

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PA

CARLA J. POLCYN	:	
Petitioner	:	
	:	
v.	:	No. 91-20,548
	:	
RONALD J. POLCYN, JR.	:	
Respondent	:	

OPINION and ORDER

Carla Polcyn has filed exceptions to the 9 October 1998 order issued by the Family Court Hearing Officer which suspended the child support order against Ronald Polcyn because he is currently and permanently disabled. Mrs. Polcyn contends that the Hearing Officer erred in finding that Mr. Polcyn is currently and permanently disabled.

This court's review of a master's findings of fact is limited to determining whether the master committed an abuse of discretion. Lyc. O.C.R. L. 8.7(B). This court has reviewed the transcript of the 17 September 1998 hearing and finds that there was more than sufficient evidence presented to support the master's findings. Mr. Polcyn testified at length as to his serious physical and psychological problems resulting from Tourette's Syndrome and Obsessive Compulsive Disorder. In addition, Mr. Polcyn submitted a physician's report in which the doctor stated that Mr. Polcyn is completely and permanently disabled. The master granted Mrs. Polcyn seven days in which to request an opportunity to cross-examine the doctor. Mrs. Polcyn never requested that opportunity.

At argument, Mrs. Polcyn alleged that Mr. Polcyn is planning to start a painting business. The testimony in the transcript did not support that contention. Should Mr. Polcyn become employed or start his own business, a modification of the 9 October 1998 order would obviously be in order. Until that time, however, Mr. Polcyn's child support obligations will be suspended.

ORDER

AND NOW, this _____ day of January, 1999, the exceptions to the Family Court Hearing Officer's order of 9 October 1998 are dismissed.

BY THE COURT,

Clinton W. Smith, P.J.

cc: Dana Stuchell, Esq., Law Clerk
Hon. Clinton W. Smith
Gerald Seevers, Esq.
Christine Dinges, Esq.
Julie Pentico, Esq.
Domestic Relations
Gary Weber, Esq.