

**RECENT PA. APPELLATE COURT FAMILY LAW SLIP OPINIONS**

**April 2014**

**Summarized by David I. Grunfeld, Esquire**

1. **J.S.S. v. M.J.S.**, Alleg., 641 WDA 2013  
(Pa. Super. 2/11/14)

Father appealed custody order to Mother. Vacated and remanded - all factors not discussed by trial court. Memorandum opinion by Panella joined by Olson and Musmanno.

2. **In Re: Adoption of H.E.A.**, York, 1831 MDA 2013  
(Pa. Super. 2/11/14)

Mother and stepfather appealed denial of their petition to terminate Father's parental rights. Affirmed - Father, albeit in California 2½ years, had contact with child during parental grandparents' agreed partial physical custody. Memorandum opinion by Mundy joined by Wecht and Fitzgerald.

3. **Thompson v. Robinson**, Bucks, 1571-5 EDA 2013  
(Pa. Super. 2/11/14)

Father appealed child support contempt order. Affirmed as to arrears; vacated and remanded due to lack of proof of ability to pay purge amounts. Memorandum opinion by Strassburger joined by Bender and Ott.

4. **In Re: L.V.G.S.**, Alleg., 1209-10 WDA 2013  
(Pa. Super. 2/12/14)

Mother appealed termination orders. Affirmed due to substance abuse, neglect, bond with foster parents. Memorandum opinion by Olson joined by Panella and Wecht.

5. **In the Interest of: J.L.R.**, Lanc., 1256 MDA 2013  
(Pa. Super. 2/12/14)

Mother appealed termination order. Affirmed due to incarceration, lack of contact. Memorandum opinion by Platt joined by Panella and Mundy.

6. **In the Interest of: M.M.P.**, Phl., 2850-1 EDA 2013  
(Pa. Super. 2/12/14)

Father appealed termination orders. Affirmed due to irrevocable consent. Memorandum opinion by Strassburger joined by Bender and Wecht.

7. **In the Interest of: S.A.T.**, Phl., 2782  
2784-5 EDA 2013 (Pa. Super. 2/12/14)

Father appealed termination orders. Affirmed due to failure to perform parental duties or comply with plan. Memorandum opinion by Strassburger joined by Allen and Stabile.

8. **In the Interest of: R.A.A.**, Phl., 2966 EDA 2013  
(Pa. Super. 2/12/14)

Father appealed termination orders. Affirmed due to substance abuse, incarceration. Memorandum opinion by Strassburger joined by Bender and Wecht.

9. **M.S. v. A.M.**, Blair, 1410 WDA 2013  
(Pa. Super. 2/13/14)

Father appealed custody order to Mother. Affirmed - all factors considered and weight up to trial judge. Memorandum opinion by Wecht joined by Panella and Olson.

10. **In the Interest of: I.A.**, Alleg., 1044 and  
1143 WDA 2013 (Pa. Super. 2/14/14)

CYF and Mother appealed dependency finding. Reversed - error to incorporate delinquency case. Memorandum opinion by Bender joined by Lazarus and Mundy.

11. **E.A.C. v. J.A.L.**, Sch., 702 MDA 2013  
(Pa. Super. 2/14/14)

Mother appealed relocation denial (to Germany where deployment would take her) and custody order to Father. Affirmed - all factors analyzed. Memorandum opinion by Ott joined by Donohue and Platt.

12. **In Re: Adoption of J.Q.R.**, York, 1834 and  
1867 MDA 2013 (Pa. Super. 2/18/14)

Mother appealed termination order. Affirmed due to substance abuse, no housing for special needs child, bond with foster parents. Memorandum opinion by Mundy joined by Wecht and Fitzgerald.

13. **Bolus v. Bolus**, Col., 816 MDA 2013  
(Pa. Super. 2/19/14)

Husband appealed alimony order. Affirmed - no error in calculations of earning, no "double dipping" where only income from assets included. Memorandum opinion by Platt joined by Donohue and Ott.

