

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

IN RE: ADOPTION OF: A.S., A : IN THE SUPERIOR COURT OF
MINOR : PENNSYLVANIA
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APPEAL OF: C.W., MOTHER : :
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 : No. 1163 MDA 2019

Appeal from the Decree Entered July 1, 2019
In the Court of Common Pleas of Northumberland County Orphans' Court
at No(s): 5 of 2019

IN RE: K.R.S., A MINOR : IN THE SUPERIOR COURT OF
 : PENNSYLVANIA
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APPEAL OF: C.W., MOTHER : :
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 : No. 1164 MDA 2019

Appeal from the Decree Entered July 1, 2019
In the Court of Common Pleas of Northumberland County Orphans' Court
at No(s): 6 of 2019

BEFORE: SHOGAN, J., LAZARUS, J., and MUSMANNO, J.

MEMORANDUM BY SHOGAN, J.: **FILED JANUARY 24, 2020**

Appellant, C.W. ("Mother"), who is incarcerated at SCI Cambridge Springs, seeks review of the July 1, 2019 decrees¹ involuntarily terminating her parental rights to her two minor daughters, A.S., born in June of 2006, and K.R.S., born in September of 2011, in these consolidated appeals.

¹ While the decrees are dated June 18, 2019, the Northumberland County Orphans' Court filed them on July 1, 2019.

Mother, who is represented by counsel, filed notices of appeal on July 12, 2019, along with statements of errors complained of on appeal pursuant to Pa.R.A.P. 1925(a)(2), as these are Children's Fast Track appeals. We note that the Affidavit of Service states that Mother's counsel served the lower court and opposing counsel in person and served Mother by first class mail.

Upon examination of the certified record, the lower court docket reflects that Mother filed, on July 12, 2019, with a docketing date of July 15, 2019, the following documents: (1) notice of appeal; (2) concise statement of errors complained of on appeal; (3) request for transcript; (4) affidavit of service; and (5) application for leave to appeal *in forma pauperis* and certificate of counsel. Curiously, but more importantly, erroneously, the Northumberland County filing office forwarded the original documents, rather than duplicates, to this Court.² A handwritten notation on the Northumberland County docket states, "Sent 7/12/19," presumably the date the original documents were sent to this Court's Prothonotary.

Accordingly, the certified record is hereby remanded to the Northumberland County Orphans' Court within five days this Memorandum is filed. The Superior Court Prothonotary is directed to forward to the orphans'

² Pa.R.A.P. 905 "Filing of Notice of Appeal" generally, and part (b), "Transmission to appellate court" specifically, provides in pertinent part, "The clerk [of the trial court] shall immediately transmit to the prothonotary of the appellate court named in the notice of appeal a **copy** of the notice of appeal and all attachments The clerk shall also transmit with such papers: 1. **copies** of all orders for transcripts relating to orders on appeal; 2. a **copy** of any verified statement, application, or other document filed under Pa.R.A.P. 551-561 relating to *in forma pauperis* (Emphases added).

court the original: (1) notice of appeal; (2) concise statement of errors complained of on appeal; (3) request for transcript; (4) affidavit of service; and (5) application for leave to appeal *in forma pauperis* and certificate of counsel. Within fourteen days from the date of this Memorandum, the Northumberland County Prothonotary shall incorporate into the certified record all of the original foregoing documents.

The trial court herein is directed to file, within forty-five days of the date of this Memorandum, an opinion pursuant to Pa.R.A.P. 1925(a) addressing the issues raised in Mother's Concise Statements of Errors Complained of on Appeal filed on July 12, 2019, with her Notices of Appeal. Upon that filing, the Northumberland County Prothonotary is directed to return the certified record to this Court, along with a copy of the foregoing documents pursuant to Pa.R.A.P. 905.

Case remanded for proceedings consistent with this Memorandum.
Panel jurisdiction retained.