

IN THE COURT OF COMMON PLEAS OF SNYDER COUNTY, PENNSYLVANIA

JOHNATHAN BUTLER,

v.

**TIYHERAH GREEN,
Appellant**

:
: **No. FC 24-20276**
:
: **Custody**
:
:
: **1925(a) Opinion**

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

This opinion is written in support of the Opinion and Order dated February 19th, 2025. By way of background, Plaintiff filed for custody on March 13th, 2024. An initial custody conference was held on May 30th, 2024 where Mother was awarded primary custody. After a custody pre-trial conference held July 10th, 2024, Father was awarded specific periods of supervised visitation. A Guardian Ad Litem was subsequently appointed on September 16th, 2024. On December 11th, 2024 a final settlement conference was held at which time the parties could not come to an agreement.

A custody trial was held on Father's Complaint on February 14th, 2025. At the conclusion of the trial the Court ruled that the parties shall share physical custody. Father was awarded physical custody every other weekend after a two-weekend phase in period. After conclusion of the trial Appellant filed her Notice of Appeal on February 20th, 2025, which designated this case as a children's fast track appeal. Appellant failed to file a concise state of errors complained of on appeal as required by Rule 1925(a)(2)(i) Pa. Rules of Appellate Procedure. Therefore, the Court is unaware of the errors Appellant raises on this appeal.

With that said, in reviewing a custody order, the Superior Court's scope is of the broadest

type and the standard is abuse of discretion. The Superior Court has held:

We must accept findings of the trial court that are supported by competent evidence of record, as our role does not include making independent factual determinations. In addition, with regard to issues of credibility and weight of the evidence, we must defer to the presiding trial judge who viewed and assessed the witnesses first-hand. However, we are not bound by the trial court's deductions or inferences from its factual findings. Ultimately, the test is whether the trial court's conclusions are unreasonable as shown by the evidence of record. We may reject the conclusions of the trial court only if they involve an error of law, or are unreasonable in light of the sustainable findings of the trial court.

M.J.M. v. M.L.G., 63 A.3d 331, 334 (Pa. Super. 2013).

After hearing the testimony of both of the parties, their witnesses, and the Guardian Ad Litem the Court determined that it was in the best interest to award Father the custody time defined in the order. Additionally, at the time of the trial the Court reviewed and analyzed all 16 enumerated custody factors as required. This is memorialized by the Court's Opinion and Order dated February 19th, 2025 and filed February 20th, 2025. This Court will rely on that Opinion for the purposes of this appeal.

For the forgoing reasons, the Court submits that it did not err and respectfully requests that the Order dated February 19th, 2025 be affirmed.

DATE: _____

By The Court,

Ryan C Gardner, Judge

cc: Tiffani Kase, Esq.
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Superior Court (original & 1)
Gary Weber, Esq.

