

00-1105-CD

Michael Stiver vs Tamara Stiver

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00-1105-CD
MICHAEL A. STIVER -vs- TAMARA LEE STIVER

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814)765-1711

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

MICHAEL A. STIVER,
Plaintiff

CIVIL ACTION - LAW

No. 00-1105 -CD

VS.

TAMARA LEE STIVER
Defendant

COMPLAINT IN DIVORCE

Code: Civil

Filed on behalf of:

MICHAEL A. STIVER
Plaintiff

FILED

SEP 08 2000

William A. Shaw
Prothonotary

Counsel of Record for this
party:

TIMOTHY E. DURANT, ESQUIRE
Pa. I.D. No. 21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

There are four minor children born of this marriage: namely Michael A. Stiver II, D.O.B. 04/26/87; Brandon L. Stiver, D.O.B. 05/14/92; Anthony C. Stiver, D.O.B. 11/23/88; and Zachary H. Stiver, D.O.B. 06/15/99.

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

MICHAEL A. STIVER,
Plaintiff

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* No. 00-
* -CD

VS.

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TAMARA LEE STIVER,
Defendant
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**COMPLAINT IN DIVORCE
PURSUANT TO §3301(c)**

NOTICE TO DEFEND

You have been sued in Court for:

<input checked="" type="checkbox"/> Divorce	<input type="checkbox"/> Annulment of Marriage
<input type="checkbox"/> Support	<input checked="" type="checkbox"/> Custody and Visitation
<input type="checkbox"/> Equitable Distribution of Property	<input type="checkbox"/> Alimony
<input type="checkbox"/> Costs	<input type="checkbox"/> Attorney Fees
	<input type="checkbox"/> Other Claims

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 judgment 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 at Clearfield County Courthouse, Clearfield, Pennsylvania 16830.

**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.**

David S. Meholick
Court Administrator
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830
Telephone: (814) 765-2641, Ext. 5982

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

MICHAEL A. STIVER,
Plaintiff

*
* No. 00- -CD

vs.

TAMARA LEE STIVER,
Defendant

* COMPLAINT IN DIVORCE
* PURSUANT TO §3301(c)

COMPLAINT IN DIVORCE PURSUANT TO §3301(c)

COUNT ONE - Divorce

1. Plaintiff is MICHAEL A. STIVER, whose current mailing address is RR #1, Box 503, LaJose, PA 15753, Clearfield County, State of Pennsylvania.

2. Defendant is **TAMARA LEE STIVER**, who currently resides in Irvona, PA with a mailing address of P.O. Box 483, Coalport, PA 16627, Clearfield County, State of Pennsylvania.

3. MICHAEL A. STIVER and TAMARA LEE STIVER have been a bona fide resident of the Commonwealth of Pennsylvania for a period of more than six (6) months immediately preceding the filing of this Complaint.

4. The parties were married on October 18, 1986 in LaJose,

5. The parties have four unemancipated children, namely Michael A. Stiver II, D.O.B. 04/26/87; Brandon L. Stiver, D.O.B. 05/14/92; Anthony C. Stiver, D.O.B. 11/23/88; and Zachary H.

Stiver, D.O.B. 06/15/99.

6. Neither of the parties were previously married.

7. There has been no prior action for divorce or annulment instituted by either of the parties in this or any other jurisdiction.

8. The 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.

9. The marriage is irretrievably broken.

10. The parties separated on August 2, 2000 when defendant left the marital residence.

WHEREFORE, plaintiff respectfully requests the Court to enter decree of divorce pursuant to §3301(c) of the Pennsylvania Divorce Code.

COUNT TWO - Custody

11. The prior paragraphs of this Complaint are incorporated herein by reference thereto.

12. The parties are the parents of the following unemancipated children one of whom resides with plaintiff: i.e. Michael A. Stiver II, D.O.B. 04/26/87.

13. The parties are the parents of the following unemancipated children three of whom reside with defendant: i.e. Brandon L. Stiver, D.O.B. 05/14/92; Anthony C. Stiver, D.O.B. 11/23/88; and Zachary H. Stiver, D.O.B. 06/15/99.

14. The children from their respective dates of birth until

August 2, 2000 have resided with both parties.

15. On August 2, 2000 defendant left the marital residence and began residing at Irvona PA with Kathy Bloom and her son.

16. When defendant left the marital home she took the three youngest children with her and they reside there to this day.

17. The oldest child has refused to move with his mother and wants to remain in the primary custody of his father.

18. Plaintiff has not participated in any other litigation concerning the children in this or any other state.

19. There are no other proceedings pending involving custody of the children in this or in any other state.

20. Plaintiff knows of no person not a party to these proceedings who has physical custody of the child or who claims to have custody, partial custody or visitation rights with respect to the child.

21. The best interest of the children requires that they be placed in the primary physical custody of the plaintiff as he is better suited emotionally and by disposition to care for them and is better able to guide them physically and spiritually.

WHEREFORE, plaintiff respectfully requests that, pursuant to §§3104(a)(2) and 3323(b) of the divorce code, the court enter an order awarding primary physical custody of Michael A. Stiver II, D.O.B. 04/26/87; Brandon L. Stiver, D.O.B. 05/14/92; Anthony C.

Stiver, D.O.B. 11/23/88; and Zachary H. Stiver, D.O.B. 06/15/99 to him.

Respectfully submitted,

September 7, 2000



Timothy E. Durant
Attorney for Plaintiff
201 North Second Street
Clearfield, PA 16830
Telephone: (814) 765-1711

VERIFICATION TO COMPLAINT IN DIVORCE

Plaintiff verifies that the statements made in this Complaint in Divorce are true and correct. Plaintiff understands that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Michael A. Stiver
Michael A. Stiver

DATE: September 7, 2000

FILED

SEP 08 2000
Scc atty Duncant
William A. Shaw
Prothonotary

Atty Duncant

PD 595.00

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1711

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

MICHAEL A. STIVER,
Plaintiff

VS.

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No. 00-1105-CD

TAMARA LEE STIVER,
Defendant

CERTIFICATE OF SERVICE

I, Michael Luongo, verify that on September 8, 2000, I did deposit in the United States mail a true and correct copy of the Complaint In Divorce, certified mail, return receipt requested, restricted delivery and with a certified mail number of Z 596 719 452. The Complaint was sent to defendant, **TAMARA LEE STIVER**, at her last known address which is P.O. Box 483, Coalport, PA 16627. Said return receipt was signed by Defendant, on September 9, 2000. The original receipt is attached hereto.

I understand that false statements herein are made subject to the penalties of 18 PA. C.S. §4904, relating to unsworn falsification to authorities.

Michael Luongo
Michael Luongo

Dated: September 11, 2000

FILED

Sept 11 2000

William A. Shaw
Prothonotary

Z 596 719 452

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
TAMARA Lee Stiver	
Street & Number	
P.O. Box 483	
Post Office, State, & ZIP Code	
COALPORT, PA 16627	
Postage	\$.55
Certified Fee	1.40
Special Delivery Fee	8.30
Restricted Delivery Fee	2.75
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	1.25
TOTAL Postage & Fees	\$ 5.95
Postmark or Date	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

TAMARA Lee Stiver
P.O. Box 483
COALPORT, PA, 16627

4a. Article Number

Z 596 719 452

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery

9-9-00

5. Received By: (Print Name)

Tamra Lee Stiver

6. Signature: (Addressee or Agent)

X Tamra Lee Stiver

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

FILED

859 1 1 2000
12:54 10 CC
William A. Shaw
Prothonotary
S/

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IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION No. 00-1105-CD

MICHAEL A. STIVER,
Plaintiff

vs.

TAMARA LEE STIVER,
Defendant

ANSWER AND COUNTERCLAIM

FILED

SEP 14 2000
OP-44/3cc atty
William A. Shaw
Prothonotary
g/kb

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

MICHAEL A. STIVER,

Plaintiff

VS.

NO. 00-1105-CD

TAMARA LEE STIVER,

Defendant

CASE NUMBER: 00-1105-CD

TYPE OF CASE: Civil

TYPE OF PLEADING: ANSWER AND COUNTERCLAIM

FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY:

R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 14 2000

William A. Shaw
Prothonotary

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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER. :
Defendant :

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court. 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 judgment may also be entered against you for any other claim or relief or other rights important to you, including custody or visitation of your children.

