

03-1906-CD

IN RE: BRYCE MICHAEL CONCEL

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

IN RE:

BRYCE MICHAEL CONCEL
DOB: March 12, 1999

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*
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No. 2003-1966-C

Type of Case:

Civil

Type of Pleading:

Petition for Change of Name

Filed on Behalf of:

Barbara J. Fleming

Counsel of Record for this
Party:

Brian K. Marshall, Esquire
Supreme Court I.D. 87331

Law Offices of
Richard H. Milgrub
211 North Second Street
Clearfield, PA 16830
(814) 765-1717

FILED

DEC 31 2003

013-15 (un)

William A. Shaw

Prothonotary/Clerk of Courts

1 CERT TO ATTY

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

IN RE:

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BRYCE MICHAEL CONCEL
DOB: March 12, 1999

* No.

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PETITION FOR CHANGE OF NAME

Barbara J. Fleming, the natural mother of Bryce Michael Concel, files this Petition to change the name of her son and respectfully avers as follows:

1. Petitioner is Barbara J. Fleming, an adult individual, currently residing at 1053 Park Avenue Extension, Apartment 2D, Clearfield, Clearfield County, Pennsylvania.

2. Petitioner is the natural mother of Bryce Michael Concel, born March 12, 1999.

3. The putative father of the Bryce Michael Concel is Eric J. Kauch, believed to be residing at 2494 Etiwan Avenue, Apartment F5, Charleston, South Carolina. Said putative father is paying support for said child per the Court's Order at Docket Number 98-405-SD.

4. The biological father of Bryce Michael Concel is believed to be Lewis Michael Concel, III. The whereabouts of said individual are unknown.

5. Petitioner and putative father, Eric J. Kauch, were married, and putative father is the biological father of Petitioner's other two children, Danielle Kauch (D.O.B. 8/20/87) and Courtney A. Kauch (D.O.B. 11/9/89).

6. Petitioner and purported biological father, Lewis Michael Concel, III, were never married.

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830
—
109 NORTH BRADY STREET
DUBOIS, PA 15801

7. When your Petitioner was pregnant with the minor child, Bryce Michael Concel, she was receiving cash assistance, and was advised by representatives of the Pennsylvania Department of Public Welfare that she was required to go to the Domestic Relations Office seeking support said minor child.

8. Upon presentation to the Domestic Relations Office of Clearfield County, your Petitioner advised the representative that she believed the biological father was Lewis Michael Concel, III, however, she was advised by the representative that she should name her former husband, Eric J. Kauch, as the father of the child, despite the fact that a divorce had been finalized, divorcing Barbara J. Fleming from Eric J. Kauch during the pregnancy.

9. Since the birth of the minor child, Bryce Michael Concel, Eric J. Kauch has had no relationship with the minor child.

10. Immediately following the birth of Bryce Michael Concel, and for approximately one (1) year, purported biological father, Lewis Michael Concel, expressed interest in the child; however, since March 12, 2000, the child's first birthday, the purported biological father has had no contact with the child.

11. The said child does not have any recollection of his purported biological father, and is closely bonded with Petitioner and the male members of her family, all of whom have the last name of Fleming.

12. The said child refers to himself as Bryce Michael Fleming.

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RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830
—
109 NORTH BRADY STREET
DUBOIS, PA 15801

13. The said child will be starting school in August, 2004, and Petitioner is concerned that he will be confused if he is required to use the name of Bryce Michael Concel.

14. The residence of your Petitioner during the five years preceding the filing of this Petition and down to and including the date hereof has been in Clearfield County, Pennsylvania.

15. Petitioner requests the Court, pursuant to the act of December 16, 1982, P.L. 1309, as amended 54 Pa. C.S.A. 702 et seq. :

- a. To set a Hearing on this Petition; and
- b. To direct that notice be given of the filing of this Petition and a Hearing.

Respectfully submitted,



Brian K. Marshall, Esquire
Attorney for Petitioner

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

VERIFICATION

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

Date: 12 / 30 / 03

Barbara J. Fleming

Prothonotary/Clerk of Courts
William A. Shaw

DEC 3 1 2003

FILED

RICHARD H. MILGRUB
Attorney & Counselor at Law

211 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

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

IN RE:

BRYCE MICHAEL CONCEL
DOB: March 12, 1999

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* No. 2003-1906-C

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DECREE OF COURT SETTING HEARING

AND NOW, this 6th day of January, 2004, upon
consideration of the foregoing Petition, a hearing on the
Petition of Barbara J. Fleming for the change of name of her son,
Bryce Michael Concel, is set for the 8 day of
March, 2004, at 1:30 P.m. in Courtroom No. 2
of the Clearfield County Courthouse, Clearfield, Pennsylvania.

