

# The Greene Reports

Official Legal Publication for Greene County, Pennsylvania  
Owned and operated by Greene County Bar Association  
Greene County Courthouse, Waynesburg, PA 15370

Vol. XXXVI, No. 47

August 16, 2018

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Serving the Legal Community of Greene County  
Since October 1982

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**COURT OF COMMON PLEAS**  
Honorable Farley Toothman, President Judge  
Honorable Louis Dayich, Judge

## MOTIONS

Criminal & Civil & O.C.:  
August 20, 22, and 24, 2018

## CRIMINAL

Arraignments: Aug. 20, 2018  
ARDs: Sept. 10, 2018  
ARD Revocations: Sept. 10, 2018  
Parole Violations: Sept. 3, 2018  
Plea Court: Sept. 11 & 12, 2018  
License Suspension Appeals: Aug. 20, 2018

## ORPHANS

Accounts Nisi: Sept. 4, 2018  
Accounts Absolute: Aug. 17, 2018

## SUPREME COURT

## SUPERIOR COURT

## COMMONWEALTH COURT

Convenes in Pgh.: October 22 – 26, 2018  
Convenes in Pgh.: August 21 – 23, 2018  
Convenes in Pgh.: October 15 – 19, 2018

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## THE GREENE REPORTS

Owned and published by the GREENE COUNTY BAR ASSOCIATION  
Editor: Josephine L. Ketcham  
E-mail address: [editor.greeneports@yahoo.com](mailto:editor.greeneports@yahoo.com)

## EDITORIAL POLICY

All articles published in The Greene Reports are intended to inform, educate or amuse. Any article deemed by the editorial staff to be reasonably interpreted as offensive, demeaning or insulting to any individual or group will not be published.

The views expressed in the articles represent the views of the author and are not necessarily the views of The Greene Reports or the Greene County Bar Association.

The Greene Reports welcomes letters to the Editor both for publication and otherwise. All letters should be addressed to: Editor, The Greene Reports, Greene County Courthouse, 10 East High Street, Waynesburg, PA 15370. Letters must include signature, address and telephone number. Anonymous correspondence will not be published. All letters for publication are subject to editing and, upon submission, become the property of The Greene Reports.

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## THE GREENE COUNTY BAR ASSOCIATION

Christine N. Nash, President  
Christopher Simms, Vice-President  
Adam Belletti, Secretary  
Jessica Phillips, Treasurer  
Brandon K. Meyer, Ex-Officio

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## DEED TRANSFERS

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The following property transfers have been recorded in the Greene County Recorder of Deeds office.

### ALEPPO TOWNSHIP

Tracey L Veach to William Jerdan Simms et ux, 3 Tracts, \$220,000. (8-6-18)

### CENTER TOWNSHIP

EQT Production Company to Chevron Appalachia LLC, 59.36 Acres O&G, \$10. (8-3-18)  
Gordon C Scott IV et ux to CNX Midstream Devco I LP, 3 Tracts, \$154,151.30 (8-3-18)  
Gordon C Scott IV et ux to CNX Midstream Devco I LP, R/S, \$192,233.85 (8-3-18)

### CUMBERLAND TOWNSHIP

Brian N Maddich et ux to Jonthan R Remsing, Tract, \$120,000. (8-6-18)  
BGRS LLC et al to Heather N Volchko, Lots 19-20 Fairdale Annex Plan, \$132,000. (8-8-18)

### JACKSON TOWNSHIP

Mark W Moss to Circle M Real Estate Inc., 80.876 Acres, \$42,091.20 (8-7-18)  
Ronald L Strawn to Hilltop Minerals LLC, 54 Acres O&G, \$16,875. (8-9-18)  
Daniel B Strawn et ux to Hilltop Minerals LLC, 54 Acres O&G, \$16,875. (8-9-18)

### GREENE TOWNSHIP

Mepco LLC to John E Howard et ux, 36.910 Acres, \$73,820. (8-7-18)

### MONONGAHELA TOWNSHIP

MB Marcellus Acquisition LLC et al to Chevron Appalachia LLC, 7 Tracts O&G, \$2,169,784.20 (8-3-18)

