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**APPENDIX A - Decision And Opinion of the chief clerk of the Supreme Court Of the Eastern
District of Pennsylvania**



Supreme Court of Pennsylvania

Eastern District

Phoenicia D. W. Wallace, Esq.
Deputy Prothonotary
Patricia A. Johnson
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June 21, 2023

D'Ann S. McCoy
853 North Moss Street
Philadelphia, PA 19139

RE: McCoy, D., Pet. v. Ouedraogo, B.
No. 13 EAL 2023
Lower Appellate Court Docket No: 2919 EDA 2022
Trial Court Docket No: PACSES: 133113497

Dear D'Ann S. McCoy:

Enclosed please find a certified copy of an order dated June 21, 2023 entered in the above-captioned matter.

Very truly yours,

Office of the Prothonotary

/mng

Enclosure

cc: The Honorable Leanne L. Litwin, Judge
Boureima Ouedraogo

Attest: Patricia A. Johnson
Chief Clerk
Supreme Court of Pennsylvania



Superior Court of Pennsylvania

Eastern District

Joseph D. Seletyn, Esq.
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December 16, 2022

D'Ann S. McCoy
853 North Moss Street
Philadelphia, PA 19139

RE: McCoy, D. v. Ouedraogo, B.
No. 2919 EDA 2022
Trial Court Docket No: PACSES: 133113497

Dear D'Ann S. McCoy:

Enclosed please find a copy of an order dated December 16, 2022 entered in the above-captioned matter.

Very truly yours,

Benjamin D. Kohler, Esq.
Deputy Prothonotary

/mam

Enclosure

cc: The Honorable Leanne L. Litwin, Judge
Boureima Ouedraogo

D'ANN S. MCCOY

Appellant

v.

BOUREIMA OUEDRAOGO

: IN THE SUPERIOR COURT OF
: PENNSYLVANIA

: Philadelphia County Domestic
: Relations
: PACSES: 133113497

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: No. 2919 EDA 2022

ORDER

This appeal has been taken from the November 22, 2022 order that denied Appellant's motion to change venue in the parties' ongoing support matter. In light of the fact that the November 22nd order did not appear final or otherwise appealable, on December 16, 2022, a show cause order was entered. **See** Pa.R.A.P. 311(b)(1)(2) (permitting appeal as of right from order sustaining venue or jurisdiction under either of two specified conditions; (1) party benefiting from the order files of record within ten days after the entry of the order an election that the order shall be deemed final; or (2) the court states in the order that a substantial issue of venue or jurisdiction is presented); **see also Kohut v. Blough**, 860 A.2d 1044 (Pa. Super. 2004) (quashing appeal from order denying petition to transfer venue as interlocutory and not meeting the requirements of Pa. R.A.P. 311(b)(1) or (2)). Instantly, neither of the two conditions of Pa.R.A.P. 311(b) appeared to have been met, and the November 22nd order appeared interlocutory as there is an outstanding petition still before the trial court as to Appellant's April 12, 2019 motion to modify support. On December 21, 2022, Appellant filed a response to the show cause order wherein Appellant acknowledged the outstanding petition before the trial court and failed to present legal argument to justify this Court's jurisdiction over the November 22nd interlocutory order.

Accordingly, the appeal at 2919 EDA 2022 is hereby **QUASHED**.

PER CURIAM

S. MCCOY

Appellant

v.

BOUREIMA OUEDRAOGO

: IN THE SUPERIOR COURT OF
: PENNSYLVANIA

: Philadelphia County Domestic
: Relations
: PACSES: 133113497

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:
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: No. 2919 EDA 2022

ORDER

This appeal has been taken from the November 22, 2022 order that denied Appellant's motion to change venue in the parties' support matter.

It does not appear that this is a final or otherwise appealable order. **See** Pa.R.A.P. 311(b)(1)(2) (permitting appeal as of right from order sustaining venue or jurisdiction under either of two specified conditions; (1) party benefiting from the order files of record within ten days after the entry of the order an election that the order shall be deemed final; or (2) the court states in the order that a substantial issue of venue or jurisdiction is presented); **see also Kohut v. Blough**, 860 A.2d 1044 (Pa. Super. 2004) (quashing appeal from order denying petition to transfer venue as interlocutory and not meeting the requirements of Pa. R.A.P. 311(b)(1) or (2)). Instantly, it does not appear that either of the two conditions of 311(b) have been met and it appears that the November 22, 2022 order is interlocutory as there appears to be an outstanding petition still before the trial court as to Appellant's April 12, 2019 motion to modify support.

Accordingly, appellant is directed to show cause within ten (10) days of the date of this order as to why this appeal should not be quashed. Please respond in writing and copy all parties involved on your reply. Failure to respond to this directive may result in dismissal or quashal of this appeal without further notice.

PER CURIAM