

CHARLES R. FOLCOMER, Jr.,	)	
Individually and as personal representative	)	IN THE COURT OF COMMON PLEAS
of the Estate of NANCY A. FOLCOMER,	)	
Deceased,	)	
3628 STINE HILL RD	)	YORK COUNTY PENNSYLVANIA
RED LION, PA 17356	)	
	)	
Plaintiff,	)	2018-SU-002527
	)	
v.	)	
	)	CIVIL ACTION - LAW
TODD FREDERICK KRAFT,	)	
1300 E MARKET ST, ROOM 14	)	JURY TRIAL DEMANDED
YORK, PA 17403	)	
	)	
JEREMY MICHAEL ROBBINS,	)	
2767 SCHELL LN	)	
RED LION, PA 17356	)	
	)	
STEVEN A. ROBINSON and	)	
MELINDA L. ROBINSON, as husband	)	
and wife	)	
2767 SCHELL LN	)	
RED LION, PA 17356	)	
	)	
BARBARA J. TROSTLE,	)	
2767 SCHELL LN	)	
RED LION, PA 17356	)	
	)	
Defendants.	)	

YORK COUNTY PROthonARY  
 419 201 25 PH 2:17  
 JEREMY MICHAEL ROBBINS

**NOTICE TO DEFEND**  
 Pursuant to Pa.R.C.P. 1018.1

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing

with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. **YOU MAY LOSE MONEY OR RIGHTS IMPORTANT TO YOU.**

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

Lawyer Referral Service of  
The York County Bar Association  
(Attorney Connections)  
York County Bar Center  
137 East Market Street  
York, Pennsylvania 17401  
Telephone No. (717) 854-8755

CHARLES R. FOLCOMER, Jr.,  
Individually and as personal representative  
of the Estate of NANCY A. FOLCOMER,  
Deceased,  
3628 STINE HILL RD  
RED LION, PA 17356

Plaintiff,

v.

TODD FREDERICK KRAFT,  
1300 E MARKET ST, ROOM 14  
YORK, PA 17403

JEREMY MICHAEL ROBBINS,  
2767 SCHELL LN  
RED LION, PA 17356

STEVEN A. ROBINSON and  
MELINDA L. ROBINSON, as husband  
and wife  
2767 SCHELL LN  
RED LION, PA 17356

BARBARA J. TROSTLE,  
2767 SCHELL LN  
RED LION, PA 17356

Defendants.

IN THE COURT OF COMMON PLEAS

YORK COUNTY PENNSYLVANIA

2018-SU-002527

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

FILED  
YORK COUNTY CLERK  
2018 OCT 25 PM 2:17  
YORK PA

**EN LA CORTE DE ALEGATOS COMÚN DEL CONDADO DE YORK, PENNSYLVANIA  
DIVISIÓN CIVIL**

**AVISO PARA DEFENDER**

Conforme a Pa.R.C.P. 1018.1

USTED HA SIDO DEMANDADO/A EN LA CORTE. Si usted desea defender contra la demanda puestas en las siguientes páginas usted tienen que tomar acción dentro veinte (20) días después que esta Demanda y aviso es servido, con entrando por escrito una apariencia personalmente o por un abogado y archivando por escrito con la Corte sus defensas o objeciones a las demandas puestas en esta contra usted. Usted es advertido que si falla de hacerlo el caso puede proceder sin usted y un juzgamiento puede ser entrado contra usted por la Corte sin más aviso por cualquier dinero reclamado en al demanda o por cualquier otro reclamo o alivio solicitado por Demandante. Usted puede perder dinero o propiedad o otros derechos importante para usted.

USTED DEBE LLEVAR ÉSTE PAPEL A SU ABOGADO ENSEGUIDA. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME POR TELÉFONO LA OFICINA FIJAD AQUÍ ABAJO. ESTA OFICINA PUEDE PROVEERÉ CON INFORMACIÓN DE COMO CONSEGUIR UN ABOGADO.

SI USTED NO PUEDE PAGARLE A UN ABOGADO, ÉSTA OFICINA PUEDE PROVEERÉ INFORMACIÓN ACERCA AGENCIAS QUE PUEDAN OFRECER SERVICIOS LEGAL A PERSONAS ELIGIBLE A UN HONORARIO REDUCIDO O GRATIS.

