

02-1893-CD
IN RE: DAVID A. CLARK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: DAVID A. CLARK

*
* No. 02-1893-CD

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* Type of Pleading:

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* PETITION TO LIFT DISABILITY
* AND POSSESS FIREARM
* PURSUANT TO
* TITLE 18 Pa. C. S. §6105 (f)(1)

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* Filed on Behalf of:

* David A. Clark

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* Counsel of Record for
* Petitioner:

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* David C. Mason, Esquire
* MASON LAW OFFICE
* P. O. Box 28
* 409 North Front Street
* Philipsburg, PA 16866
* (814) 342-2240
* PA Id No. 39180

FILED

DEC 06 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: DAVID A. CLARK

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* No. 02-1893-CD
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ORDER

AND NOW, this 13 day of Jan, 2003, being the day and date set for a Hearing into the Petitioner's request to lift the disability imposed upon him pursuant to the Pennsylvania Uniform Firearms Act of 1995, Title 18 Pa. C. S. §6105(c)(4), it is hereby ordered and decreed that the said disability imposed under the Pennsylvania Uniform Firearms Act of 1995 is hereby lifted, as the Court is of the opinion that Petitioner's possession of a firearm does not create a risk of harm to himself or others.

BY THE COURT:



J.

Date: _____

FILED

JAN 13 2003

William A. Shaw
Prothonotary

FILED

cc
Amy Mason

010-25581
JAN 13 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: DAVID A. CLARK

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* No.
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PETITION TO LIFT DISABILITY AND POSSESS FIREARM

AND NOW, comes the Petitioner, **DAVID A. CLARK**, by and through his Attorney, David C. Mason, Esquire, and files this Petition to Lift Disability and Possess Firearm in accordance with title 18 Pa. C. S. §6105(f)(1), based upon the following averments:

1. Petitioner is an adult individual currently residing at 787 Fairview Road, Osceola Mills, Clearfield County, Pennsylvania, 16666.
2. On March 25, 1993, Petitioner was involuntarily committed under the Pennsylvania Mental Health Procedures Act, title 50 P.S. §7302, to the Clearfield-Jefferson MH/MR Program after it was reported that Petitioner had threatened to harm himself.
3. Clearfield-Jefferson MH/MR responded and involuntarily committed the Petitioner and Petitioner was hospitalized at the DuBois Regional Medical Center until March 30, 1993.
4. Petitioner was discharged on March 30, 1993, diagnosed with major depression, and was not placed on any medication, but rather was directed to follow up

with the Clearfield Satellite of the Clearfield-Jefferson Community Mental Health Center.

The discharge summary (attached hereto as Exhibit "A") reports that the Petitioner participated in the therapy as prescribed, responded well to the therapy, showed significant improvement, and was not felt to be suicidal.

5. Petitioner was distraught over experiences including marital discord and other stressors. Petitioner and his wife Margaret reconciled in 1993 and lived together without further incident until May of 2002, when the parties separated. The parties became divorced in October of 2002.

6. As a result of this involuntary commitment, Petitioner is prohibited from possessing a firearm under the Pennsylvania Uniform Firearms Act of 1995, title 18 Pa. C.S.A. §6105(c)(4).

7. Petitioner has not been the subject of any treatment for mental health issues since his discharge on March 30, 1993, and has not been voluntarily or involuntarily hospitalized for mental health reasons since that time.

8. Petitioner does not present a clear and present danger to himself or to others at this time. Petitioner has led a normal, well-adjusted life since his involuntary commitment.

9. Petitioner wishes to purchase and possess firearms for hunting sport and recreation and protection.

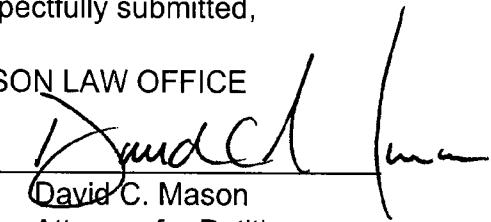
10. Title 18 Pa. C.S.A. §6105(f)(1) provides that a Petitioner may be adjudicated exempt from the firearm prohibition set forth in Section 6105(c)(4) upon a finding by this

Court that Petitioner's possession of a firearm does not create a risk to himself or others.

WHEREFORE, Petitioner respectfully requests this Court enter an order adjudicating Petitioner exempt from the firearm prohibition set forth at title 18 Pa. C.S. §6105(c)(4) and to issue any other appropriate Order necessary to allow Petitioner to legally possess a firearm.

Respectfully submitted,

MASON LAW OFFICE

BY: 

David C. Mason
Attorney for Petitioner
409 N. Front St.
P.O. Box 28
Philipsburg, PA 16866
(814) 342-2240

VERIFICATION

I, DAVID A. CLARK, hereby attest that the averments contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Date: 11/6/02

David A. Clark
David A. Clark

Bill 3cc
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L. O. C. 1002 Atyp pd:85.00
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: DAVID A. CLARK

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* No. 02-1893-02
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* Type of Pleading:
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* RULE RETURNABLE
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* Filed on Behalf of:
* David A. Clark
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* Counsel of Record for
* Petitioner:
*
* David C. Mason, Esquire
* MASON LAW OFFICE
* P. O. Box 28
* 409 North Front Street
* Philipsburg, PA 16866
* (814) 342-2240
* PA Id No. 39180

FILED

DEC 17 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: DAVID A. CLARK

No. 02-1893-CD

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RULE RETURNABLE

NOW, this 17th day of December, 2002, upon consideration of the attached Petition, a Rule is hereby issued upon the Defendant/Respondent to Show Cause why the Petition should not be granted.

Rule Returnable the 13 day of January, 2003, at 9:30 o'clock, in Courtroom No. 1.

N O T I C E

A PETITION OR MOTION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST FILE AN ANSWER ON OR BEFORE Jan. 13, 2003, 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 PAPERS 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
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641, Ext. 50-51

BY THE COURT:

P.J.

FILED
O 3:48 BA BCC to att'man
DEC 17 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: DAVID A. CLARK

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* No. 02-1893-CD
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* TYPE OF PLEADING: Certificate of Service
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* FILED ON BEHALF OF:
* Petitioner
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* ATTORNEY FOR PETITIONER:
* David C. Mason, Esquire
* Supreme Court ID #39180
* MASON LAW OFFICE
* P.O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240
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FILED

DEC 23 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

IN RE: DAVID A. CLARK

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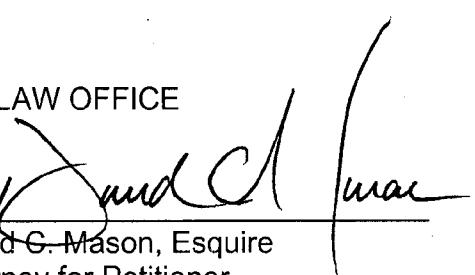
CERTIFICATE OF SERVICE

I, DAVID C. MASON, Esquire, do hereby certify that I served a true and correct copy of the PETITION TO LIFT DISABILITY AND POSSESS FIREARM PURSUANT TO TITLE 18 Pa. C. S. §6105 (f)(1) filed to the above captioned action, by placing the same in the United States mail, postage prepaid and addressed as follows:

Clearfield/Jefferson MHMR
Golden Rod Farms
Clearfield, PA 16830

DATED:

MASON LAW OFFICE

By: 

David C. Mason, Esquire
Attorney for Petitioner

2001-000000000000

FILED

NO.
M12:53 E
CC
DEC 23 2002
KA

William A. Shaw
Prothonotary