

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

LLW,		: NO. 01-21,337
	Plaintiff	:
		:
	vs.	:
		: CIVIL ACTION - LAW
BLW,		: IN DIVORCE
	Respondent	: Petition to terminate APL

OPINION AND ORDER

Before the Court is Defendant's Petition to Terminate Alimony Pendente Lite, filed June 27, 2003. Argument on the petition was heard July 2, 2003.

At argument, Plaintiff contended alimony pendente lite should be terminated because the marriage lasted only 19 months and Plaintiff has been paying alimony pendente lite for 10 months and there are no economic issues to be resolved. A hearing on equitable distribution is set for September 29, 2003, but Defendant's counsel agreed there are no assets and the only issues are health insurance and potential alimony. These circumstances led the Court to indicate at argument that it appears Defendant is using the litigation not to address legitimate economic rights, but to prolong the receipt of alimony pendente lite, and therefore Plaintiff's request to terminate such appeared well-founded.

A subsequent review of the files¹ in this matter revealed, however, that no order for alimony pendente lite has ever been entered. While there does exist an order for child and spousal support, entered to No. 94-20,737, the factors which might justify termination of

¹ In addition to the divorce complaint filed to the above-captioned number, a previous divorce was filed to No. 94-20,737. A divorce was granted in that matter but the parties remarried, then separated and a complaint for support was filed to the old divorce number.

alimony pendente lite do not apply to an award of spousal support. Plaintiff's request must therefore be denied.²

ORDER

AND NOW, this 2nd day of July, 2003, for the foregoing reasons,
Plaintiff's request to terminate alimony pendente lite is hereby DENIED.

BY THE COURT,

Dudley N. Anderson, Judge

cc: William Miele, Esq.
Lori Rexroth, Esq.
Gary Weber, Esq.
Hon. Dudley Anderson

² The Court also wishes to note that the spousal support currently being paid is scheduled to terminate automatically, pursuant to the terms of the order providing therefor, on September 6, 2003.