

03-324-CD
LAURA L. ALLEN - VS - FANWAZ F. HINDAWI

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

LAURA L. ALLEN,
Plaintiff

NO. 2003-324-cv

vs.

Type of Case: Divorce

FAWWAZ F. HINDAWI,
Defendant

Type of Pleading: Complaint

Filed on behalf of: Plaintiff

Counsel of Record for this Party:
David P. King, Esquire
23 Beaver Drive
P. O. Box 1016
DuBois, PA 15801
(814) 371-3760

Supreme Court No. 22980

FILED

MAR 07 2003
061250AM
E
William A. Shaw
Prothonotary
2 Court St. Harrisburg, PA 17101

No Children

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

LAURA L. ALLEN, :
Plaintiff :
: :
vs. : NO.
: :
FAWWAZ F. HINDAWI, : IN DIVORCE
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 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, One North 2nd Street, Clearfield, PA 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.

IF YOU DO NOT HAVE A LAWYER, CONTACT
David S. Meholick, Court Administrator
Clearfield County Courthouse
One North 2nd Street
Clearfield, PA 16830
(814) 765-2641 Ext. 5982

IF YOU CANNOT AFFORD A LAWYER, CONTACT
Keystone Legal Services
P. O. Box 950
Clearfield, PA 16830
1-800-326-9177

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

LAURA L. ALLEN, :
Plaintiff :
: :
vs. : NO. _____ C.D.
: :
FAWWAZ F. HINDAWI, :
Defendant :
:

COMPLAINT

AND NOW, comes the Plaintiff, LAURA L. ALLEN, through her Attorney, David P. King, and for her cause of action respectfully represents as follows:

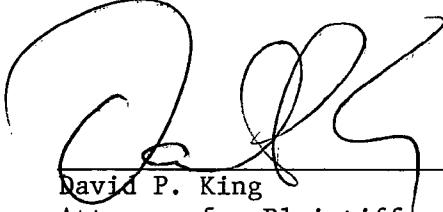
1. The Plaintiff is LAURA L. ALLEN, and she resides at 220 South Brady Street, Apt. C, DuBois, PA 15801.
2. The Defendant, FAWWAZ F. HINDAWI, resides at 5204 Wythe Avenue, Apt. #3, Richmond, VA 23226.
3. The Plaintiff and the Defendant were married on January 21, 1997, in North Shuna, Jordan.
4. The Plaintiff has been a resident of the Commonwealth of Pennsylvania and Clearfield County for a period of at least six months prior to the filing of this divorce action.
5. There have been no prior actions for divorce or annulment between these parties in this or any other jurisdiction.
6. The Plaintiff has been advised of the availability of marriage counseling in accordance with the provisions of The Divorce Code.
7. The Plaintiff is a natural born citizen of the United States, and the Defendant is a citizen of the Country or Kingdom of Jordan, but

resides in the United States as recited above.

8. The Plaintiff avers that this marriage is irretrievably broken within the meaning of Section 3301 (c) or (d) of The Divorce Code.

9. In the alternative, the Plaintiff avers that she is the innocent and injured spouse, and that the Defendant has engaged in a course of conduct over a period of time to make her life burdensome and intolerable amounting to indignities under The Divorce Code.

WHEREFORE, Plaintiff prays your Honorable Court to enter an appropriate Order divorcing her from the bonds of matrimony, and she will so ever pray.



David P. King
Attorney for Plaintiff

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

Date: February 25, 2003

Laura L. Allen
Laura L. Allen
Plaintiff

2003-02-25
Laura L. Allen
Plaintiff

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

UA
FILED

LAURA L. ALLEN,
Plaintiff

AUG 27 2003

vs.

NO. 2003-324-C.D.

William A. Shaw
Prothonotary/Clerk of Courts

FAWWAZ F. HINDAWI,
Defendant

PRAECIPE TO TRANSMIT RECORD

TO THE PROTHONOTARY:

Transmit the record, together with the following information, to the Court for entry of a Divorce Decree:

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

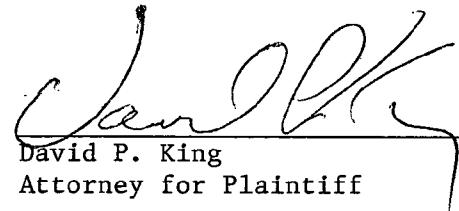
2. Date and manner of service of the Complaint: On March 11, 2003, a certified copy of the Divorce Complaint was sent by certified mail, return receipt requested, deliver to addressee only by David P. King, Counsel for Plaintiff. Such correspondence was returned and marked "UNCLAIMED". The original is attached to this Praecepice along with Sender's Receipt.

