

INSTRUCTIONS FOR FILING A NOTICE OF APPEAL A MAGISTERIAL DISTRICT JUDGE

1. Complete the Notice of Appeal Form.
2. Make 3 copies of the appeal.
3. File the appeal (original plus 3 copies) in the Prothonotary Office with a copy of the judgment from the Magisterial District court. Acceptable methods of payment – Cash, Money Order or Check. **After filing the appeal, it is strongly recommended that an attorney be consulted for the remaining litigation of the appeal.**
4. Serve the copies of the Notice of Appeal upon the opposing parties (appellee) and Magisterial District Court.
5. Complete the Proof of Service form, make a copy and file the original in the Prothonotary's office within 10 days. If service has been made by Certified mail, attach the white slips from the Post Office to the Proof of Service form. Bring in or mail the green cards attached to a piece of paper (8 ½ x 11) with the Case Number on them to the Prothonotary's office.

INSTRUCTIONS FOR FILING A NOTICE OF APPEAL FOR A LANDLORD/TENANT ACTION

All of the steps above are the same, with the following exception:

To remain in the property and obtain a Supersedeas for the possession, a bond must be paid (in addition to the filing fee). This consists of 3 months rent or the amount in arrears, whichever is less. **This payment is only accepted by cash, money order or certified check (no personal checks).**

Supreme Court of Pennsylvania

Court of Common Pleas
Civil Cover Sheet



County _____

For Prothonotary Use Only:

Docket No: _____

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.

SECTION A

Commencement of Action:

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

Lead Plaintiff's Name: _____

Lead Defendant's Name: _____

Are money damages requested? Yes No

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

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: _____

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

Common Pleas No.

Court of Common Pleas

Judicial District

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the Date and in the case mentioned below.

Name of Appellant Mag. Dist. No. or Name of D.J.

Address of Appellant City State Zip Code

Date of Judgment In The Case of (Plaintiff) Vs. (Defendant)

Claim No. TA 19 LT 19

Signature of Appellant or His Attorney or Agent

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the Judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was Claimant (see Pa.R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE OF APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of the form to be used ONLY when appellant was DEFENDANT (see Pa.R.C.P.J.P. No. 1001(7) in the action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Name of Appellee(s), appellee(s) to file a complaint in this appeal

(Common Pleas No.) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of Appellant or His Attorney or Agent

RULE: To Name of Appellee(s), appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: , 20

Signature of Prothonotary or Deputy

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This Proof of Service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the Notice of appeal.

Check applicable boxes)

Commonwealth of Pennsylvania

County of _____; ss

AFFIDAVIT: I hereby swear or affirm that I served:

- a copy of the Notice of Appeal, Common Pleas No. _____, upon District Justice designated therein on (date of service) _____, 20____ by personal service by certified/registered mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 20____
- by personal service by certified/registered mail, sender's receipt attached hereto and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, 20____ by personal service by certified/registered mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____ 20____

Signature of Affiant

Signature of Official Before Whom Affidavit was made

Title of Official

My Commission Expires on _____, 20____