14. **In the Interest of: T.A.**, Phl., 2489 EDA 2013  
(Pa. Super. 2/19/14)

Mother appealed dependency adjudication with custody to adult brother. Affirmed due to safety and capacity issues. Memorandum opinion by Platt joined by Shogan and Ott.

15. **Cordial v. Olson**, Alleg., 1240 and  
1241 WDA 2012 (Pa. Super. 2/20/14)

Parties appealed divorce and E.D. order. Affirmed - no errors in valuation of assets, or earning capacity, or denial of alimony. Memorandum opinion by Ford Elliott joined by Ott and Musmanno.

16. **In Re: L.M.M.**, But., 1211 WDA 2013  
(Pa. Super. 2/20/14)

Mother appealed denial of petition to terminate Father's rights. Affirmed - he made sufficient efforts for contact despite none in 6 months. Memorandum opinion by Bowes joined by Ford Elliott and Wecht.

17. **Fleegle v. Harkins**, Bed., 1094 WDA 2013  
(Pa. Super. 2/20/14)

Mother appealed child support order. Affirmed - her failure to disclose change in employment allowed retroactivity. Memorandum opinion by Donohue joined by Ford Elliott and Platt.

18. **Mason v. Mason**, Camer., 1993 WDA 2012  
(Pa. Super. 2/21/14)

Wife appealed E.D. order. Affirmed - no error in finding assets were not pre-marital. Memorandum opinion by Musmanno joined by Panella and Olson.

19. **S.P. v. Petterson**, Pike, 422 EDA 2013  
(Pa. Super. 2/21/14)

Father appealed denial of his petition for contact with children in assault case by him against Mother. Affirmed - proper PFA order. Memorandum opinion by Shogan joined by Gantman and Musmanno.

20. A.P.G. v. L.C., West., 881 WDA 2013  
(Pa. Super. 2/24/14)

Mother appealed partial custody order to paternal grandmother. Vacated - had standing but all best interest factors not discussed. Memorandum opinion by Panella joined by Allen. Concurring memorandum by Strassburger, who would find detailed evaluation not needed in partial physical custody cases under the new statute.

21. Drake v. Hurler, Tioga, 993 MDA 2013  
(Pa. Super. 2/24/14)

Former Wife appealed denial of contempt against former Husband in divorce case. Affirmed - order entered untimely is vacated. Memorandum opinion by Shogan joined by Donohue and Musmanno.

22. W.H. v. A.B., Sch., 1556 MDA 2013  
(Pa. Super. 2/24/14)

Mother appealed custody order to maternal grandparents. Affirmed due to safety and criminal issues. Memorandum opinion by Mundy joined by Olson and Stabile.

23. Heekman v. Heekman, Del., 731 EDA 2013  
(Pa. Super. 2/24/14)

Wife appealed divorce decree ordering repayment of loans made by Husband during marriage. Vacated and remanded - insufficient hearing held. Memorandum opinion by Shogan joined by Gantman and Platt.

24. In Re: A.T.D., Montg., 1914 EDA 2013  
(Pa. Super. 2/24/14)

Father appealed termination order confirming his consent to adoption. Affirmed - untimely challenge. Memorandum opinion by Ott joined by Ford Elliott and Bowes.

25. **Savett v. Rovner**, Montg., 1744 EDA 2013  
(Pa. Super. 2/24/14)

Husband appealed divorce decree incorporating PSA and pre-nup. Affirmed - no error in finding agreements valid and no claims timely asserted. Remanded for counsel fees for frivolous appeal. Memorandum opinion by Platt joined by Shogan and Ott.

26. **In Re: Adoption of: J.T.D.**, Luz., 1743 EDA 2013  
(Pa. Super. 2/24/14)

Mother appealed termination order. Affirmed due to mental and physical health, incapacity, bond with foster parent (maternal grandmother). Memorandum opinion by Mundy joined by Olson and Stabile.

27. **In the Interest of: A.G.P.**, Phl., 2525-7,  
2529 EDA 2013 (Pa. Super. 2/25/14)

Mother appealed termination orders. Affirmed - no error in credibility findings. Memorandum opinion by Bender joined by Wecht and Strassburger.

