

00-574-CD
PATRICIA L. ERSKINE -vs- KEITH A. BILLOTTE

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

ORIGINAL

74
Patricia L. ERSKINE
PLAINTIFF

vs.

Keith A. Billotte
DEFENDANT

NO. 2000 - 574 - C.D.

FILED

MAY 15 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. Any Protection Order granted by a Court may be considered in subsequent proceedings under Title 23 of the Pennsylvania Consolidated Statutes, including child custody proceedings under Chapter 53.

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 5982

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

Patricia L. ERSKINE

PLAINTIFF

vs.

NO. 2000 - 574

- C.D.

Keith A. Billotte

DEFENDANT

PRO SE FORM

PETITION FOR PROTECTION FROM ABUSE

1. My name is Patricia L ERSKINE

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:

RD 2 Box 48 B MORRISdale Pa 16858

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: RD 2 Box 48 B

Morrisdale Pa 16858.

(street address)

(city/township)

CLEARFIELD

(county)

3. The person I am filing this Petition against is the Defendant, who resides at:

RD 2 Box 81

(street address)

Morrisdale

(city/township)

CLEARFIELD

(county)

Defendant's date of birth: 5/15/74 and Social Security No. 200-60-5391

Check here if Defendant is 17 years old or younger.

4. The Defendant's relationship to me is: X - boyfriend

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: Patricia L. ERSKINE

Residence is rented by: James Hansolvan

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

Name Maranda Billotte

D.O.B. 1/29/99

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: 4/30/00

Time: 12:00 P.m.

Location: Morrisdale (Home)

Describe in detail what happened, including any physical or sexual abuse, threat, injury, or incident of stalking: Had come home was telling him to get his belongings and get out, had told me that if he found me with another man that he would kill me.

4-28-00

He had punched a hole in my ceiling in my bedroom / knocked my lights out because he got his ~~brother~~ my cousin got into a argument.

For the last year I have got pushed around and kicked around left bruises on me, I'm scared for my life, when he goes out and comes home not knowing if he was drinking and his mind goes blank.

3-25-00

I was out the night before and had kissed a guy, my sister had told Keith and he had came home telling me that, he was going to kill me and ripped my pants told me if I wanted raped then

QUESTION 7 (most recent incident of abuse) CONTINUED:

he would do, it ripped my shirt, pulled my hair.

5-12-00

I Was told from him that the only way he
would let me alone is if the Police removed him
or I had a PFA which is last girlfriend had to
get a PFA on him also.

My trailer is the only thing I have left for
me and our daughter and I have to get all the
holes fixed that he put in there.

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. He had come home from drinking one night and woke me and my daughter up, we were on the couch he through the couch across the room throws the phone into the wall put a big whole in it.

B. Another night he had come home drinking and through me all over the bedroom ~~on~~ he had kicked me till my legs were black and blue had bruises all over my arm. Had taken my car and was running it back and fourth my drive said he was gonna take it and crash it.

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

~~Plaintiff~~ / Knife

10. If Plaintiff and Defendant are parents of any minor child(ren), is there an existing Court Order regarding their custody? No. 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:

Keith and I had to go for custody of his son because the mother had passed away in a car accident. Defendant had PFA against him from Bobby Bone. '96'

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.

QUESTION 8 (prior acts of abuse) CONTINUED:

He had has held my cousin in my trailer because he took his beer away because he had to much, he even pushed him around.

5-12-00

Came to my trailer w/ his brother and Said he did not have to stay away their was no PFA on or no police.

5-10-00

Fnday night he had come to my mothers and was calling me bitch, slut, and told me if he Seen my car in town then he or whoever he was with was gonna run my ass off the road (Not knowing if my Child would be in it.) Police was contacted.

When we first moved in, he was drunk pushed me into the wall, put a big indent in it have about 30 holes he put in my trailer.

