

DEBRA A. LENHART vs. TERRY L. LENHART

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

ORIGINAL

⑬ DEBRA A. Lenhart

PLAINTIFF

vs.

⑭ TERRY L. LENHART

DEFENDANT

NO. 2000 - 583

- C.D.

FILED

MAY 18 2000

NOTICE TO DEFEND

William A. Shaw  
Prothonotary

YOU HAVE BEEN ORDERED TO APPEAR IN COURT. If you do not appear at the Hearing, the relief requested by the Plaintiff may be granted in your absence and you may lose money or property rights or other rights important to you; or a BENCH WARRANT may be issued directing the Sheriff to arrest and bring you to Court. Attached is a copy of the Petition which indicates the relief the Plaintiff is requesting. Also, included in the Petition are the Plaintiff's reasons for this request.

You MUST obey the Order which is attached. If you disobey this Order, the police may arrest you. Under federal law, this Order is enforceable anywhere in the United states, and any violation of this Order in another state will result in federal proceedings against you. In addition, if you are subject to a FINAL PROTECTION ORDER, federal law will prohibit you from possessing, transporting, or accepting a firearm.

Attached you will find a copy of the TEMPORARY ORDER issued in this case. You MUST obey this Order until further Order of this Court. Failure to obey the TEMPORARY ORDER may result in your arrest by the police or Sheriff's Office. You will also be subject to the penalties of Indirect Criminal Contempt.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. YOU HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY OF YOUR CHOICE; HOWEVER, EVEN IF YOU DO NOT HAVE AN ATTORNEY YOU MUST APPEAR AT THE HEARING. IF YOU NEED HELP IN LOCATING AN ATTORNEY, PLEASE CONTACT:

OFFICE OF THE COURT ADMINISTRATOR  
230 EAST MARKET STREET  
CLEARFIELD, PENNSYLVANIA 16830  
(814) 765-2641, EXTENSION 32

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

DEBRA A. LENHART :  
PLAINTIFF

vs.

TERRY L. LENHART :  
DEFENDANT

NO. 2000 - 583

- C.D.

PRO SE FORM  
PETITION FOR PROTECTION FROM ABUSE

1. My name is Debra A. Lenhart

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:

If you checked "Another Person(s)", also indicate your relationship with Plaintiff:

parent of minor plaintiff(s)  
 adult household member with minor plaintiff(s)  
 guardian ad litem of minor plaintiff(s)  
 court appointed guardian of incompetent plaintiff(s)

2.  My residence which is located at a confidential address within this county, said address to be kept confidential for my protection.

My address (which is not confidential) is: \_\_\_\_\_

R.D#1 box 524A (egypt road) WOODLAND BRADFORD CLEARFIELD  
(street address) (city/township) (county)

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

R.D#1 Box 524A (egypt road) WOODLAND BRADFORD CLEARFIELD  
(street address) (city/township) (county)

Defendant's date of birth: 11/3/58 and Social Security No. 165-48-6317

Check here if Defendant is 17 years old or younger.

4. The Defendant's relationship to me is: Spouse

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: Terry + Debra Lenhart

Residence is rented by: \_\_\_\_\_

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

Name Ryan L. Lenhart D.O.B. 9/18/89  
Name Hali N. Lenhart D.O.B. 10/1/97  
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: 5/18/2000 Time: \_\_\_\_\_ .m.

Location: R.D#1 box 524A (egypt road) Woodland (residence)

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

5-18-00 5:00am Terry Lenhart was telling me how he wants me dead. Said he called over to my job to tell them I'm a slut and that I suck cock at the gazebos (it's where the smokers smoke)

Last night he pointed to one side of my neck & said he would like to slice it from one side to this side. Always telling my son he would like to strangle him, rip his head off, & then bash my head in with a baseball bat, rip my son's head off & then shove my head down his neck. He is very verbally abusive.

I had him arrested on 9-19-98 for simple assault & harassment & ever since he has been off probation 9-19-99 it's been nothing but pure hell. Terry has been threatening constantly for the past 2 weeks. He says everything from putting a bullet in my head (I had the guns removed) to taking me up in the woods & beating the living "shit" out of me. He is on pain medication which clearly states no alcohol, but he is a habitual drinker

QUESTION 7 (most recent incident of abuse) CONTINUED:

and cl am in fear for my life and that of my children.

