

**THE PROTHONOTARY STAFF IS UNABLE TO ASSIST
YOU IN
COMPLETING THIS FORM**

**INSTRUCTIONS FOR FILING A NOTICE OF APPEAL FROM A
MAGISTERIAL DISTRICT JUDGE**

1. Complete the Notice of Appeal form. (You are the Appellant)
All information needed is found on the Magisterial District Judge judgment. The caption stays the same. (Plaintiff vs Defendant) An appeal of a judgment for money or possession of real property arising out of a nonresidential lease must be filed within thirty (30) days after the date of the entry of judgment. An appeal of possession of real property arising out of residential lease must be filed within ten (10) days after the date of the entry of judgment.
2. File the appeal in the Prothonotary's Office with a copy of the judgment from the Magisterial District Court. Acceptable methods of payment – Cash, Money Order or Check in the amount of \$162.75. After filing the appeal, it is strongly recommended that an attorney be consulted for the remaining litigation of the appeal.
3. Serve the copies of the Notice of Appeal upon the opposing parties (appellee) and Magisterial District Court by personal service or certified mail.
4. Complete the **Proof of Service form** and file in the Prothonotary's Office within **10 Days of the date of your appeal**. If service has been made by Certified mail, attach the white slips from the Post Office to the Proof of Service form.

**INSTRUCTIONS FOR FILING A NOTICE OF APPEAL FOR A LANDLORD
TENANT ACTION**

All of the steps above are the same, with the following exception:

To remain in the property and obtain a Supersedeas for the possession, a bond must be paid (in addition to the filing fee). This consists of 3 months rent or the amount in arrears, whichever is less. This information is found on the Magisterial District Court judgment.

**IF YOU HAVE ANY QUESTIONS REGARDING THE INSTRUCTIONS ON THE
APPEAL FORM OR NEED ASSISTANCE IN COMPLETING THE APPEAL
FORM YOU SHOULD CONSULT WITH AN ATTORNEY**

Supreme Court of Pennsylvania

Court of Common Pleas

Civil Cover Sheet

County _____

For Prothonotary Use Only:	
Docket No.:	_____

SECTION A

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Commencement of Action: <input type="checkbox"/> Complaint <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer from Another Jurisdiction	<input type="checkbox"/> Petition <input type="checkbox"/> Declaration of Taking
Lead Plaintiff's Name: _____	Lead Defendant's Name: _____
Are money damages requested? <input type="checkbox"/> Yes <input type="checkbox"/> No	Dollar Amount Requested: _____ <input type="checkbox"/> within arbitration limits <input type="checkbox"/> outside arbitration limits
Is this a <i>Class Action Suit</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No	Is this an <i>MDJ Appeal</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No
Name of Plaintiff/Appellant's Attorney: _____ <input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)	

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

Intentional
 Malicious Prosecution
 Motor Vehicle
 Nuisance
 Premises Liability
 Product Liability (does not include mass tort)
 Slander/Libel/ Defamation
 Other: _____

MASS TORT

Asbestos
 Tobacco
 Toxic Tort - DES
 Toxic Tort - Implant
 Toxic Waste
 Other: _____

PROFESSIONAL LIABILITY

Dental
 Legal
 Medical
 Other Professional: _____

CONTRACT (do not include Judgments)

Buyer Plaintiff
 Debt Collection: Credit Card
 Debt Collection: Other _____
 Employment Dispute:
 Discrimination _____
 Employment Dispute: Other _____
 Other: _____

CIVIL APPEALS

Administrative Agencies
 Board of Assessment
 Board of Elections
 Dept. of Transportation
 Statutory Appeal: Other _____
 Zoning Board
 Other: _____

REAL PROPERTY

Ejectment
 Eminent Domain/Condemnation
 Ground Rent
 Landlord/Tenant Dispute
 Mortgage Foreclosure: Residential
 Mortgage Foreclosure: Commercial
 Partition
 Quiet Title
 Other: _____

MISCELLANEOUS

Common Law/Statutory Arbitration
 Declaratory Judgment
 Mandamus
 Non-Domestic Relations
 Restraining Order
 Quo Warranto
 Replevin
 Other: _____

SECTION B

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 referenced below.

NAME OF APPELLANT		MMG. DIST. NO.	NAME OF MDJ	STATE	ZIP CODE
ADDRESS OF APPELLANT		CITY			
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)		(Defendant)		
DOCKET No.	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT		SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT		
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. No. 1008B.</p> <p>This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p>		<p>If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.</p>			
Signature of Prothonotary or Deputy					

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.D.J. No. 1001(7) in action before 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

Name of appellee(s)

Common Pleas No. _____

_____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or attorney or agent

RULE: To

Name of appellee(s)

_____, 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 or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

date: _____, 20____

Signature of Prothonotary or 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 of the notice of appeal. Check applicable boxes.)

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF _____ ; ss

AFFIDAVIT: I hereby (swear) (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.

(SWORN) (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 20____

Signature of official before whom affidavit was made

Signature of affiant

Title of official

My commission expires on _____, 20____