

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

J.K.,

Plaintiff- Appellant

Superior Court of Pennsylvania
Docket Number: **9 MDA 2018**

v.

Lower Ct Docket No.: 15 - 20,832

C. S-C.,

Defendant-Appellee

CUSTODY - VENUE
FAST TRACK APPEAL / 1925 (a)


SUPPLEMENTAL STATEMENT IN LIEU OF OPINION
Issued Pursuant to Pennsylvania Rule of Appellate Procedure 1925 (a)

This Court filed its 1925(a) statement on January 26, 2018. Appellant had not filed a concise statement at that time. On January 29, 2018, Appellant filed an untimely concise statement.¹ The trial court record and opinion was received at Superior Court on January 30, 2018. This Court respectfully submits that any appeal issues have been waived by the failure to file a concise statement. See. Pa. R.A.P. 1925(b)(4)(vii).

This Court respectfully relies upon the reasons set forth in the order denying the motion for a change of venue without prejudice on December 1, 2017 and its 1925(a) Opinion and Order filed on January 26, 2018. Upon consideration of stipulated facts and reasonable inferences from them, this Court believed and continues to believe that Lycoming County (where Mother resides) is the most appropriate venue at this time to enforce the partial physical custody rights Mother currently enjoys while residing in Lycoming County.

For these reasons, this Court respectfully requests that the Order sustaining venue without prejudice be affirmed or the appeal be quashed.

January 26, 2018
Date

BY THE COURT

Richard A. Gray, J.

SUZANNE N. FEDER
PROTHONOTARY
CLERK OF COURTS
2018 FEB - 9 PM 1:50

FILED
LYCOMING COUNTY

cc: ~~/~~ Lane M Turturice, Esquire (for Father - Appellant)
Turturice & Associates LLC, 135 S College St., Washington, PA 15301
~~/~~ Wesley Speary, Esquire (for Mother - Appellee)
Prothonotary (SF)
(Superior & 1)

¹ As a FAST TRACK appeal, Appellant was required to file a concise statement with the appeal. See, Pa. R.A.P. 102; Pa. R.A.P. 1925(a)(2). In addition, on January 4, 2018, this Court directed that one be filed within twenty-one (21) days of the date of the Order.