

00-989-CD
JOSEPH F. CLAYTON, SR. -vs- KELLI A. CLAYTON

①

In the Court of Common Pleas of Clearfield County, Pennsylvania

⑤ Joseph F. Clayton sr. Plaintiff

Vs

⑥ Kelli A. Clayton, defendant

NO. 00-989-CO

PETITION IN FORMA PAUPERIS

1. I AM THE PLAINTIFF IN THE ABOVE MATTER AND BECAUSE OF MY FINANCIAL CONDITION, AM UNABLE TO PAY THE FEES AND COSTS OF PROSECUTING OR DEFENDING THE ACTION OR PROCEEDING.

2. I AM UNABLE TO OBTAIN FUNDS FROM ANYONE INCLUDING MY FAMILY AND ASSOCIATES, TO PAY THE COST OF LITIGATION.

I REPRESENT THAT THE INFORMATION BELOW RELATING TO MY ABILITY TO PAY THE FEES AND COSTS IS TRUE AND CORRECT:

FILED

Joseph F. Clayton sr.

410 21st St Clearfield, PA 16830

161-54-8761

⑨
⑩
AUG 15 2000

m/8:30 am
William A. Shaw

Prothonotary

1 CCR

I AM INCARCERATED IN CCT. I HAVE NO MORE THAN .30 CENTS ON MY BOOKS.

I UNDERSTAND THAT I HAVE A CONTINUING OBLIGATION TO INFORM THE COURT OF IMPROVEMENT IN MY FINANCIAL CIRCUMSTANCES WHICH WOULD PERMIT ME TO PAY THE COSTS INCURRED HEREIN

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

JOSEPH F. CLAYTON, SR.,
Plaintiff

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*

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vs.

* NO. 2000-989-C.D.

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*

KELLI A. CLAYTON,
Defendant

FILED

AUG 28 2000

O R D E R

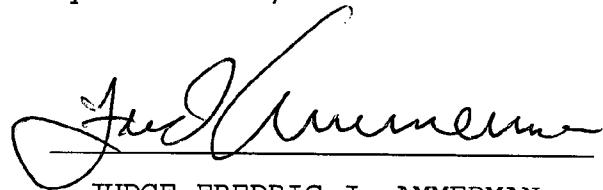
William A. Shaw
Prothonotary

NOW, this 24th day of August, 2000, the Court being in receipt of the Complaint for Visitation and the Petition requesting In Forma Pauperis status filed by the Plaintiff, Pro Se, on August 15, 2000. The Court further noting that the Plaintiff has been incarcerated in the Clearfield County Jail in lieu of \$10,000 bail since June 11, 2000 (criminal docket number 2000-409-CR.A.) in regard to charges of Simple Assault filed against him for allegedly assaulting Kelli A. Clayton, the Defendant herein and the mother of the children subject to the Visitation Complaint; the Court further noting that the Plaintiff on June 16, 2000 signed a Plea Agreement for a minimum term of incarceration of ninety (90) days in the Clearfield County Jail and will appear before President Judge John K. Reilly, Jr. for Sentencing Court on or about September 19, 2000. It is anticipated that the Plaintiff would most likely be paroled at that time relative time served.

Given the circumstance, the Court can see no reasonable basis to require the Defendant to take the children, ages five, three and three months to the Clearfield County Jail for visitation purposes. Also, upon the Plaintiff's release from incarceration he will be in an appropriate position to pay the filing fee to proceed with an action of visitation and partial custody wherein he could have access to the children outside of a jail setting.

Therefore, it is the ORDER of this Court that the request for In Forma Pauperis status be and is hereby DENIED.

By the Court,

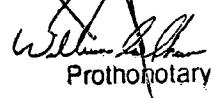


JUDGE FREDRIC J. AMMERMAN

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

~~AUG 28 2000~~

Attest:


William L. Johnson
Prothonotary

FILED

REO
AUG 28 2000
LAW
O/2S/ICC PH. J. Clayton
William A. Shaw
William A. Shaw
Prothonotary

JA

In the Court of Common Pleas of Clearfield County, Pennsylvania

Joseph F. Clayton, Sr., Plaintiff }
Vs } NO. 00-989-CD
Kelli A. Clayton, defendant }

PETITION IN FORMA PAUPERIS

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OF my FINANCIAL Condition, AM UNABLE to PAY the Fees
And Costs OF PROSECUTING OR defending the ACTION or
Proceeding.

2. I AM UNABLE to OBTAIN Funds FROM ANYONE
INCLUDING my FAMILY AND ASSOCIATES, to PAY the COST
OF LITIGATION

I Represent that the INFORMATION Below Relating
to my ABILITY to PAY the Fees And Costs IS
true AND CORRECT:

FILED

Joseph F. Clayton Sr.

410 21st St Clearfield, PA 16830

161-54-8761

AUG 15 2000

18:30 AM
William A. Shaw
Prothonotary

LCR

I AM INCARCERATED IN CCT. I HAVE NO MORE THAN .30 cents
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I UNDERSTAND THAT I HAVE A CONTINUING OBLIGATION TO
INFORM THE COURT OF IMPROVEMENT IN MY FINANCIAL
CIRCUMSTANCES WHICH WOULD PERMIT ME TO PAY THE
COSTS INCURRED HEREIN

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

August 10, 2000

Joseph H. Clayton Sr.

OFFICE OF PROTHONOTARY AND CLERK OF COURTS

WILLIAM A. SHAW
PROTHONOTARY
AND
CLERK OF COURT

JACQUELINE KENDRICK
DEPUTY PROTHONOTARY

CLEARFIELD COUNTY



COPY

DAVID S. AMMERMAN
SOLICITOR

P.O. Box 549
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-2641 Ext. 1330

August 28, 2000

Joseph F. Clayton, Sr.
410 Twenty First Street
Clearfield, PA 16830

RE: Petition to Proceed
In Forma Pauperis
00-989-CD

Dear Mr. Clayton:

Please be advised that your Petition to Proceed In Forma Pauperis in the above case has been denied by the Court.

You may proceed with this action by filing the enclosed complaint along with the \$80.00 filing fee with this office.

A certified copy of the Court's Order is enclosed. According to the Rules of Civil Procedure, the Prothonotary's Office may strike your filing if payment is not received in full within ten (10) working days from the date of this letter.

Sincerely,

William A. Shaw
Prothonotary

Enclosure