SERVICIO DE REFERIDO A ABOGADO  
COLEGIO DE ABOGADOS DEL CONDADO DE YORK  
ABOGACÍA DEL CONDADO DE YORK  
**CALLE MARKET #137 ESTE**  
YORK, PENNSYLVANIA 17401  
TELÉFONO: (717) 854-8755

CHARLES R. FOLCOMER, Jr.,  
Individually and as personal representative  
of the Estate of NANCY A. FOLCOMER,  
Deceased,  
3628 STINE HILL RD  
RED LION, PA 17356

Plaintiff,

v.

TODD FREDERICK KRAFT,  
1300 E MARKET ST, ROOM 14  
YORK, PA 17403

JEREMY MICHAEL ROBBINS,  
2767 SCHELL LN  
RED LION, PA 17356

STEVEN A. ROBINSON and  
MELINDA L. ROBINSON, as husband  
and wife  
2767 SCHELL LN  
RED LION, PA 17356

BARBARA J. TROSTLE,  
2767 SCHELL LN  
RED LION, PA 17356

Defendants.

IN THE COURT OF COMMON PLEAS

YORK COUNTY PENNSYLVANIA

2018-SU-002527

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

RECORDED & INDEXED  
2019 OCT 25 PM 2:17  
CLERK OF COURT YORK PA

**COMPLAINT**

AND NOW this ~~25~~<sup>15</sup> day of October, 2019, comes Plaintiff, Charles R. Folcomer, Jr., individually and as personal representative of the Estate of Nancy A. Folcomer, deceased, by and through her counsel, Stephen R. McDonald, Esquire and CGA Law Firm, and files the following Complaint:

**PARTIES**

1. Plaintiff is Charles R. Folcomer, Jr., an adult individual residing in Pennsylvania.
2. Defendants are:
  - a) Todd Frederick Kraft, an adult individual residing in Pennsylvania at 1300 E. Market Street, Room 14, Pa 17403
  - b) Jeremy Michael Robbins, an adult individual residing in Pennsylvania at 2767 Schell Lane, York, PA 17403.
  - c) Steven A. Robinson and Melinda L. Robinson, an adult married couple residing in Pennsylvania at 2767 Schell Lane, York, PA 17403.
  - d) Barbara J. Trostle, and adult individual residing in Pennsylvania at 2767 Schell Lane, York, PA 17403.

**FACTS**

3. Plaintiff relies on and incorporates the preceding paragraphs by reference as though fully set forth herein at length.

4. On or about the afternoon of June 24, 2017, Charles Folcomer (“Plaintiff”) and his wife Nancy Folcomer (collectively “Folcomers”), were at their home in Red Lion, Pennsylvania, when the power went out.

5. After a period when the power did not return, the Folcomers decided to get out of their home and take a drive.

6. The Folcomers left their residence in their 2 door Jeep Comanche vehicle, which Plaintiff was driving and in which Nancy Folcomer was sitting in the front passenger seat.

7. Plaintiff turned the vehicle onto Myers School Road in North Hopewell Township.

8. As Plaintiff was driving in or around the 2500 block of Myers School Road, he heard several guns shots in rapid succession.

9. The passenger side window of the Jeep Comanche shattered and Plaintiff was hit by flying glass.

10. Plaintiff, who was familiar with gunfire due to previously being in the military, continued driving in order to get the vehicle away from the gun fire as quickly as possible.

11. Plaintiff asked Nancy Folcomer if she was alright, to which she responded, “I don’t feel good”. After making this statement, Nancy Folcomer became unresponsive and did not say anything else.

12. Plaintiff drove to a residence at Myers School Road and contacted 911 using the owner's phone.

13. Pennsylvania State Troopers ("Trooper(s)") and emergency vehicles responded to the scene.

14. A gunshot wound was discovered on Nancy Folcomer. The bullet had entered Nancy Folcomer's right arm, the arm nearest the vehicle window, penetrated her right lung, heart and left lung, and then exited out her left arm.

15. Emergency medical services (EMS) attempted to render medical aid to Nancy A. Folcomer.

16. Nancy A. Folcomer was placed in an ambulance, and EMS attempted to conduct life saving measures, but Nancy A. Folcomer was pronounced dead on the scene.

