

08-576-CD

Christian Kirk vs Sholynn Voigt

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

FILED

MAR 28 2008

013:15 / J
William A. Shaw

Prothonotary/Clerk of Courts

3 cases to me

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

No. 2008-576-CD

COMPLAINT TO ESTABLISH
PATERNITY AND FOR GENETIC
TESTING

Filed on behalf of

Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-At-Law
Pa. I.D. 52782

BELIN, KUBISTA & RYAN LLP
15 N. Front Street
Clearfield, PA 16830
(814) 765-8972

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

No. 2008-576-CD

NOTICE OF HEARING AND ORDER

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following papers, you must appear at the hearing scheduled below. If you fail to do so, the case may proceed against you and a final order may be entered against you granting the relief requested by Plaintiff.

Plaintiff and Defendant are directed to appear on the 16th day of April, 2008, at 10:30 a.m., Clearfield County Courthouse, Courtroom 3 for a hearing on Plaintiff's request for genetic testing. If you fail to appear as ordered, the court may enter an order in your absence requiring you and your child to submit to genetic tests.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAYWER OR CANNOT AFFORD ONE, GO TO OR TELPEHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Market & Second Streets
Clearfield, PA 16830
(814) 765-2641, ext. 1300

FILED

03:32 p.m. GK

MAR 31 2008

William A. Shaw
Prothonotary/Clerk of Courts

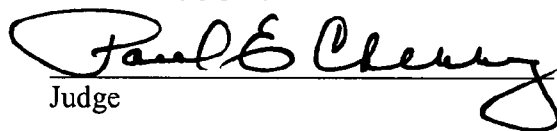
3cc Atty:

H. Kubista

(GK)

BY THE COURT

March 31, 2008


Judge

FILED

MAR 31 2008

**William A. Shaw
Prothonotary/Clerk of Courts**

DATE: 3-31-08

☒ You are responsible for serving all appropriate parties.

☐ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

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No.

COMPLAINT TO ESTABLISH PATERNITY
AND FOR GENETIC TESTING

NOW COMES, CHRISTIAN H. KIRK, JR., Plaintiff above named, and by and through his attorneys, Belin, Kubista & Ryan LLP, requests genetic testing and to establish paternity pursuant to 23 Pa. C.S.A. Section 4343 and in support of the request states that:

1. Plaintiff, CHRISTIAN H. KIRK, JR., is an adult individual who resides at 212 Zimmerman Avenue, Clearfield, Clearfield County, Pennsylvania.
2. Defendant, SHOLYNN R. VOIGT, is an adult individual who resides at 125 Loop Road, West Decatur, Clearfield, Clearfield County, Pennsylvania 16878.
3. The parties had engaged in a relationship which allegedly resulted in Defendant becoming pregnant.
4. That Plaintiff believes he may be the father of the child.
5. That it is believed that Defendant had the child on March 15, 2008.
6. That Plaintiff believes that the child is his biological child, however, he would like to have paternity testing completed to confirm the same.

7. That Defendant was not married at the time the child was conceived and born.

8. That Defendant is not now married.

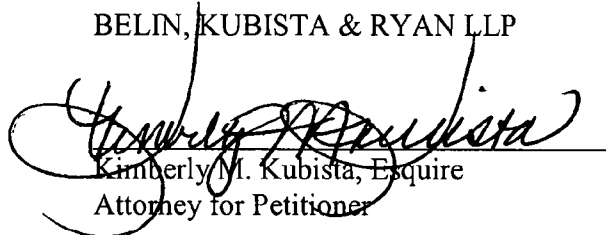
10. It is not believed that there is any custody, support or other action involving the paternity of the child now pending in any jurisdiction.

11. There has not been a determination by any court as to the paternity of the child in any prior support, custody, divorce or other action.

12. That Plaintiff agrees to pay all costs associated with the genetic testing directly to the testing facility in accordance with the procedures established by that facility.

WHEREFORE, Plaintiff requests Your Honorable Court to enter an Order placing a rule upon Defendant to show cause why she should not be directed to submit to genetic testing and to make the child available for genetic testing.

BELIN, KUBISTA & RYAN LLP



Kimberly M. Kubista, Esquire
Attorney for Petitioner

I verify that the statements made in the foregoing pleading are true and correct.

