

08-867-CD
Amy Guffey vs David Mintucci

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

AMY GUFFEY

Plaintiff/Petitioner

VS.

DAVID MINICUCCI

Defendant/Respondent

: No.2008- 867 -CD

: Type of Case: CUSTODY

: Type of Pleading:

: ACCEPTANCE OF SERVICE

: Filed on Behalf of:

: Amy Guffey, Petitioner

: Counsel of Record for this
: Party:

: Ann B. Wood, Esquire

: Supreme Court No. 23364

: Bell, Silberblatt & Wood
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA 16830

: (814) 765-5537

FILED

MAY 09 2008

6/11/2008 am

William A. Shaw

Prothonotary/Clerk of Courts

no c/c

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

AMY GUFFEY : No. 2008- 867 -CD
Plaintiff/Petitioner :
VS. :
DAVID MINICUCCI :
Defendant/Respondent :
:

ACCEPTANCE OF SERVICE

I hereby accept service of a copy of a Petition for Modification of Custody filed on behalf of the Petitioner, Amy Guffey, with reference to the above captioned matter.

Date: 4-22-08

David Minicucci
David Minicucci, Respondent

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

AMY GUFFEY

Plaintiff/Petitioner

VS.

DAVID MINICUCCI

Defendant/Respondent

: No.2008- 867 -CD

: Type of Case: CUSTODY

: Type of Pleading:

: PETITION FOR MODIFICATION
: OF CUSTODY ORDER

: Filed on Behalf of:

: Amy Guffey, Petitioner

: Counsel of Record for this
: Party:

: Ann B. Wood, Esquire

: Supreme Court No. 23364

: Bell, Silberblatt & Wood
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA 16830

: (814) 765-5537

FILED *(R)*

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William A. Shaw
Prothonotary/Clerk of Courts
2 copies to

ATTY

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

AMY GUFFEY : No. 2008- -CD
Plaintiff/Petitioner :
VS. :
DAVID MINICUCCI :
Defendant/Respondent :
:

PETITION FOR MODIFICATION OF CUSTODY OF ORDER

1. The Petitioner Mother is Amy Guffey, an adult individual, who resides at 329 Fork Run Road, Clearfield, Clearfield County, Pennsylvania 16830.

2. The Respondent Father is David Minicucci, an adult individual, who resides at 311 Fairview Avenue, Glassport, Pennsylvania 15045.

3. The parties are the parents of three (3) children: Franklin Minicucci d.o.b. 11/15/1992; John Minicucci d.o.b. 7/1/1993; and Michael Minicucci d.o.b. 8/21/1996.

4. The parties share legal custody of the three children with primary physical custody in Mother subject to Father's periods of partial custody in accordance with an Order of the Court of Common Pleas of Allegheny County, Pennsylvania, dated April 17, 2000, a copy of which is attached hereto as Exhibit "A".

5. The three children have resided in Clearfield County with the Petitioner Mother and their stepfather, Ernest Guffey, at 329 Fork Run Road, Clearfield, Pennsylvania, for a period of more than five (5) years.

6. The child, Franklin Minicucci, is presently on probation in Clearfield County under Order filed to Juvenile Docket #2007, Page 106.

7. The child, Franklin Minicucci, is desirous of moving to reside primarily with his Father, the Respondent herein.

8. The parties are in agreement that this move would be for the benefit of this child.

9. The Clearfield County Juvenile Probation Office is in agreement with this move as is evidenced by a Consent signed by the Juvenile Probation Supervisor, a copy of which is attached hereto as Exhibit "B".

10. The parties agree that the primary physical custody of John Minicucci and Michael Minicucci shall remain with the Mother subject to Father's periods of partial custody.

WHEREFORE, the Petitioner would request the Honorable Court to enter an Order transferring primary physical custody of Franklin Minicucci to the Respondent Father, David Minicucci.

BELL, SILBERBLATT & WOOD
BY:

Ann B. Wood
Ann B. Wood, Esquire
Attorney for Plaintiff/
Petitioner Amy Guffey

VERIFICATION

I verify that the statements made in this Petition For Modification Of Custody Order are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

DATE: 4/21/08

Amy Guffey
Amy Guffey, Petitioner

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

FAMILY DIVISION

AMY MINICUCCI

Petitioner,

v.

DAVID MINICUCCI

Respondent.

FD 99 9068 005

CUSTODY CONSENT ORDER

FILED ON BEHALF OF:
AMY MINICUCCI

COUNSEL OF RECORD:

BRAD HAMRIC, P.C.
MOWRY BLDG.
90 CLAIRTON BLVD.
PITTSBURGH PA 15236
412 469 1854
PA ID #50431

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

FAMILY DIVISION

AMY MINICUCCI	(No. FD 99 9068
Plaintiff	(
VS.	(
DAVID MINICUCCI	(
Defendant	(

ORDER OF COURT

AND NOW, this 17th day of April, 2000, upon consent of the parties to a Petition to Confirm Custody, IT IS ORDERED, ADJUDGED AND DECREED that Amy Minicucci shall have primary physical of the parties' children Franklin, John and Michael Minicucci, whereas David Minicucci shall have partial physical custody as follows:

First and third weekend of each month, Friday 6:00 p.m. to Sunday 6:00 p.m.; Christmas Eve to be shared equally with Amy Minicucci; the evening of Christmas Day; one week during the Christmas holiday; Father's Day; every other New Years Eve, Easter, Thanksgiving and New Years Day and one week each summer as long as two weeks notice is given to Amy Minicucci of where the children will be and any other times as mutually agreed upon. Amy Minicucci to have each Mother's Day and Memorial Day.