17. An autopsy later confirmed that Nancy Folcomer died as a result of the gunshot wounds.

18. A bullet ("Bullet") was discovered on the driver's seat.

19. Nancy Folcomer was 56 years old at the time of her death.

20. A resident ("Resident"), who lived near the scene, searched the area and discovered Jeremy Robbins ("Defendant Robbins") and Todd Kraft ("Defendant Kraft") were target shooting at a nearby residence located at 2767 Schell Lane ("Property").

21. The Resident informed Defendant Robbins and Defendant Kraft that a woman had been shot.



22. Defendant Robbins and Defendant Kraft returned with the Resident to scene and spoke with the Troopers.

23. Defendant Robbins and Defendant Kraft admitted that they had been target shooting at the Property.

24. Two Winchester Luger 9mm bullets were discovered on Defendant Robbins.

25. The Property was owned by Defendant Steven Robinson, Defendant Melinda Robinson and Defendant Barbara J. Trostel (collectively "Owners") by virtue of a Deed recorded in Book 1931, Page 7414 ("Deed") in the York County Recorder of Deeds. A copy of a Deed is attached hereto as Exhibit "A".

26. Defendant Melinda Robinson consented to allow the Troopers and Defendant Robbins return to the Property in order for Defendant Robbins to provide further information and demonstrate how he and Defendant Kraft were shooting.

27. Trooper Kelly drove Defendant Robbins back to the Property. As they were driving, they observed the area where the Plaintiff's vehicle had been driving when it was struck by the bullet ("Location"), and which Location had been cordoned off by yellow police tape.

28. Defendant Robbins stated the Property was just up the hill from the Location, and pointed to the Property through the woods. Defendant Robbins also stated that if the shot which hit Nancy Folcomer came from his gun, that he and Defendant Kraft were at fault.

29. At the Property, Defendant Robbins showed the Trooper where Defendant Robbins and Defendant Kraft were drinking beer and firing a Taurus Millennium G2 9mm handgun ("Gun") at drywall and a hot tub.

30. Upon information and belief, Defendant Robbins was the registered owner of the Gun.

31. Upon information and belief, Defendant Robbins often shoots at targets such as trash or cans and had done so previously at the Property.

32. Upon information and belief the Owners were aware that Defendant Robbins had previously engaged in shooting and target practice at the Property.

33. Defendant Robbins admitted that, on this particular occasion, he and Defendant Kraft were placing bottles and cans on the ledge of the hot tub and firing at them for target practice.

34. There was also a handle attached to the hot tub. When raised the handle stuck up about a foot above the hot tub, and Defendant Robbins and Defendant Kraft raised the handle and were also shooting at it as a target.

35. Trooper Kelly counted 11 holes in the drywall and 12 holes in the hot tub. In total Defendant Robbins estimated that he and Defendant Kraft had each shot 24-36 rounds of ammunition.

36. Defendant Robbins and Defendant Kraft alternated taking turns shooting the Gun. The Gun had a magazine which held 12 rounds of ammunition. Defendant Robbins shot at the targets until the magazine was empty, and then reloaded the Gun

with a new magazine at which time Defendant Kraft fired the gun until his magazine was empty. This scenario was repeated until the resident had appeared and informed them that a woman was shot.

37. At the time the Resident appeared, saying a woman had been shot, Defendant Robbins and Defendant Kraft had each fired 2-3 magazines of 12 shots apiece.

38. Defendant Kraft was interviewed by the Troopers and admitted that he had participated in the shooting and recounted the same events as Defendant Robbins.

39. Defendant Kraft had been shooting at the raised handle on the hot tub when the resident appeared stating that a woman had been shot.

40. Forensic analysis of the Gun and the Bullet confirmed the Bullet shot and killed Nancy Folcomer and was fired from the Gun.

41. Upon information and belief, Defendant Robbins was staying at the Property.

42. Upon information and belief, the Owners authorized and permitted Defendant Robbins and Defendant Kraft to drink and engage in the target shooting, at the Property, which resulted in the death of Nancy Folcomer.

43. The Property faces south, with the back yard facing north towards Myers School Road. Defendant Robbins and Defendant Kraft had set up their targets in such a manner that they were firing north towards Myers School Road.

44. Between the Property and Myers School Road was there was no back stop or any type of topography which would serve to prevent the bullets from reaching the Myers School Road.