Thereafter, on April 7, 2003, a second certified copy of said Divorce Complaint was sent to the Defendant by regular mail, and the same was not returned within 15 days, and has in fact never been returned. Thus, under the Rules of Civil Procedure, service has been accomplished. A copy of the April 7, 2003, letter also attached hereto.

3. Date of execution of Plaintiff's Consent and Waiver of Notice: August 26, 2003. (Included herewith).

4. Date of execution of Defendant's Consent and Waiver of Notice: August 16, 2003. (Included herewith).

5. Related claims pending: None



David P. King
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

LAURA L. ALLEN, :
Plaintiff :
: :
vs. : NO. 2003-324-C.D.
FAWWAZ F. HINDAWI, :
Defendant :
: :

AFFIDAVIT OF CONSENT

1. A Complaint in divorce under Section 3301(c) of the Divorce Code was filed on March 7, 2003.
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.

Date: 8/26/03

Laura L. Allen
Laura L. Allen
Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

LAURA L. ALLEN,

Plaintiff :

vs.

NO. 2003-324-C.D.

FAWWAZ F. HINDAWI,

IN DIVORCE

Defendant :

:

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

1. I consent to the entry of a final decree of divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

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

DATE: 8/26/03

Laura L. Allen
Laura L. Allen
Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

LAURA L. ALLEN,

Plaintiff :

:

vs. : NO. 2003-324-C.D.

FAWWAZ F. HINDAWI,

Defendant :

:

AFFIDAVIT OF CONSENT

1. A Complaint in divorce under Section 3301(c) of the Divorce Code was filed on March 7, 2003.

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.

Date: 08/16/03


Fawwaz F. Hindawi
Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

LAURA L. ALLEN, Plaintiff, vs. FAWWAZ F. HINDAWI, Defendant

Plaintiff :
vs. : NO. 2003-324-C.D.
FAWWAZ F. HINDAWI, : IN DIVORCE
Defendant :
:

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

1. I consent to the entry of a final decree of divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

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

DATE: 08/16/03


Fawwaz F. Hindawi
Defendant

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

LAURA L. ALLEN, :
Plaintiff :
vs. : NO. 2003-324-C.D.
FAWWAZ F. HINDAWI, :
Defendant :
:

AFFIDAVIT OF NON-MILITARY SERVICE

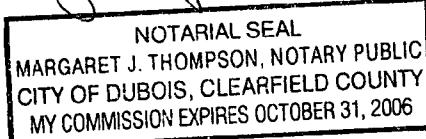
LAURA L. ALLEN, being duly sworn according to law, deposes and says that FAWWAZ F. HINDAWI is not in the military service of the United States of America, or any state or territory thereof, or its allies, and is in no wise subject to the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, and its amendments. On the contrary, the Defendant, FAWWAZ F. HINDAWI, is an individual who is approximately 29 years of age, resides at 5204 Wythe Avenue, Apt. #3, Richmond, VA 23226, and is employed as a cook at Great Steak & Potatoe Co., Richmond, VA.

Laura L. Allen
Laura L. Allen

Sworn to and subscribed before me

this 12 day of July, 2003.

Margaret J. Thompson



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HEALTH
VITAL RECORDS

COUNTY Clearfield

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

STATE FILE NUMBER
STATE FILE DATE

HUSBAND

1. NAME Fawwaz	(First) F.	(Middle)	(Last) Hindawi	2. DATE OF BIRTH 3 13 1974
2. RESIDENCE 5204 Wythe Avenue, Apt. #3, Richmond	Street or R.D.	City, Boro. or Twp.	County VA	4. PLACE OF BIRTH Kingdom of Jordan

5. NUMBER OF THIS MARRIAGE 1	6. RACE WHITE <input checked="" type="checkbox"/>	BLACK <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	7. USUAL OCCUPATION Cook
---------------------------------------	---	-----------------------------------	---	-----------------------------

WIFE

8. MAIDEN NAME Laura	(First)	(Middle)	(Last) Allen	9. DATE OF BIRTH 12 8 1962
-------------------------	---------	----------	-----------------	-------------------------------------

10. RESIDENCE 220 South Brady St., Apt. C, DuBois	Street or R.D.	City, Boro. or Twp.	County Clearfield	State PA	11. PLACE OF BIRTH PA
--	----------------	---------------------	----------------------	-------------	--------------------------------

