

00160
JENNIFER J. KERIN VS. JAMES G. KERIN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION **ORIGINAL** ①

(61) JENNIFER J. KERIN

PLAINTIFF

vs.

(51) AMES G. KERIN

DEFENDANT

:
:
:
:
:
NO. 2000 - 602 - C.D.
:
:
:
:

FILED

MAY 23 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. 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

JENNIFER J. KERIN :
PLAINTIFF :
vs. :
NO. 2000 - 602 - C.D.
JAMES G. KERIN :
DEFENDANT :
vs. :

PRO SE FORM
PETITION FOR PROTECTION FROM ABUSE

1. My name is JENNIFER KERIN

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: RD2 Box 267D
Wolfrun Road Clearfield, PA 16830
(street address) (city/township) (county)

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

25 High St. Clearfield PA 16830 (mother's Residence)
(street address) (city/township) (county)

Defendant's date of birth: 9/16/66 and Social Security No. 208-48-4086

Check here if Defendant is 17 years old or younger.

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

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: Bill Waring

Residence is rented by: James & Jennifer Kerin

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

Name	Devan J. KERIN	D.O.B.	10/21/94
Name	Cheyenne N. KERIN	D.O.B.	9/21/96
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: 07/1/99

Time: 6:00 p.m.

Location: Home. (current Residence.)

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

James was supposed to pick up our two younger children from DayCare while I worked, but I received a phone call at 5:30 pm from DayCare. James did not pick them up. I had to leave work, call my mother to take me to day care and pick up the kids. When we got home James came flying into the driveway with our two older children (my son and his son) in the van. James was drunk and the boys were crying. He had a gun in the car and claimed he was sighting it in while the boys went swimming earlier that day. The boys later told me he passed out in the bed room. And they couldn't wake him up. When he did wake up it was already too late to pick up the other kids. His son told me ~~he~~ ^{he} smacked him in the head and pushed him down. And he kicked my son in the chest as punishment for not waking him up on time. I was upset and told him to give me my car keys and he refused. I got them eventually but he would not remove himself from the car. I had my mom take all of us to her house until I calmed down. When I returned, he had gone back to sleep. So I tried to start my car, but it wouldn't start. He came out and laughed at me. He asked me how does it feel to be

QUESTION 7 (most recent incident of abuse) CONTINUED:

without a car? I asked him what did he do to my car, he grinned and shrugged his shoulders. He was teasing me and laughing at me so I left again and returned with my step father. He looked at my car and found James had removed a distributor wire(?) I went in the house and James was asleep on the bed. I asked him where the wire was and he wouldn't answer me. I found it in his closet and my step father put it on for me. I had an emergency PFA put on and he left, but he locked me out. So I had to break in and call the police to let them know what I had to do to get in. His mother came and threatened to call the police if I didn't leave but I told her I already did. She waited in my driveway 45 minutes but the police never came. They ~~said~~ said she wasn't hurting anyone in my driveway. A few days later he told me I would never make it on my own and he swore he would stop drinking and he would start helping me with the bills and kids. He did for a while but now he is drinking again and he has been lying to me about money and where he goes. And he is threatening to

QUESTION 7 (most recent incident of abuse) CONTINUED:

Punch me in the face. And he calls me a worthless Bitch. Because I want a divorce and he is afraid I will file for Child Support. (I will of course) He told me he would go to the truck and get his gun so I can Shoot myself and end his misery. He also threatens to keep the children because "No Court would ever allow me to be a mother." I am in fear of my life and those of my children.

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 ~~is~~ kicked me in the head with a steel ~~shod~~ Boot because I was broke down and couldn't get home from work. He accused me of having a Secret Boy friend.

B. I was 8 months pregnant with Devan and he was drunk and threw a tower speaker at me and hit me in the head causing a 2" Scar.

C. I was 8 months pregnant with Cheyenne and he jumped on me and beat me with his fists until my Right eye swelled shut. He pulled me out of bed by my hair and told me to take my kids and get my worthless ass out of his house. I stayed at the women's shelter that night.

D. One night he took my daughter's baby bottle she was feeding with and yanked it out of her mouth and hit me on the head with it because I caught him smoking pot in our bathroom.

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

No

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:

I have an appointment in DuBois with a lawyer on Wednesday to begin divorce procedures and Custody.

