

RECENT PA. APPELLATE COURT FAMILY LAW SLIP OPINIONS

January 2014

Summarized by David I. Grunfeld, Esquire

1. **In the Interest of: J.B.**, Phl., 1036 and
1165 EDA 2013 (Pa. Super. 11/1/13)

Separated parents appealed dependency adjudication with aggravated circumstances. Affirmed due to medical neglect; vacated as to aggravated circumstances re: father and remand for reunification efforts. Memorandum opinion by Wecht joined by Donohue and Strassburger.

2. **S.J.N. v. W.A.N.**, Carb., 983 EDA 2013
(Pa. Super. 11/1/13)

Father appealed custody order to Mother. Affirmed - all factors considered. Memorandum opinion by Bender joined by Donohue and Musmanno.

3. **In the Interest of: N.H.C.**, York, 1063 and
1064 MDA 2013 (Pa. Super. 11/6/13)

Mother appealed termination order. Affirmed due to incarceration, drug abuse, failure to comply with plan. Memorandum opinion by Mundy joined by Panella and Musmanno.

4. **S.C.F. v. R.A.J.B.**, Alleg., 917 WDA 2013
(Pa. Super. 11/6/13)

Mother appealed custody order to Father. Affirmed - all factors evaluated, and Father's flexible work schedule tips the balance. Memorandum opinion by Allen joined by Ford Elliott and Colville.

5. **In The Adoption of: N.R.H.**, Cumb., 636 MDA 2013
(Pa. Super. 11/6/13)

Mother appealed termination order. Affirmed due to parenting incapacity, bond with foster parents. Memorandum opinion by Panella joined by Mundy and Musmanno.

6. **In the Interest of: K.K.**, Ind., 1100 and
1101 WDA 2013 (Pa. Super. 11/7/13)

Mother appealed termination orders. Affirmed due to substance abuse, parenting incapacity, bond with foster mother. Memorandum opinion by Strassburger joined by Ford Elliott and Wecht.

7. **In Re: Adoption of D.L.H.**, West., 1088 WDA 2013
(Pa. Super. 11/7/13)

Father appealed termination order. Affirmed due to sexual abuse, mental health, bond with foster parents. Memorandum opinion by Strassburger joined by Ford Elliott and Wecht.

8. **In the Interest of: L.I.D.-C.**, Phl., 1187 EDA 2013
(Pa. Super. 11/7/13)

Mother appealed termination order. Affirmed due to lack of contact or compliance. Memorandum opinion by Colville joined by Allen and Ott.

9. **In the Interest of: X.J.**, Lanc., 1151 MDA 2013
(Pa. Super. 11/7/13)

Mother appealed dependency adjudication with aggravated circumstances. Affirmed due to substance abuse, safety, non-compliance with goals. Memorandum opinion by Shogan joined by Ford Elliott and Platt.

10. **In Re: R.S.**, York, 1189 and 1190 MDA 2013
(Pa. Super. 11/7/13)

Father appealed termination orders. Affirmed due to incarceration, no contact, bond with foster parents. Memorandum opinion by Shogan joined by Ford Elliott and Platt.

11. **A.M. v. D.R.**, Montg., 3472 EDA 2012
(Pa. Super. 11/8/13)

Father appealed child support order including private school tuition and summer camp. Affirmed - no abuse of discretion based on earnings and history. Memorandum opinion by Strassburger joined by Donohue and Wecht.

12. **Fletcher v. Jones**, Phl., 283 EDA 2013
(Pa. Super. 11/8/13)

Boyfriend defendant filed appeal from denial of his petition to modify PFA order. Affirmed - order does not forbid him from possessing firearms, although he lost employment as security guard. Memorandum opinion by Strassburger joined by Donohue and Wecht.

13. **Freund v. Freund**, Wash., 779 WDA 2011
(Pa. Super. 11/8/13)

Husband appealed divorce E.D. order, which included increase in value of business he operated and Mother owned. Vacated and remanded for hearing on actual ownership and interpretation of pre-nup. Memorandum opinion by Wecht joined by Shogan. Dissenting memorandum by Donohue, who would attribute increase in value to Husband even if business not owned by him.