### MORGAN TOWNSHIP

Marjorie E Calvert to Ronald William Golden et ux, Tract, \$158,500. (8-8-18)  
Kandy L Camps et con to Bryan R Watson et ux, 5.397 Acres, \$289,900. (8-9-18)

### PERRY TOWNSHIP

Glenn M Dusenberry to John A Kesner, 31.632 Acres, \$137,500. (8-3-18)

### RICHHILL TOWNSHIP

Karl E Gary et ux to CNX Midstream Devco I LP et al, R/W, \$61,868.80 (8-3-18)

### WAYNE TOWNSHIP

Charles F Rose et ux to Thomas David Rush Sr et ux, Lot 7 W T Kent Plan, \$28,000. (8-7-18)

### WAYNE & WHITELEY TOWNSHIPS

Rebecca Ann Foust to Rock Creek Royalty LLC et al, Und 1/8 Int 9 Tracts O&G, \$12,470. (8-7-18)  
Robert R Bane Sr. to Rock Creek Royalty LLC et al, Und 1/8 Int 9 Tracts O&G, \$4,900. (8-7-18)

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## ESTATE NOTICES

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**NOTICE** is hereby given of the grant of letters by the Register of Wills to the Estates of the following named decedents. All persons having claims are requested to make known the same and all persons indebted to the decedent are requested to make payment to the personal representative or his attorney without delay.

### FIRST PUBLICATION

**KOZICH, MELVIN**

Late of Rices Landing, Greene County, Pennsylvania  
Co-Administrator: William Kozich, 122 Bayard Avenue, Rices Landing, PA 15357  
Co-Administrator: Lee Kozich, 152 Bayard Avenue, Rices Landing, PA 15357  
Attorney: Kimberly J. Simon-Pratt, Esquire, 223 East High Street,  
Waynesburg, PA 15370

**SIMONETTI, GERALDINE a/k/a GERRY SIMONETTI**

Late of Morgan Township, Greene County, Pennsylvania  
Executor: Anthony Joseph Simonetti, Jr., 219 Hull Run Road, Waynesburg, PA 15370  
Attorney: David F. Pollock, Esquire, Pollock Morris LLC,  
54 South Washington Street, Waynesburg, PA 15370-2036

### SECOND PUBLICATION

**CLELLAND, PATSY R.**

Late of Waynesburg Borough, Greene County, Pennsylvania  
Co-Executors: Keith H. Clelland, 5301 East Lake Road #22, DeWittville,  
NY 14728; and Gay Lynn Clelland Hardy, 285 Rolling Meadows Road,  
Waynesburg, PA 15370  
Attorney: Thomas S. Kubinski, Esquire, 502 Parade Street, Eire, PA 16507

### THIRD PUBLICATION

**BOWERS, MILLIS L.**

Late of Graysville, Greene County, Pennsylvania  
Executor: Harold D. Bowers, 152 Ackley Creek Road, Graysville, PA 15337  
Attorney: None

**DONATO, MILDRED EDITH**

Late of Franklin Township, Greene County, Pennsylvania  
Administrator: Mark Donato, 158 Schroyers Lane, Carmichaels, PA 15320  
Attorney: Timothy N. Logan, Esquire, 54 North Richhill Street,  
Waynesburg, PA 15370

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**MATHEWS, SYLVIA D. a/k/a SYLVIA DAWN MATHEWS**

Late of Dilliner, Greene County, Pennsylvania  
Co-Executrices: Norma D. Barry, 210 Mathews Road, Dilliner, PA 15327; and  
Debra A. Mynster, 629 Cooks Hill, Mt. Juliet, TN 37122  
Attorney: Kirk A. King, Esquire, 77 South Washington Street,  
Waynesburg, PA 15370

**SUMNER, MARY L.**

Late of Waynesburg, Greene County, Pennsylvania  
Executor: Douglas C. Rohrer, 207 Park Avenue, Carmichaels, PA 15320  
Attorney: Kirk A. King, Esquire, 77 South Washington Street,  
Waynesburg, PA 15370

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## FIRST AND FINAL ACCOUNTS

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LIST OF FIRST AND FINAL ACCOUNTS TO BE PRESENTED TO THE COURT BY SHERRY L. WISE, CLERK OF COMMON PLEAS COURT, ORPHANS' COURT DIVISION ON **SEPTEMBER 4, 2018** FOR NISI CONFIRMATION AND ON **SEPTEMBER 14, 2018** FOR FINAL CONFIRMATION

The First & Final Account of PNC Bank, National Association Successor Guardian for the Estate of Guy L. Rush, a Incapacitated Person Per Court Decree Dated October 29, 1971, Now Deceased.