45. The Property sits above Myers School Road.

46. In addition to broken glass, bullet marks were found on the roadway, indicating that multiple other bullets had ricocheted off the road at the Location.

47. Owners would have been aware of the proximity of Myers School Road to the property, and that there was nothing to prevent shots fired in that direction from reaching Myers School Road, and that firing a gun in the direction of the road was inherently dangerous.

**COUNT I – NEGLIGENCE**  
**Plaintiff v. Defendants Robbins and Kraft**

48. All preceding paragraphs herein are incorporated by reference as though set forth in full.

49. A claim for negligence must establish the following four elements: 1) A duty, or obligation, recognized by the law, requiring the actor to conform to a certain standard of conduct, for the protection of others against unreasonable risks. (2) A failure on the person's part to conform to the standard required: a breach of duty. (3) A reasonably close causal connection between the conduct and the resulting injury. (4) Actual loss of damage resulting to the interest of another. Ney v. Axelrod, 723 A.2d 719, 721 (Pa. Super. 1999).

50. The law imposes on Defendant Robbins and Defendant Kraft a duty to act in a manner which does not place other people at risk of harm.

51. Specifically, Defendant Robbins and Defendant Kraft had a duty to use extraordinary care in discharging a firearm due to its inherently dangerous nature.

52. Defendant Robbins and Defendant Kraft had a duty to be aware of their surroundings and employ proper precautions when shooting at targets in close proximity to a road and houses where neighbors, passers-by, or other people may be present.

53. Defendant Robbins and Defendant Kraft had a duty to set up backstops or other appropriate barriers to prevent bullets from being able to pass beyond the boundaries of the Property and cause injury to third parties.

54. Defendant Robbins and Defendant Kraft had a duty to refrain from recklessly endangering Plaintiffs.

55. Defendant Robbins and Defendant Kraft had a duty to refrain from using firearms when they are impaired by alcohol.

56. Defendant Robbins and Defendant Kraft failed to conform to these standards, and breached their duty.

57. Defendant Robbins and Defendant Kraft breached their duty when they knew, or should have known, that Myers School Road ran behind the Property, that it was likely people would be on the road, and that they were firing the Gun in the direction of the Myers School Road.

58. Defendant Robbins and Defendant Kraft breached their duty when they fired the gun and targets and they knew, or should have known, even if they hit the hot tub, drywall, bottles, cans or hot tub handle, those objects would not stop the bullets.

59. Defendant Robbins and Defendant Kraft breached their duty when they failed to construct backstops or erect any barriers to prevent bullets from striking people outside the boundaries of the Property.

60. Defendant Robbins and Defendant Kraft breached their duty when they discharged up to 72 rounds of ammunition, under these circumstances, and while being impaired by alcohol.

61. Defendant Robbins and Defendant Kraft breached their duty when they discharged the Gun, up to 72 times, with reckless disregard for the presence of Plaintiffs and other people.

62. Defendant Robbins' and Defendant Kraft's action in discharging the firearm, up to 72 times, under these circumstances, directly resulted in Nancy A. Folcomer being struck and eventually killed by the Bullet fired from the Gun.

63. Defendant Robbins' and Defendant Kraft's action in discharging the firearm, up to 72 times, under these circumstances, directly resulted in Charles Folcomer being exposed to injury and having to witness the death of his wife.

64. It was foreseeable that a third party would be injured as a result of the Defendant Robbins and Defendant Kraft discharging the Gun on the Property in close proximity to the Road and other residences.

65. Defendant Robbins admitted to Trooper Kelly that it was Defendant Robbins' and Defendant Kraft's fault that Nancy A. Folcomer was killed.

66. Forensic analysis confirmed the Bullet which killed Nancy A. Folcomer was fired by the Gun.

67. As a direct result of the negligence of Defendant Robbins and Defendant Kraft, Nancy A. Folcomer endured conscious pain and suffering, and sustained fatal injuries.

68. As a direct result of the negligence of Defendant Robbins and Defendant Kraft, Plaintiff incurred medical expenses, funeral expenses, and other damages.

**WHEREFORE**, Plaintiff demands judgment against Defendant Robbins and Defendant Kraft, jointly and severally, in an amount in excess of fifty thousand dollars (\$50,000.00) in economic and non-economic damages, compensatory damages, plus costs, pre-judgment interest and post-judgment interest.