14. **W.J.H. v. T.M.**, Carb., 295 EDA 2013
(Pa. Super. 11/8/13)

Father appealed child support order. Affirmed - no abuse of discretion in finding of Mother's earning capacity here. Memorandum opinion by Olson joined by Panella and Platt.

15. **In Re: Adoption of A.N.**, Clear., 845 WDA 2013
(Pa. Super. 11/8/13)

Mother appealed termination order. Affirmed due to drug abuse, incarceration, lack of contact or bond. Memorandum opinion by Shogan joined by Ford Elliott and Gantman.

16. **Arce v. Arce**, Leh., 3172 EDA 2012
(Pa. Super. 11/8/13)

Wife appealed denial of spousal support. Affirmed - no transcript ordered. Memorandum opinion by Donohue joined by Bowes and Ott.

17. **C.B. v. L.K.**, York, 800 WDA 2013
(Pa. Super. 11/12/13)

Mother appealed custody order to Father. Affirmed - all factors considered by trial court in granting "shared" physical custody, primary during school year to Father and weekends, holidays and summer vacation to Mother. Memorandum opinion by Platt joined by Panella. Dissenting memorandum by Mundy, who would find abuse of discretion based on factors in Mother's favor.

18. **Wagner v. Wagner**, Clint., 657 MDA 2013
(Pa. Super. 11/12/13)

Husband appealed divorce decree, alimony and E.D. order. Affirmed - no error to award alimony here where Wife was supporting children and grandchildren. Memorandum opinion by Mundy joined by Panella and Musmanno.

19. **J.L.S. v. W.S.**, Lanc., 747 MDA 2013
(Pa. Super. 11/12/13)

Mother appealed custody order to Maternal Grandfather and order that children attend Milton Hershey School. Affirmed - all factors considered, parental presumption overcome. Memorandum opinion by Mundy joined by Panella and Pratt.

20. **H.A.F. v. J.F.F.**, Leh., 773 EDA 2013
(Pa. Super. 11/13/13)

Father appealed interim custody order. Quashed - not final. Judgment order by Gantman joined by Shogan and Platt.

21. **Fischetti v. Fischetti**, Montg., 3284 EDA 2012
(Pa. Super. 11/13/13)

Husband appealed contempt order for failure to make payments under PSA. Affirmed - appealed enforcement order, not contempt finding with sanctions. Memorandum opinion by Colville joined by Shogan and Wecht.

22. **In Re: Adoption of E.J.S.**, Westm., 790 WDA 2013
(Pa. Super. 11/13/13)

Mother appealed termination order. Affirmed - colloquy supports voluntary relinquishment. Memorandum opinion by Ott joined by Lazarus. Dissenting memorandum by Ford Elliott, who would find revocation timely after agreement filed.

23. **B.P.N. v. D.S.B.**, Montg., 1536 EDA 2013
(Pa. Super. 11/13/13)

Father appealed trial court's dismissal of his PFA petition on behalf of child against Mother, upon request of child advocate. Vacated and remanded for hearing under statute. Memorandum opinion by Allen joined by Ott and Colville.

24. **S.S. v. W.S.**, Blair, 754 WDA 2013
(Pa. Super. 11/13/13)

Father appealed PFA order gotten by Mother. Affirmed - acts constituted abuse. Memorandum opinion by Gantman joined by Bender and Olson.

25. **M.B. v. M.K.**, Butler, 657 WDA 2013
(Pa. Super. 11/13/13)

Mother appealed custody order to Father. Affirmed - no error in relying on expert's recommendation of supervised visits until counseling completed, or in accepting G.A.L. report but excluding hearsay. Memorandum opinion by Ford Elliott joined by Allen and Colville.