28. **B.M. v. C.T.K.**, Alleg., 746 WDA 2013  
(Pa. Super. 2/27/14)

Father appealed PFA order granted to Mother for child. Affirmed - no error in finding inappropriate touching. Memorandum opinion by Ford Elliott joined by Bowes and Wecht.

29. **Griffin v. Griffin**, Alleg., 1825 WDA 2012 and  
198-200 WDA 2013 (Pa. Super. 2/27/14)

Husband appealed E.D. order. Affirmed - no error in valuing assets or in ordering Husband to open IRA account for Wife for transfer of part of his pension. Memorandum opinion by Musmanno joined by Panella and Olson.

30. **In Re: Adoption of: A.Y.**, Northum., 1138-9 MDA 2013  
(Pa. Super. 2/27/14)

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

31. **G.S.C. v. C.M.C.**, Berks, 383 MDA 2013  
(Pa. Super. 2/27/14)

Father appealed order to reimburse Mother for his share of child's extracurricular activities costs. Reversed and remanded to correct mathematical calculation errors. Memorandum opinion by Musmanno joined by Shogan and Allen.

32. **In the Interest of: L.B.**, Lyc., 1729 MDA 2013  
(Pa. Super. 2/27/14)

Mother appealed termination orders. Affirmed due to incapacity. Memorandum opinion by Fitzgerald joined by Mundy and Wecht.

33. **F.L.S. v. J.B.S.**, Montg., 930 EDA 2013  
(Pa. Super. 2/27/14)

Father appealed denial of his support exceptions for failure to appear at short list conference. Reversed - counsel appeared. Memorandum opinion by Fitzgerald joined by Bowes and Panella.

34. **In Re: D.M.B.**, Blair, 1336-7 WDA 2013  
(Pa. Super. 2/28/14)

Father appealed termination order. Affirmed due to incarceration, failure to comply with plan. Memorandum opinion by Bowes joined by Allen and Musmanno.

35. **In Re: A.L.B.**, Blair., 1335 WDA 2013  
(Pa. Super. 2/28/14)

Mother appealed termination order. Affirmed due to dependency of minor mother, substance abuse, incapacity. Memorandum opinion by Bowes joined by Allen and Musmanno.

36. **In Re: Adoption of: J.J.B.**, Cam., 1178-9 WDA 2013  
(Pa. Super. 3/3/14)

Mother appealed termination orders. Affirmed due to safety issues, bond with foster parents. Memorandum opinion by Panella joined by Allen and Strassburger.

37. **In Re: L.K.**, Wash., 947 WDA 2013  
(Pa. Super. 3/3/14)

Mother appealed termination order. Affirmed due to safety issues, incapacity, bond with foster parents. Memorandum opinion by Allen joined by Panella and Strassburger.

38. **Rende v. Rende**, Alleg., 681 WDA 2013  
(Pa. Super. 3/3/14)

Husband appealed divorce decree granting Wife's exceptions to Master. Reversed because no transcript from Master's hearing. Memorandum opinion by Ott joined by Ford Elliott and Wecht.

39. **Carrier v. Carrier**, Wash., 331 WDA 2013  
(Pa. Super. 3/3/14)

Father appealed child support order. Affirmed - obligor here, despite being primary physical custodian, because of income disparity. Memorandum opinion by Panella joined by Olson and Musmanno.



- 40. In Re: Adoption of: K.M.S., Tioga, 1652 MDA 2013  
(Pa. Super. 3/3/14)**

Father appealed termination order. Affirmed due to lack of contact, incarceration. Memorandum opinion by Ott joined Lazarus and Jenkins.

- 41. R.D. v. M.D., Montg., 2531 EDA 2013  
(Pa. Super. 3/3/14)**

Father appealed custody order. Affirmed - no error in ordering enrollment in public full day kindergarten, sharing transportation expenses, and meeting half-way for exchanges. Memorandum opinion by Fitzgerald joined by Allen and Jenkins.

- 42. D.M. v. V.B., Montg., 2364 EDA 2013  
(Pa. Super. 3/3/14)**

Alleged Father appealed denial of his petition to determine paternity. Affirmed - estopped because agreed to support order. Opinion by Strassburger joined by Ford Elliot and Ott.

