

**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY,
PENNSYLVANIA**

MS,	:
Appellant/Plaintiff	: NO. 11-20,828
	:
vs.	:
	:
TS,	: RULE 1925(a) OPINION
Appellee/Defendant,	:

DATE: January 17, 2011

**OPINION IN SUPPORT OF THE ORDER OF NOVEMBER 15, 2011 IN
COMPLIANCE WITH RULE 1925(a) OF THE RULES OF APPELLATE
PROCEDURE**

MS, (hereinafter “Husband”) has appealed this Court’s November 15, 2011 Order. Husband filed his appeal on December 15, 2011 and the appeal is docketed to 2193 MDA 2011. This Opinion is submitted in regard to the pending appeal.

Husband’s appeal should be denied and the Order of November 15, 2011 affirmed. Husband’s appeal is based on a Wife’s Petition to Interpret Agreement that was filed with the Court on October 21, 2011 and subsequently decided on November 15, 2011. The Court relies on the reasoning explained in the comprehensive Order of November 15, 2011.

In Husband's concise statement of errors complained of Husband cites the following errors:

1. The Trial Court erred in ruling that the Defendant/Appellee's Petition to Interpret the parties Property Settlement Agreement was properly before the Court.
2. The Trial Court erred in failing to properly interpret the Property Settlement Agreement by failing to apply appropriate contract law principles.
3. The Trial Court erred in failing to consider the entire scheme of the Property Settlement Agreement by focusing on one provision and striking that provision.
4. The Trial Court erred in relieving Defendant/Appellee of a contractual obligation in which she voluntarily entered.

In the Order of November 15, 2011 the Court extensively analyzed and explained all of the issues complained of. The Court kindly requests this Honorable Court to refer to the November 15, 2011 order for the rationale behind the holding.

CONCLUSION

In order to reach the final decision this Court listened to in chambers argument between counsel¹; reviewed the Property Settlement Agreement in entirety; researched the law; and applied the applicable law. This Court did not abuse its discretion or err in

¹ At the request of counsel argument was held in chambers; as this was a purely legal argument and there were no facts in dispute no record was created. As of the date of filing this opinion there has been no statement of the evidence or proceedings filed with the Court by the appellee.

its decision. The Court's order of November 15, 2011 should be affirmed and Husband's appeal dismissed.

BY THE COURT,

Joy Reynolds McCoy, Judge