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: 5/12/00

Patricia S. Erskine
PETITIONER

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

PATRICIA L. ERSKINE,

PLAINTIFF

vs.

NO. 2000 - 574 - C.D. (PNO)

KEITH A. BILLOTTE,

DEFENDANT

(d.o.b. May 15, 1974)

(S.S.# 200-60-5391)

TEMPORARY PROTECTION FROM ABUSE ORDER

AND NOW, this 15th day of May, 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 2 Box 483 Morrisdale Monis Township

CLEARFIELD COUNTY

[] 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 or any other person protected under this Order, 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 or any other person protected under this Order, 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):

Maranda Billotte (D.O.B 1/09/99)

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:

ALL GUNS

(✓) 8. The following additional relief is granted: Defendant shall not possess or consume alcohol.

(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 22nd day of M A Y, 2000 at 9 : 00 a.m. 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.

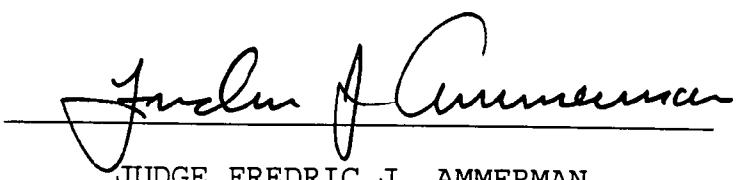
Absolutely no continuances of the hearing shall be granted unless by Order of Court. The Hearing Officer shall not continue any hearing due to either party's request for counsel as neither party has an absolute right to be represented by counsel in civil Protection From Abuse proceedings.

(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

RECEIVED
MAY 15 2000
William A. Shaw
Prothonotary
cc & fax RSP

cc hq officer
cc shaw
cc plb

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
ERSKINE, PATRICIA L. 00-574-CD
VS
BILLOTTE, KEITH A.

PROTECTION FROM ABUSE
SHERIFF RETURNS

NOW MAY 16, 2000 RETURN THE WITHIN PFA "NOT SERVED" BY THE
CLEARFIELD COUNTY SHERIFF. THE PFA WAS SERVED BY P.S.P.,
WOODLAND BARRACKS ON MAY 15, 2000.

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

SWORN TO BEFORE ME THIS

17th DAY OF May 2000
William Shaw

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

SO ANSWERS,
Chester A Hawkins
by Marly Harr
CHESTER A. HAWKINS
SHERIFF

FILED

MAY 17 2000
m 11:04
William A. Shaw
Prothonotary
REB

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

Patricia L. Erskine
PLAINTIFF

vs.

Keith A. Billotte
DEFENDANT

NO. 2000 - 574 - C.D.

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

MAY 15 2000

Attest:

NOTICE TO DEFEND

William L. Miller
Hathaway

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. Any Protection Order granted by a Court may be considered in subsequent proceedings under Title 23 of the Pennsylvania Consolidated Statutes, including child custody proceedings under Chapter 53.

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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Patricia L. ERSKINE

PLAINTIFF

vs.

NO. 2000 - 574

- C.D.

Keith A. Billotte

DEFENDANT

PRO SE FORM

PETITION FOR PROTECTION FROM ABUSE

1. My name is Patricia L ERSKINE

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:

RD 2 Box 48 B Morrisdale Pa 16858

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: RD 2 Box 48 B

Morrisdale Pa 16858.

(street address)

(city/township)

CLEARFIELD

(county)

3. The person I am filing this Petition against is the Defendant, who resides at:

RD 2 Box 81

(street address)

Morrisdale

(city/township)

CLEARFIELD

(county)

Defendant's date of birth: 5/15/74 and Social Security No. 200-60-5391

Check here if Defendant is 17 years old or younger.

4. The Defendant's relationship to me is: X - boyfriend

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: Patricia L. ERSKINE

Residence is rented by: James Hansolvan

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

Name Maranda Billotte

D.O.B. 1/29/99

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: 4/30/00

Time: 12:00 p.m.