- 43. In the Interest of: M.T., Blair, 1138-9 WDA 2013  
(Pa. Super. 3/4/14)**

Parent appealed goal change to adoption. Affirmed due to safety and mental health issues. Memorandum opinion by Panella joined by Allen. Dissenting memorandum by Strassburger, who would find progress being made.

- 44. S.R.E. v. B.E.B., Perry, 1677 MDA 2013  
(Pa. Super. 3/4/14)**

Father appealed custody order to maternal aunt. Affirmed due to his mental health, incapacity, hospitalization, lack of contact. Memorandum opinion by Panella joined by Olson and Platt.

- 45. B.C. v. D.C., Potter, 1658 WDA 2013  
(Pa. Super. 3/5/14)**

Mother appealed denial of her petition to modify custody order giving Father primary physical custody. Vacated and remanded for discussion of all factors. Memorandum opinion by Mundy joined by Panella and Stabile.

- 46. L.P.H. v. L.R.H., McKean, 1320 WDA 2013  
(Pa. Super. 3/6/14)**

Mother appealed denial of relocation to Alabama. Affirmed - all factors considered. Memorandum opinion by Bowes joined by Ford Elliott and Wecht.

- 47. In Re: K.S.C., Alleg., 1260 and 1279 WDA 2013  
(Pa. Super. 3/6/14)**

CYF appealed denial of terminations of Father. Vacated and remanded for welfare and bond analysis. Memorandum opinion by Mundy joined by Bender and Lazarus.

- 48. T.C.S. v. A.S., Leb., 1923 MDA 2013  
(Pa. Super. 3/6/14)**

Father appealed grant of Mother's preliminary objections to his custody complaint. Affirmed - child born in California more than 6 months after Mother's move here and never lived in Pennsylvania. Memorandum opinion by Gantman joined by Ott and Musmanno.

- 49. In the Interest of: I.F.B., Phl., 2790 EDA 2013**  
(Pa. Super. 3/6/14)

Mother appealed termination order. Affirmed - consent valid and not revoked timely. Memorandum opinion by Donohue joined by Ford Elliott and Jenkins.

- 50. Alberti v. Yurko, Northam., 2118 EDA 2013**  
(Pa. Super. 3/7/14)

Husband appealed partition order. Affirmed - no error to deny him credits for payments or exclusive possession rent. Memorandum opinion by Panella joined by Bender and Lazarus.

- 51. T.L.P. v. R.F.P., Phl., 1524 EDA 2013**  
(Pa. Super. 3/7/14)

Father appealed custody order. Affirmed - no error to uphold agreements, or order additional counseling. Memorandum opinion by Musmanno joined by Ford Elliott and Wecht.

- 52. In the Interest of: J-M.A.W., Phl., 2662-3 EDA 2013**  
(Pa. Super. 3/7/14)

Father appealed termination order. Affirmed due to substance abuse, incapacity, no contact, bond with foster parent. Memorandum opinion by Platt joined by Shogan and Ott.

- 53. A.V. v. S.T., Luz., 1782 MDA 2013**  
(Pa. Super. 3/7/14)

Father appealed grant of relocation to New Jersey. Vacated and remanded for discussion of all factors. Memorandum opinion by Gantman joined by Ott and Musmanno.

- 54. In the Interest of: I.E.P., Phl., 2267 EDA 2013**  
(Pa. Super. 3/7/14)

Father appealed termination orders. Affirmed due to incapacity, safety, substance abuse, bond with foster parents; no error for judge to rule based on trial record before suspended judge. Opinion by Shogan joined by Bender and Fitzgerald.

- 55. In Re: J.P.D., Berks, 1665 MDA 2013**  
(Pa. Super. 3/10/14)

Mother appealed termination order. Affirmed due to mental health, incapacity, bond with foster parents. Memorandum opinion by Olson joined by Mundy and Stabile.

- 56. In Re: E.R.M., Clint., 1502-3 EDA 2013**  
(Pa. Super. 3/11/14)

Mother appealed termination orders. Affirmed due to no housing, safety issues, limited contact, no bond. Memorandum opinion by Lazarus joined by Ott and Jenkins.