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COURT ADMINISTRATOR'S OFFICE
CLEARFIELD COUNTY COURTHOUSE
Second & Market Streets
Clearfield, PA 16830

Phone (814) 765-2641

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

MICHAEL A. STIVER, :
Plaintiff :
vs. : No. 00-1105-CD
TAMARA LEE STIVER, :
Defendant :

ANSWER

AND NOW, comes the Defendant, Tamara Lee Stiver, by and through her attorney, R. Denning Gearhart, who avers as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted, except that the child Zachary H. Stiver has a date of birth of June 14, 1999.
6. Admitted.
7. Admitted.
8. Not within the knowledge of the Defendant, and, therefore, neither admitted or denied.
9. Admitted.
10. Admitted that the parties separated on August 2, 2000. Regarding the implication that the Defendant voluntarily left the marriage residence, it is denied. In fact, she was constructively evicted by the Plaintiff by his abusive actions and words.

WHEREFORE, the Defendant joins with the Plaintiff in the request for a divorce decree pursuant to Section 3301(c) of the Pennsylvania Divorce Code.

COUNT TWO - Custody

11. No answer required.
12. Admitted.
13. Admitted, except for the birthdate of Zachary H. Stiver.
14. Admitted.
15. Admitted.
16. Admitted.
17. Denied that the oldest child has refused to live with his mother. The oldest child is thirteen years old and is incapable of making a rational decision on this issue.
18. Admitted.
19. Admitted.
20. Admitted.
21. Denied for the reasons set forth in the counterclaim.

WHEREFORE, Defendant requests that the Court deny Plaintiff's request for primary physical custody.

COUNTERCLAIM

AND NOW, comes Tamara Lee Stiver, by and through her attorney, R. Denning Gearhart, who files a Counter-claim as follows:

22. That Paragraphs 1 through 21 of the Complaint and Answer thereto are incorporated herein by reference as if fully averred.

23. That throughout the marriage the plaintiff has been physically and sexually abusive to the Defendant.

24. That at times this abuse resulted in the neglect of the children by the Plaintiff and an inability to attend to the children by the Defendant.

25. That since the parties separated, the Plaintiff has been erratic in communicating with the three sons still living with the mother and has refused to them adequate support.

26. That since the parties separation, the oldest son, who is allegedly living with the Plaintiff, has been left with his grandparents and has been neglected by the Plaintiff.

27. That on August 30, 2000, when the oldest child was in the supposed care and custody of the Plaintiff, he did suffer a broken thumb for which the Plaintiff refused to seek medical treatment until several hours later when forced to do so by the Defendant.

28. That in addition to the above reasons, the best interests of all of the said children would be served by granting to the Defendant primary physical custody as she is better able to provide for the physical, mental, emotional and spiritual well being of said children.

WHEREFORE, Defendant requests your Honorable Court to grant to her primary physical custody of Michael A. Stiver, II (d.o.b. 4/26/87), Brandon L. Stiver (d.o.b. 5/14/92), Anthony C. Stiver (d.o.b. 11/23/88), and Zachary H. Stiver (d.o.b. 6/14/99).

ALIMONY

29. That Paragraphs 1 through 28 of the Complaint, Answer and Counterclaim are incorporated herein by reference as though set forth in full.

30. That Defendant lacks sufficient property to provide for her reasonable means and is unable to support herself and her children consistent with the standard of living established during the marriage.

31. That Defendant requires additional support for herself and her children to adequately maintain herself and her children in accordance with the standard of living established during the marriage.

32. That Plaintiff is currently employed by Gallaher Supply, Inc., Irvona, Pennsylvania, and it is believed that he earns in the neighborhood of Three Thousand Dollars per month.

33. That Defendant is unemployed and has been unable to retain employment due to the interference by the Plaintiff.

WHEREFORE, Defendant requests your Honorable Court to enter an award of reasonable alimony.

ATTORNEYS FEES AND COSTS

34. That Paragraphs 1 through 33 of the Complaint, Answer and Counterclaim are incorporated herein by reference as though set forth in full.

35. That Plaintiff has employed R. Denning Gearhart, Esq., as counsel, but is unable to pay the necessary and reasonable attorney's fee for said counsel.

WHEREFORE, Defendant requests your Honorable Court to enter an award of preliminary counsel fees, costs and expenses until final hearing and thereupon award such additional counsel fees, costs and expenses as are deemed appropriate.

EQUITABLE DISTRIBUTION

36. That Paragraphs 1 through 35 of the Complaint, Answer and Counterclaim are incorporated herein by reference as though set forth in full.

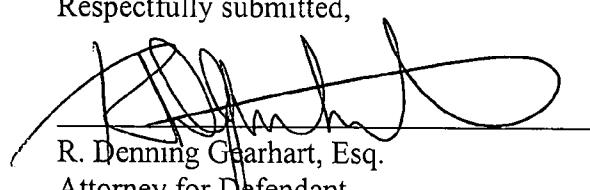
37. That Plaintiff and Defendant have legally and beneficially acquired both real and personal property during the course of their marriage.

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

39. A full and complete inventory and appraisement of all property owned or possessed by Plaintiff will be filed as a matter of record in accordance with the Divorce Code and Rules of Court applicable thereto.

WHEREFORE, Defendant requests your Honorable Court to equitably divide all marital property, with costs taxed to the Plaintiff.

Respectfully submitted,


R. Denning Gearhart, Esq.
Attorney for Defendant

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF CLEARFIELD

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared TAMARA LEE STIVER, who being duly sworn according to law deposes and says that the facts set forth in the foregoing Answer and Counterclaim are true and correct to the best of her knowledge, information and belief.



TAMARA LEE STIVER

Sworn to and subscribed

before me, this 13

day of September, 2000.



Notary Public

Notarial Seal
Kathleen A. Ricotta, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 7, 2001

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IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION No. 00-1105-CD

MICHAEL A. STIVER,
Plaintiff

vs.

TAMARA LEE STIVER,
Defendant

MOTION FOR COUNSEL FEES AND COSTS

FILED

SEP 14 2000

393213cc Atty
William A. Shaw

Prothonotary

*Reb
J. Denning Gehrhart*

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :

CASE NUMBER: 99-1105-CD

TYPE OF CASE: Civil/Divorce

TYPE OF PLEADING: MOTION FOR COUNSEL FEES AND COSTS

FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 14 2000

William A. Shaw
Prothonotary

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

MICHAEL A. STIVER, Plaintiff
VS. NO. 00-1105-CD
TAMARA LEE STIVER, Defendant

RULE RETURNABLE

AND NOW THIS 15 day of September, 2000, upon consideration
of the attached Motion, a Rule is hereby issued upon MICHAEL A. STIVER, to Show Cause
why the foregoing Motion should not be granted. Rule Returnable the 9th day of October
2000, at 9:00 o'clock A.m. in Courtroom No. 2 of the Clearfield
County Court House, Clearfield, Pennsylvania.

NOTICE

A PETITION OR MOTION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH
TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION BY
ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN
WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET
FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY
PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE
COURT WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE PETITIONER OR
MOVANT. YOU MAY LOSE RIGHTS IMPORTANT TO YOU.

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'S OFFICE
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641

BY THE COURT,

FILED

SEP 18 2000
014-01-6
William A. Shaw
Prothonotary

3 cent 



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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :
:

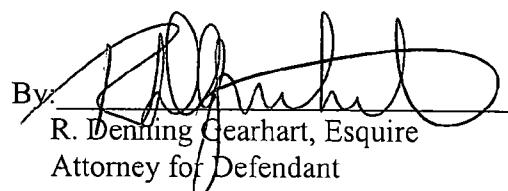
MOTION FOR COUNSEL FEES AND COSTS

AND NOW, comes TAMARA LEE STIVER, by and through her attorney, R. DENNING GEARHART, ESQUIRE, who moves your Honorable Court as follows:

1. That a Complaint in Divorce was filed to 00-1105-CD by the Plaintiff.
2. That in order to defend the averments contained in the Complaint in Divorce, the Defendant was required to seek counsel.
3. That the Plaintiff has employed R. Denning Gearhart, Esq., as her counsel at the rate of One Hundred Twenty-five (\$125.00) Dollars an hour.
4. In addition, she will be forced to attend the Children First Program which will require the expense of Forty (\$40.00) Dollars.
5. In addition, it is likely that the custody matter which is part of this action may require a Custody Mediation for which the Defendant will be asked to pay One Hundred Fifty (\$150.00) Dollars.

WHEREFORE, Defendant prays your Honorable Court to issue a Rule upon the Plaintiff to show cause why he should not be required to pay attorney's fees and costs in an amount to be determined by the Court.

