

IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT

RICHARD MICKMAN,

: No. 3 MM 2022

Respondent

v.

ELAINE MICKMAN,


Petitioner

ORDER

PER CURIAM

AND NOW, this 26<sup>th</sup> day of April, 2022, the "Petition for Review" is DENIED.

A True Copy Elizabeth E. Zisk  
As Of 04/26/2022

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania



# Supreme Court of Pennsylvania

Amy Dreibelbis, Esq.  
Deputy Prothonotary  
Elizabeth E. Zisk  
Chief Clerk

Middle District

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April 26, 2022

Elaine Mickman  
1619 Gerson Drive  
Narberth, PA 19072

RE: Mickman, R. v. Mickman, E., Pet.  
No. 3 MM 2022  
~~Lower Appellate Court Docket No: 11-EDA 2021~~  
Trial Court Docket No: No. 2003-06252

Dear Elaine Mickman:

Enclosed please find a certified copy of an order dated April 26, 2022 entered in the above-captioned matter.

Very truly yours,

Office of the Prothonotary

/hms

Enclosure

cc: The Honorable Patricia E. Coonahan, Judge  
James C. Sargent Jr., Esq.



RICHARD MICKMAN

v.

ELAINE MICKMAN

Appellant

: IN THE SUPERIOR COURT OF  
: PENNSYLVANIA

:  
: Montgomery County Civil  
: Division  
: No. 2003-06252

:  
:  
: No. 11 EDA 2021

**ORDER**

Appellant's "Reconsideration To Reinstate Quashed Appeal" filed March 31, 2021, is hereby **DENIED**.

***PER CURIAM***

RICHARD MICKMAN

v.

ELAINE MICKMAN

Appellant

: IN THE SUPERIOR COURT OF  
 : PENNSYLVANIA  
 :  
 : Montgomery County Civil  
 : Division  
 : No. 2003-06252  
 :  
 :  
 :  
 : No. 11 EDA 2021

**ORDER**

On January 4, 2021 this court received a Notice of Appeal filed with the Montgomery County Court of Common Pleas on August 31, 2020 from a purported November 8, 2019 order wherein appellant notes that her prior appeal from the November 8, 2019 order was quashed by this court on March 18, 2020. A Rule To Show Cause order was entered directing appellant to respond with ten (10) days of the entry of this order as to why this appeal should not be quashed.

Accordingly, upon review of the appeal and appellant's response the appeal at 11 EDA 2021 is hereby **QUASHED**.

Appellant is cautioned that any further frivolous filings with this court shall result in sanctions. **See Pa. R.A.P. 2744** (an appellate court may remand the case to the trial court to determine the amount of damages if it determines that an appeal is frivolous or that the conduct of the participant against whom costs are to be imposed is dilatory, obdurate or vexatious).

**PER CURIAM**

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA  
FAMILY DIVISION

RICHARD D. MICKMAN	:	No. 2003-06252
	:	Exceptions to September 13,
v.	:	2019 Recommendation
	:	of Hearing Officer in Support
ELAINE MICKMAN	:	(seq. no. 1456)

**ORDER**

AND NOW, this 3d day of August, 2020, upon consideration of the Exceptions to the September 14, 2019 Recommendation of the Hearing Officer in Support, filed by Richard D. Mickman on September 25, 2019 (seq. no. 1456), and the response filed by Elaine Mickman on November 27, 2019 (seq. no. 1464), the undersigned files this order pursuant to Pa.R.C.P. 1910.12(h) and 1910.27(e). The exceptions are sustained because the serial support complaint filed by Elaine Mickman on February 22, 2019 is barred by the doctrine of *res judicata*. Based upon the *per curiam* order filed December 28, 2018 on the docket of the Domestic Relations section indexed at no. 2003-DR-00507, the statutory obligation of Payor, Richard Mickman, to make child support payments to Payee, Elaine Mickman for the support of Blake Mickman terminated on December 31, 2018, hence it is hereby ordered that Payor has no legal obligation to make any monthly payments to the Domestic Relations Section, Court of Common Pleas.

BY THE COURT,




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Wendy Demchick-Alloy, Judge

Richard Mickman

v.

Elaine Mickman

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

Filed 03/18/2020

(C.P. Montgomery County  
No. 2003-06252)

No. 686 EDA 2020

\* non-final order  
Quash

### **ORDER**

This appeal has been taken from a November 8, 2019 order in support. It does not appear that the November 8<sup>th</sup> order is a final or otherwise appealable order in light of the fact that the November 8<sup>th</sup> order makes clear that a support hearing is scheduled for January 6, 2020. Indeed, generally, only final orders are appealable. **See Pa. R.A.P. 341(b)(1)** (a final order is any order that disposes of all claims and of all parties). Instantly, there remain outstanding support claims that will be addressed at the January 6, 2020 support hearing.

Accordingly, the appeal at 686 EDA 2020 is hereby **QUASHED**.

The Montgomery County trial court is reminded that hearings can proceed notwithstanding the filing of a non-appealable interlocutory appeal. **See Pa.R.A.P. 1701 (b)(6)**. Moreover, the trial court is reminded that in forma pauperis should not be granted for frivolous appeals. **See Pa.R.C.P. 240 (j)** and **Conover v. Mikosky**, 609 A. 2d 558 (Pa. Super. 1992) (individual seeking to proceed in forma pauperis has a responsibility to present a valid cause of action).

Appellant's "Application for Special Relief" is **DENIED as MOOT**.

Appellant's untimely "Application For Extension Of Time To Show Cause" is **DENIED as MOOT**. Indeed, appellant's response was due on or before March 12, 2020.

***Per Curiam***



2003-06252-1540 10/23/2020 10:06 AM # 12905605  
Rcpt#Z3950217 Fee:\$0.00 Motion  
Exhibit C (Public)  
MontCo Prothonotary