- 57. In Re: A.R.E., Col., 1547 MDA 2013**  
(Pa. Super. 3/11/14)

Mother appealed termination orders. Reversed - no best interest analysis. Memorandum opinion by Lazarus joined by Ott and Jenkins.

- 58. Beale v. Clement, Ches., 98 and 183 EDA 2013**  
(Pa. Super. 3/12/14)

Parties appealed child support order. Affirmed - no error in setting arrearage amount at 10% of monthly amount, despite years to pay off, or in relying on earnings, capacity and other relevant issues as found in recent E.D. case, or in including riding expenses for child. Memorandum opinion by Wecht joined by Ford Elliott and Musmanno.

- 59. In the Interest of: M.J.L., Phl., 2127 EDA 2013  
(Pa. Super. 3/12/14)**

Mother appealed termination order. Affirmed due to safety issues, no bond, incapacity. Memorandum opinion by Olson joined by Gantman and Platt.

- 60. In the Interest of: K.M., Phl., 1498 EDA 2013  
(Pa. Super. 3/12/14)**

Mother appealed termination order. Affirmed due to incapacity, mental health, substance abuse, bond with foster parents. Memorandum opinion by Shogan joined by Gantman and Platt.

- 61. Sedlak v. Sedlak, Cumb., 1282 MDA 2013  
(Pa. Super. 3/12/14)**

Mother appealed child support order and denial of spousal support. Vacated and remanded - error not to consider upward deviation from guidelines due to Father's incarceration, resulting in low expenses, and Mother having 100% custody. Memorandum opinion by Donohue joined by Ott and Platt.

- 62. J.J.B. v. B.A.B., Leb., 988 MDA 2013  
(Pa. Super. 3/13/14)**

Mother appealed custody order. Vacated and remanded for review of order giving Mother primary physical custody and Father "tiebreaker" as to shared legal custody. Memorandum opinion by Ford Elliott joined by Shogan and Platt.

63. **In Re: Adoption of S.J.M.**, Ven., 1696 WDA 2013  
(Pa. Super. 3/13/14)

Father appealed termination order for step-father adoption. Affirmed due to no contact. Memorandum opinion by Musmanno joined by Bowes and Allen.

64. **In the Matter of the Adoption of: S.D.J.**,  
Erie, 1726-7 WDA 2013 (Pa. Super. 3/13/14)

Father appealed termination orders. Affirmed due to safety issues, no bond. Memorandum opinion by Ford Elliott joined by Donohue and Platt.

65. **In the Interest of: J.J.C.**, Phl., 2249,  
2287-90 EDA 2013 (Pa. Super. 3/14/14)

Mother appealed termination orders. Affirmed due to incapacity. Memorandum opinion by Musmanno joined by Gantman and Shogan.

66. **T.L.G. v. H.L.**, Lanc., 1829 MDA 2013  
(Pa. Super. 3/14/14)

Father appealed custody contempt order. Affirmed - no error in finding wrongful withholding, and in reducing his partial physical custody time as a sanction, albeit resulting in child spending more time with caregivers. Memorandum opinion by Strassburger joined by Bender and Donohue.

67. **D.M.H. v. F.B.**, York, 919 MDA 2013  
(Pa. Super. 3/14/14)

Mother appealed primary physical custody order to Father. Affirmed - all factors considered, particularly her husband being a convicted child sex offender. Memorandum opinion by Musmanno joined by Shogan and Allen.

- 68. Brilla v. Brilla, Clear., 693 WDA 2013  
(Pa. Super. 3/14/14)**

Husband appealed E.D. contempt order. Affirmed - no error in finding wilfull non-compliance with payment and refinance provisions. Memorandum opinion by Wecht joined by Bowes and Stabile.

- 69. J.W. v. A.M.V., Craw., 1425 WDA 2013  
(Pa. Super. 3/14/14)**

Father appealed primary physical custody order to Mother. Affirmed - no error in finding his poor parenting and communication. Memorandum opinion by Mundy joined by Bender and Lazarus.