Attorney: Nora Gieg Chatha, Esquire  
Tucker Arensberg PC  
1500 One PPG Place  
Pittsburgh, PA 15212

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## SUPREME COURT OF PENNSYLVANIA CIVIL PROCEDURAL RULES COMMITTEE NOTICE OF PROPOSED RULEMAKING

### **Proposed Amendment of Pa.R.C.P. Nos. 430, 1018.1, and 1064**

The Civil Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P. Nos. 430 governing service by order of court, 1018.1 governing the notice to defend, and 1064 governing service in quiet title actions involving subsurface mineral, oil, and gas rights for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They will neither constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

**Karla M. Shultz, Counsel**  
Civil Procedural Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9526  
[civilrules@pacourts.us](mailto:civilrules@pacourts.us)

All communications in reference to the proposal should be received by **October 19, 2018**. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Civil Procedural Rules Committee,  
David L. Kwass  
Chair

### **Rule 430. Service Pursuant to [Special] Order of Court. [Publication.]**

**[(a) If service cannot be made under the applicable rule the plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.**

**Note: A sheriff's return of "not found" or the fact that a defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. *Gonzales v. Polis*, 357 A.2d 580 (Pa. Super. 1976). Notice of intended adoption mailed to last known address requires a "good faith effort" to discover the correct address. *Adoption of Walker*, 360 A.2d 603 (Pa. 1976). An illustration of a good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives, neighbors, friends, and employers of the defendant, (3) examinations of local telephone directories, courthouse records, voter**

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registration records, local tax records, and motor vehicle records, and (4) a reasonable internet search.

See Rule 1064 for additional requirements for service of original process by publication for actions to quiet title involving subsurface mineral, oil, or natural gas rights.]

**[(a) If service cannot be made under any other rule, a party may file a motion with the court for an order permitting any methods of service which are reasonably calculated to provide actual notice to the defendant.**

**(1) The methods of service requested may include, but are not limited to, one or more of the following:**

**(i) service via email or social media account;**

**Note: Any contact through email or social media account must comply with the Rules of Professional Conduct.**

**(ii) mailing the legal paper to an address known to be the defendant's address;**

**(iii) mailing the legal paper to an address the defendant is currently receiving mail;**

**Note: Pursuant to the Freedom of Information Act, 39 C.F.R. § 265.2, postal authorities are required to state in writing whether a defendant is currently receiving mail at a particular address.**

**(iv) service by any other method which is reasonably calculated to provide actual notice to the defendant; and**

**(v) if service cannot be accomplished by any of the above listed methods, service by publication consistent with due process.**

**(2) Upon request of a party, the court may allow any competent adult to make service in the manner provided by Rule 402(a).**

**(3)(i) The motion requesting service pursuant to subdivision (a)(1)(i) – (iv) shall be accompanied by an affidavit stating the nature and extent of the investigation that has been made to determine the whereabouts of the defendant, the reasons why service pursuant to any other rule cannot be made, and the reasons why the method of service requested is reasonably calculated to provide actual notice to the defendant.**

**(ii) The motion requesting service by publication pursuant to subdivision (a)(1)(v) shall be accompanied by an affidavit stating the nature and extent of the investigation that has been made to determine the whereabouts of the defendant, and the reasons why service pursuant to subdivision (a)(1)(i)-(iv) cannot be made. Note: See Rule 1064 for additional requirements for service of original process pursuant to this rule for actions to quiet title involving subsurface mineral, oil, or natural gas rights.**

**(b)[(1)] If service of process by publication has been authorized by rule of civil procedure or order of court, the publication shall be by advertising a notice of the action once in the legal publication, if any, designated by the court for the publication of legal notices and in one newspaper of general circulation within the county. The publication shall contain the caption of the action and the names of the parties, state the nature of the action, and conclude with a notice substantially in the following form:**

### NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you

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without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW.

THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

\_\_\_\_\_  
(NAME)

\_\_\_\_\_  
(ADDRESS)

\_\_\_\_\_  
(TELEPHONE NUMBER)

Note: The office shall be that designated by the court under Rule 1018.1(c). 5

**[(2) When service is made by publication upon the heirs and assigns of a named former owner or party in interest, the court may permit publication against the heirs or assigns generally if it is set forth in the complaint or an affidavit that they are unknown.]6**

### Rule 1018.1. Notice to Defend. Form.

(a) Every complaint filed by a plaintiff and every complaint filed by a defendant against an additional defendant shall begin with a notice to defend in substantially the form set forth in subdivision (b). No other notice to plead to a complaint shall be required.

(b)

### [[CAPTION]] CAPTION NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone Number)

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Note: The above notice does not change any of the rules relating to the pleading of objections and defenses. This rule applies to all complaints including those where service is **[by publication] pursuant to Rule 430. [For the mandatory content of the publication in such cases see Rule 430(b).]** When a defendant is served outside the United States, Rule 1026(b) provides a sixty-day period for pleading.

(c) Each court shall by local rule designate the officer, organization, agency or person to be named in the notice from whom information can be obtained.

(d) A court may by local rule require the notice to be repeated in one or more designated languages other than English.

### Rule 1064. Service.

In actions involving subsurface mineral, oil, or natural gas rights, if the plaintiff seeks to serve original process **[by publication]** pursuant to Rule 430 and obtains actual knowledge of a last known address of the defendant outside the county in which the property is located, the plaintiff shall explain in the affidavit required by Rule 430**[(a)]** the search for the defendant in that locale.

Note: For service of original process, see Rule 410 governing service in actions involving real property. See Rule 430 for additional requirements for service of original process **[by publication]**.8

### Explanatory Comment

The amendment of Rule 430 governing service pursuant to order of court, including service by publication, is intended to clarify procedure and modernize such service. The amended rule sets forth the standard by which a court may evaluate whether a method of service may be used and encourages the use of various methods. While the current rule implicitly permits service by any method so ordered by the court, not just publication, the amendment explicitly provides the methods and the procedure to follow.

Subdivision (a) of the amended rule provides that when a motion requesting service by court order, the court may permit any method that is reasonably calculated to provide actual notice to the defendant. See *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950)(holding that an alternative method of service should provide “notice that is reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections”). *Mullane* continues to be controlling law. See *Jones v. Flowers*, 547 U.S. 220 (2006).

A party who seeks service pursuant to this procedure is required to file a motion with the court requesting the method or methods of service that are reasonably calculated to provide actual notice to the defendant. Subdivision (a)(1)(i)-(v) lists the methods of service that may be used. Recognizing the usefulness of electronic media, the methods available for service include email and social media accounts. Subdivision (a) also permits service by more traditional method: mailing a legal paper to an address known to be the defendant’s address or to an address where the defendant is currently receiving mail.

Subdivision (a)(3)(i) requires a motion requesting a method of service pursuant to subdivision (a)(1)(i-iv) to be accompanied by an affidavit stating the nature and extent of the investigation that has been made to determine the whereabouts of the defendant, the reasons why service pursuant to any other rule cannot be made, and the reasons why the method of service requested is reasonably calculated to provide actual notice to the defendant. When leave is sought to serve by email or social media account, the moving party must set forth with specificity in the affidavit the reasons the moving party believes the email or social media account belongs to the defendant, and the basis for

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concluding that the defendant regularly accesses the email or social media account. When service by this method is approved, unless the court provides otherwise, service of the summons or complaint must be made on the defendant through email or by sending or posting on the social media account a private message designed to minimize public access or disclosure of the filing of the action against the defendant.

Service by publication remains as a method of service in the rule. If service cannot be accomplished by any of the methods in subdivision (a)(1)(i)-(iv), subdivision (a)(1)(v) permits the court to order service by publication to the extent that such service is consistent with due process. Subdivision (a)(3)(ii) requires a motion requesting service by publication to include an affidavit stating the nature and extent of the investigation that has been made to determine the whereabouts of the defendant, and the reasons why service cannot be made pursuant to subdivision (a)(1)(i)-(iv).

Subdivision (a)(2) permits service by a competent adult provided there is court approval to do so.