26. **Johnson v. Johnson**, Erie, 1861 WDA 2012
(Pa. Super. 11/13/13)

Father appealed child support order. Affirmed - no error in assessing earning capacity and business expenses here. Remanded for credit for health insurance premiums. Memorandum opinion by Ford Elliott joined by Allen and Colville.

27. **In Re: S.M.S.**, York, 927 MDA 2013
(Pa. Super. 11/15/13)

Father appealed termination order. Affirmed due to no contact and bond with adopting stepfather. Memorandum opinion by Musmanno joined by Panella and Mundy.

28. **In the Interest of: E.B.**, Phl., 1352 EDA 2013
(Pa. Super. 11/15/13)

Father appealed dependency adjudication. Affirmed due to safety and parental care issues; no abuse to give foster care to Maternal Grandmother. Memorandum opinion by Ott joined by Bowes and Donohue.

29. **Wontor v. Wontor**, Pike, 99 EDA 2013
(Pa. Super. 11/18/13)

Father appealed child support order. Affirmed - no transcript filed. Memorandum opinion by Colville joined by Shogan and Wecht.

30. **McVay v. Addlespurger**, Alleg., 1469 and
1613 WDA 2012 (Pa. Super. 11/18/13)

Parties appealed child support sanctions order against Mother. Reversed and remanded - record does not sustain finding of E.D. credit to require Wife to deposit amount against Husband's future support obligations. Memorandum opinion by Bowes joined by Mundy and Colville.

31. **Whistler v. Greason**, Cumb., 457 MDA 2013
(Pa. Super. 11/19/13)

Wife appealed E.D. order. Affirmed as to no oral/email settlement agreement; remanded for calculation of marital home sale costs; no error in making Wife pay her school loans. Memorandum opinion by Platt joined by Panella and Mundy.

32. **Gordon v. Gordon**, But., 1863 WDA 2012
(Pa. Super. 11/19/13)

Wife appealed E.D. enforcement order. Affirmed - order was corrective and not modification. Memorandum opinion by Colville joined by Ford Elliott and Allen.

33. **Carney v. Carney**, Mon., 843 EDA 2013
(Pa. Super. 11/19/13)

Husband appealed E.D. order. Vacated and remanded - trial court erred in evaluating Husband's business. Memorandum opinion by Donohue joined by Bowes and Ott.

34. **Sanchez v. Sanchez**, Bucks, 893 EDA 2013
(Pa. Super. 11/19/13)

Husband appealed order denying his petition to modify medical insurance provision of P.S.A. because of his unemployment. Affirmed - no requirement he be employed. Memorandum opinion by Donohue joined by Bowes and Ott.

35. **Campbell v. Campbell**, Ven., 381 WDA 2013
(Pa. Super. 11/20/13)

Husband appealed E.D. order. Affirmed - no errors in calculating values, or in giving Wife cash instead of deferred share of pension. Memorandum opinion by Wecht joined by Ford Elliott and Strassburger.

36. **Wellman v. Wellman**, Potter, 1410 WDA 2012
(Pa. Super. 11/20/13)

Husband appealed divorce/E.D. contempt orders. Affirmed as to damages to trees, vacated and remanded as to personalty for calculation. Memorandum opinion by Ott joined by Ford Elliott and Musmanno.

37. **In the Interest of: B.O.V.**, Dau., 1167 MDA 2013
(Pa. Super. 11/21/13)

Father appealed termination orders. Affirmed due to incarceration, failure to comply with parenting program, no bond. Memorandum opinion by Shogan joined by Ford Elliott and Platt.

38. **C.R.F. v. S.E.F.**, Wash., 477 WDA 2013
(Pa. Super. 11/21/13)

Father appealed custody order to Mother and her relocation to Somerset County. Affirmed - all factors considered. Memorandum opinion by Colville joined by Ford Elliott and Allen.

- 39. H.A.F. v. J.F.F., Leh., 1756 EDA 2013
(Pa. Super. 11/22/13)**

Father appealed order denying his petition to hold court reporter in contempt. Quashed - custody case not concluded. Memorandum opinion by Gantman joined by Shogan and Platt.