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:

8F. He somehow choked my Son because he was "playing."

James said they were wrestling and he may have been a little too rough but he left a 4" abrasion on my Son's Neck. ^(after) On the day of his birthday he went to my Son's Room and in front of my ~~the~~ Niece, Shoved my Son's head into the wall because he was gonna tell on him for smoking pot again.

8F About 10 years ago he Smashed my head in a car door and Choked me with my Purse Strap because I wouldn't give him car keys and money.

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.

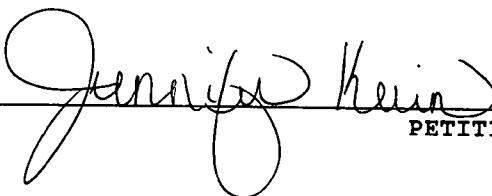
[] Order the police or other law enforcement agency to serve Defendant with a copy of this Petition, any Order issued, and the Order for hearing. I will inform the police of any addresses, other than Defendant's residence, where he or she can be served.

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: 5/22/00



PETITIONER

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA
 Address: MOUNTAIN VIEW PLAZA
 P.O. BOX 210
 KYLERTOWN, PA
 Telephone: (814) 345-6789

16847-0000

Plaintiff

Copy

PLAINTIFF:

Jennifer Kerin
 RD 2 Box 267D
 Clearfield, PA. 16830

VS.

DEFENDANT:
 James Kerin
 RD 2 Box 267D
 Clearfield, PA. 16830

Docket No.: MD-68-00
 Date Filed: 05-20-00



PLAINTIFF REQUESTS CONFIDENTIALITY OF
 PERMANENT/TEMPORARY ADDRESS.

I, Jennifer Kerin

PETITION OF THE PLAINTIFF

, hereby petition for emergency relief from abuse

on behalf of myself
 on behalf of the following (child) (children) to whom I am a (parent) (adult household member) (guardian)
 on behalf of the following incompetent adult to whom I am guardian

Daniel Hubler (age 10)

Same

Devan Kerin (age 5) ^(Name)

(Address)

Cheyenne Kerin (age 3) ^(Name)

" (Address)

Emergency relief from abuse is required because there is immediate and present danger of abuse by the defendant to (me) and to the above listed (child) (children) (incompetent adult).

(Type additional names/addresses on a separate sheet of paper and attach hereto.)

(Signature of Plaintiff)

FINDINGS OF ISSUING AUTHORITY

At an ex parte hearing on May 20, 2000

I have found upon good cause that it is necessary to protect the (plaintiff) and above listed (child) (children) (incompetent adult).
 I have NOT found that it is necessary to issue a protective order.

(Signature of Issuing Authority)

ACTION OF ISSUING AUTHORITY

Having found upon good cause shown that it is necessary to protect the (plaintiff) and above listed (child) (children) (incompetent adult), I have taken the following action on this petition:

Ordered the defendant to refrain from abusing the plaintiff and/or minor child, children, incompetent adult.
 Ordered the defendant to refrain from having any contact with the plaintiff or minor children, including restraining the defendant from entering the place of employment or business or school of plaintiff or minor children and from harassing plaintiff, plaintiff's relatives or minor children.
 Ordered the eviction of the defendant from the (household) (residence) at RD2 Box 267 D (and)
 Ordered restoration of possession to the (household) (residence) at RD 2 Box 267 D (or)
 Allowed the defendant to provide suitable, alternate housing by consent agreement

(Signature of Issuing Authority)

ORDERS OF EVICTION AND RESTORATION OF POSSESSION

to: Lawrence Twp PD (Sheriff) (Constable) (Police Officer) (Police Department). In compliance with
 the order(s) appearing above, you are hereby directed to evict James Kerin
 from the premises at RD 2 Box 267D; Clearfield (Name of Defendant)

RD 2 Box 267D

(Address)

to Jennifer Kerin

(Name of Plaintiff)

(Signature of Issuing Authority)

NOTICE TO DEFENDANT

Orders issued are pursuant to the Protection from Abuse Act, Act No. 218 (1976), as amended. WARNING: Failure to comply with these orders may result in a finding of CRIMINAL CONTEMPT pursuant to 42 Pa. C.S. § 4137. This offense is punishable by a fine and/or imprisonment. These orders expire at the end of the next business day the Court deems itself available. These orders will be immediately certified to the Court of Common Pleas, WHICH HAS THE EFFECT OF COMMENCING PROCEEDINGS AGAINST YOU UNDER THE ABOVE MENTIONED ACT.