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

3/19/08

Date

Christian H. Kirk, Jr.

Christian H. Kirk, Jr.

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

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No. 2008-576-CD

ACCEPTANCE OF SERVICE

Filed on behalf of

Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-At-Law
Pa. I.D. 52782

BELIN, KUBISTA & RYAN LLP
15 N. Front Street
Clearfield, PA 16830
(814) 765-8972

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William A. Shaw
Prothonotary/Clerk of Courts

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

vs.

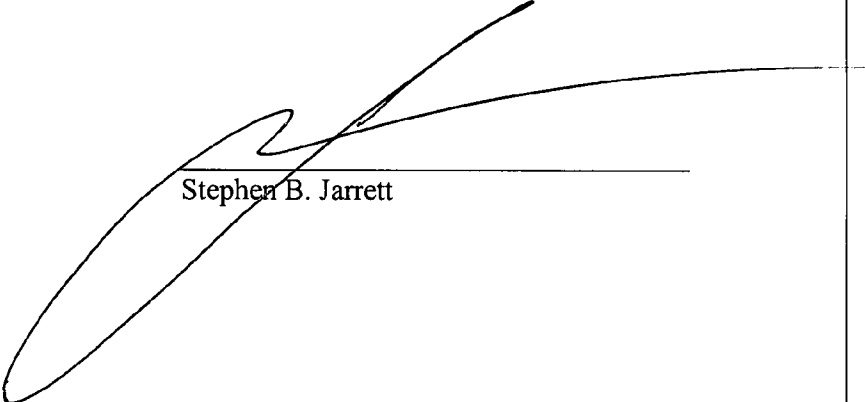
SHOLYNN R. VOIGT,
Defendant

No. 2008-576-CD

ACCEPTANCE OF SERVICE

I, Stephen B. Jarrett on behalf of the Defendant above, accept service of the certified copy of Complaint to Establish Paternity and for Genetic Testing in the above captioned matter.

Date: 4/6/08



Stephen B. Jarrett

FILED

APR 14 2018

William A. Shaw
Prothonotary/Clerk of Courts

13A

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

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No. 2008-576-CD

ORDER AND STIPULATION

Filed on behalf of

Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-At-Law
Pa. I.D. 52782

BELIN, KUBISTA & RYAN LLP
15 N. Front Street
Clearfield, PA 16830
(814) 765-8972

FILED 3cc
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APR 16 2008
Atty Kubista
@

William A. Shaw
Prothonotary/Clerk of Courts

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

vs.

SHOLYNN R. VOIGT,
Defendant

No. 2008-576-CD

ORDER

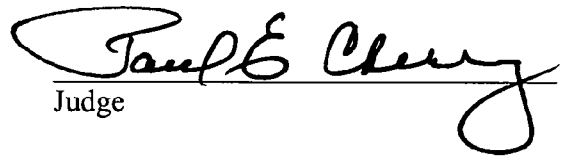
NOW, this 15th day of April, 2008, the parties having agreed to the entry of this Order, it is the ORDERED of this Court as follows:

1. Christian H. Kirk, Jr. ("Plaintiff") and Sholynn R. Voigt ("Defendant") are hereby ordered to appear at the Clearfield County Domestic Relations Office on such date and at such time as they are directed, and shall undergo genetic testing to determine the paternity of the minor child. Defendant shall bring said child to the Domestic Relations Office for the testing.

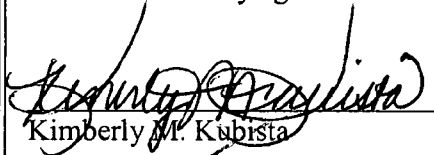
2. The Clearfield County Domestic Relations Office shall administer the testing in accordance with its standard procedures, and shall notify the parties and counsel, being Kimberly M. Kubista for Plaintiff and Stephen B. Jarrett for Defendant, as to the results.

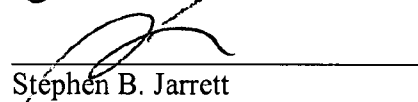
3. The cost for the testing shall be paid by Plaintiff.