Parties to have shared legal custody of the children.

Each party to inform the other of any medical problem or condition of each child or doctor's appointment as soon as reasonably possible. Each party to make any and all information

with respect to school, pre-school, kindergarten and child care available to the other as soon as reasonably possible.

Amy Minicucci
Amy Minicucci

David Minicucci
David Minicucci

By the Court,

KR Mulligan

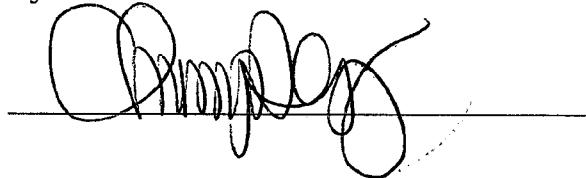
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
CIVIL DIVISION
PENNSYLVANIA

AMY GUFFEY : No. 2008- -CD
Plaintiff/Petitioner :
VS. :
DAVID MINICUCCI :
Defendant/Respondent :
:

CONSENT

AND NOW this 27 day of April, 2008, upon being informed by the parents of Franklin Minicucci d.o.b. 11/15/1992, that they propose to change primary physical custody from the Mother, Amy Guffey, in Clearfield County, Pennsylvania, to the Father, David Minicucci, in Allegheny County, Pennsylvania, the Clearfield County Juvenile Probation Office has no objection to this transfer and is in agreement with transferring the probation of the minor child under the existing Juvenile Docket to Allegheny County.

Clearfield County Juvenile Probation Office
By:



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

AMY GUFFEY : No. 2008- 867-CD
Plaintiff/Petitioner :
VS. :
DAVID MINICUCCI :
Defendant/Respondent :

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William A. Shaw
Prothonotary/Clerk of Courts

CONSENT ORDER

AND NOW this 12th day of May, 2008, upon agreement of the
parties it is hereby ORDERED:

1. Amy Guffey, hereinafter "Mother" and David Minicucci, hereinafter "Father" shall share legal custody of their three (3) children: Franklin Minicucci d.o.b. 11/15/1992; John Minicucci d.o.b. 7/1/1993; and Michael Minicucci d.o.b. 8/21/1996.

In regard to the parties having joint legal custody of their children, the Court follows the definition provided by Pa.R.C.P. 1915.1(b) which states that "legal custody means the legal right to make major decisions affecting the best interest of the minor children, including but not limited to, medical, religious and educational decisions" and wherein each parent shall have equal access to any and all medical, dental, school and legal records. Medical and dental and other professional providers-as well as school administrations-shall accept a copy of this Order as authorization to release documentation to either parent. In addition, it is understood by both parents, that they shall communicate fully

with the other in an effort to assure that all directives pertaining to the minor children from physicians, dentists, mental health providers and teachers are followed absolutely and all information pertaining to any prescriptions for the children is exchanged between the parties.

2. Primary physical custody of John Minicucci and Michael Minicucci shall remain with Mother subject to periods of partial custody in Father.

3. Primary physical custody of Franklin Minicucci shall be with the Father subject to periods of partial custody in Mother.

4. The Father shall have periods of partial custody with John Minicucci and Michael Minicucci every other weekend from Friday at 6: 00 p.m. until Sunday at 6:00 p.m. with transportation to be worked out as agreed between the parties.

5. Mother shall have such periods of partial custody with Franklin Minicucci as the parties may agree.

6. Holidays and summer visits with all of the children shall be at such dates and times and with such transportation arrangements as the parties may agree.

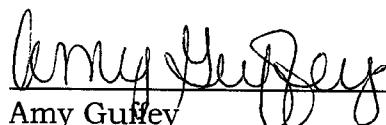
7. Neither party shall restrict telephone contact between the children and the parent not in possession of the children. The parent who is not in possession of the children may have reasonable telephone contact with the children which means up to three (3) telephone calls per week providing the same is done by no later than 8:00 p.m.

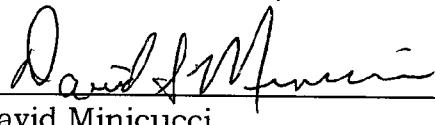
8. There shall be such other periods of partial custody with the children as the parties can agree.

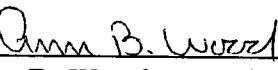
BY THE COURT:


Paul E. Cherry, Judge

We, the undersigned, hereby consent to the entry of the above Order.


Amy Guffey
Plaintiff/Petitioner


David Minicucci
Defendant/Respondent


Ann B. Wood, Esquire
Attorney For Petitioner

FILED

MAY 13 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 5/13/08

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: