

**COURT OF COMMON PLEAS OF MONROE COUNTY  
FORTY-THIRD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA**

**IN RE:**

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**APPOINTMENT TO FILL A VACANCY IN :  
THE POSITION OF CONSTABLE FOR :  
BOROUGH OF DELAWARE WATER GAP :**

**No. 6648 CIVIL 2024**

**ORDER**

**AND NOW**, this 2<sup>ND</sup> day of October, 2024, upon consideration of the Petition filed pursuant to 44 Pa. C.S.A. Section 7121 by residents of Borough of Delaware Water Gap asking the Court to fill the vacancy in the position of Constable for the Borough, it is **ORDERED** as follows:

1. A hearing on the Petition is scheduled for November 6, 2024, at 10:30 a.m., in the Monroe County Courthouse, 610 Monroe Street, Stroudsburg, Pennsylvania, Courtroom to be determined. At the hearing, the Court will consider the residents' request and will entertain applications timely submitted by persons interested in seeking an appointment to fill the vacancy. To be considered, Applicants must appear in person and be questioned by the Court under oath.

2. Applicants must meet all eligibility requirements established by law. To apply, an applicant must submit a letter of interest, resume, proof of residency, and a Pennsylvania Child Abuse History Clearance Certificate (visit <https://www.compass.state.pa.us/cwis/public/home>) to:

Cori Doughty, Court Administrator  
Monroe County Courthouse  
610 Monroe Street  
Stroudsburg, PA 18360  
(Ph) (570) 517-3009  
[cdoughty@monroepacourts.us](mailto:cdoughty@monroepacourts.us)

Applications must be received at least **fifteen (15) days** prior to the hearing.

3. At least fifteen (15) days prior to the hearing, each applicant must submit to the Monroe County District Attorney's Office, Detective Division, at the address below, a signed and completed Background Investigation Form. The form is available online at <http://monroecountyda.com/privateinvestigators/> or by mail or in person at:

Office of the District Attorney – Detective Division  
701 Main Street – Suite 200  
Stroudsburg, PA 18360  
(570) 517-3052

The Detective Division shall perform a full background investigation, including criminal history checks, and an evaluation of the applicant's suitability for the office of constable in accordance all applicable laws including, but not limited to, 44 Pa. C.S.A. Sections 7113 and 7121, and the holdings and rationale of the Commonwealth Court of Pennsylvania in *In re Fry*, 110 A.3d 1103 (Pa. Cmwlth. 2015) and *In re Petition of Pender*, 25 A.3d 453 (Pa. Cmwlth. 2011), *app. den.*, 38 A.3d 827 (Pa. 2012).

4. Within ten (10) days of the date of this Order, Petitioners shall serve a copy of the Petition and this Order on:

- a) The District Attorney of Monroe County;
- b) MDJ Jamie Levy (Magisterial District Court 43-4-01); and
- c) Borough of Delaware Water Gap Supervisors

Proof of service must be filed of record at least five (5) days prior to the hearing.

5. Petitioners shall provide public notice of the hearing and the process by which the vacancy will be filled by causing the Notice attached to this Order to be published at least once in a newspaper of general circulation that serves Borough of Delaware Water Gap at least twenty (20) days prior to the hearing. Proof of publication shall be filed of record at least five (5) days prior to the hearing.

6. Since this matter relates to a vacancy in a Borough of Delaware Water Gap position which residents of the Borough have asked the Court to fill, the Court requests that the Borough assist in providing notice of the petition, the application process, and the hearing to its residents by:

- a) Posting the attached Notice in conspicuous public locations at the Borough of Delaware Water Gap Municipal Building;
- b) Posting the Notice on the Borough's website;
- c) Sending the notice to all subscribers of the Borough's e-mail subscription list, if available;
- d) Announcing and providing notice of the vacancy, as well as the process by which the vacancy will be filled, at Borough meetings that occur between now and the date of the hearing; and
- e) Any other method at the discretion of the Board of Supervisors.

7. The Court Administrator shall post the attached Notice on the Court's website and request that Monroe County post the Notice on its website.

**BY THE COURT:**



**JONATHAN MARK, J.**

Monroe County PA Prothonotary

OCT 2 '24 AM 11:51

cc: Kevin R. Walsh, filing petitioner,  
70 Kimberly Rd, PO Box 579, Delaware Water Gap, PA 18327  
District Attorney  
Magisterial District Court 43-4-01  
Magisterial District Judge Jamie Levy  
Court Administrator  
Sara May-Silfee, Voter Registration  
Borough of Delaware Water Gap  
Deborah Huffman, Esq., Polk Township Solicitor

**NOTICE TO BOROUGH OF DELAWARE WATER GAP RESIDENTS**

**Court to Appoint Constable to Fill Vacant Seat**

A petition has been filed asking the Court of Common Pleas of Monroe County to appoint a constable for Borough of Delaware Water Gap to fill a vacancy in that office. A hearing on the petition is scheduled for November 6, 2024, at 10:00 a.m., in the Monroe County Courthouse, 610 Monroe Street, Stroudsburg, Pennsylvania. At the hearing, the Court will consider the request to appoint a constable and entertain applications timely submitted by persons interested in seeking the appointment. To be considered, Applicants must appear in person and be questioned by the Court under oath.

Applicants must meet all eligibility requirements established by law. To apply, each interested applicant must submit a letter of interest, resume, proof of residency, and Pennsylvania Child Abuse History Clearance Certificate (visit <https://www.compass.state.pa.us/cwis/public/home>) to:

Cori Doughty, Court Administrator  
Monroe County Courthouse  
610 Monroe Street  
Stroudsburg, PA 18360  
(Ph) (570) 517-3009  
(e-mail) [cdoughty@monroepacourts.us](mailto:cdoughty@monroepacourts.us)

Application documents must be received **at least fifteen (15) days** prior to the hearing.

In addition, **at least fifteen (15) days** prior to the hearing, each applicant must submit to the Monroe County District Attorney's Office, Detective Division, at the address below, a signed and completed Background Investigation Form. The form is available online at <http://monroecountyda.com/privateinvestigators/> or by mail or in person at:

Office of the District Attorney – Detective Division  
701 Main – Suite 200  
Stroudsburg, PA 18360  
(570)517-3052

Questions regarding the application process should be directed to Ms. Doughty. **Neither applicants nor anyone on their behalf is permitted to contact any of the Judges of the Court directly.**

**COURT OF COMMON PLEAS OF MONROE COUNTY  
FORTY THIRD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA**

IN RE: APPOINTMENT : No. 006648-CV-2024  
TO FILL A VACANCY :  
IN THE POSITION OF :  
CONSTABLE :  
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**NOTICE OF ENTRY OF (ORDER)(JUDGMENT)(VERDICT)(OPINION AND ORDER)**

NOTICE IS GIVEN UNDER PENNSYLVANIA RULE OF CIVIL PROCEDURE  
236(a)(2) THAT AN ORDER WAS ENTERED IN THIS CASE ON October 02, 2024.

GEORGE J. WARDEN, Prothonotary



By: \_\_\_\_\_  
Shirley Wood

- cc: KEVIN R WALSH
- D.A.
- MDJ 43-04-01
- JAMIE LEVY, MDJ
- CT.ADMIN.
- SARA MAY-SILFIE, VOTER REGISTRATION
- BOROUGH OF DELAWARE WATE GAP
- DEBORAH HUFFMAN, ESQ
- POLK TOWNSHIP SOLICITOR