Today he left & took his guns. He came
back sometime during her work. He was
drunk, went to Moms called Lawrence
trap & they told her to get a PFA.

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

JENNIFER J. KERIN,

PLAINTIFF

:

vs.

NO. 2000 - 602 - C.D. (PNO)

JAMES G. KERIN,

DEFENDANT

:

(d.o.b. September 16, 1966)

:

(S.S.# 208-48-4086)

:

TEMPORARY PROTECTION FROM ABUSE ORDER

AND NOW, this 22nd 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 3 Box 267D Wolf Run Rd Clearfield Lawrence Township

[] 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):

Devan J and Cheyenne N Kelen

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

(✗) 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.

(✗) 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 11 : 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.

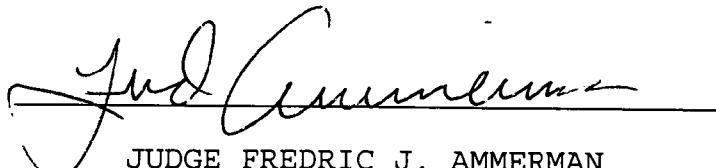
Absolutely no continuances of the hearing shall be granted unless by Order of Court. The Hearing Officer shall not continue any hearing due to either party's request for counsel as neither party has an absolute right to be represented by counsel in civil Protection From Abuse proceedings.

(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

100-2004-07-15 MAY 23 2000

cc & fax PSP
William A. Shaw
Prothonotary

1cc hrs 08

2cc shrd
1cc p16

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KERIN, JENNIFER J.

00-602-CD

VS

KERIN, JAMES G.

PROTECTION FROM ABUSE

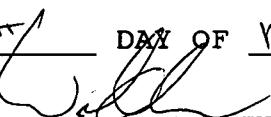
SHERIFF RETURNS

NOW MAY 23, 2000 AT 1:27 PM DST SERVED THE WITHIN PFA ON JAMES G. KERIN, DEFENDANT AT EMPLOYMENT, ELCAM INC., APPALACHIAN DRIVE, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JAMES G. KERIN A TRUE AND ATTESTED COPY OF THE ORIGINAL PFA AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

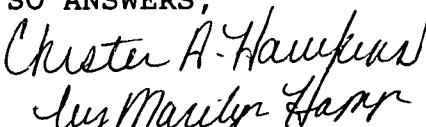
SERVED BY: DAVIS/MORGILLO.

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

SWORN TO BEFORE ME THIS

24th DAY OF May 2000


SO ANSWERS,


by Marilyn HarrCHESTER A. HAWKINS
SHERIFF

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

FILED

MAY 24 2000
01115 (cm)
William A. Shaw
Prothonotary



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

Jennifer J. Kerin,
Plaintiff

vs.

James G. Kerin,
Defendant

No. 00-602 - C.D.
PROTECTION FROM ABUSE

ENTRY OF APPEARANCE

Please enter my appearance on behalf of Jennifer J. Kerin,
the Plaintiff/Defendant in the above captioned case.

KEYSTONE LEGAL SERVICE


Stephen Fleming, ATTORNEY

2054 E College Ave
ADDRESS

1710 Colorado Rd
16801

814/238-61958
PHONE

FILED

MAY 30 2000

William A. Shaw
Prothonotary

FILED

[MAY 30 2000]
O/S/SD/MSCC
William A. Shaw
Prothonotary

DEJLR

0005 0 5 YAM

WILLIAM A. SHAW
PROTHONOTARY

ORIGINAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JENNIFER J. KERIN, :
Plaintiff :
: :
vs. : NO. 2000-602-C.D.
: :
JAMES G. KERIN, :
Defendant :
: :
FILED

MAY 31 2000

William A. Shaw
Prothonotary

PROTECTION FROM ABUSE FINAL ORDER OF COURT

Plaintiff's Address: R.D. #2 Box 267-D, Clearfield PA 16830

Plaintiff's Social Security Number: 204-56-0047

Plaintiff's Date of Birth: April 14, 1971

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

Defendant's Address: 25 High Street, Clearfield PA 16830

Defendant's Social Security Number: 208-48-4086

Defendant's Date of Birth: September 16, 1966

Counsel of Record for Defendant: NA

Names of ALL PROTECTED PERSONS: Jennifer J. Kerin

AND NOW, this 30th 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 23, 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:

R.D. #2 Box 267-3, Clearfield

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, Jennifer J. Kerin, or

Plaintiff's minor child(ren) N/A

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: *Devan J. Keen and Cheyenne N. Keen*

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:

No possession or consumption of Alcohol during this Order

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 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:	\$ 25.00
Sheriff's Office.....	service fee:	\$ 29.00
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
 <u>TOTAL AMOUNT DUE:</u>		\$ 204.00

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: 8 % / \$ 0.00.

DEFENDANT'S share of fees and costs: 100 % / \$ 204.00.

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 30, 2001.

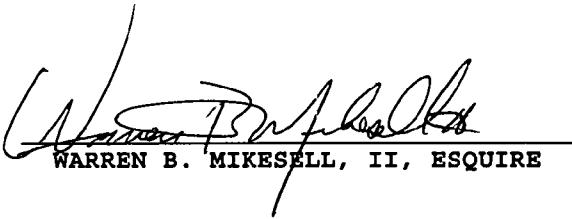
NOTICE TO THE DEFENDANT

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

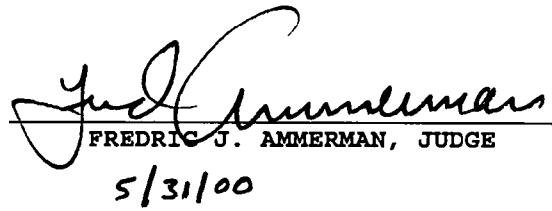
THE POLICE WHO HAVE JURISDICTION OVER THE PLAINTIFF'S RESIDENCE OR ANY LOCATION WHERE A VIOLATION OF THIS ORDER OCCURS OR WHERE THE DEFENDANT MAY BE LOCATED, SHALL ENFORCE THIS ORDER. AN ARREST FOR VIOLATION OF PARAGRAPHS 1 THROUGH 5 OF THIS ORDER MAY BE WITHOUT WARRANT, BASED SOLELY ON PROBABLE CAUSE, 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
5/31/00

PLAINTIFF

DEFENDANT

COUNSEL FOR PLAINTIFF

COUNSEL FOR DEFENDANT

ATTACHMENT "A"

Visitation issues continued from page 3, item 2.

~~Plaintiff/Defendant~~ shall enjoy Temporary Visitation with the parties' child(ren) Deuan J. Keen and Cheyenne N. Keen

- 1. Every other weekend commencing on Friday / Saturday, the 9/1 day of June, 2000 at 6:00 o'clock a.m./p.m. and continuing until Sunday at 6 o'clock p.m. and continuing thereafter every other weekend during the pendency of this Order.
- 2. Every Wednesday from 6:00 o'clock a.m./p.m. until 9:00 o'clock a.m./p.m. commencing on May 31, 2000 and thereafter on a weekly basis during the pendency of this Order.
- 3. Visitation as agreed upon by the parties.
- 4. For purposes of fulfilling the Temporary Visitation as ordered, ~~Defendant/Plaintiff~~ shall be permitted limited contact with the ~~Plaintiff/Defendant~~.

NOTE: limited contact shall mean:

1. ~~Defendant/Plaintiff~~ shall be permitted to contact ~~Plaintiff/Defendant~~ for the sole purpose of confirming that Temporary Visitation will occur. Any such communication shall occur between the hours of 8:00 o'clock a.m. and

1:00 o'clock p.m. There is to be no conversation between the parties as to the remaining issues of Plaintiff and Defendant's relationship of any type.

2. **Plaintiff/Defendant** shall be permitted to retrieve and return said minor child(ren) from and to **Defendant's/Plaintiff's** residence; however, no lengthy conversation shall be permitted other than discussing the child(ren)'s needs and making arrangements for Temporary Visitation to continue as ordered.

5. The **Plaintiff/Defendant** shall be responsible for transportation of the child(ren) during her/his Temporary Visitation.

6. The **Plaintiff and Defendant** shall share equally the transportation of the child(ren). **Plaintiff/Defendant** is hereby directed to transport the child(ren) to **Defendant's/Plaintiff's** residence/or designated area for purposes of commencing Temporary Visitation. **Plaintiff/Defendant** is hereby directed to transport the child(ren) to **Defendant's/Plaintiff's** residence/or designated area for purposes of ending Temporary Visitation.