Location: MORRISdale (Home)

Describe in detail what happened, including any physical or sexual abuse, threat, injury, or incident of stalking: Had come home was telling him to get his belongings and get out, had told me that if he found me with another man that he would kill me.

4-28-00

He had punched a hole in my ceiling in my bedroom/ knocked my lights out because he got his ~~brother~~ my cousin got into a argument.

For the last year I have got pushed around and kicked around left bruises on me, I'm scared for my life, when he goes out and comes home not knowing if he was drinking and his mind goes blank.

3-25-00

I was out the night before and had kissed a guy, my sister had told Keith and he had came home telling me that, he was going to kill me and ripped my pants told me if I wanted raped then

QUESTION 7 (most recent incident of abuse) CONTINUED:

he would do, ^tripped my shirt, pulled my hair.

5-12-00

I Was told from him that the only way he
would let me alone is if the Police removed him
or I had a PFA which is last girlfriend had to
get a PFA on him also.

My trailer is the only thing I have left for
me and our daughter and I have to get all the
holes fixed that he put in these.

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. He had come home from drinking one night and woke me and my daughter up, we were on the couch he through the couch across the room throws the phone into the wall put a big whole in it.

B. Another night he had come home drinking and through me all over the bedroom he had kicked me till my legs were black and blue had bruises all over my arm. Had

C. taken my car and was running it back and fourth my drive said he was gonna take it and crash it.

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

~~Defendant~~ / Knife

10. If Plaintiff and Defendant are parents of any minor child(ren), is there an existing Court Order regarding their custody? No. 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:

Keith and I had to go for custody of his son because the mother had passed away in a car accident. Defendant had PFA against him from •Bobby, Borne, 96'

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.

QUESTION 8 (prior acts of abuse) CONTINUED:

He had has held my cousin in my trailor
because he took his beer away because
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Said he did not have to stay away their
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and was calling me bitch, slut, and told
me if he Seen my car in town then he or
whoever he was with was gonna run
my ass off the road (Not knowing if my
Child would be in it.) Police was contacted.

When we first moved in, he was drunk
pushed me into the wall, put a big indent
in it have about 30 holes he put in my
trailor.

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: 5/12/00

Patricia S. Erskine
PETITIONER

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

PATRICIA L. ERSKINE,

PLAINTIFF

vs.

NO. 2000 - 574 - C.D. (PNO)

KEITH A. BILLOTTE,

DEFENDANT

(d.o.b. May 15, 1974)

(S.S.# 200-60-5391)

TEMPORARY PROTECTION FROM ABUSE ORDER

AND NOW, this 15th day of May, 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:

147 RD 2 Box 48B Morrisdale Morris Township

CLEARFIELD COUNTY

[] 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 or any other person protected under this Order, 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 or any other person protected under this Order, 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):

Maranda Billotte (D.O.B 1/09/99)

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:

ALL GUNS

(✓) 8. The following additional relief is granted: Defendant shall not possess or consume alcohol.

(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 22nd day
of M A Y, 2000 at 9 : 00 a.m.
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.

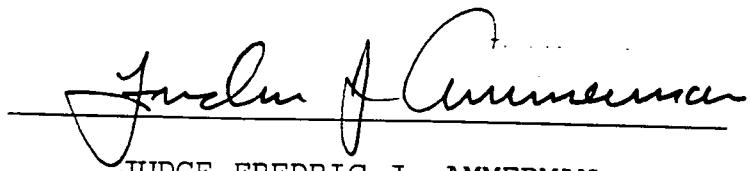
Absolutely no continuances of the hearing shall be granted unless by Order of Court. The Hearing Officer shall not continue any hearing due to either party's request for counsel as neither party has an absolute right to be represented by counsel in civil Protection From Abuse proceedings.

(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

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

PATRICIA L. ERSKINE,
Plaintiff

vs.

NO. 2000-574-C.D.