This morning, because of his actions cl was upset and attempted to use the phone to call my carpool and he pulled the phone from the wall.

8. The Defendant has committed prior acts of abuse against me, my minor child(ren), or the Plaintiff (if I am filing on behalf of someone else). List examples of such abuse, including any threats, injuries, or incidents of stalking, and state when such acts of abuse occurred:

A. 1-6-00 I was boiling water for macaroni & he held the handles and said he should throw it on me.

B. 9-19-98 He was arrested for kicking & choking me. While choking me he said "I want you dead!"

C. While on probation the physical & verbal harassment lessened, but as soon as he was off parole the drinking started once again as did all the verbal physical abuse & harassment.

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

gun, knife ball bat

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:

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

12.  Defendant owes a duty of support to Plaintiff and/or the minor child(ren).

13.  As a result of the abuse described above, I have suffered financial losses.

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, and AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (check forms of relief requested):

Restrain Defendant from abusing, threatening, harassing, or stalking Plaintiff and/or the minor child(ren) in any place where they may be found.

Evict/exclude Defendant from Plaintiff's residence and prevent Defendant from living at or attempting to enter any temporary or permanent residence of the Plaintiff.

Require Defendant to provide Plaintiff and/or minor children with other suitable housing.

Award Plaintiff temporary custody of the minor child(ren) and place appropriate restrictions on contact between Defendant and the child(ren).

Prohibit Defendant from having any contact with Plaintiff and/or the minor child(ren), either in person, by telephone, or in writing, personally or through third persons, including but not limited to any contact at Plaintiff's school, business, or place of employment, except as the court may find necessary with respect to partial custody and/or visitation with the minor children.

Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this Petition, except as the court may find necessary with respect to partial custody and/or visitation with the minor children.

Order Defendant to temporarily relinquish weapons to the Sheriff of this County and prohibit Defendant from transferring, acquiring or possessing any such weapons for the duration of the Order.

Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the abuse, to be determined at the hearing.

Order Defendant to pay the costs of this action, including filing and service fees.

Order Defendant to pay Plaintiff's reasonable attorney's fees.

Grant such other relief as the Court deems appropriate.

Order the police or other law enforcement agency to serve Defendant with a copy of this Petition, any Order issued, and the Order for hearing. I will inform the police of any addresses, other than Defendant's residence, where he or she can be served.

### VERIFICATION

I verify that I am the Petitioner in the present action and that the facts and statements contained in the above Petition are true and correct to the best of my knowledge, information, and/or belief.

I understand that any false statements are made subject to the penalties of 18 Pa. C.S. Section 4094, relating to Unsworn Falsification to Authorities.

Date: 5/18/2000

Debra A. Lentart  
PETITIONER

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

DEBRA A. LENHART,

PLAINTIFF

vs.

NO. 2000 - 5 8 3 - C.D. (PNO)

TERRY L. LENHART,

DEFENDANT

(d.o.b. November 3, 1958)

(S.S.# 165-48-6317)

**TEMPORARY PROTECTION FROM ABUSE ORDER**

AND NOW, this 18th 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 1 Box 524A (Egypt) Woodland Bradford Township  
Road

[ ] 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):

Ryan L Lenhart and HALi N. Lenhart

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:

Defendants GUNS

(✓) 8. The following additional relief is granted: Defendant shall not possess or consume alcohol, nor shall he enter any place where alcohol is sold or provided.

(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 30th day of May, 2000 at 9:00 am before Hearing Officer Warren B. Mikesell, II, Esquire, third floor, Clearfield County Courthouse Annex, Domestic Relations Office Conference Room, Clearfield, Pennsylvania. Please note: The only persons permitted to attend this hearing are the Plaintiff, Defendant and any witness(es) which Plaintiff and/or Defendant have requested to be present. All other persons will be asked to leave, but are permitted to wait on the first floor of the Courthouse Annex for the hearing to end. The hearing is scheduled for one (1) hour only.