Respectfully submitted,

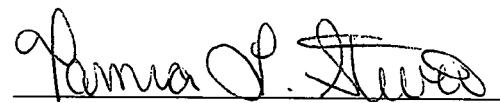
By: 
R. Denning Gearhart, Esquire
Attorney for Defendant

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF CLEARFIELD

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared TAMARA LEE STIVER, who being duly sworn according to law deposes and says that the facts set forth in the foregoing Motion are true and correct to the best of her knowledge, information and belief.



TAMARA LEE STIVER

Sworn to and subscribed

before me, this 13

day of September, 2000.

Kathleen A. Ricotta

Notary Public

Notarial Seal
Kathleen A. Ricotta, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 7, 2001

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION No. 00-1105-CD

MICHAEL A. STIVER,
Plaintiff

vs.

TAMARA LEE STIVER,
Defendant

MOTION FOR CUSTODY CONFERENCE

FILED

SEP 14 2000

69-5313ccat
William A. Shaw
Prothonotary

W. D. G. G.
R. Denning Gearhart

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

MICHAEL A. STIVER,	:	
	Plaintiff	: NO. 00-1105-CD
VS.	:	
		: IN DIVORCE
TAMARA LEE STIVER,	:	
	Defendant	:

CASE NUMBER: 99-1105-CD

TYPE OF CASE: Civil/Divorce

TYPE OF PLEADING: MOTION FOR CUSTODY CONFERENCE

FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 14 2000

William A. Shaw
Prothonotary

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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105 -CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :
:

ORDER

YOU, MICHAEL A. STIVER, Plaintiff, have been sued in Court to obtain custody of the children, MICHAEL A. STIVER, II (d.o.b. 4/26/87); BRANDON L. STIVER (d.o.b. 5/14/92); ANTHONY C. STIVER (d.o.b. 11/23/88) and ZACHARY H. STIVER (d.o.b. 6/14/99).

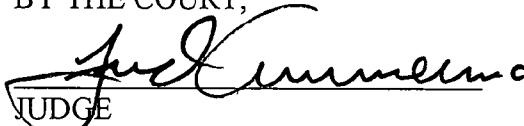
You are Orderd to appear in person on the 9th Day of October, 2000, at 9:30 O'clock A. M. For a Custody Conference. Please report to the Court Administrator's Office, Second Floor, Clearfield County Courthouse, Clearfield, PA. You will be directed as to where the conference will be held.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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's Office
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

BY THE COURT,


JUDGE

Date: 9/15/00

FILED

SEP 18 2000

074:00/WS

William A. Shaw

Prothonotary

3 CERT TO APP

9/26

AMERICAN WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Clearfield County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

Date: _____

District Court Administrator

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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :
:

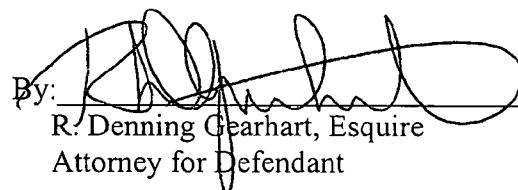
MOTION FOR CUSTODY CONFERENCE

AND NOW, comes TAMARA LEE STIVER, by and through her attorney,
R. DENNING GEARHART, ESQUIRE, who moves your Honorable Court as follows:

1. A divorce was filed to 00-1105-CD by the Plaintiff, which included a Count for Custody.
2. That an Answer and Counterclaim was filed to the Complaint.
2. That the Defendant believes that the matter regarding custody will require a decision by your Honorable Court.

WHEREFORE, Defendant prays your Honorable Court to schedule a Custody Conference in the above captioned matter.

Respectfully submitted,

By: 
R. Denning Gearhart, Esquire
Attorney for Defendant

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF CLEARFIELD

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared TAMARA LEE STIVER, who being duly sworn according to law deposes and says that the facts set forth in the foregoing Motion are true and correct to the best of her knowledge, information and belief.



TAMARA LEE STIVER

Sworn to and subscribed

before me, this 13

day of September, 2000.



Notary Public

Notarial Seal
Kathleen A. Ricotta, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 7, 2001

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
No. 00-1105-CD

MICHAEL A. STIVER,
Plaintiff

vs.

TAMARA LEE STIVER,
Defendant

CERTIFICATE OF SERVICE

FILED

SEP 15 2000

012-2011-CC
William A. Shaw
Prothonotary



R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

MICHAEL A. STIVER, :
Plaintiff :
vs. : No. 00-1105-CD
TAMARA LEE STIVER, :
Defendant :
:

CASE NUMBER: No. 00-1105-CD
TYPE OF CASE: Civil
TYPE OF PLEADING: CERTIFICATE OF SERVICE
FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I. D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 15 2000

William A. Shaw
Prothonotary

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

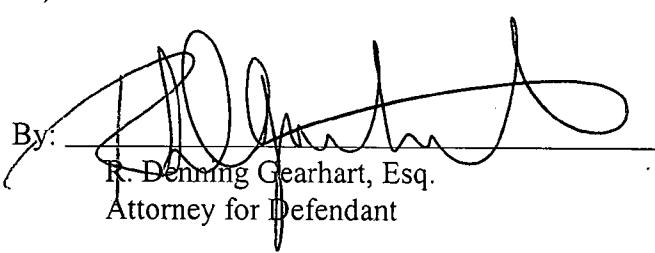
MICHAEL A. STIVER, :
Plaintiff :
: vs. : No. 00-1105-CD
: :
TAMARA LEE STIVER, :
Defendant :
:

CERTIFICATE OF SERVICE

This is to certify that the undersigned has on this date served a certified copy of the Answer and Counterclaim filed in the above captioned matter on the Plaintiff through Plaintiff's attorney by depositing such documents in the United States Mail postage pre-paid and addressed as follows:

Timothy E. Durant, Esq.
201 North Second Street
Clearfield, PA 16830

By:


R. Denning Gearhart, Esq.
Attorney for Defendant

Dated: September 15, 2000

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION No. 00-1105-CD

MICHAEL A. STIVER,
Plaintiff

vs.

TAMARA LEE STIVER,
Defendant

CERTIFICATE OF SERVICE

FILED

SEP 22 2000

8/24/00
William A. Shaw
Prothonotary

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

MICHAEL A. STIVER, :
Plaintiff :
vs. : No. 00-1105-CD
TAMARA LEE STIVER, :
Defendant :

CASE NUMBER: No. 00-1105-CD
TYPE OF CASE: Civil
TYPE OF PLEADING: CERTIFICATE OF SERVICE
FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I. D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 22 2000

William A. Shaw
Prothonotary

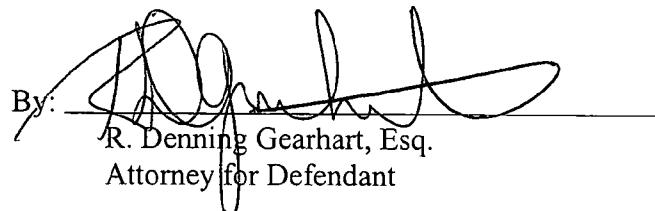
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MICHAEL A. STIVER, :
Plaintiff :
: vs. : No. 00-1105-CD
: :
TAMARA LEE STIVER, :
Defendant :
:

CERTIFICATE OF SERVICE

This is to certify that the undersigned has on this date served a certified copy of the Motion for Custody Conference and Motion for Counsel Fees and Costs filed in the above captioned matter on the Plaintiff through Plaintiff's attorney by depositing such documents in the United States Mail postage pre-paid and addressed as follows:

Timothy E. Durant, Esq.
201 North Second Street
Clearfield, PA 16830

By: 
R. Denning Gearhart, Esq.
Attorney for Defendant

Dated: September 21, 2000

20
Dap over margin

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION No. 00-1105-CD

MICHAEL A. STIVER,
Plaintiff

vs.

TAMARA LEE STIVER,
Defendant

O R D E R

FILED

OCT 06 2000

14:01/13 C-cathy
William A. Shaw
Prothonotary

W. Gearhart

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

MICHAEL A. STIVER,
Plaintiff

vs.