For Temporary Visitation purposes Plaintiff's residence/designated area is:

and Defendant's residence/designated area is:

7. The **Plaintiff/Defendant** shall not consume nor shall she/he have in her/his possession any alcohol during any period of Temporary Visitation.

8. The **Plaintiff/Defendant** shall be permitted to contact the above listed child(ren) by telephone on no more than 3 days per week between the hours of 9:00 o'clock a.m. and 9:00 o'clock p.m. During such conversations, the **Plaintiff/Defendant** shall not malign or run down the **Defendant/Plaintiff** or discuss the motive or reason for the **Plaintiff** obtaining a Protection From Abuse Order.

9. Other: _____

10. ***Plaintiff or Defendant shall file with the Court a separate action for custody or a divorce action which includes a count for custody wherein an Order of Court in the custody and/or divorce case will determine the matter of custody of the minor child(ren).***

The Temporary Custody provision of the Final Order in this case [*listed on Page 3, Item 2 awarding temporary custody of, and rights of visitation with, the child(ren)*] shall expire after Sixty (60) days from the date of this Final Order unless an action for custody shall have been duly filed with the Court by one of the parties as directed above. To maintain the Temporary Visitation provisions listed herein, either party, Plaintiff or Defendant must timely file a custody action with the Court within the sixty (60) day period. If Plaintiff or Defendant timely file a custody action, the Temporary Custody and Temporary Visitation provisions of this Final Order shall remain in effect until further Order has been entered in the custody action by the Court.

FILED

MAY 31 2000

11:38 AM - fax Bp
William A. Shaw
Prothonotary

1 cc Sheriff

1 cc P18

1 cc D

1 cc mg M.

1 cc Keystone

cc

ORIGINAL

CIVIL BENCH WARRANT

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

JENNIFER J. KERIN,
Plaintiff

*

*

*

vs.

*

No. 2000-602-C.D.

*

*

JAMES G. KERIN,
Defendant

*

*

TO: **C & D INVESTIGATIONS (814) 765-2740**
P.O. Box 263, Hyde, Pennsylvania 16843

You are hereby commanded by the Court of Common Pleas of Clearfield County, Civil Division, to take **DEFENDANT JAMES G. KERIN** who stands charged in said Court for failure to make payment in full of Protection From Abuse fees/costs and forthwith bring said person before Judge Fredric J. Ammerman to be dealt with according to law.

FILED

WITNESS this 17th day of July, 2000.

JUL 17 2000

William A. Shaw
Prothonotary


Prothonotary/Clerk of Courts
Civil Division

Defendant's Address: 25 High Street
Clearfield, Pennsylvania 16830

Social Security #: 208-48-4086

Date of Birth: 09/16/1966

Costs: \$ 2 0 4 . 0 0

Service Fee: \$ 6 0 . 0 0 Service Date: / /2000

Expenses: \$ _____

Served By: _____

TOTAL: \$

=====

FILED

JUL 17 2000
O/A 54/3 cc C4D
William A. Shaw
Prothonotary

Investigations
Key

6
ORIGINAL

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

JENNIFER J. KERIN,
Plaintiff

vs.

JAMES G. KERIN,
Defendant

*
*
*
*
*

No. 2000-602-C.D.

O R D E R

NOW, this 22nd day of August, 2000, Defendant James G. Kerin having paid fees and costs relating to this Court's Final Order of May 30, 2000, and also having paid Bench Warrant costs related thereto, it is the ORDER of this Court that Bench Warrant previously issued July 17, 2000 be and is hereby RESCINDED.

By the Court,

FILED

AUG 22 2000

William A. Shaw
Prothonotary

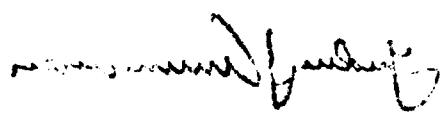
Fredric J. Ammerman

FREDRIC J. AMMERMAN, JUDGE

FILED

AUG 22 2000
O/3:50
William A. Shaw
Prothonotary

1 certified copy to C & D Investigations

A handwritten signature in black ink, appearing to read "William A. Shaw".

Co - Co - Co
Diac - Diam - Diam