- 40. In the Interest of: T.M., Phl., 1509 EDA 2013
(Pa. Super. 11/25/13)**

Father appealed termination order. Vacated and remanded for appointment of substitute counsel; here appointed for dependency not termination, and brief was defective. Memorandum opinion by Bowes joined by Lazarus and Wecht.

- 41. In the Adoption of: C.M.M., Cumb., 277 MDA 2013
(Pa. Super. 11/27/13)**

Father appealed termination order. Vacated and remanded for evaluation of bond. Memorandum opinion by Fitzgerald joined by Bender and Lazarus.

- 42. C.L. v. S.H.T., Jeff., 1348 WDA 2013
(Pa. Super. 11/27/13)**

Maternal grandparents appealed denial of intervention in custody case. Reversed - because out of wedlock, have standing under statute to seek partial custody. Memorandum opinion by Lazarus joined by Bowes and Allen.

- 43. In Re: A.T., Phl., 1186 EDA 2013
(Pa. Super. 11/27/13)**

DHS appealed order to give dependent child a laptop. Affirmed - 19 year old needs for college. Memorandum opinion by Ott joined by Bowes and Donohue.

- 44. Ballintine v. Ballintine, Alleg., 160 WDA 2013
(Pa. Super. 12/2/13)**

Husband appealed order enforcing consent agreement. Reversed - trial court wrongly interpreted calculations. Memorandum opinion by Colville joined by Ford Elliott and Allen.

- 45. In Re: K.S.J., 1530-33 EDA 2013
(Pa. Super. 12/3/13)**

Father appealed termination orders. Affirmed due to failure to comply with plan, incapacity. Memorandum opinion by Gantman joined by Donohue and Olson.

- 46. Voychuk v. Voychuk, Luz., 421 MDA 2013
(Pa. Super. 12/3/13)**

Father appealed child support order. Affirmed - not terminable per property settlement agreement. Memorandum opinion by Fitzgerald joined by Bender and Wecht.

- 47. In Re: Adoption of B.M.J., Northam., 1295 MDA 2013
(Pa. Super. 12/3/13)**

Mother appealed termination order. Affirmed due to mental illness, incapacity, lack of contact, bond with foster parents. Memorandum opinion by Shogan joined by Allen and Musmanno.

- 48. In the Interest of: L.E.F., Berks, 1015 MDA 2013
(Pa. Super. 12/3/13)**

Mother appealed termination order. Affirmed due to failure to comply with plan. Memorandum opinion by Ford Elliott joined by Shogan and Platt.

49. **In the Interest of: J.R.A.**, Phl., 602 EDA 2013
(Pa. Super. 12/4/13)

Mother appealed termination order. Affirmed due to mental illness and incapacity. Memorandum opinion by Panella joined by Mundy and Fitzpatrick.

50. **Salvati v. Salvati**, Mon., 417 EDA 2013
(Pa. Super. 12/4/13)

Husband appealed alimony order. Affirmed - no error in award here. Memorandum opinion by Panella joined by Bowes and Fitzgerald.

51. **Strom v. Strom**, Alleg., 1947 WDA 2012
(Pa. Super. 12/5/13)

Mother appealed child support order. Affirmed - alimony properly factored into calculation and Wife's medical needs also considered. Memorandum opinion by Ford Elliott joined by Allen and Colville.

52. **McKennas v. McKennas**, Wyo., 1834 MDA 2012
(Pa. Super. 12/6/13)

Husband appealed E.D. order. Quashed as untimely filed. Memorandum opinion by Olson joined by Mundy and Strassburger.

53. **In Re: J.L.F.**, Berks, 1552 MDA 2013
(Pa. Super. 12/6/13)

Mother appealed termination order. Remanded for opinion as to grounds under statute. Memorandum opinion by Donohue joined by Shogan and Musamanno.