Petitioner is directed to give notice of the hearing by
publication in the Clearfield Progress and in the Clearfield
County Legal Journal. Said notice to run one time in each
publication.

BY THE COURT:


Judge

FILED

JAN 07 2004

William A. Shaw
Prothonotary

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED

o 9-31 100 to Atty
JAN 07 2004
FBI

William A. Shaw
Prothonotary

RICHARD H. MILGRUB

Attorney & Counselor at Law

211 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

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

IN RE:

BRYCE MICHAEL CONCEL,

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No. 03-1906-CD

Type of Pleading:
Affidavit of Service

Filed on Behalf of:
Barbara J. Fleming

Counsel of Record for this
Party:

Brian K. Marshall, Esquire
Supreme Court I.D. 87331

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED
FEB 13 2004
O/H/c/s
William A. Shaw
Prothonotary
no. 100

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

IN RE:

BRYCE MICHAEL CONCEL,

*

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* No. 03-1906-CD

AFFIDAVIT OF SERVICE

Now this 12 day of February, 2004, I, Brian K. Marshall, Esquire, who being duly sworn according to law deposes and says that I served a certified copy of the Notice-Change of Name and Decree of Court setting hearing filed in the above-caption matter upon the punitive father, Eric J. Kauch, at his last known address, to wit 2494 Etiwan Avenue, Apartment F5, Charleston, South Carolina 29404; with the document having been returned unclaimed as evidenced by the attached; and by publication pursuant to the Court's Order in the Clearfield County Legal Journal and The Progress one time, which is evidenced by the Proofs of Publication attached hereto.

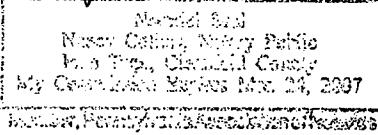


Brian K. Marshall, Esquire

SWORN and SUBSCRIBED to before
me this 12 day of February, 2004.



Nancy Collins



THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830
—
109 NORTH BRADY STREET
DUBOIS, PA 15801

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

■ Print your name and address on the reverse so that we can return the card to you.

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Eric J. Kauch
2494 Etiwan Avenue
Apartment F5
Charleston, SC 29404

COMPLETE THIS SECTION ON DELIVERY

| | | |
|---|---|------------------------------------|
| A. Signature | <input checked="" type="checkbox"/> Agent | <input type="checkbox"/> Addressee |
| X | | |
| B. Received by (Printed Name) | C. Date of Delivery | |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: | | |

| |
|---|
| 3. Service Type |
| <input checked="" type="checkbox"/> Certified Mail |
| <input type="checkbox"/> Registered |
| <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail |
| <input type="checkbox"/> C.O.D. |

| | |
|-------------------------------------|------------------------------|
| 4. Restricted Delivery? (Extra Fee) | <input type="checkbox"/> Yes |
|-------------------------------------|------------------------------|

| | |
|--|--------------------------|
| 2. Article Number (Transfer from service label) | 7002 2030 0004 5014 8569 |
| PS Form 3811, August 2001 | Domestic Return Receipt |

102595-02-M-154P
16030

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

Brian K. Marshall
211 N. 2nd Street
Clearfield, PA 16830

FILED

FEB 13 2004

William A. Shaw
Prothonotary

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

IN RE: BRYCE MICHAEL CONCEL,
(D.O.B. 3/12/99)

No. 03-1906-CD

NOTICE - CHANGE OF NAME

NOTICE IS HEREBY GIVEN that on December 31, 2003, the Petition of Barbara J. Fleming was filed in the above-named Court, praying for decree to change the name of her son, Bryce Michael Concel, to Bryce Michael Fleming.

The Court has fixed the 8th day of March, 2004 at 1:30 p.m. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania, as the time and place of hearing of the said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

BRIAN K. MARSHALL, Attorney-at Law,
211 North Second Street, Clearfield, PA
16830.

