

-vs-

\* No. 00-496-CD

\*

\*

\*

KENNETH J. BRATTON,  
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: Aug 4, 2008

Janet M. Bratton

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

111 NORTH BRADY STREET  
DUBOIS, PA 15801.

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

JANET M. BRATTON, :  
Plaintiff :  
vs. : No. 00-496-CD  
KENNETH J. BRATTON, : IN DIVORCE  
Defendant :  
:

**AFFIDAVIT OF CONSENT**

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on April 28, 2000.
2. The marriage of 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. §4904 relating to unsworn falsification to authorities.

Date: August 1, 2000

Kenneth J. Bratton  
Defendant

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

JANET M. BRATTON,

\*  
Plaintiff \*

- vs -

\* No. 00-496-CD

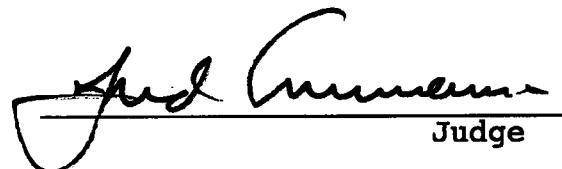
KENNETH J. BRATTON,

\*  
Defendant \*

BIFURCATION DECREE

AND NOW, this 6<sup>th</sup> day of September, 2000, IT IS  
HEREBY ORDERED AND DECREED, to avoid prejudice and to effectuate  
economic justice, that separate trials of the claims in the  
present contested divorce proceeding are necessitated. IT IS,  
THEREFORE, ADJUDGED AND DECREED that the entry of a Final Decree  
in divorce in the above-captioned matter is granted. This Final  
Decree in no way prejudices the legal claims of either party with  
regard to any ancillary relief heretofore requested under the  
Divorce Code of 1980. It is specifically understood that the  
Court shall retain jurisdiction over all economic issues  
including, but not limited to: Equitable Distribution, Alimony  
Pendente Lite, and Attorney Fees and Costs of Suit.

BY THE COURT:



Judge

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

111 NORTH BRADY STREET  
DUBOIS, PA 15801.

100-33024  
SEP - 5 2010  
William A. Shaw  
Prothonotary  
Court of Common Pleas of Clearfield County

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