

INSTRUCTIONS FOR MOTION TO RELEASE FUNDS

1. Complete the motion form, per the included instructions.
2. Complete the motion cover sheet form, per the included instructions.
3. Complete the proposed order form, per the included instructions.
4. Arrange the three forms in order, motion cover sheet first, then proposed order, then motion.
5. Make copies – one for each party involved in the case.
6. Take the original motion with proposed order and cover sheet and the copies to the Prothonotary's office for filing at the Lycoming County Courthouse, 48 West Third Street, Williamsport, PA. There is no filing fee for this motion.
7. The Prothonotary will keep the original and the copies and you will then receive in the mail from the court an Order releasing the funds being held by the Prothonotary.

INSTRUCTIONS FOR COMPLETING MOTION TO RELEASE FUNDS

1. Write your name on the line above the word “Plaintiff”.
2. Write the Defendant’s name on the line above the word “Defendant”.
3. Write the case number of your landlord/tenant case on the line after the words “Docket No.”.
4. In Paragraph 1, on the first blank line write the date you filed your complaint with the magisterial district judge and in the other blanks, write the magisterial district court docket number.
5. In Paragraph 2, on the first blank line write the date judgment was entered by the magisterial district judge, and on the second blank line, write the name of the magisterial district judge who entered the judgment.
6. In Paragraph 3, on the blank line write the date the tenant filed the appeal.
7. Read the remainder of the paragraphs, then on the second page sign where indicated.
8. Read the “Verification” language and sign where indicated.

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____ ,	:	NO.
Plaintiff	:	
	:	
vs.	:	CIVIL ACTION - LAW
	:	
_____ ,	:	
Defendant	:	

Motion to Release Funds

1. On _____, Plaintiff filed a landlord/tenant complaint with the Lycoming County Magisterial District Court, magisterial docket number MJ- _____-LT- _____ - _____.
2. On _____, the Honorable District Judge _____ granted judgment for Plaintiff.
3. On _____, Defendant filed an appeal of the District Judge's decision.
4. Pursuant to Pa.R.C.P.M.D.J. 1008(c)(3), Defendant was required to pay into court his/her monthly rental obligations under the lease.
5. Defendant has made the aforementioned deposits into court.
6. Pursuant to Pa.R.C.P.M.D.J. 1008(c)(6), this court may release the aforementioned deposits to Landlord upon appropriate application.

WHEREFORE, Plaintiff requests this Court release to Plaintiff, the Landlord in this matter, all sums deposited into court by Defendant, which sums represent Defendant's monthly rental obligation during the pendency of this appeal.

Respectfully submitted,

(signature of Plaintiff)

VERIFICATION

I, _____, state that I am the Plaintiff in the foregoing matter and that the facts set forth in the foregoing Motion are true and correct to the best of my knowledge, information and belief. I further understand that false statements made herein are subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

(signature of Plaintiff)

INSTRUCTIONS FOR COMPLETING MOTION COVER SHEET

1. Write your name on the line above the word "Plaintiff".
2. Write the Defendant's name on the line above the word "Defendant"
3. Write the case number of your landlord/tenant case on the line after the words "Docket No".
4. Write your name on the line in Paragraph 1, "Name of Filing Party".
5. Write "pro se" on the line in Paragraph 2, "Filing Party's Attorney". (This means you are "for yourself".)
6. Write your name and address and the other party's name and address in the box numbered 6.

Leave the rest of the form blank.

**LYCOMING COUNTY COURT OF COMMON PLEAS
MOTION COVER SHEET**

_____	:	Docket No: _____
Plaintiff	:	
	:	Case Assigned to Judge _____
vs.	:	<input type="checkbox"/> None
	:	<input type="checkbox"/> Family Court Hearing Officer
_____	:	
Defendant	:	

1. Name of Filing Party: _____
2. Filing Party's Attorney: _____
3. Type of Filing: _____ Motion to Release Funds _____

<p>4. The following is/are requested:</p> <p><input type="checkbox"/> Argument</p> <p><input type="checkbox"/> Evidentiary Hearing</p> <p><input type="checkbox"/> Court Conference</p> <p><input type="checkbox"/> Rule to Show Cause</p> <p><input checked="" type="checkbox"/> Entry of Uncontested Order (attach supporting documentation)</p> <p><input type="checkbox"/> Expedited Consideration. State the basis: _____</p> <p><input type="checkbox"/> Video conferencing requested. Request form has been submitted. See Lyc. Co. R.G.C.B. L8.</p> <p><input type="checkbox"/> Attach this cover sheet to original motion previously filed on: _____</p> <p>5. Time Required: _____</p>	<p>6. Name and addresses of all counsel of record and unrepresented parties:</p> <p style="text-align: right;">_____ Continued on a Separate Sheet.</p>
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ORDER

1. _____ An _____ argument _____ factual hearing _____ court conference is scheduled for _____ at _____ o'clock _____ M., in courtroom No. _____, Lycoming County Courthouse, Williamsport, PA.
2. _____ Briefs are to be filed by the following dates:
 Filing Party _____.
 Responding party (ies) _____.
3. _____ A rule is issued upon Respondent to show cause why the Petitioner is not entitled to the relief requested.
4. _____ A response to the Motion/Petition shall be filed as follows: _____.
5. _____ See order attached. _____ See separate order issued this date.
6. _____ Other: _____.

Judge

Date

c: **ALL PARTIES OR OTHERS TO BE SERVED WITH NOTICE MUST BE DESIGNATED IN "6" ABOVE.**

NOTICE: The parties are directed to confer for the purpose of resolving any issue raised in the motion/petition. If a resolution is reached prior to the scheduled date, the moving party shall immediately notify the court scheduling technician, the judge or hearing officer assigned to hear the matter, and all counsel of record or parties if unrepresented. Such notice may be in writing or by email.

INSTRUCTIONS FOR COMPLETING PROPOSED ORDER

1. Write your name on the line above the word “Plaintiff”.
2. Write the Defendant’s name on the line above the word “Defendant”
3. Write the case number of your landlord/tenant case on the line after the words “Docket No”.
4. The first blanks in the order are for the judge to write the date the order is signed, leave them blank.
5. Write your name on the blank line in the third line of the Order, after the word “Plaintiff” and write your address on the blank lines after the word “at”.
6. At the bottom, in the “cc” list, write your name and address after the word “Plaintiff” and write Defendant’s name and address after the word “Defendant”.

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____ ,	:	NO.
Plaintiff	:	
	:	
vs.	:	CIVIL ACTION - LAW
	:	
_____ ,	:	
Defendant	:	

ORDER

AND NOW, this _____ day of _____, _____, upon application of Plaintiff, the Prothonotary is hereby authorized to release any sums held in escrow for the payment of rent to Plaintiff, _____, at _____.

BY THE COURT:

_____ J.

cc: Prothonotary
Plaintiff _____
Defendant _____