Current subdivision (b)(2) has been deleted. The subdivision, which provided for a court to permit service by publication against the heirs or assigns generally if set forth in the complaint or affidavit they are unknown, has been removed in light of the holding in *Northern Forests, II v. Keta Realty Co.*, 130 A.3d 19 (Pa. Super. 2016), *petition for allowance of appeal denied*, 158 A.3d 1237 (Pa. 2016).

Conforming amendments have also been made to Rule 1018.1 governing the notice to defend and Rule 1064 governing additional requirements for service of actions to quiet title in subsurface mineral, oil, and gas rights. These amendments delete the reference to "service by publication" and instead refer to "service pursuant to Rule 430".

By the Civil Procedural  
Rules Committee  
David L. Kwass  
Chair

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**SUPREME COURT OF PENNSYLVANIA  
CIVIL PROCEDURAL RULES COMMITTEE  
NOTICE OF PROPOSED RULEMAKING  
Proposed Rescission of Pa.R.C.P. No. 401(c)**

The Civil Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the rescission of Pa.R.C.P. No. 401(c) governing the copies for service of original process for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They will neither constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

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The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

**Karla M. Shultz, Counsel  
Civil Procedural Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9526  
civilrules@pacourts.us**

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All communications in reference to the proposal should be received by **October 19, 2018**. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Civil Procedural Rules Committee,  
David L. Kwass  
Chair

**Rule 401. Time for Service. Reissuance, Reinstatement, and Substitution of Original Process. [Copies for Service.]**

(a) Original process shall be served within the Commonwealth within **[thirty] 30** days after the issuance of the writ or the filing of the complaint.

Note: **[See] See** Rule 404 for the time for service outside the Commonwealth.

(b)(1) If service within the Commonwealth is not made within the time prescribed by subdivision (a) of this rule or outside the Commonwealth within the time prescribed by Rule 404, the prothonotary upon **[praecipe] praecipe** and upon presentation of the original process, shall continue its validity by reissuing the writ or reinstating the complaint, by writing thereon "reissued" in the case of a writ or "reinstated" in the case of a complaint.

(2) A writ may be reissued or a complaint reinstated at any time and any number of times. A new party defendant may be named in a reissued writ or a reinstated complaint.

(3) A substituted writ may be issued or a substituted complaint filed upon **[praecipe] praecipe** stating that the former writ or complaint has been lost or destroyed.

(4) A reissued, reinstated, or substituted writ or complaint shall be served within the applicable time prescribed by subdivision (a) of this rule or by Rule 404 after reissuance, reinstatement, or substitution.

(5) If an action is commenced by writ of summons and a complaint is thereafter filed, the plaintiff, instead of reissuing the writ, may treat the complaint as alternative original process and as the equivalent for all purposes of a reissued writ, reissued as of the date of the filing of the complaint. Thereafter the writ may be reissued, or the complaint may be reinstated as the equivalent of a reissuance of the writ, and the plaintiff may use either the reissued writ or the reinstated complaint as alternative original process.

Note: If the applicable time has passed after the issuance of the writ or the filing of the complaint, the writ must be reissued or the complaint reinstated to be effective as process. Filing or reinstatement or substitution of a complaint which is used as alternative process under this subdivision, has been held effective in tolling the statute of limitations as the reissuance or substitution of a writ.

**[(c) The copy of the original process to be served upon the defendant shall be attested by the prothonotary or certified by the plaintiff to be a true copy.]**

**Rule 1008. Copies for Service.**

Rescinded.

**[Note: For the requirement of attested or certified copies for service, see Rule 401(c).]**

**Explanatory Comment**

The Civil Procedural Rules Committee is proposing the rescission of Rule 401(c), which provides for the prothonotary to attest or for the plaintiff to certify that a copy of the complaint to be served on the defendant is a true copy. Originally adopted in 1946 as part of former Rule 1008, the attestation or certification provided a mechanism to ensure that the original and any copy to be served had been authenticated as a true copy in a time when reproduction of documents was more labor-intensive and prone to error. Today, the requirement is anachronistic given modern methods of document reproduction that easily permit exact copies. The note to rescinded Rule 1008 cross-referencing Rule 401(c) has also been deleted.

By the Civil Procedural  
Rules Committee  
David L. Kwass  
Chair