

## NOTICE

**Pennsylvania Rule of Civil Procedure 205.5. (Cover Sheet) provides, in part:**

**Rule 205.5. Cover Sheet**

(a)(1) This rule shall apply to all actions governed by the rules of civil procedure except the following:

- (i) actions pursuant to the Protection from Abuse Act, Rules 1901 et seq.
- (ii) actions for support, Rules 1910.1 et seq.
- (iii) actions for custody, partial custody and visitation of minor children, Rules 1915.1 et seq.
- (iv) actions for divorce or annulment of marriage, Rules 1920.1 et seq.
- (v) actions in domestic relations generally, including paternity actions, Rules 1930.1 et seq.
- (vi) voluntary mediation in custody actions, Rules 1940.1 et seq.

(2) At the commencement of any action, the party initiating the action shall complete the cover sheet set forth in subdivision (e) and file it with the prothonotary.

(b) The prothonotary shall not accept a filing commencing an action without a completed cover sheet.

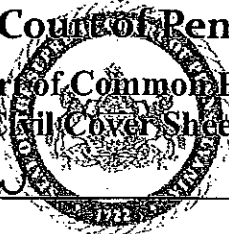
(c) The prothonotary shall assist a party appearing pro se in the completion of the form.

(d) A judicial district which has implemented an electronic filing system pursuant to Rule 205.4 and has promulgated those procedures pursuant to Rule 239.9 shall be exempt from the provisions of this rule.

(e) The Court Administrator of Pennsylvania, in conjunction with the Civil Procedural Rules Committee, shall design and publish the cover sheet. The latest version of the form shall be published on the website of the Administrative Office of Pennsylvania Courts at [www.pacourts.us](http://www.pacourts.us).

# Supreme Court of Pennsylvania

Court of Common Pleas  
Civil Cover Sheet



LEBANON County

For Prothonotary Use Only:

Docket No:

2011-00627

ENTERED & FILED

2011 MAR 23 P 1:18

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court. PROthonotary OFFICE LEBANON COURT, PA

SECTION A

**Commencement of Action:**

- Complaint     Writ of Summons     Petition  
 Transfer from Another Jurisdiction     Declaration of Taking

Lead Plaintiff's Name:

Charles Hoyer

Lead Defendant's Name:

County of Lebanon

Are money damages requested?  Yes  No

Dollar Amount Requested:  within arbitration limits  
(check one)  outside arbitration limits

Is this a *Class Action Suit*?  Yes  No

Is this an *MDJ Appeal*?  Yes  No

Name of Plaintiff/Appellant's Attorney: \_\_\_\_\_

Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

**Nature of the Case:**

Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

**TORT (do not include Mass Tort)**

- Intentional  
 Malicious Prosecution  
 Motor Vehicle  
 Nuisance  
 Premises Liability  
 Product Liability (does not include mass tort)  
 Slander/Libel/ Defamation  
 Other: \_\_\_\_\_

**CONTRACT (do not include Judgments)**

- Buyer Plaintiff  
 Debt Collection: Credit Card  
 Debt Collection: Other \_\_\_\_\_  
 Employment Dispute: Discrimination  
 Employment Dispute: Other \_\_\_\_\_  
 Other: \_\_\_\_\_

**CIVIL APPEALS**

- Administrative Agencies  
 Board of Assessment  
 Board of Elections  
 Dept. of Transportation  
 Statutory Appeal: Other \_\_\_\_\_  
 Zoning Board  
 Other: \_\_\_\_\_

**MASS TORT**

- Asbestos  
 Tobacco  
 Toxic Tort - DES  
 Toxic Tort - Implant  
 Toxic Waste  
 Other: \_\_\_\_\_

**REAL PROPERTY**

- Ejectment  
 Eminent Domain/Condemnation  
 Ground Rent  
 Landlord/Tenant Dispute  
 Mortgage Foreclosure: Residential  
 Mortgage Foreclosure: Commercial  
 Partition  
 Quiet Title  
 Other: \_\_\_\_\_

**MISCELLANEOUS**

- Common Law/Statutory Arbitration  
 Declaratory Judgment  
 Mandamus  
 Non-Domestic Relations Restraining Order  
 Quo Warranto  
 Replevin  
 Other: \_\_\_\_\_

**PROFESSIONAL LIABILITY**

- Dental  
 Legal  
 Medical  
 Other Professional: \_\_\_\_\_

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<b>CHARLES HOYER</b>	:	<b>Court of Common Pleas of</b>	ENTERED & FILED
	:	<b>Lebanon County</b>	
<b>Petitioner</b>	:		2011 MAR 23 P 1:19
	:		
<b>V.</b>	:	<b>No. 2011-00627</b>	PROTECTOR OFFICE
	:		LEBANON, PA
<b>COUNTY OF LEBANON</b>	:	<b>Office of Open Records</b>	
	:	<b>Docket # AP 2011-0215</b>	
<b>Responder</b>	:		
	:		

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**PETITION TO COMPEL CLERK OF COURTS TO  
RESPOND/PRODUCE DOCUMENTS**

This petition is in response to a Final Determination of the Office of Open Records (OOR) stating that the clerk is a “judicial agency” and as such is not subject to the jurisdiction of the OOR. As a response, the petitioner looks to the court of common pleas for relief.

