

JOSEPH C. CERVENAK -vs- MARGIE A. CERVENAK

"N. 337

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant

*
*
*
* No. 00 - 903 - CD
*
*

* Type of Pleading:

* Complaint in Divorce

* Filed on behalf of:

* Plaintiff

* Counsel of Record for
* this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street

* P.O. Box 552

* Clearfield, PA 16830

* (814) 765-1601

THERE ARE NO MINOR CHILDREN
TO THIS MARRIAGE

FILED

AUG 02 2000

William A. Shaw
Prothonotary

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant

*
*
*
* No. 00 - - CD
*
*

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court for:

<input checked="" type="checkbox"/> Divorce	<input type="checkbox"/> Annulment of Marriage
<input type="checkbox"/> Support	<input type="checkbox"/> Custody and Visitation
<input checked="" type="checkbox"/> Division of Property	<input type="checkbox"/> Alimony
<input type="checkbox"/> Temporary Alimony	<input type="checkbox"/> Attorney Fees
<input type="checkbox"/> Costs	

If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgement may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary of Clearfield County, William Shaw, Prothonotary & Clerk of Courts, Clearfield County Courthouse, Clearfield, Pennsylvania.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

*

*

*

* No. 00 - - CD

MARGIE A. CERVENAK,
Defendant

*

*

C O M P L A I N T

NOW COMES the Plaintiff, Joseph C. Cervenak, and by his attorney, James A. Naddeo, Esquire, sets forth the following:

C O U N T I

1. That the Plaintiff is Joseph C. Cervenak, an individual, who currently resides at Three Pennington Street, Houtzdale, Pennsylvania 16651.

2. That the Defendant is Margie A. Cervenak, an individual, who currently resides at 326-B East Pine Street, Clearfield, Pennsylvania 16830.

3. That the Plaintiff and the Defendant are *sui juris* and Plaintiff has been a bona fide resident of the Commonwealth of Pennsylvania for a period of more than six months immediately preceding the filing of this complaint.

4. That the parties were married on September 27, 1997, at the Christ the King Church, Houtzdale, Pennsylvania 16651.

5. That there were no children born to the marriage.

6. There has been an irretrievable breakdown of the marriage relationship of the parties within the meaning of Act No. 26, Sections 3301(c) and 3301(d) of the Commonwealth of Pennsylvania of 1980.

7. No prior action for divorce or annulment is pending.

8. Plaintiff has been advised that counseling is available and that Plaintiff may have the right to request that the Court require the parties to participate in counseling.

WHEREFORE, Plaintiff requests your Honorable Court to enter a decree in Divorce, divorcing the Plaintiff and Defendant absolutely.

COUNT II

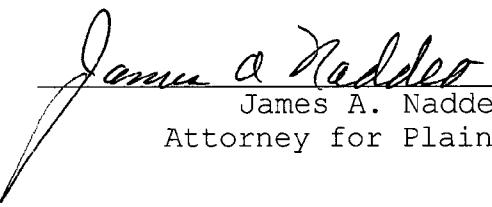
9. Paragraphs One through Eight of this Complaint are incorporated herein by reference and made a part hereof as though set forth in full.

10. Plaintiff and Defendant have legally and beneficially acquired property both real and personal during their marriage from September 27, 1997, to the present.

11. Plaintiff and Defendant have been unable to agree to an equitable division of said property to the date of the filing of this Complaint.

12. That an Inventory and Appraisement of all property owned or possessed by Plaintiff will be supplied in accordance with the Divorce Code.

WHEREFORE, Plaintiff requests your Honorable Court to
equitably divide all marital property.



James A. Naddeo
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)

ss.

COUNTY OF CLEARFIELD

)

Before me, the undersigned officer, personally appeared JOSEPH C. CERVENAK, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.

Joseph C. Cervenak
Joseph C. Cervenak

SWORN and SUBSCRIBED before me this 2nd day of August, 2000.

Shannon R. Wisor

Notarial Seal
Shannon R. Wisor, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Aug. 25, 2003

CLEARFIELD, PENNSYLVANIA 16830
PO. BOX 552
211 1/2 EAST LOCUST STREET
ATTORNEY AT LAW
JAMES A. NADDEO

Lap over margin

FILED
013:49801 Aug 02 2000
2000 Aug 02
William A. Shaw
Prothonotary

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant.

*
*
*
* No. 00 - 903 - CD
*
*

ACCEPTANCE OF SERVICE

I, STACY R. PARKS, Esquire, do hereby accept service of Plaintiff's Complaint in Divorce on behalf of the Defendant, Margie A. Cervenak.