**COUNT II – NEGLIGENCE**

**Plaintiff v. Defendant Steven Robinson, Defendant Melinda Robinson and Defendant Barbara J. Trostel (“Owners”)**

69. All preceding paragraphs herein are incorporated by reference as though set forth in full.

70. Defendant Robbins and Defendant Kraft were on the Property through the permission and authorization of the Owners.

71. The Owners are responsible for the activities of Defendant Robbins and Defendant Kraft while on the Property.

72. Defendant Robbins had previously engaged in the same dangerous activity by shooting at targets while at the Property.

73. It was foreseeable that a third party would be injured as a result of the Owners permitting Defendant Robbins, or anyone else, to discharge on a firearm on the Property in close proximity to the Road and other residences.

74. “Where the possessor of property invites or permits others to use his property, he creates a condition in which, through improper use of that property, others may be injured. A use of property which trespasses upon the rights of others is unlawful. By acquiescence in the misuse of his property by others, an owner may become, for practical purposes, a participant in such misuse.” Stevens v. City of Pittsburgh, 198 A. 655, 659 (Pa. 1938) *quoting* Ford v. Grand Union Company, 268 N.Y. 243, 197 N.E. 266, 270.

75. The Owners knew, or should have known, that Defendant Robbins engaged in a dangerous activity on the Property.

76. The Owners had a duty to prevent Defendant Robbins and Defendant Kraft from engaging in behavior which constituted a threat or risk to third parties.

77. “The duty to exercise reasonable care to control the conduct of third persons for the protection of others requires the actor to exercise his ability to control such third person's conduct not only when he knows of the necessity for so doing, but



also when as a reasonable man he should know of it.” Restatement (Second) of Torts § 318 (1965).

78. Owners had a duty to take reasonable precautions to prevent injury to third parties when they knew, or should have known, about the target practice taking place on the Property.

79. Owners breached their duty by permitting Defendant Robbins and Defendant Kraft to discharge a firearm under any conditions which created a threat to third parties.

80. Owners breached their duty by permitting Defendant Robbins and Defendant Kraft to shoot at targets in such a manner that bullets could reasonably strike motorists or pedestrians on Myers School Road.

81. Owners breached their duty by not constructing backstops or other barriers that would prevent bullets from being discharged beyond the boundary lines of the property.

82. Owners breached their duty by allowing Defendant Robbins and Defendant Kraft to discharge firearms and shoot at target while impaired by alcohol.

83. The Owners’ breach of duty resulted in inherently dangerous conditions and activities on the Property that resulted in the shooting and death of Nancy A. Folcomer.

84. As a direct result of the negligence of Owners, Nancy A. Folcomer endured conscious pain and suffering, and sustained fatal injuries.

85. As a direct result of the negligence of Owners, Plaintiff incurred medical expenses, funeral expenses, and other damages.

**WHEREFORE**, Plaintiff demands judgment against Owners, jointly and severally, in an amount in excess of fifty thousand dollars (\$50,000.00) in economic and non-economic damages, compensatory damages, plus costs, pre-judgment interest and post-judgment interest.

**COUNT III – NEGLIGENT ENTRUSTMENT**  
**Plaintiffs v. Defendant Robbins**

86. All preceding paragraphs herein are incorporated by reference as though set forth in full.

87. Defendant Robbins had a duty not to permit a third person to use a thing, or to engage in an activity which is under the control of the actor, if the actor knows or should know that such person intends or is likely to use the thing or to conduct himself in the activity in such a manner as to create an unreasonable risk of harm.

88. Defendant Robbins was the owner of the Gun and had control of the Gun on the date Nancy A. Folcomer was shot and killed.

89. Defendant Robbins had a duty to make sure the Gun was used in a safe and reasonable manner.

90. Specifically, Defendant Robbins had duty not to entrust his Gun to Defendant Kraft knowing that Defendant Kraft was impaired by alcohol.

91. Defendant Robbins had a duty not to entrust his Gun to Defendant Kraft knowing that he might use the Gun in a dangerous manner.

92. Defendant Robbins had a duty not to load the Gun, and give it to Defendant Kraft to be fired at targets, where third parties were likely to be in danger of being struck by bullets.

93. Defendant Robbins had a duty to create a safe environment for target shooting before giving the Gun to Defendant Kraft.