12. NUMBER OF THIS MARRIAGE 1	13. RACE WHITE <input checked="" type="checkbox"/>	BLACK <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	14. OCCUPATION Unemployed
--	--	-----------------------------------	---	------------------------------

15. PLACE OF OF THIS MARRIAGE	(County)	(State or Foreign Country) Jordan	16. DATE OF THIS MARRIAGE 1 21 1997
-------------------------------------	----------	--------------------------------------	--

17A. NUMBER OF CHILDREN THIS MARRIAGE 0	17B. NUMBER OF DEPENDENT CHILDREN UNDER 18 0	18. PLAINTIFF HUSBAND <input type="checkbox"/>	WIFE <input checked="" type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	19. DECREE GRANTED TO HUSBAND <input type="checkbox"/>	WIFE <input checked="" type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>
---	---	--	---	---	--	---	---

20. NUMBER OF CHILDREN TO CUSTODY OF <input type="checkbox"/>	HUSBAND <input type="checkbox"/>	WIFE <input type="checkbox"/>	SPLIT CUSTODY <input type="checkbox"/>	OTHER (Specify) <input type="checkbox"/>	21. LEGAL GROUNDS FOR DIVORCE OR ANNULMENT No-Fault
---	-------------------------------------	----------------------------------	---	---	---

22. DATE OF DECREE (Month)	(Day)	(Year)	23. DATE REPORT SENT TO VITAL RECORDS (Month)	(Day)	(Year)
-------------------------------	-------	--------	---	-------	--------

24. SIGNATURE OF TRANSCRIBING CLERK
--

David P. King, Esq.

Law Offices

DAVID P. KING

23 Beaver Drive
P.O. Box 1016
DuBois, PA 15801

Phone (814) 371-3760
Telecopier (814) 371-4874

March 10, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

Mr. Fawwaz F. Hindawi
5204 Wythe Avenue, Apt. #3
Richmond, VA 23226

Dear Mr. Hindawi:

Please find enclosed a certified copy of a Divorce Complaint that we have filed on behalf of your wife, Laura, in the Court of Common Pleas of Clearfield County, Pennsylvania. On the inside of the Complaint, in paragraphs 1 through 9, you will see that the only thing that is being requested is a divorce.

Paragraph 8 of that Complaint asks for a no-fault divorce. One way that this can work is simply if the parties consent to the divorce, then neither one of them has to come to Court.

However, there is a 90 day waiting period that starts from the day that you get these papers. Once that 90 days is up, we would then send you a Consent form and also what's called a Waiver of Notice form. Laura would sign similar documents after that date.

The Consent form simply indicates that you consent to the divorce. The Waiver of Notice form simply indicates that you do not require a hearing or any further notice before the Court finalizes the divorce.

With these papers in hand, signed by you and your wife, we could then finalize the divorce, again, without any Court hearings or anyone stepping foot in the Courthouse for that matter. We would of course then send you a copy of that Divorce Decree once it was over. And again, this would be a no-fault divorce.

If you have any questions on this, I cannot really advise you as I represent Laura. Feel free to contact an Attorney of your own choosing for advice if you should so desire. Notwithstanding, we appreciate your anticipated cooperation, and when the 90 days have expired, you can expect to receive those two other papers from us by regular mail for your signature and return.

Very truly yours,

David P. King

DPK:pp

Enclosure

cc: Mrs. Laura L. Allen

David P. King, Esq.

Law Offices
DAVID P. KING
23 Beaver Drive
P.O. Box 1016
DuBois, PA 15801

April 7, 2003

COPY
Phone (814) 371-3760
Telecopier (814) 371-4874

Mr. Fawwaz F. Hindawi
5204 Wythe Avenue, Apt. #3
Richmond, VA 23226

Dear Mr. Hindawi:

Back on March 11, 2003, we mailed to you by certified mail, return receipt requested, deliver to addressee only, a certified copy of the Divorce Complaint that we had filed on behalf of Laura Allen in the Court of Common Pleas of Clearfield County, Pennsylvania.

That certified letter was just returned to our office marked "UNCLAIMED".

Therefore, we are sending to you, by regular mail, another certified copy of that Divorce Complaint. Under the Pennsylvania Rules of Procedure, if this is not returned within 15 days, service is deemed complete.

For your own reference, we are enclosing a copy of our letter to you of March 10, 2003, which was sent by certified mail as referenced above on March 11, 2003. This is for explanation purposes.

