

ERIN PHIPPEN, ERIC PHIPPEN	:	IN THE COURT OF COMMON PLEAS OF
CLARENCE PHIPPEN,	:	LYCOMING COUNTY, PENNSYLVANIA
Plaintiffs	:	
	:	
vs.	:	NO. 00-01008
	:	
MARLA J. PHIPPEN,	:	CIVIL ACTION-LAW
Defendant	:	RULE 1925(a) ORDER

*Date: June 24, 2002*

**ORDER**

Under PA. R.A.P. 1925(a) in support of Order filed November 9, 2001.

On February 4, 2002 the Plaintiff Clarence Phippen filed a Notice of Appeal indicating that he was appealing from this Court's ORDER dated November 5, 2001 which was filed November 9, 2001. That ORDER sustained preliminary objections filed by the Defendant to the complaint of Plaintiff and dismissed the complaint with prejudice. That Order also found that the Plaintiff's complaint as meritless and directed he could not pursue any further prosecution of his claims under *forma pauperis* status. Finally that Order denied the Plaintiff's request for a stay.

This Court filed a Pa. R.A.P. 1925(b) Order on March 13, 2002 directing the Plaintiff, Appellant to file a concise statement of the matters complained of on appeal and to request and pay deposit for the necessary transcripts. The Plaintiff, Appellant was given 14 days from the date of the Order in which to file the concise statement of matters complained of on appeal and 5 days in which to request and pay his deposit for the transcripts. The Plaintiff has done neither through this date.

This Court has again reviewed the Plaintiff's pleadings in this matter. The Court is convinced that they are completely without merit and do not in any way articulate a cognizable complaint which may be brought in the Court of Common Pleas.

This Court being otherwise unable to speculate as to the basis for the Plaintiff's appeal, and further noting that it was obviously filed more than 30 days following the giving of notice of the Order appealed from, recommends that the appeal be dismissed.

This Court further DIRECTS that the record in this matter be transmitted to the Superior Court immediately by this Court's Prothonotary.

BY THE COURT,

Williams S. Kieser, Judge

cc: William J. Miele, Esquire  
Clarence Phippen, EB 4632; SCI Waymart; Box 256; Waymart, PA 18472  
Judges  
Paul Petcavage, Law Clerk  
Gary L. Weber, Esquire (Lycoming Reporter)