- 54. Peters v. Peters, Ind., 1970 WDA 2012
(Pa. Super. 12/6/13)**

Wife appealed termination of spousal support upon issuance of divorce decree. Reversed - marital settlement agreement called for a total sum to be paid albeit not calling it "alimony" after decree. Memorandum opinion by Mundy joined by Bowes and Colville.

- 55. Sinclair v. Sinclair, Cent., 286 MDA 2013
(Pa. Super. 12/9/13)**

Husband appealed denial of his petition for contempt on E.D. order. Dismissed - issues raised relate to unappealed original order and divorce. Memorandum opinion by Bender joined by Wecht and Fitzgerald.

- 56. C.S.H. v. C.A.H., York, 807 MDA 2013
(Pa. Super. 12/9/13)**

Mother appealed contempt order and counsel fees in custody case. Affirmed - no error in finding that Father cooperated and Mother violated vacation provision. Memorandum opinion by Wecht joined by Bender and Fitzgerald.

- 57. Alza v. Alza, Mon., 742 EDA 2013
(Pa. Super. 12/10/13)**

Wife appealed denial of her petition to extend alimony and set wording of QDRO. Affirmed - alimony in agreement was non-modifiable, despite disability after divorce; cannot redraft QDRO over dispute on issue of reduction of her share to obtain survivor option. Memorandum opinion by Lazarus joined by Bowes and Wecht.

- 58. In the Interest of: J.B., Phl., 1117 and
1120 EDA 2013 (Pa. Super. 12/10/13)**

Mother appealed termination orders. Affirmed due to safety, substance abuse, bond with foster parents, non-compliance with goals. Memorandum opinion by Bowes joined by Donohue and Ott.

- 59. In the Interest of: J.R., Lanc., 705 and
704 MDA 2013 (Pa. Super. 12/10/13)**

Parents appealed dependency adjudications. Affirmed due to safety issues as to injured child, and accordingly as to uninjured siblings; vacated as to aggravated circumstances because injuries not serious enough under the statute. Memorandum opinion by Bender joined by Wecht and Fitzgerald.

- 60. B.K.M. v. J.A.M., Montg., 1025 and
1162 EDA 2013 (Pa. Super. 12/11/13)**

Parents appealed custody order denying Mother's relocation to Sweden with children. Vacated and remanded - trial court insufficiently evaluated factors and presumptions. Memorandum opinion by Donohue joined by Bowes and Ott.

- 61. In Re: Estate of Novak, West., 891 WDA 2013
(Pa. Super. 12/11/13)**

Administrator appealed revocation of letters to him and grant to common law wife of decedent. Affirmed - no abuse of discretion in finding of common law marriage entered into before 2005. Memorandum opinion by Allen joined by Bowes and Lazarus.

62. M.J. v. S.J., Alleg., 723 WDA 2013
(Pa. Super. 12/11/13)

Father appealed denials of his petitions for contempt and modification of custody. Affirmed - insufficient pro se brief but no error on the merits. Memorandum opinion by Bowes joined by Allen and Lazarus.

63. In Re: A.J.R., Montg., 1478 EDA 2013
(Pa. Super. 12/12/13)

Father appealed termination order. Affirmed due to drug abuse, no contact, special needs child, failure to meet goals. Memorandum opinion by Panella joined by Bowes and Fitzgerald.

64. In the Interest of: S.P., Berks, 838 and
839 MDA 2013 (Pa. Super. 12/13/13)

Maternal grandmother appealed denial of her standing in dependency case. Affirmed - no loco parentis standing under statute, and stipulated custody order invalid. Memorandum opinion by Fitzgerald joined by Bender and Wecht.

65. Hilscher v. Hilscher, Alleg., 61 WDA 2013
(Pa. Super. 12/13/13)

Wife appealed divorce decree. Affirmed - no error in dismissing exceptions for no brief, or in denying oral argument; other issues waived. Memorandum opinion by Olson joined by Panella and Musmanno.

