

MONTOUR OIL SERVICE COMPANY,	:	IN THE COURT OF COMMON PLEAS OF
	:	LYCOMING COUNTY, PENNSYLVANIA
Plaintiff/Appellee	:	
	:	
vs.	:	NO. 03-01,820
	:	
CLIFFORD BUTTON and	:	
JOYCE BUTTON, t/d/b/a,	:	
TUSSEYVILLE GREENHOUSE,	:	
	:	
Defendants/Appellants	:	1925(a) OPINION

Date: September 2, 2005

**OPINION IN SUPPORT OF THE ORDER OF JUNE 22, 2005 IN COMPLIANCE
WITH RULE 1925(a) OF THE RULES OF APPELLATE PROCEDURE**

Defendants have appealed this Court's June 22, 2005 order. The June 22, 2005 order denied Defendants' Motion for Judgment on the Pleadings in the Nature of a Demurrer filed June 7, 2005. Defendants filed the notice of appeal on July 6, 2005. On August 9, 2005, this court issued an order in compliance with Pa.R.A.P. 1925(b) directing Defendants to file a concise statement of matters complained of on appeal within fourteen days of notice of the order. Defendants filed the statement of matters on August 29, 2005.

The Court has reviewed the statement of matters. The gravamen of the statement of matters is that the court erred in denying the June 7, 2005 motion for judgment on the pleadings. The court stated its reasons for denying the motion in the June 22, 2005 order denying the motion. The court reasserts those reasons.

With regard to the other issues raised in the statement of matters, the court believes that Defendants have misinterpreted previous court opinions and various rules of civil procedure. As such, the issues are without merit.

Accordingly, Defendants appeal should be denied and the June 22, 2005 order affirmed.

BY THE COURT,

William S. Kieser, Judge

cc: E.J. Rymysz, Esquire
Clifford I. Button
136 Neff Road; Center Hall, PA 16828
Judges
Christian Kalas, Esquire
Gary L. Weber, Esquire (Lycoming Reporter)