

PART IV
LOCAL RULES GOVERNING CONDUCT, OFFICE
STANDARDS AND CIVIL PROCEDURE FOR DISTRICT
JUSTICES

(cited as L.R.C.P.D.J. No. ____)

APPELLATE PROCEEDINGS WITH RESPECT TO JUDGMENTS AND
OTHER DECISIONS OF DISTRICT JUSTICES IN CIVIL MATTERS

Rule 1008 Appeal as Supersedeas

(a) The procedure set forth in subsection (b) of this rule may be used as an alternative to the procedure set forth in Pa.R.C.P.D.J. No. 1008(B), but only when the judgment entered against the appellant includes no award of money damages for physical damage to the leasehold property. The appellant shall bear the burden of demonstrating to the Prothonotary the applicability of subsection (b) of this rule.

(b) When an appeal is from a judgment of a district justice for the possession of real property, receipt by the district justice of the copy of the notice of appeal shall operate as a supersedeas only if the appellant at the time of filing the appeal deposits with the prothonotary a sum of money equal to the monthly rent payment due for the month in which the appeal was taken and by subsequently timely depositing a sum equal to the monthly rent with the prothonotary within thirty (30) days following the date of the appeal, and each successive thirty (30) day period thereafter.

(c) Upon motion presented at Motions Court pursuant to the Local Rules of Civil Procedure, the Court will strike an appeal whenever a subsequent rent payment required as a condition of a supersedeas has not been paid to the Prothonotary.