- 70. K.E.A. v. D.L.D., York, 1397 MDA 2013  
(Pa. Super. 3/174/14)**

Father appealed primary physical custody order to Mother. Affirmed - all factors considered. Memorandum opinion by Shogan joined by Allen and Musmanno.

- 71. A.O. v. P.O., Lack., 1645 MDA 2013  
(Pa. Super. 3/17/14)**

Mother appealed denial of relocation from Scranton to Norristown. Vacated and remanded to consider all factors; error to grant nonsuit. Memorandum opinion by Donohue joined by Gantman and Stabile.

72. **In Re: M.V.G.**, But., 318 WDA 2013  
(Pa. Super. 3/17/14)

Father appealed denial of name change petition for child. Vacated and remanded for consideration of child's (age 7) testimony, best interest, and possible use of both last names. Memorandum opinion by Bender joined by Mundy. Dissenting memorandum by Lazarus, who would not require child interview, and would find trial court properly considered best interest.

73. **L.R. v. G.S.**, Phl., 1316-7 EDA 2013  
(Pa. Super. 3/18/14)

Mother appealed dismissal of her PFA petitions. Affirmed - no evidence of abuse or danger. Memorandum opinion by Fitzgerald joined by Bender and Lazarus.

74. **C.J. v. S.J.**, Phl., 2519 EDA 2013  
(Pa. Super. 3/19/14)

Father appealed order relinquishing child support to New Jersey. Affirmed - failure to appeal timely. Memorandum opinion by Ott joined by Shogan and Platt.

75. **In the Interest of: J.M.P.**, Northam., 813 EDA 2013  
(Pa. Super. 3/19/14)

Mother appealed dependency adjudications. Affirmed due to incarceration, no contact or compliance with goals. Memorandum opinion by Allen joined by Donohue and Musmanno.



76. **Migash v. Migash**, York, 976 MDA 2013  
(Pa. Super. 3/19/14)

Wife appealed order that she pay debt per PSA. Affirmed - no agreement to wait for proceeds of house sale. Memorandum opinion by Shogan joined by Donohue and Musmanno.

77. **C.J.C. v. C.J.C.**, Schuy., 1486 MDA 2013  
(Pa. Super. 3/20/14)

Father appealed dismissal of his petition to modify custody. Vacated and remanded for consideration of modest changes requested; no change in circumstances need be proven. Memorandum opinion by Olson joined by Panella and Platt.

78. **In Re: S.R.C.**, Alleg., 1522 WDA 2013  
(Pa. Super. 3/20/14)

Mother appealed termination order. Remanded for best interest analysis opinion. Memorandum judgment order per curiam by Bowes, Allen and Musmanno.

79. **In the Matter of: I.Z.P.**, Phl., 2334, 5 and 7  
EDA 2013 (Pa. Super. 3/21/14)

Mother appealed termination orders. Affirmed due to incapacity, substance abuse, visits missed, no bond. Memorandum opinion by Ott joined by Shogan and Platt.

80. **In the Interest of: M.Y.**, Berks, 1663 MDA 2013  
(Pa. Super. 3/21/14)

Mother appealed goal change to adoption. Affirmed - living with sex offender, non-compliance with plan. Memorandum opinion by Gantman joined by Donohue and Stabile.

- 81. In the Interest of: T.J., Berks, 1205 and  
1661 MDA 2013 (Pa. Super. 3/21/14)**

Father appealed suspension of his supervised visitation on petition of CYS, and goal change to adoption. Affirmed - non-completion of sex offender treatment. Memorandum opinion by Gantman joined by Donohue and Stabile.

- 82. In Re: A.W.H., Wash., 1682 WDA 2012  
(Pa. Super. 3/21/14)**

Mother appealed name change order to Father's last name. Affirmed - no abuse of discretion here. Memorandum opinion by Panella joined by Allen. Dissenting Memorandum by Strassburger, who would not find best interest.

- 83. Graziani v. Dunn, Wash., 1980 WDA 2012  
(Pa. Super. 3/21/14)**

Wife appealed E.D. order. Reversed and remanded for inclusion of post-separation pension enhancements in calculation, and explanation of other findings, and to take into account pre-separation lifestyle in alimony analysis. Memorandum opinion by Panella joined by Allen and Strassburger.