Still anticipating your cooperation then, I remain,

Very truly yours,

David P. King

DPK:pp
Enclosures

cc: Mrs. Laura L. Allen

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

LAURA L. ALLEN, :
Plaintiff :
: :
vs. : NO. 2003-324-C.D.
: :
FAWWAZ F. HINDAWI, :
Defendant :
: :

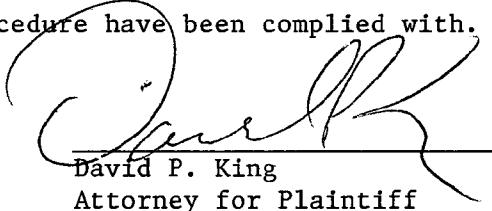
AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA

ss.

COUNTY OF CLEARFIELD

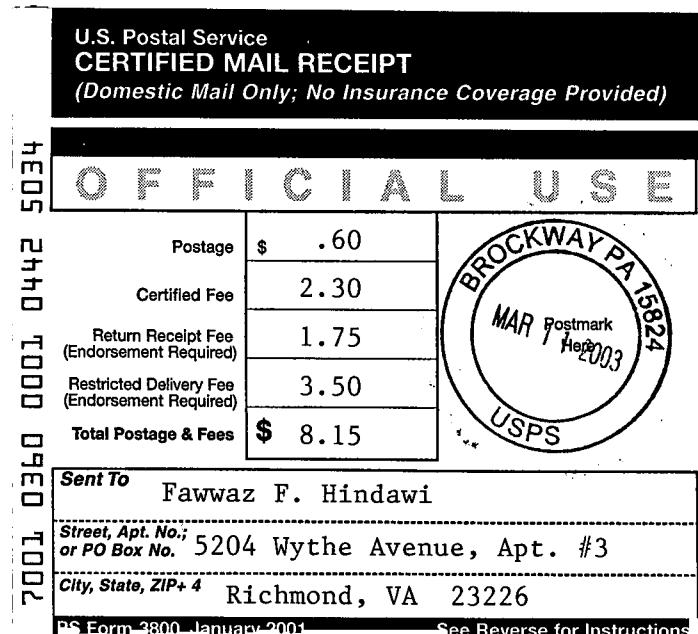
Personally appeared before me, the undersigned officer, David P. King, Esquire, who, being duly sworn according to law, deposes and says that service of the Complaint in Divorce under Section 3301(c) at the above term and number was served upon the Defendant by first sending to him a certified copy of the Divorce Complaint by certified mail, restricted delivery, to be signed by addressee only, this done on March 11, 2003. The same was returned "UNCLAIMED". Thereafter, a second certified copy of the Divorce Complaint was sent by regular mail to the Defendant at his same address, and the same was not returned within a period of 15 days, and in fact has not been returned ever. Accordingly the Rules of Civil Procedure have been complied with.


David P. King
Attorney for Plaintiff

Sworn to and subscribed before me
this 26th day of August, 2003.

Margaret J. Thompson

NOTARIAL SEAL
MARGARET J. THOMPSON, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES OCTOBER 31, 2006



Certified Mail Provides:

- A record of delivery kept by the Postal Service for two years
- A signature upon delivery
- A unique identifier for your mailpiece
- Certifiable Mail may ONLY be combined with First-Class Mail or Priority Mail.

Certified Mail Reminders:

- NO INSURANCE COVERAGE IS PROVIDED With Certified Mail. For valuable packages consider insured or Registered Mail.
- Certified Mail is not available for any class of international mail.
- Certified Mail may be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete postage to cover the fee. Endorsement "Return Receipt Requested", To receive a fee waiver for Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorsement "Return Receipt Requested", To receive a fee waiver for a duplicate return receipt, a USPS Postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

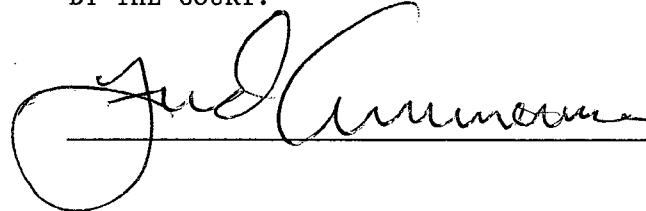
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

LAURA L. ALLEN, :
Plaintiff :
: NO. 2003-324-C.D.
vs. :
: .
FAWWAZ F. HINDAWI, :
Defendant :
:

ORDER AND DECREE

AND NOW, this 27 day of August, 2003, it is ORDERED
AND DECREED that LAURA L. ALLEN, Plaintiff, and FAWWAZ F. HINDAWI, Defendant,
are divorced from the bonds of matrimony.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Judge Kumerow".