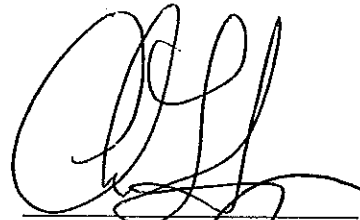
1. Petitioner requested through a Right-to-Know-Law request that the Clerk of Courts of Lebanon County produce “conflicts of interests that were filed that would prevent Attorney Casey Shore from being opposing counsel on the same case as Megan Ryland-Tanner.” No reply was received in regard to this request, so petitioner sought relief through appeal to the OOR. Petitioner received letter dated March 7, 2011 from the OOR dismissing request for reason mentioned above. Copy of response letter from OOR attached as

Exhibit A.

2. Petitioner retained Casey Shore as counsel in 2007, Megan Ryland-Tanner was opposing counsel on the same case.
3. Petitioner requests that this Honorable Court:
  - a. Grant petitioner's request and compel the Lebanon County Clerk of Courts to respond and provide all requested records.
  - b. Order such relief as the Court deems appropriate.

March 18<sup>th</sup>, 2011

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'CH', written over a horizontal line.

Charles Hoyer  
Petitioner

**EXHIBIT A**



**pennsylvania**  
OFFICE OF OPEN RECORDS

March 7, 2011

Charles Hoyer 1427380/JH1287  
Green Rock Correctional Center  
P.O. Box 1000  
Chatham, VA 24531

Lisa Arnold  
Rooms 102, Municipal Building  
400 South 8th Street  
Lebanon, PA 17042-6794

RE: *Hoyer v. Lebanon County Clerk of Courts*, OOR Dkt. AP 2011-0215

Dear Parties:

I write in regard to the above appeal filed with the Office of Open Records (OOR) under the Right-to-Know Law, 65 P.S. §§67.101 *et seq.*, ("RTKL"). Upon review of the file, the appeal is dismissed for the following reason:

Mr. Hoyer directed a RTKL request to the Lebanon County Clerk of Courts ("Clerk") and sought records of that agency. The Clerk is a "judicial agency" and as such is not subject to the jurisdiction of the OOR. Accordingly, the appeal is *dismissed with prejudice*.

The file is now closed and no further action will be taken. This final determination is binding on the parties. Within thirty (30) days of the mailing date of this Determination, either party may appeal to the proper court (Lebanon County Court of Common Pleas and/or the Commonwealth Court). All parties must be served with notice of the appeal. The Office of Open Records also shall be served notice and have an opportunity to respond according to court rules. 65 P.S. §67.1302.

If you have any additional questions, please do not hesitate to contact me.

Very truly yours,

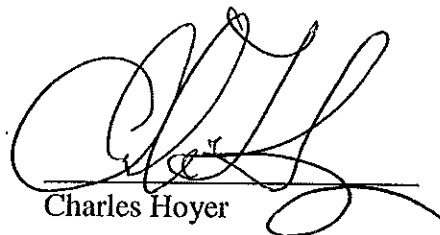
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Appeals Officer  
J. Chadwick Schnee, Esq.  
[jschnee@state.pa.us](mailto:jschnee@state.pa.us)

# VERIFICATION

I, Charles Hoyer, petitioner herein, verify that the foregoing information is true and correct to the best of my knowledge and belief. I understand that my statements are made subject to the penalties of 18 Pa.C.S. §4904, which relates to unsworn falsification to authorities.

Dated: March 18<sup>th</sup>, 2011



Charles Hoyer

# CERTIFICATE OF SERVICE

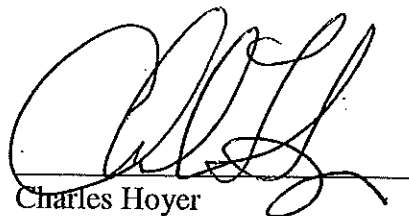
I, Charles Hoyer, hereby certify that on this 18<sup>th</sup> day of March 2011, I served a copy of this Petition and a Notice to Defend by U.S. Mail, postage prepaid, mailed at Chatham, Virginia, on the following:

OFFICE OF OPEN RECORDS OF THE  
COMMONWEALTH OF PENNSYLVANIA  
Commonwealth Keystone Building  
400 North St., 4<sup>th</sup> Floor  
Harrisburg, PA 17120-0225

3 Copies to:

Lebanon County  
Lebanon County Municipal Bldg.  
400 S. 8<sup>th</sup> St.  
Lebanon PA 17042

(To be distributed to the appropriate parties respectively)



Charles Hoyer