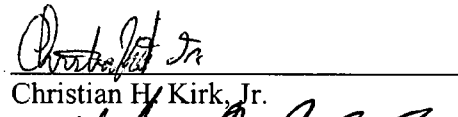
BY THE COURT

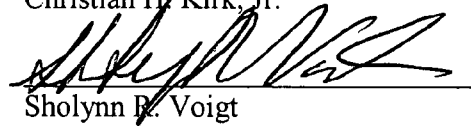

Judge

We hereby agree to the above set forth Stipulation and Order.


Kimberly M. Kubista


Stephen B. Jarrett


Christian H. Kirk, Jr.


Sholynn R. Voigt

FILED

APR 16 2009

William A. Shaw
Prothonotary/Clerk of Court

DATE: 4/16/09

☒ You are responsible for serving all appropriate parties.

___ The Prothonotary's office has provided service to the following parties:

___ Plaintiff(s) ___ Plaintiff(s) Attorney ___ Other

___ Defendant(s) ___ Defendant(s) Attorney

___ Special Instructions:

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

CHRISIAN H. KIRK, JR.

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NO. 2008-576-CD

V.

SHOLYNN R. VOIGT

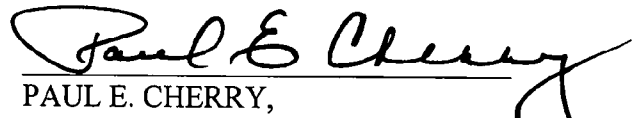
ORDER

AND NOW, this 3rd day of December, 2008, it is the ORDER of this Court that the Prothonotary of Clearfield County strike the following documents from Docket No. 2008-576-CD and file the same to Docket No. 08-945-CD:

1. Order for Mediation Conference and Payment of Costs dated August 18, 2008, filed August 19, 2008;
2. Order dated September 29, 2008, filed September 29, 2008;
3. Order dated October 27, 2008, filed October 27, 2008;
4. Change of Address filed October 27, 2008;
5. Order dated October 28, 2008, filed October 29, 2008

The Prothonotary is hereby directed to serve all future filings to the Defendant's attention at 125 Loop Road, West Decatur, Pennsylvania 16878.

