

ROBERT A. REIGLE,	:	IN THE COURT OF COMMON PLEAS OF
	:	LYCOMING COUNTY, PENNSYLVANIA
Plaintiff	:	JURY TRIAL DEMANDED
	:	
vs.	:	NO. 02-00,358
	:	
ANN M. MOYER, f/k/a	:	CIVIL ACTION
ANN M. REIGLE,	:	
	:	
Defendant	:	NON-JURY TRIAL ADJUDICATION

*Date: June 27, 2003*

**NON-JURY TRIAL ADJUDICATION**

This adjudication order is entered following a non-jury trial proceeding held before this Court on May 23, 2003 and May 27, 2003. The issue before the Court is whether or not the marriage of Plaintiff to Defendant, which occurred in Northumberland County on August 22, 1987 remains valid. The issue arises through a declaratory judgment action filed by Plaintiff. Plaintiff has been represented by counsel, Layne R. Oden, Esquire; Defendant has not had counsel representing her at any stage of the proceedings.

Various contempt sanctions against Defendant for failure to comply with discovery preceded trial. Defendant, at trial, asserted that the marriage had been terminated by a foreign divorce decree. She finally presented a Divorce Decree in the form of an uncertified copy of a document which she represented was a Decree in Divorce entered in the country of Mexico on November 21, 1992. The document, as actually presented to this Court by Defendant is attached to this Order for purposes of filing in this case. Also, submitted by Defendant were unsigned letters assertedly received by Defendant from her Mexican counsel.

The Court has been able to roughly translate the purported Divorce Decree ascertaining that it is a document dated November 19, 1992 and states that the marriage of

Ann Marie Reigle and Robert A. Reigle is terminated/ended. It further reads that the divorce paper is permitted upon the obligatory proof of evidence and agreement in accordance with the court of justice. It purports to be signed, "By the Court, First Judge of Family Court." There does not appear to be a typed name of a judge although there appears to be a signature under the foregoing title. The Court has also ascertained that the document contains what appears to be a street address and that it is from a pacific coastal city in Mexico, Ixtapa-Zihuantanejo, which is just north of Acapulco. It appears to have a document number of 13 ALR-301419. There is on the document an apparent two partial rubber-stamped markings in the upper right-hand corner and lower left-hand corner which may be an attempt to provide a seal of authority.

At trial Plaintiff did not contest the validity of this Decree and indicated on the record that he would accept this as evidence that a valid divorce has been entered in Mexico. Plaintiff also stated he did not wish to contest the validity of the Mexican decree in any way.

The presentment of this document has been long delayed by Defendant throughout the course of proceedings and negotiations in this litigation. This delay seems motivated by a great animosity of Defendant towards Plaintiff. Nevertheless, the Divorce Decree appears to be consistent with Defendant's prior statements to Plaintiff, as well as her prior actions. Those prior actions include: the commencement of a divorce in Northumberland by Defendant against Plaintiff which was purged for inaction on September 30, 1992; Defendant having separated herself from Plaintiff on or about May 2, 1989 and never resuming cohabitation with him; and Defendant being married to another gentlemen, James Edward Moyer on August 6, 1994. Somewhat disturbing, however, is the fact that

Defendant's application for the marriage license in Northumberland County upon her marriage to Mr. Moyer does not indicate that she had any prior marriage or any prior divorce.

Under all the circumstances presented this Court believes it is appropriate to recognize the validity of the asserted Mexican Divorce Decree. Accordingly, the following Order is entered.

**ORDER**

Based upon the proceedings held before this Court and the foregoing statement of findings, this Court hereby recognizes and declares that the marriage between Plaintiff Robert A. Reigle and Ann M. Moyer (formerly known as Ann M. Reigle) was terminated by a Decree in Divorce entered in Mexico on November 21, 1992.

BY THE COURT,

William S. Kieser, Judge

cc: Layne R. Oden, Esquire  
Ann M. Moyer  
803 South Second Street; Sunbury, PA 17801  
Judges  
Christian J. Kalas, Esquire  
Gary L. Weber, Esquire (Lycoming Reporter)