Date: 8/16/2000



Stacy R. Parks, Esquire

FILED

AUG 16 2000

William A. Shaw
Prothonotary

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

JOSEPH C. CERVENAK,

Plaintiff,

v.

No. 00-903-CD

MARGIE A. CERVENAK,

Defendant.

ENTRY OF APPEARANCE

Kindly enter my appearance on behalf of the Defendant in the above captioned matter.



STACY R. PARKS, ESQUIRE

Date: 8/16/2000

FILED

AUG 16 2000

William A. Shaw
Prothonotary

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HEALTH
VITAL RECORDS

H 105.157 REV. 8-80

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

STATE FILE NUMBER	
STATE FILE DATE	

COUNTY
Clearfield

HUSBAND

1. NAME (First) (Middle) (Last)				2. DATE (Month) (Day) (Year)
Joseph C. Cervenak				2-13-68
2. RESIDENCE Street or R.D.		City, Boro. or Twp.	County	State
Three Pennington Street, Houtzdale, Clearfield, PA				
6. NUMBER OF THIS MARRIAGE 1		6. RACE <input checked="" type="checkbox"/> WHITE <input type="checkbox"/> BLACK	OTHER (Specify) <input type="checkbox"/>	7. USUAL OCCUPATION Teacher

WIFE

8. MAIDEN NAME (First) (Middle) (Last)				9. DATE (Month) (Day) (Year)
Baughman Margie A. Cervenak				12-10-74
10. RESIDENCE Street or R.D.		City, Boro. or Twp.	County	State
326B East Pine Street, Clearfield, Clearfield, PA				
12. NUMBER OF THIS MARRIAGE 1		13. RACE <input checked="" type="checkbox"/> WHITE <input type="checkbox"/> BLACK	OTHER (Specify) <input type="checkbox"/>	14. OCCUPATION Probation Officer
16. PLACE OF MARRIAGE (County)		(State or Foreign Country)		16. DATE OF THIS MARRIAGE (Month) (Day) (Year)
Clearfield		Pennsylvania		9-27-97
17A. NUMBER OF CHILDREN THIS MARRIAGE 0	17B. NUMBER OF DEPENDENT CHILDREN UNDER 18	18. PLAINTIFF <input checked="" type="checkbox"/> HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> OTHER (Specify)	19. DECREE GRANTED TO <input checked="" type="checkbox"/> HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> OTHER (Specify)	
20. NUMBER OF CHILDREN TO CUSTODY OF		HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> SPLIT CUSTODY <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>	21. LEGAL GROUNDS FOR DIVORCE OR ANNULMENT Irretrievable breakdown	
22. DATE OF DECREE		(Month) (Day) (Year)	23. DATE REPORT SENT TO VITAL RECORDS (Month) (Day) (Year)	
24. SIGNATURE OF TRANSCRIBING CLERK				

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant

*

*

*

* No. 00 - 903 - CD

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

James A. Naddeo, Esq.
Pa I.D. 06820

211 1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

FILED
JAN 19 2001
William A. Shaw
Prothonotary

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant

*

*

*

*

*

No. 00 - 903 - CD

PRAECIPE TO TRANSMIT RECORD

TO THE PROTHONOTARY:

Transmit the record, together with the following information, to the court for entry of a divorce decree:

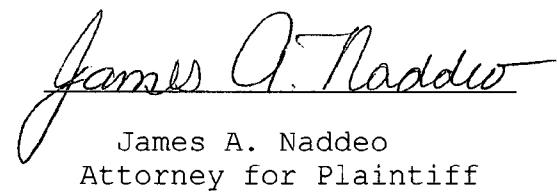
1. Ground for divorce: Irretrievable breakdown under Section 3301(c) of the Divorce Code.

2. Date and manner of service of the Complaint: Acceptance of Service by Stacy R. Parks, Attorney for Defendant on 8/16/00.

3. Date of execution of the Plaintiff's Affidavit required by Section 3301(c) of the Divorce Code: 12/21/00.

Date of execution of the Defendant's Affidavit required by Section 3301(c) of the Divorce Code: 1/5/01. Date of execution of Plaintiff's Waiver of Notice of Intention to Request Entry of Divorce Decree: 12/21/00. Date of execution of Defendant's Waiver of Notice of Intention to Request Entry of Divorce Decree: 1/5/01. See attached Affidavits of Consent and Waivers of Notice of Intention.