KEITH A. BILLOTTE,
Defendant

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FILED

10/16/2000
cc P. Erstine, Pbf.
William A. Shaw
Prothonotary
cc K. Bellotta, Pbf.
cc hrg. ofr. Dg.
KEY

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

PATRICIA L. ERSKINE, :
Plaintiff :
VS. : NO. 2000-574-C.D.
KEITH A. BILLOTTE, :
Defendant : F

FILED

MAY 25 2000

William A. Shaw
Prothonotary

PROTECTION FROM ABUSE FINAL ORDER OF COURT

Plaintiff's Address: R.D. #2 Box 48 B. Morrisdale PA 16858

Plaintiff's Social Security Number: 177-60-5980

Plaintiff's Date of Birth: July 25, 1979

Counsel of Record for Plaintiff: Stephen C. Fleming, Esq. Keystone Legal Services

Defendant's Address: R.R. #1, Box 81, Morrisdale, PA 16858

Defendant's Social Security Number: 200-60-5391

Defendant's Date of Birth: May 15, 1974

Counsel of Record for Defendant: N/A

Names of ALL PROTECTED PERSONS: ✓✓

AND NOW, this 22nd day of May, 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 May 16, 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:

Clearfield County, Pennsylvania 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 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, _____, or
Plaintiff's minor child(ren) _____.

_____. 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:

a. The **Plaintiff**
 b. The **Defendant**

06

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 **Defendant** is ORDERED to provide the following additional relief:

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 ~~NO LATER THAN 10:00 A.M. ON FRIDAY, MAY 26, 2000~~ ~~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:	\$ 31.00
Hearing Officer.....	fee:	\$ 40.00
Hearing Officer.....	costs:	\$ 20.00
Administrative.....	costs:	\$ 10.00
Additional Relief.....(see Paragraph 4):		\$ 0.00
Other.....	costs:	\$ 0.00

TOTAL AMOUNT DUE: \$ 181.00

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: 100 % / \$ 181.00.

DEFENDANT'S share of fees and costs: 6 % / \$ 0.00.

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 May 22, 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.

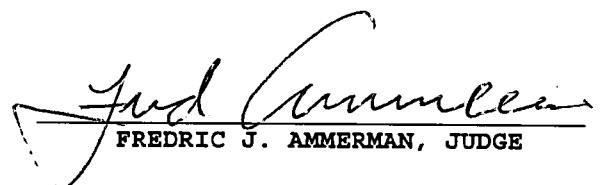
NOTICE TO LAW ENFORCEMENT OFFICIALS

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:


WARREN B. MIKESELL, II, ESQUIRE

BY THE COURT:


FREDRIC J. AMMERMAN, JUDGE

PLAINTIFF

DEFENDANT

COUNSEL FOR PLAINTIFF

COUNSEL FOR DEFENDANT

FILED

MAY 23 2000

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William A. Shaw

Prothonotary

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1CC.PB

1AC Keystone

1CC.DJ

1CC.HR.01.

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

Patricia L. Erskine,
Plaintiff

vs.

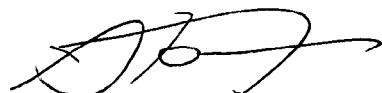
Keith A. B. Ilotte,
Defendant

No. 900 - 574 - C.D.
PROTECTION FROM ABUSE

ENTRY OF APPEARANCE

Please enter my appearance on behalf of Patricia L. Erskine,
the Plaintiff/Defendant in the above captioned case.

Keystone Legal Services, Inc.



STEPHEN C. FORMAN, ATTORNEY

2054 E. COLLOPS AVE

ADDRESS

3100 Collops PA 16801

814/238-4958 X132

PHONE

FILED

MAY 23 2000

William A. Shaw
Prothonotary

FILED

MAY 23 2008
OCT 10 2008
cc
William A. Shaw
Prothonotary

(2
LAW)

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U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

West - 574-CD