66. In the Interest of: J.R.M., Blair, 1276 WDA 2013
(Pa. Super. 12/13/13)

Father appealed termination orders. Affirmed due to no contact or parental duties; paternity testing not requested. Memorandum opinion by Lazarus joined by Bowes and Allen.

67. **In Re: Adoption of T.S.**, Fay., 1189 WDA 2013
(Pa. Super. 12/13/13)

Father appealed termination order. Affirmed due to incarceration, lack of parenting skills, bond with foster parents. Memorandum opinion by Allen joined by Bowes and Lazarus.

68. **In Re: J.J.L.**, Alleg., 1063 WDA 2013
(Pa. Super. 12/16/13)

Mother appealed termination order. Affirmed due to mental health, safety, criminality, parenting inability, bond with foster parents. Memorandum opinion by Wecht joined by Ford Elliott and Strassburger.

69. **In the Interest of: H.D.**, Leb., 995 MDA 2013
(Pa. Super. 12/17/13)

Mother appealed termination order. Affirmed due to safety issues, failure to meet goals, bond with foster parents. Memorandum opinion by Platt joined by Ford Elliott and Shogan.

70. **In Re: Termination of Parental Rights H.A.D.**,
Leb., 1024 MDA 2013 (Pa. Super. 12/17/13)

Mother appealed termination order. Affirmed due to safety issues, failure to meet goals, bond with foster parents. Memorandum opinion by Platt joined by Ford Elliott and Shogan.

71. **Irey v. Irey**, Wash., 1031 WDA 2012
(Pa. Super. 12/17/13)

Husband appealed contempt of MSA order. Affirmed - no abuse of discretion in finding continued non-compliance. Memorandum opinion by Lazarus joined by Olson and Colville.

72. **T.J.F. v. P.F.**, Arm., 1103 WDA 2013
(Pa. Super. 12/18/13)

Mother appealed order denying supervised partial physical custody for Father. Affirmed - no error in finding of no child physical abuse. Memorandum opinion by Ott joined by Ford Elliott and Wecht.

73. **In Re: Adoption of K.A.M-T.**, Montg., 2062 EDA 2013
(Pa. Super. 12/19/13)

Father appealed termination order. Affirmed due to incarceration, parenting incapacity, substance abuse, bond with foster parent. Memorandum opinion by Strassburger joined by Bender and Ott.

74. **In Re: L.B.**, Phl., 902-4 EDA 2013
(Pa. Super. 12/19/13)

Dependent children appeal denial of DHS petitions to terminate their parents' rights. Affirmed due to contact, compliance with goals, parenting capability. Memorandum opinion by Musmanno joined by Bender and Donohue.

75. **R.L.C. v. J.M.C.**, Leh., 1333 EDA 2013
(Pa. Super. 12/19/13)

Father appealed custody order to Mother. Vacated and remanded - trial court considered relocation factors and not best interest. Memorandum opinion by Allen joined by Mundy and Fitzgerald.

76. **In the Interest of: J.C.B.**, Phl., 1854 EDA 2013
(Pa. Super. 12/20/13)

Father appealed termination order. Affirmed due to incarceration, no contact. Memorandum opinion by Allen joined by Mundy and Fitzgerald.

77. **M.M.R. v. F.M.B.**, Dau., 1069 MDA 2013
(Pa. Super. 12/20/13)

Father pro se appealed order for supervised custody. Affirmed - brief fails to argue authority. Memorandum opinion by Wecht joined by Bender and Fitzgerald.

78. **In Re: A.M.G.**, Alleg., 945 WDA 2013
(Pa. Super. 12/20/13)

Mother appealed termination order. Affirmed due to incarceration, substance abuse, bond with foster parents. Memorandum opinion by Wecht joined by Ford Elliott and Ott.

79. **I.N.L. v. E.R.F.**, Northamp., 1059 EDA 2013
(Pa. Super. 12/23/13)

Father appealed child support order. Affirmed - trial court properly calculated amount, and took into account medical insurance premiums and other orders and child's SSI benefits. Memorandum opinion by Strassburger joined by Bender and Ott.