TAMARA LEE STIVER,
Defendant

O R D E R

FILED

No. 00-1105-C OCT 06 2000

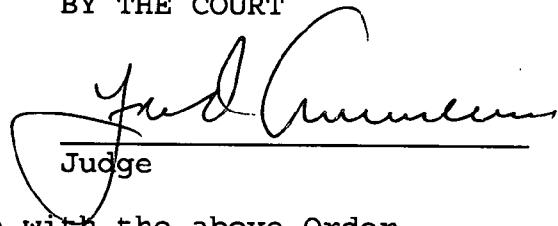
William A. Shaw
Prothonotary

AND NOW, this 6 Day of October, 2000,
there being an Answer filed to the Complaint in Divorce, with a
Counterclaim for Custody, Alimony, Attorneys Fees and Costs, and
Equitable Distribution, and there being a Motion for Custody
Conference as well as a Motion for Counsel Fees and Costs being
filed to the above divorce, and the parties having stipulated to
the terms of a Custody Order as well as having resolved all of
their above recited ancillary issues, it is hereby ordered as
follows:

1. That Stipulation of the custody of the children of the parties to the above action has been entered into and will be adopted as a separate Order of Court.
2. That within thirty (30) days of the date of this Order, Plaintiff, Michael A. Stiver, shall pay to the offices of R. Denning Gearhart, Esq., 215 E. Locust Street, Clearfield, PA 16830, the sum of Five Hundred (\$500.00) Dollars as his sole contribution towards Tamara's counsel fees and costs (except as in paragraph 4 below).
3. That Tamara Lee Stiver withdraws and waives any claim for alimony or spousal support and equitable distribution.

4. That Michael A. Stiver shall also pay \$40.00 for Tamara Stiver's share of the Children First Seminar as is required to be attended by the Court of Common Pleas of Clearfield County, Pennsylvania.

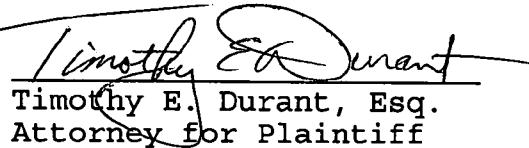
BY THE COURT



Judge

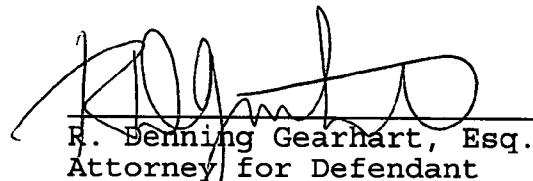
We do hereby stipulate and agree with the above Order.


MICHAEL A. STIVER


Timothy E. Durant, Esq.
Attorney for Plaintiff



TAMARA LEE STIVER



R. Denning Gearhart, Esq.
Attorney for Defendant

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1711

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

MICHAEL A. STIVER, Plaintiff
VS.
TAMARA LEE STIVER, Defendant

No. 00-1105-CD

CONSENT ORDER

NOW, this 6th day of October, 2000 the parties having presented this Court with a written Agreement executed by the parties and their counsel, it is the ORDER of this Court that said Agreement and proposed Order is approved, and:

The Father, MICHAEL A. STIVER, II, shall have primary physical custody of Michael A. Stiver, II. D.O.B. 04/26/87 and the mother, TAMARA LEE STIVER, shall have primary physical custody of Brandon L. Stiver, D.O.B. 05/14/92; Anthony C. Stiver, D.O.B. 11/23/88; and Zachary H. Stiver, D.O.B. 06/14/99.

Each party shall have a period of partial custody with the child or children not in their primary custody on alternate weekends from Friday at 6:00 P.M. until the following Sunday at 6:00 P.M. with said weekends to be arranged so that each weekend all 4 of the children shall spend the weekend with each other and one weekend they are at the father's house and the next weekend they are at the mothers' house, and so to continue.

Transportation arrangements and periods of partial custody pertaining to Holidays, Birthdays, school vacations, and summer vacations shall be as agreed between the parties.

All of which shall continue until further Order of Court.

BY THE COURT

FILED

OCT 09 2000

William A. Shaw
Prothonotary

FILED

OCT 09 2000
OCT 9:22:44 2000
William A. Shaw
Prothonotary
Durant

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814)765-1711

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

MICHAEL A. STIVER,
Plaintiff

VS.

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NO. 00-1105-CD

TAMARA LEE STIVER,
Defendant

CONSENT AGREEMENT FOR
CUSTODY ORDER

FILED

OCT 09 2000

William A. Shaw
Prothonotary

Counsel of Record for
Michael A. Stiver:

Timothy E. Durant, Esquire
I. D. No. 21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

Counsel of Record for
Tamara Lee Stiver:

R. Denning Gearhart, Esq.
I. D. No. 26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

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

MICHAEL A. STIVER,
Plaintiff

VS.

TAMARA LEE STIVER,
Defendant

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No. 00-1105-CD

AGREEMENT AND PROPOSED ORDER FOR CUSTODY

NOW, this 4th day of October, 2000, **MICHAEL A. STIVER** (Father) and **TAMARA LEE STIVER** (Mother) agree after appropriate reflection that it would be in the best interests of their children to handle the custody arrangements as follows:

The parties have four unemancipated children, namely **Michael A. Stiver II**, D.O.B. 04/26/87; **Brandon L. Stiver**, D.O.B. 05/14/92; **Anthony C. Stiver**, D.O.B. 11/23/88; and **Zachary H. Stiver**, D.O.B. 06/14/99.

1. The Father shall have primary physical custody of **Michael A. Stiver, II**.

2. The mother shall have primary physical custody of **Brandon Lee Stiver, Anthony C. Stiver and Zachary H. Stiver**.

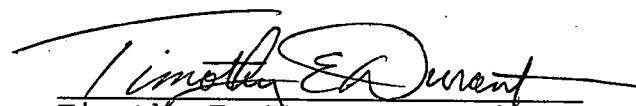
3. Each party shall have a period of partial custody with the child or children not in their primary custody on alternate weekends from Friday at 6:00 P.M. until the following Sunday at 6:00 P.M. with said weekends to be arranged so that each weekend all 4 of the children shall spend the weekend with each other and one weekend they are at the father's house and the next weekend they are at the mothers' house, and so to continue.

4. Transportation shall be provided as agreed to between the parties.

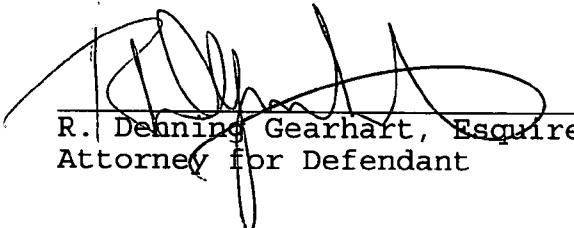
5. Holidays shall be as agreed to between the parties.

6. The terms of this Agreement shall constitute a Proposed Order and shall be presented to the Clearfield County Court of Common Pleas for the purpose of having the Court enter a Consent Order in accordance with this Agreement, all of which shall continue until further Order of Court.

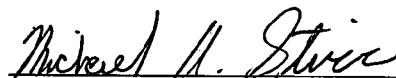
Witness:



Timothy E. Durant, Esquire
Attorney for Plaintiff



R. Denning Gearhart, Esquire
Attorney for Defendant



Michael A. Stiver, Plaintiff



Tamara Lee Stiver, Defendant

FILED

OCT 09 2000
019-2214 Acct
William A. Shaw
Prothonotary
Dwight

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1711

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

MICHAEL A. STIVER,
Plaintiff

VS.

TAMARA LEE STIVER,
Defendant

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*

No. 00-1105-CD

PRAECIPE TO TRANSMIT THE RECORD

Counsel of Record for
Michael A. Stiver:

Timothy E. Durant, Esquire
I. D. No. 21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

Counsel of Record for
Tamara Lee Stiver:

R. Denning Gearhart, Esq.
I. D. No. 26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

MAR 29 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

MICHAEL A. STIVER,
Plaintiff

VS.

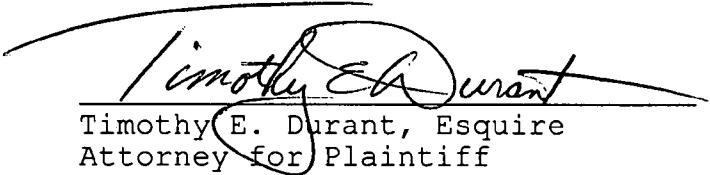
No. 00-1105-CD

TAMARA LEE STIVER,
Defendant

PRAECIPE TO TRANSMIT RECORD PER RULE 1920.73

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 Complaint on Defendant: By U.S. Postal Service Certified Mail, Return Receipt signed for by defendant on September 9, 2000.
3. Date of execution of the Affidavit of Consent and Waiver of Notice required by Section 3301 (C) of the Divorce Code: By Plaintiff: 03/26/04; By Defendant: 03/23/04 and are attached hereto.
4. Related claims pending: None



Timothy E. Durant, Esquire
Attorney for Plaintiff

Date: March 29, 2004

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

MICHAEL A. STIVER,
Plaintiff

VS.