- 84. In Re: M.S.S., Lyc., 1735 MDA 2013  
(Pa. Super. 3/24/14)**

Father appealed termination order. Affirmed due to no contact or bond, incarceration, adoption by stepfather. Memorandum opinion by Strassburger joined by Bender and Donohue.

85. **A.A.K. v. H.C.R.**, York, 1792 MDA 2013  
(Pa. Super. 3/24/14)

Father appealed custody contempt order. Affirmed - failure to comply with order for child counseling. Memorandum opinion by Strassburger joined by Bender and Donohue.

86. **Little v. Little**, Alleg., 889 WDA 2013  
(Pa. Super. 3/24/14)

Father appealed child support contempt order for counsel fees. Affirmed - no error. Memorandum opinion by Wecht joined by Ford Elliott and Bowes.

87. **Rizk v. Barghouth**, Dau., 1618-9 MDA 2013  
(Pa. Super. 3/24/14)

Husband appealed dismissal of his PFA petitions on behalf of children. Affirmed - no credible proof of abuse by Wife/Mother here. Memorandum opinion by Wecht joined by Bender and Fitzgerald.

88. **Barghouth v. Rizk**, Dau., 882, 1616-1617 MDA 2012,  
428 MDA 2013 (Pa. Super. 3/25/14)

Husband appealed PFA order and contempt and passport surrender. Vacated - no jurisdiction in trial court when hearing held more than 10 days after filing without continuance request. Memorandum opinion by Wecht joined by Fitzgerald. Bender notes dissent.

89. **Thom v. Eberle**, Montg., 248 EDA 2013  
(Pa. Super. 3/26/14)

Sister appealed PFA order as to her juvenile half-sister. Vacated and remanded - no opportunity to testify or cross-examine child. Memorandum opinion by Wecht joined by Ford Elliott and Musmanno.

90. **D.J. v. T.J.**, Schuy., 1579 MDA 2013  
(Pa. Super. 3/26/14)

Father appealed shared physical custody order. Affirmed - all factors and best interest evaluated. Memorandum opinion by Jenkins joined by Lazarus and Ott.

91. **D.P. v. J.P.**, Montg., 2037 EDA 2013  
(Pa. Super. 3/27/14)

Mother pro se appealed child support order. Quashed due to failure to file proper brief. Memorandum opinion by Platt joined by Gantman and Olson.

92. **In Re: Adoption of D.A.S.**, Montg., 2589 EDA 2013  
(Pa. Super. 3/27/14)

Mother appealed termination order. Affirmed due to substance abuse, mental health, lack of housing, bond with foster parents. Memorandum opinion by Platt joined by Gantman and Olson.

93. **In the Matter of G.J.F.**, Phl., 1794 EDA 2013  
(Pa. Super. 3/27/14)

Mother appealed termination order. Affirmed due to substance abuse, failure to comply with plan, safety issues, bond with foster parents. Memorandum opinion by Stabile joined by Allen and Strassburger.

94. **In the Interest of: T.M.M-G.**, Berks, 1333 MDA 2013  
(Pa. Super. 3/27/14)

Mother appealed termination order. Affirmed due to failure to comply with plan. Memorandum opinion by Stabile joined by Mundy and Olson.

95. **T.O. v. S.K.**, Snyder, 694 MDA 2013  
(Pa. Super. 3/27/14)

Father appealed zero child support order against Mother. Affirmed - no error in finding she had no income or earning capacity. Memorandum opinion by Stabile joined by Mundy and Olson.

96. **Blaszczyk v. Blaszczyk**, Northam., 2634 EDA 2013  
(Pa. Super. 3/28/14)

Father appealed decrease in physical custody time. Vacated and remanded - no reasons given or factors discussed by trial court. Memorandum opinion by Lazarus joined by Bender and Panella.

97. **G.M.T. v. S.A.K.**, York, 1414 MDA 2013  
(Pa. Super. 3/28/14)

Father appealed child support order. Vacated and remanded for consideration of upward deviation because Father had no custody time. Memorandum opinion by Strassburger joined by Bender and Donohue.