80. **Edkin v. Edkin**, Lanc., 1561 and
2017 MDA 2012 (Pa. Super. 12/23/13)

Husband appealed E.D. order. Affirmed as to valuation of home and business - no error below, also as to alimony and counsel fees. Vacated and remanded as to inclusion of "excess cash" in distribution because used to set A.P.L. and child support. Memorandum opinion by Mundy joined by Panella and Platt.

Also No. 2025 MDA 2012 - affirmed continuing APL payments during appeal.

- 81. In the Interest of: E.B., Phl., 1352 EDA 2013
(Pa. Super. 12/24/13)**

Father appealed dependency adjudication. Affirmed - no error based on physical abuse and parental incapacity. Opinion by Ott joined by Bowes and Donohue.

- 82. In the Interest of: D.C., Luz., 876 EDA 2013
(Pa. Super. 12/24/13)**

Father appealed termination order. Affirmed due to abuse, incarceration. Memorandum opinion by Musmanno joined by Shogan and Allen.

- 83. In the Interest of: S.R.Q., York, 1188 MDA 2013
(Pa. Super. 12/24/13)**

Father appealed termination order. Affirmed due to no contact, bond with adoptive parents. Memorandum opinion by Ott joined by Donohue and Platt.

- 84. Rightmire v. Rightmire, Luz., 698 MDA 2013
(Pa. Super. 12/24/13)**

"Wife" appealed order dismissing divorce after finding of no common-law marriage. Affirmed - burden not met of proving present intent. Memorandum opinion by Ford Elliott joined by Shogan and Platt.

- 85. M.M. v. S.S. v. S.A.S., West., 1064 WDA 2013
(Pa. Super. 12/24/13)**

Mother appealed Father's partial physical custody order. Affirmed - no loss of jurisdiction because of child's move out of the county 4 months before filing of petition. Memorandum opinion by Ott joined by Ford Elliott and Wecht.

86. **In the Interest of: R.J.S.**, Phl., 1605 EDA 2013
(Pa. Super. 12/27/13)

Mother appealed termination order. Affirmed due to substance abuse, non-compliance with plan, bond with foster parents. Memorandum opinion by Mundy joined by Allen and Fitzgerald.

87. **J.N-T. v. A.N.B.**, Leb., 637 MDA 2013
(Pa. Super. 12/27/13)

Father appealed shared legal and physical custody order. Remanded for comprehensive opinion discussing all factors. Memorandum opinion by Musmanno joined by Panella and Mundy.

88. **V.G. v. K.G.**, Cent., 82 MDA 2013
(Pa. Super. 12/27/13)

Father appealed child support order. Affirmed - no abuse of discretion in finding of earning capacity. Memorandum opinion by Gantman joined by Allen and Mundy.

89. **Ives v. Ives**, War., 1929 WDA 2012
(Pa. Super. 12/30/13)

Husband appealed divorce decree. Dismissed - appeal taken from E.D. order, not decree incorporating it. Memorandum opinion by Colville joined by Allen. Dissenting statement by Ford Elliott, who would allow appeal from amended decree.

Also 134 WDA 2012 as to E.D. award.

90. **Byrne v. Carpenter**, De., 1405 EDA 2013
(Pa. Super. 12/31/13)

Pro se Father appealed child support order. Quashed due to insufficient brief. Memorandum opinion by Fitzgerald joined by Bender and Lazarus.

**91. In Re: H.R.S., Northam., 1915 EDA 2013
(Pa. Super. 1/13/14)**

Mother appealed termination order. Affirmed due to substance abuse, mental health, parenting incapacity, bond with foster parents. Memorandum opinion by Wecht joined by Bowes and Lazarus.

Copies of Pa. Supreme and Superior slip opinions may be downloaded from the Internet on the pages of the Administrative Office of the Pa. Courts, <http://www.pacourts.us/courts> (note some opinions are Memorandum).