No. 00-1105-CD

TAMARA LEE STIVER,
Defendant

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on September 8, 2000.

2. The marriage of plaintiff and defendant is irretrievably broken and ninety days have elapsed from the date of filing the Complaint.

3. I consent to the entry of a final decree of divorce.

4. 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.

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.



Michael A. Stiver

DATED: 3/26/04

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

MICHAEL A STIVER,
Plaintiff

VS. : No. 00-1105-CD

TAMARA LEE STIVER,
Defendant

AFFIDAVIT OF CONSENT AND WAIVER OF NOTICE

1. a Complaint in Divorce under Section 3301 (c) of the Divorce Code was filed on September 8, 2000.

2. The marriage of plaintiff and defendant is irretrievably broken and ninety days have elapsed from the date of filing the Complaint.

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

4. 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.

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 19 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Date: 3/23/04


Tamara Lee Stiver

FILED
01/20/04
MAR 29 2004
cc
Attn: Duson
William A. Shaw
Prothonotary/Clerk of Courts

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

MICHAEL A. STIVER,
Plaintiff

VS.

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*
*

No. 00-1105-CD

TAMARA LEE STIVER,
Defendant

DECREE

AND NOW, this 30th day of March, 2004, it is
ORDERED and DECREED that MICHAEL A. STIVER, Plaintiff, and TAMARA LEE
STIVER, Defendant, are divorced from the bonds of matrimony.

BY THE COURT:

Paul E. Cleary
J.

. COMMONWEALTH OF PENNSYLVANIA

RECORD OF
DIVORCE OR ANNULMENT
[CHECK ONE]

STATE FILE NUMBER	
STATE FILE DATE	

1. NAME		(First) (Middle)		2. DATE (Month) (Year)	
Michael				07 03 1967	
3. RESIDENCE		Street or R.O.		4. PLACE OF BIRTH	
81 Swasing Rd.		Coalport		PA	
4. NUMBER OF THIS MARRIAGE		5. RACE <input checked="" type="checkbox"/> WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		6. USUAL OCCUPATION	
1				Truck Driver	
7. MAIDEN NAME		8. MARRIED NAME		WIFE	
Tamara		Lee		Gallaher	
9. RESIDENCE		Street or R.O.		10. PLACE OF BIRTH	
701 Elk Ave.		Clearfield		PA	
11. NUMBER OF THIS MARRIAGE		12. RACE <input checked="" type="checkbox"/> WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		13. OCCUPATION	
1				PA	
14. PLACE OF THIS MARRIAGE		(County)		(State or Foreign Country)	
Clearfield		PA		Cook	
15. NUMBER OF CHILDREN BORN UNDER 18		16. PARENTING HABITS		17. DATE OF MARRIAGE	
4		<input checked="" type="checkbox"/> HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		10 18 1986	
18. NUMBER OF OFFENDENT CHILDREN		19. DEFECTIVE MARRIAGE		20. LEGAL GROUNDS FOR DIVORCE OR ANNULLMENT	
4		<input checked="" type="checkbox"/> HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		Irretrievable Breakdown	
21. NUMBER OF HUSBAND WIFE SPLIT CUSTODY		22. DATE REPORT SENT		23. DATE OF DECEASE	
CHILDREN TO <input type="checkbox"/> <input checked="" type="checkbox"/> CUSTODY OF <input type="checkbox"/>		(Month) (Day) (Year)		(Month) (Year)	
24. SIGNATURE OF TRANSCRIBING CLERK					

COPY

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

MICHAEL A. STIVER,
Plaintiff

CIVIL ACTION - LAW

No. 00-1105 -CD

VS.

TAMARA LEE STIVER
Defendant

COMPLAINT IN DIVORCE

Code: Civil

Tamara Stiver

37 pgs.

49.25

Filed on behalf of:

MICHAEL A. STIVER
Plaintiff

FILED

SEP 08 2000

William A. Shaw
Fictional

Counsel of Record for this
party:

TIMOTHY E. DURANT, ESQUIRE
Pa. I.D. No. 21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

There are four minor children born of this marriage: namely Michael A. Stiver II, D.O.B. 04/26/87; Brandon L. Stiver, D.O.B. 05/14/92; Anthony C. Stiver, D.O.B. 11/23/88; and Zachary H. Stiver, D.O.B. 06/15/99.

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

MICHAEL A. STIVER,
Plaintiff

*
* No. 00- -CD

vs.

**TAMARA LEE STIVER,
Defendant**

**COMPLAINT IN DIVORCE
PURSUANT TO §3301(c)**

NOTICE TO DEFEND

You have been sued in Court for:

<input checked="" type="checkbox"/> Divorce	Annulment of Marriage
<input checked="" type="checkbox"/> Support	Custody and Visitation
<input checked="" type="checkbox"/> Equitable Distribution of Property	Alimony
<input checked="" type="checkbox"/> Costs	Attorney Fees
	Other Claims

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 judgment 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 at Clearfield County Courthouse, Clearfield, Pennsylvania 16830.

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.

David S. Meholic
Court Administrator
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830
phone: (814) 765-2641, Ext.

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

MICHAEL A. STIVER,
Plaintiff

*
* No. 00- -CD

vs.

TAMARA LEE STIVER,
Defendant

* * *
**COMPLAINT IN DIVORCE
PURSUANT TO §3301(c)**

COMPLAINT IN DIVORCE PURSUANT TO §3301(c)

COUNT ONE - Divorce

1. Plaintiff is MICHAEL A. STIVER, whose current mailing address is RR #1, Box 503, LaJose, PA 15753, Clearfield County, State of Pennsylvania.

2. Defendant is **TAMARA LEE STIVER**, who currently resides in Irvona, PA with a mailing address of P.O. Box 483, Coalport, PA 16627, Clearfield County, State of Pennsylvania.

3. MICHAEL A. STIVER and TAMARA LEE STIVER have been a bona fide resident of the Commonwealth of Pennsylvania for a period of more than six (6) months immediately preceding the filing of this Complaint.

4. The parties were married on October 18, 1986 in LaJose, PA.

5. The parties have four unemancipated children, namely Michael A. Stiver II, D.O.B. 04/26/87; Brandon L. Stiver, D.O.B. 05/14/92; Anthony C. Stiver, D.O.B. 11/23/88; and Zachary H.

Stiver, D.O.B. 06/15/99.

6. Neither of the parties were previously married.

7. There has been no prior action for divorce or annulment instituted by either of the parties in this or any other jurisdiction.

8. The 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.

9. The marriage is irretrievably broken.

10. The parties separated on August 2, 2000 when defendant left the marital residence.

WHEREFORE, plaintiff respectfully requests the Court to enter decree of divorce pursuant to §3301(c) of the Pennsylvania Divorce Code.

COUNT TWO - Custody

11. The prior paragraphs of this Complaint are incorporated herein by reference thereto.

12. The parties are the parents of the following unemancipated children one of whom resides with plaintiff: i.e. **Michael A. Stiver II, D.O.B. 04/26/87.**

13. The parties are the parents of the following unemancipated children three of whom reside with defendant: i.e. **Brandon L. Stiver, D.O.B. 05/14/92; Anthony C. Stiver, D.O.B. 11/23/88; and Zachary H. Stiver, D.O.B. 06/15/99.**

14. The children from their respective dates of birth until

August 2, 2000 have resided with both parties.

15. On August 2, 2000 defendant left the marital residence and began residing at Irvona PA with Kathy Bloom and her son.

16. When defendant left the marital home she took the three youngest children with her and they reside there to this day.

17. The oldest child has refused to move with his mother and wants to remain in the primary custody of his father.

18. Plaintiff has not participated in any other litigation concerning the children in this or any other state.

19. There are no other proceedings pending involving custody of the children in this or in any other state.

20. Plaintiff knows of no person not a party to these proceedings who has physical custody of the child or who claims to have custody, partial custody or visitation rights with respect to the child.

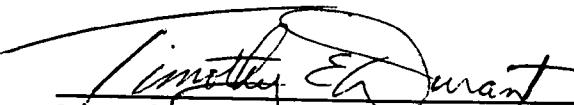
21. The best interest of the children requires that they be placed in the primary physical custody of the plaintiff as he is better suited emotionally and by disposition to care for them and is better able to guide them physically and spiritually.