98. **In Re: J.J.**, York, 1668-72 MDA 2013  
(Pa. Super. 3/28/14)

Father appealed termination orders. Affirmed due to incapacity, mental health, incarceration, no bond or progress toward goals. Memorandum opinion by Ott joined by Lazarus and Jenkins.

- 99. A.L.M. v. C.S.B., Frank., 1554 MDA 2013  
(Pa. Super. 3/28/14)**

Father appealed relocation order to Mother. Affirmed - all factors discussed. Memorandum opinion by Olson joined by Panella and Platt.

- 100. B.J.K. v. J.K.H., Perry, 1514 MDA 2013  
(Pa. Super. 3/28/14)**

Father appealed primary physical custody order to Mother. Affirmed - all factors discussed. Memorandum opinion by Lazarus joined by Ott and Jenkins.

- 101. J.R.R. v. R.L.R., Hunt., 1686 MDA 2013  
(Pa. Super. 3/31/14)**

Father appealed custody relocation (ID) order to Mother. Affirmed as to prohibition of alcohol consumption by Father while child is in his custody; vacated and remanded as to primary custody - all factors not discussed. Memorandum opinion by Stabile joined by Mundy and Olson.

- 102. Davenport v. Davenport, West., 907 WDA 2013  
(Pa. Super. 3/31/14)**

Mother appealed spousal support and E.D. order. Affirmed - failure to preserve issues on appeal. Memorandum opinion by Stabile joined by Bowes and Wecht.

- 103. In Re: C.T.S., Berks, 1721-2 MDA 2013  
(Pa. Super. 4/1/14)**

Mother appealed termination orders. Affirmed due to substance abuse, mental health, no bond or contact, incapacity. Memorandum opinion by Ott joined by Lazarus and Jenkins.

**104. In the Interest of: J.W., Lanc., 1781 MDA 2013**  
(Pa. Super. 4/1/14)

Mother appealed termination orders. Affirmed due to substance abuse, mental health, incapacity. Memorandum opinion by Ott joined by Gantman and Musmanno.

**105. K.E.J. v. C.L.J., Lanc., 1315 MDA 2013**  
(Pa. Super. 4/1/14)

Mother appealed child support order. Affirmed - no error in choosing private school and including all costs. Memorandum opinion by Gantman joined by Ott and Musmanno.

**106. In Re: Adoption of N.S.Y., Montg., 2385-6 EDA 2013**  
(Pa. Super. 4/3/14)

Mother appealed termination orders. Affirmed due to mental illness, no bond, incapacity. Memorandum opinion by Allen joined by Jenkins and Fitzgerald.

**107. In Re: M.L.K., Alleg., 1773 WDA 2013**  
(Pa. Super. 4/3/14)

Father appealed termination order. Affirmed due to incapacity, no bond, failure to comply with plan, bond with foster parents. Memorandum opinion by Gantman joined by Donohue and Fitzgerald.

**108. In Re: N.W., Alleg., 1830 WDA 2013**  
(Pa. Super. 4/3/14)

Mother appealed termination order. Affirmed due to incapacity, no contact, bond with foster parents. Memorandum opinion by Gantman joined by Donohue and Fitzgerald.

**109. In the Interest of: T.M., Phl., 1509 EDA 2013  
(Pa. Super. 4/4/14)**

Father appealed termination order. Affirmed due to no contact. Memorandum opinion by Bowes joined by Lazarus and Wecht.

**110. T.S. v. T.R., Cumb., 1913 MDA 2013  
(Pa. Super. 4/4/14)**

Father appealed child support order. Affirmed - challenged paternity but declined genetic testing; not barred as a result of Mother's sole custody in Japan. Memorandum opinion by Olson joined by Panella and Musmanno.

**111. In the Interest of: L.M.F., Miff., 2062 MDA 2013  
(Pa. Super. 4/4/14)**

Mother appealed termination order. Affirmed due to incapacity, no bond. Memorandum opinion by Donohue joined by Bender and Strassburger.

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).