Clearfield, PA 16830

ROWLES, DONALD F., Dec'd
Late of Lawrence Township
Executor: **JAMES A. BAILOR**
Attorney: **MIKESELL & MIKESELL**
115 East Locust Street
Clearfield, PA 16830

Second Publication

KREBS, MADELINE T., Dec'd
Late of Hyde
Administratrix: **KATHLEEN K. MAPES**
Attorney: **LINDA C. LEWIS**
211½ East Locust Street
PO Box 552
Clearfield, PA 16830

SMART, JAMES M., Dec'd
Late of Penfield
Executor: **DAVID J. SMART**
Attorney: **ANTHONY S. GUIDO**
498 Jeffers Street
PO Box 487
DuBois, PA 15801

HEITZENRATER, GRACE E., Dec'd
Late of DuBois
Executor: **PAUL R. HEITZENRATER**

PROOF OF PUBLICATION

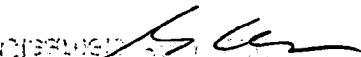
STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

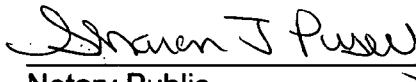
:

On this 19th day of January AD 2004, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of January 16, 2004, No. 3. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.



Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

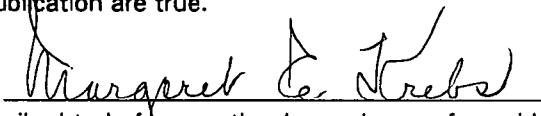
Brian K. Marshall
211 North Second Street
Clearfield PA 16830

PROOF OF PUBLICATION

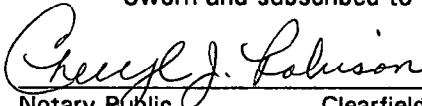
STATE OF PENNSYLVANIA : : SS:
COUNTY OF CLEARFIELD : :

On this 21st day of January, A.D. 2004, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of January 14, 2004. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.



Sworn and subscribed to before me the day and year aforesaid.



Cheryl J. Robison
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Cheryl J. Robison, Notary Public

Clearfield Boro, Clearfield County

My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

My Commission Expires
October 31, 2007

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|--|
| NOTICE IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA CIVIL DIVISION-LAW |
| IN RE: BRYCE MICHAEL CONCEL DOB: MARCH 12, 1999 NO. 03-1906-CD |
| NOTICE-CHANGE OF NAME |
| NOTICE IS HEREBY GIVEN that on December 31, 2003, the Petition of Barbara J. Fleming was filed in the above-named Court, praying for decree to change the name of her son, Bryce Michael Concel, to Bryce Michael Fleming. |
| The Court has fixed the 8th day of March, 2004, at 1:30 p.m. in Courtroom No. 2 of the Clearfield County Courthouse, as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the said Petition should not be granted. |
| BRIAN K. MARSHALL, Attorney-at-Law, 211 North Second Street, Clearfield, PA 16830 |
| 1:14-1d-b |

Date: 03/03/2004

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 11:54 AM

ROA Report

Page 1 of 1

Case: 2003-01906-CD

Current Judge: Paul E. Cherry

IN RE: Michael Concel

Civil In RE

| Date | | Judge |
|------------|--|------------------|
| 12/31/2003 | Filing: Petition for Change of Name Paid by: Milgrub, Richard Receipt number: 1871303 Dated: 12/31/2003 Amount: \$85.00 (Check) 1 CC to Atty. | No Judge ✓ |
| 01/07/2004 | DECREE OF COURT SETTING HEARING, AND NOW, this 6th day of January, 2004, re: A Hearing on the Petition of Barbara J. Fleming for the change of name of her son, Bryce Michael Concel, is set for the 8th day of March, 2004, at 1:30 p.m. in Courtroom No. 2. by the Court, s/PEC,J. 1 cc to Atty | Paul E. Cherry ✓ |
| 02/13/2004 | Affidavit of Service filed by Atty. Marshall no cert. copies. | Paul E. Cherry ✓ |

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

| | |
|----------------------|------------------|
| IN RE: | : |
| BRYCE MICHAEL CONCEL | : No. 03-1906-CD |
| D.O.B. 03-12-99 | : |

ORDER

NOW, this 8th day of March, 2004, following hearing and presentation of the evidence; the Court noting that attempts were made to notify the biological father, as well as the putative father, and they have failed to appear for today's hearing, it is the ORDER of this Court that henceforth the minor child, Bryce Michael Concel, shall be known as Bryce Michael Fleming.

BY THE COURT,

Paul E Cherry
Judge

Judge

FILED

MAR 11 2004

William A. Shaw
Prothonotary