WHEREFORE, plaintiff respectfully requests that, pursuant to §§3104(a)(2) and 3323(b) of the divorce code, the court enter an order awarding primary physical custody of Michael A. Stiver II, D.O.B. 04/26/87; Brandon L. Stiver, D.O.B. 05/14/92; Anthony C.

Stiver, D.O.B. 11/23/88; and Zachary H. Stiver, D.O.B. 06/15/99 to him.

Respectfully submitted,

September 7, 2000


Timothy E. Durant
Attorney for Plaintiff
201 North Second Street
Clearfield, PA 16830
Telephone: (814) 765-1711

VERIFICATION TO COMPLAINT IN DIVORCE

Plaintiff verifies that the statements made in this Complaint in Divorce are true and correct. Plaintiff understands that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Michael A. Stiver
Michael A. Stiver

DATE: September 7, 2000

COPY

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

MICHAEL A. STIVER,
Plaintiff

VS.

TAMARA LEE STIVER,
Defendant

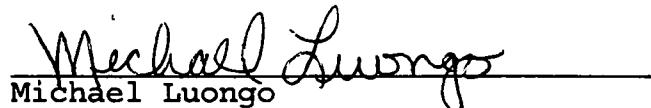
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No. 00-1105-CD

CERTIFICATE OF SERVICE

I, Michael Luongo, verify that on September 8, 2000, I did deposit in the United States mail a true and correct copy of the Complaint In Divorce, certified mail, return receipt requested, restricted delivery and with a certified mail number of Z 596 719 452. The Complaint was sent to defendant, **TAMARA LEE STIVER**, at her last known address which is P.O. Box 483, Coalport, PA 16627. Said return receipt was signed by Defendant, on September 9, 2000. The original receipt is attached hereto.

I understand that false statements herein are made subject to the penalties of 18 PA. C.S. §4904, relating to unsworn falsification to authorities.


Michael Luongo

Dated: September 11, 2000

FILED

SEP 11 2000

William A. Shaw
Prothonotary

Do not use for International Mail (See reverse)

Sent to	
TAMARA Lee Stiver	
Street & Number	
P. O. Box 483	
Post Office, State, & ZIP Code	
Coalport, PA 16627	
Postage	\$ 1.55
Certified Fee	1.40
Special Delivery Fee	8.70
Restricted Delivery Fee	2.75
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	1.25
TOTAL Postage & Fees	\$ 5.95
Postmark or Date	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

TAMARA Lee Stiver
P. O. Box 483
Coalport, PA, 16627

4a. Article Number

Z 596 719 452

4b. Service Type

<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Certified
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured
<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> COD

7. Date of Delivery

9-9-00

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

Tamra Lee Stiver

6. Signature: (Addressee or Agent)

X Tamra Lee Stiver

PS Form 3811, December 1994

102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

COPY

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

MICHAEL A. STIVER,

Plaintiff

VS.

NO. 00-1105-CD

TAMARA LEE STIVER,

Defendant

CASE NUMBER: 00-1105-CD

TYPE OF CASE: Civil

TYPE OF PLEADING: ANSWER AND COUNTERCLAIM

FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY:

R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 14 2000

William A. Shaw
Prothonotary

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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER. :
Defendant :

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court. 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 judgment may also be entered against you for any other claim or relief 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 at Clearfield County Courthouse, Clearfield, Pennsylvania, 16830.

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'S OFFICE
CLEARFIELD COUNTY COURTHOUSE
Second & Market Streets
Clearfield, PA 16830

Phone (814) 765-2641

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

MICHAEL A. STIVER,
Plaintiff

vs. : No. 00-1105-CD

TAMARA LEE STIVER,
Defendant

A N S W E R

AND NOW, comes the Defendant, Tamara Lee Stiver, by and through her attorney, R. Denning Gearhart, who avers as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted, except that the child Zachary H. Stiver has a date of birth of June 14, 1999.
6. Admitted.
7. Admitted.
8. Not within the knowledge of the Defendant, and, therefore, neither admitted or denied.
9. Admitted.
10. Admitted that the parties separated on August 2, 2000. Regarding the implication that the Defendant voluntarily left the marriage residence, it is denied. In fact, she was constructively evicted by the Plaintiff by his abusive actions and words.

WHEREFORE, the Defendant joins with the Plaintiff in the request for a divorce decree pursuant to Section 3301(c) of the Pennsylvania Divorce Code.

COUNT TWO - Custody

11. No answer required.
12. Admitted.
13. Admitted, except for the birthdate of Zachary H. Stiver.
14. Admitted.
15. Admitted.
16. Admitted.
17. Denied that the oldest child has refused to live with his mother. The oldest child is thirteen years old and is incapable of making a rational decision on this issue.
18. Admitted.
19. Admitted.
20. Admitted.
21. Denied for the reasons set forth in the counterclaim.

WHEREFORE, Defendant requests that the Court deny Plaintiff's request for primary physical custody.

COUNTERCLAIM

AND NOW, comes Tamara Lee Stiver, by and through her attorney, R. Denning Gearhart, who files a Counter-claim as follows:

22. That Paragraphs 1 through 21 of the Complaint and Answer thereto are incorporated herein by reference as if fully averred.

23. That throughout the marriage the plaintiff has been physically and sexually abusive to the Defendant.

24. That at times this abuse resulted in the neglect of the children by the Plaintiff and an inability to attend to the children by the Defendant.

25. That since the parties separated, the Plaintiff has been erratic in communicating with the three sons still living with the mother and has refused to them adequate support.

26. That since the parties separation, the oldest son, who is allegedly living with the Plaintiff, has been left with his grandparents and has been neglected by the Plaintiff.

27. That on August 30, 2000, when the oldest child was in the supposed care and custody of the Plaintiff, he did suffer a broken thumb for which the Plaintiff refused to seek medical treatment until several hours later when forced to do so by the Defendant.

28. That in addition to the above reasons, the best interests of all of the said children would be served by granting to the Defendant primary physical custody as she is better able to provide for the physical, mental, emotional and spiritual well being of said children.

WHEREFORE, Defendant requests your Honorable Court to grant to her primary physical custody of Michael A. Stiver, II (d.o.b. 4/26/87), Brandon L. Stiver (d.o.b. 5/14/92), Anthony C. Stiver (d.o.b. 11/23/88), and Zachary H. Stiver (d.o.b. 6/14/99).

ALIMONY

29. That Paragraphs 1 through 28 of the Complaint, Answer and Counterclaim are incorporated herein by reference as though set forth in full.

30. That Defendant lacks sufficient property to provide for her reasonable means and is unable to support herself and her children consistent with the standard of living established during the marriage.

31. That Defendant requires additional support for herself and her children to adequately maintain herself and her children in accordance with the standard of living established during the marriage.

32. That Plaintiff is currently employed by Gallaher Supply, Inc., Iriona, Pennsylvania, and it is believed that he earns in the neighborhood of Three Thousand Dollars per month.

33. That Defendant is unemployed and has been unable to retain employment due to the interference by the Plaintiff.

WHEREFORE, Defendant requests your Honorable Court to enter an award of reasonable alimony.

ATTORNEYS FEES AND COSTS

34. That Paragraphs 1 through 33 of the Complaint, Answer and Counterclaim are incorporated herein by reference as though set forth in full.

35. That Plaintiff has employed R. Denning Gearhart, Esq., as counsel, but is unable to pay the necessary and reasonable attorney's fee for said counsel.

WHEREFORE, Defendant requests your Honorable Court to enter an award of preliminary counsel fees, costs and expenses until final hearing and thereupon award such additional counsel fees, costs and expenses as are deemed appropriate.

EQUITABLE DISTRIBUTION

36. That Paragraphs 1 through 35 of the Complaint, Answer and Counterclaim are incorporated herein by reference as though set forth in full.

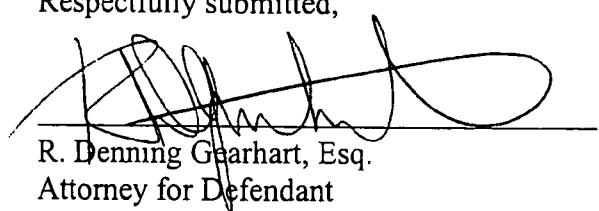
37. That Plaintiff and Defendant have legally and beneficially acquired both real and personal property during the course of their marriage.

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

39. A full and complete inventory and appraisement of all property owned or possessed by Plaintiff will be filed as a matter of record in accordance with the Divorce Code and Rules of Court applicable thereto.

WHEREFORE, Defendant requests your Honorable Court to equitably divide all marital property, with costs taxed to the Plaintiff.