BY THE COURT,


PAUL E. CHERRY,
JUDGE

FILED
DEC 04 2008

William A. Shaw
Prothonotary/Clerk of Courts

ICC Atty: K. Kubista

Jarrett

ICC Def: 125 Loop Road
West Decatur, PA 16878

FILED

DEC 04 2008

William A. Shaw
Prothonotary/Clerk of Courts

Date: 12/4/2008

Clearfield County Court of Common Pleas

User: BHUDSON

Time: 08:39 AM

ROA Report

Page 1 of 1

Case: 2008-00576-CD

Current Judge: Paul E. Cherry

Christian H. Kirk Jr. vs. Sholynn R. Voigt

Original

Civil Other-COUNT

Date	Judge
3/28/2008	No Judge
New Case Filed.	
Filing: Complaint to Establish Paternity and for Genetic Testing. Paid by: Belin, Kubista & Ryan Receipt number: 1923351 Dated: 3/28/2008 Amount: \$95.00 (Check) 3 Cert. to Atty.	
3/31/2008	Paul E. Cherry
Notice of Hearing and Order, this 31st day of March, 2008, Plaintiff and Defendant are directed to appear on the 16th day of April, 2008, at 10:30 a.m. Courtroom 3. by The Court, /s/ Paul E. Cherry, Judge. 3CC Atty: K. Kubista	
4/14/2008	Paul E. Cherry
Acceptance of Service, filed. I, Stephen B. Jarrett on behalf on the Defendant above, accept service of the certified copy of Complaint to Establish Paternity and for Genetic Testing in the above captioned matter, signed by s Stephen B. Jarrett Esq. No CC.	
4/16/2008	Paul E. Cherry
Order, this 15th day of April, 2008, the parties having agreed to the entry of this Order, it is Ordered: 1. Plaintiff and Defendant shall appear at Domestic Relations Office and shall undergo genetic testing to determine the paternity of the minor child. 2. The Clfd Co. Domestic Relations Office shall administer the testing in accordance with its standard procedures, and shall notify the parties and counsel. 3. The Cost of the testing shall be paid by Plaintiff. By The Court, /s/ Paul E. Cherry, Judge. 3CC Atty. Kubista	
8/19/2008	Paul E. Cherry
Order for Mediation Conference and Payment of Costs, NOW, this 18th day of August, 2008, it is Ordered that a Custody Mediation Conference be held Further Ordered that the parties complete a Child Custody Mediation Questionnaire. Ordered that cost be borne equally by Plaintiff and Defendant, made payable to the Clearfield County Treasurer and mailed to I Peters, Judge's Chambers. BY THE COURT: /s/ Paul E. Cherry, Judge. 2CC & Questionnaire to Attys; K. Kubista, Jarrett	
9/29/2008	Paul E. Cherry
Order, this 29th day of Sept., 2008, Defendant having failed to pay the Custody Mediation Fee, unless Defendant pays the fee due the Clfd. Co. Treasurer in the amount of \$250.00, it is Ordered that a hearing be held on the 27th day of Oct., 2008, at 9:00 a.m. in Courtroom 2. By The Court, /s/ Paul E. Cherry, Judge. 1CC Attys; K. Kubista, Jarrett	
10/27/2008	Paul E. Cherry
Change of Address, filed by s/ Sholynn R. Voigt-def. 125 Loop Rd. West Decatur, PA 16878	
Order, this 27th day of Oct., 2008, the Court having received payment of Mediation fee, it is ordered that Defendant shall not be required to attend Contempt Hearing. This matter shall be scheduled for Mediation. By The Court, /s/ Paul E. Cherry, Judge. 2CC Attys: K. Kubista, Jarrett	
10/29/2008	Paul E. Cherry
Order, this 28th day of Oct., it is Ordered that Custody Mediation Conference be held on Jan. 14, 2009 at 1:00 P.M. by The Court, /s/ Paul E. Cherry, Judge. 2CC Atty. K. Kubista; 1CC Atty. Jarrett; 1CC def. @ 125 Loop Rd, West Decatur PA 16878	

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

DEC 04 2008

Attest.

William E. Brown
Prothonotary/
Clerk of Courts

Date: 12/4/2008

Time: 09:06 AM

Page 1 of 1

Clearfield County Court of Common Pleas

ROA Report

Case: 2008-00576-CD

Current Judge: Paul E. Cherry

User: BHUDSON

Corrected

Christian H. Kirk Jr. vs. Sholynn R. Voigt

Civil Other-COUNT

Date		Judge
3/28/2008	New Case Filed.	No Judge
	Filing: Complaint to Establish Paternity and for Genetic Testing. Paid by: Belin, Kubista & Ryan Receipt number: 1923351 Dated: 3/28/2008 Amount: \$95.00 (Check) 3 Cert. to Atty.	No Judge
3/31/2008	Notice of Hearing and Order, this 31st day of March, 2008, Plaintiff and Defendant are directed to appear on the 16th day of April, 2008, at 10:30 a.m. Courtroom 3. by The Court, /s/ Paul E. Cherry, Judge. 3CC Atty: K. Kubista	Paul E. Cherry
4/14/2008	Acceptance of Service, filed. I, Stephen B. Jarrett on behalf on the Defendant above, accept service of the certified copy of Complaint to Establish Paternity and for Genetic Testing in the above captioned matter, signed by s Stephen B. Jarrett Esq. No CC.	Paul E. Cherry
4/16/2008	Order, this 15th day of April, 2008, the parties having agreed to the entry of this Order, it is Ordered: 1. Plaintiff and Defendant shall appear at Domestic Relations Office and shall undergo genetic testing to determine the paternity of the minor child. Defendant shall bring said child for the testing. 2. The Clfd Co. Domestic Relations Office shall administer the testing in accordance with its standard procedures, and shall notify the parties and counsel. 3. The Cost of the testing shall be paid by Plaintiff. By The Court, /s/ Paul E. Cherry, Judge. 3CC Atty. Kubista	Paul E. Cherry

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

DEC 04 2008

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

CA

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

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No. 2008-576-CD

MOTION FOR HEARING

Filed on behalf of

Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-At-Law
Pa. I.D. 52782

KUBISTA & RYAN LLP
202 South Front Street
Clearfield, PA 16830
(814) 765-8972

FILED 2cc Atty
01 11:00 am K. Kubista
MAY 03 2012

S

William A. Shaw
Prothonotary/Clerk of Courts

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

No. 2008-576-CD

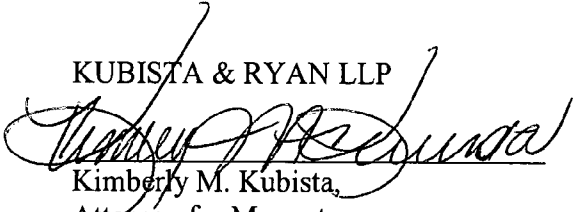
MOTION FOR HEARING

NOW COMES the Plaintiff, CHRISTIAN H. KIRK, JR., by and through his attorneys, Kubista & Ryan LLP, and sets forth the following Motion for Hearing, and in support thereof would aver as follows:

1. That Movant is Christian H. Kirk, Jr., Plaintiff, in the above captioned matter.
2. That Respondent is Sholynn R. Voight, Defendant in the above captioned matter.
3. That the parties attended a custody mediation conference on March 22, 2012, wherein they were unable to resolve the custody dispute.
4. Movant wishes to have the Court make a determination regarding the custody issues of the child in this matter.

WHEREFORE, Movant requests Your Honorable Court to schedule a custody hearing.

KUBISTA & RYAN LLP


Kimberly M. Kubista,
Attorney for Movant

CA

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

CHRISTIAN H. KIRK, JR.
Plaintiff,

vs.

SHOLYNN R. VOIGHT
Defendant,

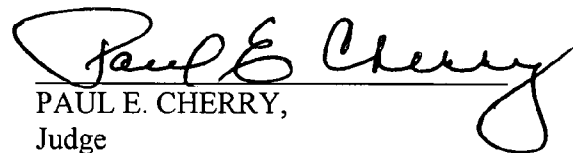
NO. 2008-0576-C.D.

ORDER

AND NOW, this 4th day of May, 2012, it is hereby ORDERED that a
Custody Hearing will be held on **Friday, July 6, 2012, beginning at 9:00 A.M.** in
Courtroom No. 2, Clearfield County Courthouse, Clearfield, PA. One full day has
been reserved for this hearing.

Additionally, a **Custody Pre-trial conference** will be held on **Friday, June 8,**
2012, at 9:00 A.M. in Judge's Chambers.

BY THE COURT:


PAUL E. CHERRY,
Judge

FILED
O/T: 29/30
MAY 08 2012
William A. Shaw
Prothonotary/Clerk of Courts

1cc Memo
to Atty's: K. Kubista
and
Jarett

1cc Memo to
S. Luzier
PO Box 209
Raney, PA 16671

6K

FILED

MAY 08 2012

William A Shaw
Prothonotary/Clerk of Courts

DATE: 5/8/12

___ You are responsible for serving all appropriate parties.

☒ The Prothonotary's office has provided service to the following parties:

___ Plaintiff(s) ☒ Plaintiff(s) Attorney ___ Other

☒ Defendant(s) ☒ Defendant(s) Attorney

___ Special Instructions:

CA

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

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

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No. 2008-576-CD

PRAECIPE TO WITHDRAW
PLEADING

Filed on behalf of

Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-At-Law
Pa. I.D. 52782

KUBISTA & RYAN LLP
202 South Front Street
Clearfield, PA 16830
(814) 765-8972

FILED 2CC
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5 MAY 17 2012
Atty K. Kubista

William A Shew
Prothonotary/Clerk of Courts
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CHRISTIAN H. KIRK, JR.,
Plaintiff

Vs.

SHOLYNN R. VOIGT,
Defendant

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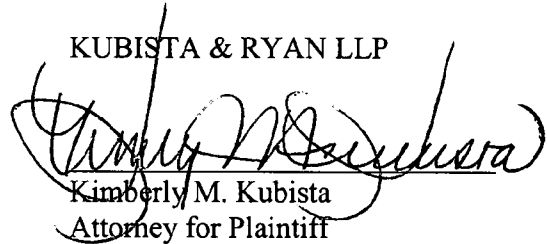
No. 2008-576-CD

PRAECIPE TO WITHDRAW PLEADING

TO THE PROTHONOTARY:

Please withdraw Motion for Hearing filed on May 3, 2012 in the above- captioned
matter.

KUBISTA & RYAN LLP



Kimberly M. Kubista
Attorney for Plaintiff

Date: 5-16-12