

**PROTHONOTARY OFFICE.
MONTGOMERY COUNTY SWEDE
AND AIRY STREET NORRISTOWN
PA 19440 (610) 278-3360**

PROCEDURE TO FILE NOTICE OF APPEAL FROM MAGISTERIAL DISTRICT COURT

1. The original Notice of Appeal is filed with the Prothonotary in the courthouse along with the filing fee
- See General Filing Procedures (Cash, Attorneys Check or Money Order) The Prothonotary will assign the appeal a docket number.
2. Along with the original appeal you will need; three (3) copies, Supreme Court Coversheet, Participant list, and a Stamped Self Addressed Envelope.
3. It will be the appellant's responsibility to serve copies of the appeal upon the Magisterial District Judge and the opposing party
4. If service of the appeal is made by certified mail, attach the senders receipts showing the parties you served by certified mail to the Proof of Service and return the same to the Prothonotary at the courthouse within the prescribed timeframe

AT THIS POINT THERE ARE NO OTHER FORMS FOR YOU TO USE AND A HEARING DATE WILL NOT AUTOMATICALLY BE SET.

THE PROTHONOTARY STAFF CANNOT HELP YOU ANY FURTHER AND WE STRONGLY SUGGEST THAT YOU SEE AN ATTORNEY IN ORDER TO CONTINUE WITH YOUR APPEAL

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
JUDICIAL DISTRICT

NOTICE OF APPEAL
FROM
MAGISTERIAL DISTRICT COURT JUDGMENT

COMMON PLEAS NO. _____

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 Magisterial District Judge on the date and in the case mentioned below.

Name of Appellant _____ MAG. DIST. NO. or Name of M.D.J. _____

ADDRESS OF APPELLANT _____ CITY _____ STATE _____ ZIP CODE _____

DATE OF JUDGMENT _____ IN THE CASE OF (Plaintiff) _____ (Defendant) _____

CLAIM NO. CV 20 _____ LT 20 _____ 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 Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Noah Marlier, Prothonotary

Signature of Agent/Deputy

If appellant was Claimant (see Pa. R.C.P.J.P No. 1001(6) in action before the Magisterial District Judge, he/she MUST FILE A COMPLAINT within twenty (20) days after filing his/hers NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

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

PRAECIPE: To Prothonotary

Enter rule upon _____, 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 _____, 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 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 Agent/Deputy _____

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL

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 the Magisterial District Judge 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_____