Respectfully submitted,


R. Denning Gearhart, Esq.
Attorney for Defendant

COMMONWEALTH OF PENNSYLVANIA :

: SS.

COUNTY OF CLEARFIELD :

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared TAMARA LEE STIVER, who being duly sworn according to law deposes and says that the facts set forth in the foregoing Answer and Counterclaim are true and correct to the best of her knowledge, information and belief.



TAMARA LEE STIVER

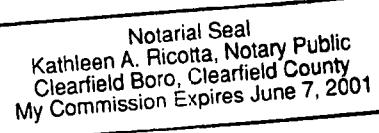
Sworn to and subscribed

before me, this 13

day of September, 2000.

Kathleen A. Ricotta

Notary Public



COPY

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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :

CASE NUMBER: 99-1105-CD

TYPE OF CASE: Civil/Divorce

TYPE OF PLEADING: MOTION FOR COUNSEL FEES AND COSTS

FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 14 2000

William A. Shaw
Prothonotary

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

COPY

MICHAEL A. STIVER, Plaintiff
VS. NO. 00-1105-CD
TAMARA LEE STIVER, Defendant

RULE RETURNABLE

AND NOW THIS 15 day of September, 2000, upon consideration
of the attached Motion, a Rule is hereby issued upon MICHAEL A. STIVER, to Show Cause
why the foregoing Motion should not be granted. Rule Returnable the 9th day of September,
2000, at 9:00 o'clock A.m. in Courtroom No. 2 of the Clearfield
County Court House, Clearfield, Pennsylvania.

NOTICE

A PETITION OR MOTION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH
TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION BY
ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN
WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET
FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY
PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE
COURT WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE PETITIONER OR
MOVANT. YOU MAY LOSE RIGHTS IMPORTANT TO YOU.

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'S OFFICE
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641

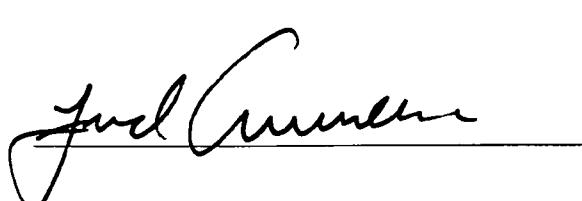
BY THE COURT,

FILED

SEP 18 2000

014:00148
William A. Shaw
Prothonotary

3 cent to



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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :
:

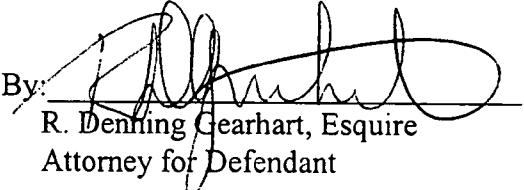
MOTION FOR COUNSEL FEES AND COSTS

AND NOW, comes TAMARA LEE STIVER, by and through her attorney,
R. DENNING GEARHART, ESQUIRE, who moves your Honorable Court as follows:

1. That a Complaint in Divorce was filed to 00-1105-CD by the Plaintiff.
2. That in order to defend the averments contained in the Complaint in Divorce, the Defendant was required to seek counsel.
3. That the Plaintiff has employed R. Denning Gearhart, Esq., as her counsel at the rate of One Hundred Twenty-five (\$125.00) Dollars an hour.
4. In addition, she will be forced to attend the Children First Program which will require the expense of Forty (\$40.00) Dollars.
5. In addition, it is likely that the custody matter which is part of this action may require a Custody Mediation for which the Defendant will be asked to pay One Hundred Fifty (\$150.00) Dollars.

WHEREFORE, Defendant prays your Honorable Court to issue a Rule upon the Plaintiff to show cause why he should not be required to pay attorney's fees and costs in an amount to be determined by the Court.

Respectfully submitted,

By: 

R. Denning Gearhart, Esquire
Attorney for Defendant

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF CLEARFIELD

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared TAMARA LEE STIVER, who being duly sworn according to law deposes and says that the facts set forth in the foregoing Motion are true and correct to the best of her knowledge, information and belief.


TAMARA LEE STIVER

Sworn to and subscribed

before me, this 13

day of September, 2000.

Kathleen A. Ricotta

Notary Public

Notarial Seal
Kathleen A. Ricotta, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 7, 2001

COPY

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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :
:

CASE NUMBER: 99-1105-CD

TYPE OF CASE: Civil/Divorce

TYPE OF PLEADING: MOTION FOR CUSTODY CONFERENCE

FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 14 2000

William A. Shaw
Prothonotary

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

COPY

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105 -CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :
:

ORDER

YOU, MICHAEL A. STIVER, Plaintiff, have been sued in Court to obtain custody of the children, MICHAEL A. STIVER, II (d.o.b. 4/26/87); BRANDON L. STIVER (d.o.b. 5/14/92); ANTHONY C. STIVER (d.o.b. 11/23/88) and ZACHARY H. STIVER (d.o.b. 6/14/99).

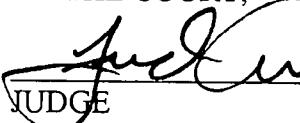
You are Orderd to appear in person on the 9th Day of October, 2000, at 9:30 O'clock A. M. For a Custody Conference. Please report to the Court Administrator's Office, Second Floor, Clearfield County Courthouse, Clearfield, PA You will be directed as to where the conference will be held.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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's Office
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

BY THE COURT,


JUDGE

Date: 9/15/00

FILED

SEP 18 2000
014:00:00
William A. Shaw
Prothonotary

3 CERT TO ATT ENCL

AMERICAN WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Clearfield County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

Date: _____

District Court Administrator

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

MICHAEL A. STIVER, :
Plaintiff : NO. 00-1105-CD
VS. :
: IN DIVORCE
TAMARA LEE STIVER, :
Defendant :
:

MOTION FOR CUSTODY CONFERENCE

AND NOW, comes TAMARA LEE STIVER, by and through her attorney, R. DENNING GEARHART, ESQUIRE, who moves your Honorable Court as follows:

1. A divorce was filed to 00-1105-CD by the Plaintiff, which included a Count for Custody.
2. That an Answer and Counterclaim was filed to the Complaint.
2. That the Defendant believes that the matter regarding custody will require a decision by your Honorable Court.

WHEREFORE, Defendant prays your Honorable Court to schedule a Custody Conference in the above captioned matter.

Respectfully submitted,

By: 
R. Denning Gearhart, Esquire
Attorney for Defendant

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF CLEARFIELD

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared TAMARA LEE STIVER, who being duly sworn according to law deposes and says that the facts set forth in the foregoing Motion are true and correct to the best of her knowledge, information and belief.



TAMARA LEE STIVER

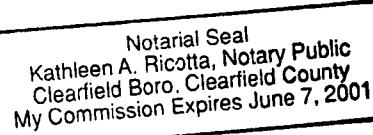
Sworn to and subscribed

before me, this 13

day of September, 2000.

Kathleen A. Ricotta

Notary Public



COPY

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

MICHAEL A. STIVER, :
Plaintiff :
vs. : No. 00-1105-CD
TAMARA LEE STIVER, :
Defendant :

CASE NUMBER: No. 00-1105-CD
TYPE OF CASE: Civil
TYPE OF PLEADING: CERTIFICATE OF SERVICE
FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I. D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 15 2000

William A. Shaw
Prothonotary

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

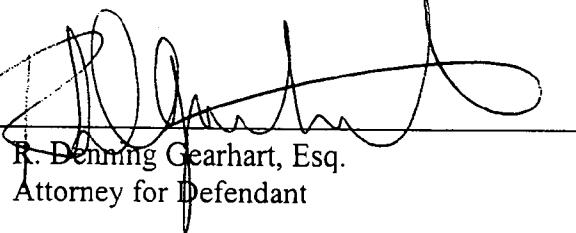
MICHAEL A. STIVER, :
Plaintiff :
vs. : No. 00-1105-CD
TAMARA LEE STIVER, :
Defendant :
:

CERTIFICATE OF SERVICE

This is to certify that the undersigned has on this date served a certified copy of the Answer and Counterclaim filed in the above captioned matter on the Plaintiff through Plaintiff's attorney by depositing such documents in the United States Mail postage pre-paid and addressed as follows:

Timothy E. Durant, Esq.
201 North Second Street
Clearfield, PA 16830

By:


R. Deanne Gearhart, Esq.
Attorney for Defendant

Dated: September 15, 2000

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

COPY

MICHAEL A. STIVER, :
Plaintiff :
: :
vs. : No. 00-1105-CD
: :
TAMARA LEE STIVER, :
Defendant :
:

CASE NUMBER: No. 00-1105-CD

TYPE OF CASE: Civil

TYPE OF PLEADING: CERTIFICATE OF SERVICE

FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I. D. #26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

SEP 22 2000

William A. Shaw
Prothonotary

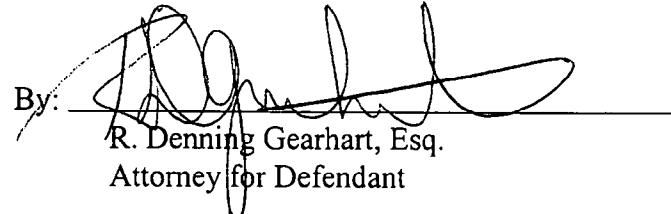
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MICHAEL A. STIVER, :
Plaintiff :
vs. : No. 00-1105-CD
TAMARA LEE STIVER, :
Defendant :
:

CERTIFICATE OF SERVICE

This is to certify that the undersigned has on this date served a certified copy of the Motion for Custody Conference and Motion for Counsel Fees and Costs filed in the above captioned matter on the Plaintiff through Plaintiff's attorney by depositing such documents in the United States Mail postage pre-paid and addressed as follows:

Timothy E. Durant, Esq.
201 North Second Street
Clearfield, PA 16830

By: 
R. Denning Gearhart, Esq.
Attorney for Defendant

Dated: September 21, 2000

COPY

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

MICHAEL A. STIVER,
Plaintiff
vs.
TAMARA LEE STIVER,
Defendant

FILED
No. 00-1105-C OCT 06 2000
William A. Shaw
Prothonotary

O R D E R

AND NOW, this 6 Day of October, 2000,
there being an Answer filed to the Complaint in Divorce, with a
Counterclaim for Custody, Alimony, Attorneys Fees and Costs, and
Equitable Distribution, and there being a Motion for Custody
Conference as well as a Motion for Counsel Fees and Costs being
filed to the above divorce, and the parties having stipulated to
the terms of a Custody Order as well as having resolved all of
their above recited ancillary issues, it is hereby ordered as
follows:

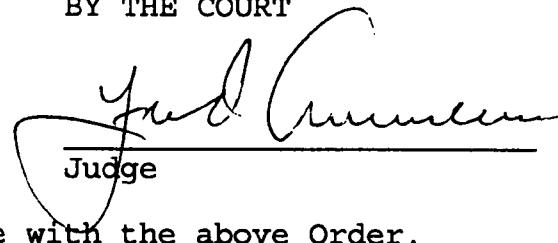
1. That Stipulation of the custody of the children of
the parties to the above action has been entered into and will be
adopted as a separate Order of Court.

2. That within thirty (30) days of the date of this
Order, Plaintiff, Michael A. Stiver, shall pay to the offices of R.
Denning Gearhart, Esq., 215 E. Locust Street, Clearfield, PA 16830,
the sum of Five Hundred (\$500.00) Dollars as his sole contribution
towards Tamara's counsel fees and costs (except as in paragraph 4
below).

3. That Tamara Lee Stiver withdraws and waives any
claim for alimony or spousal support and equitable distribution.

4. That Michael A. Stiver shall also pay \$40.00 for Tamara Stiver's share of the Children First Seminar as is required to be attended by the Court of Common Pleas of Clearfield County, Pennsylvania.

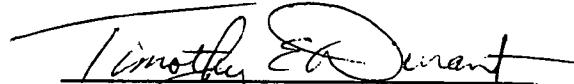
BY THE COURT

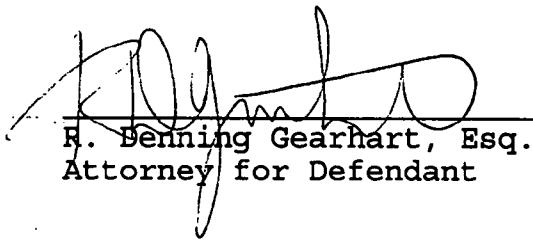

Judge

We do hereby stipulate and agree with the above Order.


MICHAEL A. STIVER


TAMARA LEE STIVER


Timothy E. Durant, Esq.
Attorney for Plaintiff


R. Benning Gearhart, Esq.
Attorney for Defendant

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

COPY

MICHAEL A. STIVER,
Plaintiff

VS.

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No. 00-1105-CD

TAMARA LEE STIVER,
Defendant

CONSENT AGREEMENT FOR
CUSTODY ORDER

FILED

OCT 09 2000

William A. Shaw
Prothonotary

Counsel of Record for
Michael A. Stiver:

Timothy E. Durant, Esquire
I. D. No. 21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

Counsel of Record for
Tamara Lee Stiver:

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215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

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

MICHAEL A. STIVER,
Plaintiff

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*

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VS.

No. 00-1105-CD

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TAMARA LEE STIVER,
Defendant

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AGREEMENT AND PROPOSED ORDER FOR CUSTODY

NOW, this 4th day of October, 2000, **MICHAEL A. STIVER** (Father) and **TAMARA LEE STIVER** (Mother) agree after appropriate reflection that it would be in the best interests of their children to handle the custody arrangements as follows:

The parties have four unemancipated children, namely **Michael A. Stiver II**, D.O.B. 04/26/87; **Brandon L. Stiver**, D.O.B. 05/14/92; **Anthony C. Stiver**, D.O.B. 11/23/88; and **Zachary H. Stiver**, D.O.B. 06/14/99.

1. The Father shall have primary physical custody of **Michael A. Stiver, II**.

2. The mother shall have primary physical custody of **Brandon Lee Stiver**, **Anthony C. Stiver** and **Zachary H. Stiver**.

3. Each party shall have a period of partial custody with the child or children not in their primary custody on alternate weekends from Friday at 6:00 P.M. until the following Sunday at 6:00 P.M. with said weekends to be arranged so that each weekend all 4 of the children shall spend the weekend with each other and one weekend they are at the father's house and the next weekend they are at the mothers' house, and so to continue.

4. Transportation shall be provided as agreed to between the parties.

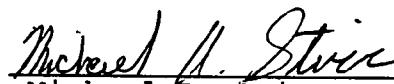
5. Holidays shall be as agreed to between the parties.

6. The terms of this Agreement shall constitute a Proposed Order and shall be presented to the Clearfield County Court of Common Pleas for the purpose of having the Court enter a Consent Order in accordance with this Agreement, all of which shall continue until further Order of Court.

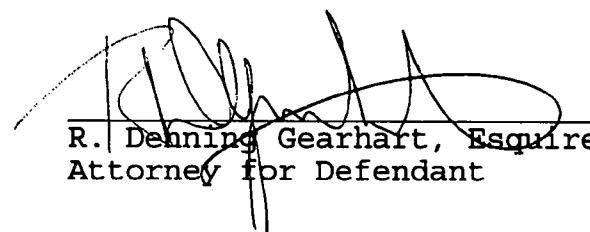
Witness:



Timothy E. Durant, Esquire
Attorney for Plaintiff



Michael A. Stiver, Plaintiff



R. Denning Gearhart, Esquire
Attorney for Defendant



Tamara Lee Stiver, Defendant

COPY

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

MICHAEL A. STIVER,
Plaintiff

vs.

No. 00-1105-CD

TAMARA LEE STIVER,
Defendant

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CONSENT ORDER

NOW, this 6th day of October, 2000 the parties having presented this Court with a written Agreement executed by the parties and their counsel, it is the ORDER of this Court that said Agreement and proposed Order is approved. and:

The Father, MICHAEL A. STIVER, II, shall have primary physical custody of Michael A. Stiver, II. D.O.B. 04/26/87 and the mother, TAMARA LEE STIVER, shall have primary physical custody of Brandon L. Stiver, D.O.B. 05/14/92; Anthony C. Stiver, D.O.B. 11/23/88; and Zachary H. Stiver, D.O.B. 06/14/99.

Each party shall have a period of partial custody with the child or children not in their primary custody on alternate weekends from Friday at 6:00 P.M. until the following Sunday at 6:00 P.M. with said weekends to be arranged so that each weekend all 4 of the children shall spend the weekend with each other and one weekend they are at the father's house and the next weekend they are at the mothers' house, and so to continue.

Transportation arrangements and periods of partial custody pertaining to Holidays, Birthdays, school vacations, and summer vacations shall be as agreed between the parties.

All of which shall continue until further Order of Court.

BY THE COURT.

FILED

OCT 09 2000

William A. Shaw
Prothonotary