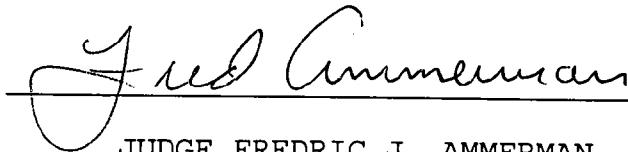
**Absolutely no continuances of the hearing shall be granted unless by Order of Court. The Hearing Officer shall not continue any hearing due to either party's request for counsel as neither party has an absolute right to be represented by counsel in civil Protection From Abuse proceedings.**

( x ) 13. **THE PLAINTIFF AND DEFENDANT ARE HEREBY DIRECTED TO PROVIDE TO THE HEARING OFFICER AT THE HEARING A CURRENT PHOTOGRAPH OF THEMSELVES.**

If the Plaintiff fails to appear for the hearing as set forth in Paragraph 12 above or any subsequent Protection From Abuse hearing, the Plaintiff is advised that filing fee and costs may be assessed against the Plaintiff and that the action may automatically be dismissed.

If the Defendant fails to appear for the hearing as set forth in Paragraph 12 above or any subsequent Protection From Abuse hearing, the Defendant is advised that filing fee and costs may be assessed against the Defendant in addition to the entry of an Order.

BY THE COURT

  
\_\_\_\_\_  
JUDGE FREDRIC J. AMMERMAN

FILED

RECEIVED  
MAY 10 1968  
O.H.S. /cc & fax PSP  
William A. Shaw  
Prothonotary  
cc Chq. ofr.  
2cc Shg.  
1cc POF

ORIGINAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

23  
DEBRA A. LENHART, Plaintiff :  
vs. : NO. 2000-583- C.D.  
43  
TERRY L. LENHART, Defendant :  
: FILED

MAY 24 2000

William A. Shaw  
Prothonotary

O R D E R

NOW, this 23rd day of May, 2000,  
upon consideration of Plaintiff's Petition to withdraw her/his  
Protection From Abuse Petition and Order entered by this Court  
on the 18th day of May, 2000 and the Court  
having been advised that all filing fees and service costs have  
been paid in full, it is the ORDER of this Court that said  
Petition and Order be and are hereby WITHDRAWN. If applicable  
the Sheriff of Clearfield County is directed to return any  
weapon(s) to the Defendant which was/were taken as a result of  
these proceedings.

By the Court:



JUDGE FREDRIC J. AMMERMAN

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

<u>DEBRA A. LENHART</u>	:	
Plaintiff	:	
	:	
vs.	:	NO. <u>2000-583-</u> C.D.
	:	
<u>TERRY L. LENHART</u>	:	
Defendant	:	

PETITION TO WITHDRAW PROTECTION FROM ABUSE ACTION

I, Debra A. Lenhart, do hereby request the Court to withdraw the Protection From Abuse Petition and Order issued on the 18th day of May, 2000 regarding the above captioned case.

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

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

Plaintiff's current address:

R.D.#1, Box 524A, Egypt Road

Woodland, Pennsylvania 16881

Plaintiff's telephone number: (814-3) 857-7883

Defendant's current address:

R.D.#1, Box 524A, Egypt Road

Woodland, Pennsylvania 16881

Defendant's telephone number: (814) 857-7883

Debra A. Lentz

Plaintiff's signature

May 23, 2000

Date

FILED

MAY 24 1946  
W. A. Shaw  
Postmaster

1cc Tax Psp  
1cc Sherry  
1cc Hwy off.  
1cc Pk  
1cc D

CK# 2667 for 31.00 paid to Sitter  
for - to County  
FEB

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LENHART, DEBRA A.  
VS  
LENHART, TERRY L.

00-583-CD

PROTECTION FROM ABUSE

SHERIFF RETURNS

NOW MAY 18, 2000 AT 3:20 PM DST SERVED THE WITHIN PFA ON  
TERRY L. LENHART, DEFENDANT AT RESIDENCE, RD#1 BOX 524A,  
EGYPT ROAD, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA BY  
HANDING TO TERRY L. LENHART A TRUE AND ATTESTED COPY OF THE  
ORIGINAL PFA AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: MCINTOSH/SNYDER

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

SWORN TO BEFORE ME THIS

23rd / May / 2000  
\_\_\_\_\_  
Wm A. Shaw  
\_\_\_\_\_  
2000

SO ANSWERS,

*Chester A. Hawkins*  
*by Marilyn Harry*  
CHESTER A. HAWKINS  
SHERIFF

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

FILED

MAY 23 2000  
010:48 Pm  
William A. Shaw  
Prothonotary

*E-JK*