4. Related claims pending: None.


James A. Naddeo
Attorney for Plaintiff

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant.

*
*
*
* No. 00 - 903 - CD
*
*

AFFIDAVIT OF CONSENT

1. A complaint in divorce under Section 3301(c) and (d) of the Divorce Code was filed on August 2, 2000.

2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety (90) days have elapsed from the date of filing and service of the Complaint.

3. I consent to the entry of a final decree of divorce after service of notice of intention to request entry of the decree.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

DATE: 12/21/00


Joseph C. Cervenak

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant.

*
*
*
* No. 00 - 903 - CD
*
*

AFFIDAVIT OF CONSENT

1. A complaint in divorce under Section 3301(c) and (d) of the Divorce Code was filed on August 2, 2000.

2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety (90) days have elapsed from the date of filing and service of the Complaint.

3. I consent to the entry of a final decree of divorce after service of notice of intention to request entry of the decree.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

DATE: 01/05/01

Margie A. Cervenak
Margie A. Cervenak

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant.

*
*
*
* No. 00 - 903 - CD
*
*

WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY
OF A DIVORCE DECREE UNDER SECTION 3301(C) OF
THE DIVORCE CODE

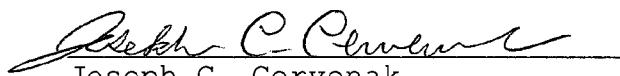
1. I consent to the entry of a final decree of divorce without notice.

2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the prothonotary.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12-21-00


Joseph C. Cervenak

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant.

*
*
*
* No. 00 - 903 - CD
*
*

WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY
OF A DIVORCE DECREE UNDER SECTION 3301(C) OF
THE DIVORCE CODE

1. I consent to the entry of a final decree of divorce without notice.

2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the prothonotary.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/5/01

Margie A. Cervenak
Margie A. Cervenak

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

JOSEPH C. CERVENAK,
Plaintiff,

*
*
*

v.

* No. 00 - 903 - CD
*
*

MARGIE A. CERVENAK,
Defendant

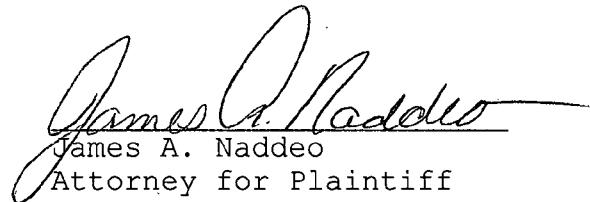
*
*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Praeclipe to Transmit Record in the above-captioned action was served on the following person and in the following manner on the 19th day of January, 2001:

First-Class Mail, Postage Prepaid

Stacy R. Parks, Esquire
326B East Pine Street
Clearfield, PA 16830


James A. Naddeo
Attorney for Plaintiff

CLIFFFIELD, PENNSYLVANIA 16830
P.O. BOX 552
211 1/2 EAST LOCUST STREET
ATTORNEY AT LAW
JAMES A. NADDEO

Lap over margin

FILED

FC 1/10/39/301
JAN 19 2001

1 CC
Atty

William A. Shaw
Prothonotary

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant

*

*

*

*

No. 00 - 903 - CD

*

*

* Type of Pleading:

*

* Divorce Decree

*

*

* Filed on behalf of:

* Plaintiff

*

* Counsel of Record for
* this party:

*

*

* James A. Naddeo, Esq.

* Pa I.D. 06820

*

* 211 1/2 E. Locust Street

* P.O. Box 552

* Clearfield, PA 16830

* (814) 765-1601

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

JOSEPH C. CERVENAK,
Plaintiff,

v.

MARGIE A. CERVENAK,
Defendant

*

*

*

*

*

*

No. 00 - 903 - CD

DECREE

AND NOW, this 22 day of January, 2001, it is ORDERED
and DECREED that JOSEPH C. CERVENAK, Plaintiff, and MARGIE A.
CERVENAK, Defendant, are divorced from the bonds of matrimony.

It is the FURTHER ORDER of this Court that the
Marriage Settlement Agreement of the parties dated January 5,
2001, is hereby incorporated into this Decree but not merged.

BY THE COURT:



Jud Cuneeman
Judge

CLIFFFIELD, PENNSYLVANIA 16830
P.O. Box 552
211 1/2 EAST LOCUST STREET
ATTORNEY AT LAW
JAMES A. NADDEO

— Lap over margin —