94. After observing Defendant Kraft drinking alcohol, and firing the Gun in the direction of a public highway at targets where there was no backstop or barrier, and where even hitting the targets would not stop the bullets, Defendant Robbins continued to acted negligently by re-loading the gun and entrusting it to Defendant Kraft under these conditions.

95. It was foreseeable that a third party would be injured as a result of the Defendant Robbins permitting Defendant Kraft to discharge the Gun on the Property in close proximity to the Road and other residences.

96. Defendant Robbins knew that the manner in which Defendant Kraft was using the Gun created an unreasonable risk of harm, as evidence by his statement to Trooper Kelly, that is was their fault Nancy Folcomer was shot and killed.

**WHEREFORE**, Plaintiffs demand judgment against Defendant Robbins in an amount in excess of fifty thousand dollars (\$50,000.00) in economic and non-economic damages, compensatory damages, plus costs, pre-judgment interest and post-judgment interest.

**COUNT V – WRONGFUL DEATH**  
**Plaintiff v. All Defendants**

97. All preceding paragraphs herein are incorporated by reference as though set forth in full.

98. Defendants are liable to Plaintiff for their wrongful acts, neglect, unlawful violence, and negligence of another.

99. Pennsylvania's Wrongful Death Act, allows a spouse, children or parents of a deceased to sue another for a wrongful act that led to the death of the deceased and it allows, as damages, the value of the decedent's life to the family, including society and comfort, as well as expenses caused to the family by reason of the death. Hatwood v. Hospital of the University of Pennsylvania, 55A.3d 1229, 1235 (Pa. Super. Ct. 2012).

100. As a direct and proximate cause of the Defendants' actions, Plaintiffs suffered a loss of services, society, guidance, companionship, comfort, and consortium.

101. The Plaintiff suffered economic damages as a result of having to pay medical, funeral, and other expenses.

102. Plaintiff suffered pecuniary loss incurred as a result of his wife's death for the earnings he would have received from her, had she lived. At the time of her death, Nancy Folcomer had been working regularly, and made in excess of forty thousand dollars (\$40,000.00) annually, and contributed that amount to marital income.

**WHEREFORE**, Plaintiffs demand judgment against all Defendants, jointly and severally, in an amount in excess of fifty thousand dollars (\$50,000.00) in economic and non-economic damages, compensatory damages, plus costs, pre-judgment interest and post-judgment interest.

**COUNT VI – SURVIVOR ACTION**  
**Plaintiffs v. Defendant Robbins**

103. All preceding paragraphs herein are incorporated by reference as though set forth in full.

104. After Nancy Folcomer was shot, she remained conscious and spoke with Plaintiff, stating that she was not well.

105. After being shot, Nancy Folcomer endured pain and suffering.

106. Nancy Folcomer suffered a loss of her lifetime earnings.

107. At the time of her death, Nancy Folcomer had been working regularly, and made in excess of forty thousand dollars (\$40,000.00) annually.

**WHEREFORE**, Plaintiffs demand judgment against all Defendants, jointly and severally, in an amount in excess of fifty thousand dollars (\$50,000.00) in economic and non-economic damages, compensatory damages, plus costs, pre-judgment interest and post-judgment interest.

Respectfully submitted,

CGA LAW FIRM, P.C.

By: 

Stephen R. McDonald, Esq.  
Supreme Court I.D. No 310319  
CGA Professional Center  
135 N. George Street  
York, Pennsylvania 17401  
(717) 848-4900  
(717) 843-9039  
E-mail: [smcondald@cgalaw.com](mailto:smcondald@cgalaw.com)  
Counsel for Plaintiffs

CHARLES R. FOLCOMER, Jr.,	)	
Individually and as personal representative	)	IN THE COURT OF COMMON PLEAS
of the Estate of NANCY A. FOLCOMER,	)	
Deceased,	)	
3628 STINE HILL RD	)	YORK COUNTY PENNSYLVANIA
RED LION, PA 17356	)	
	)	
Plaintiff,	)	2018-SU-002527
	)	
v.	)	
	)	CIVIL ACTION - LAW
TODD FREDERICK KRAFT,	)	
1300 E MARKET ST, ROOM 14	)	JURY TRIAL DEMANDED
YORK, PA 17403	)	
	)	
JEREMY MICHAEL ROBBINS,	)	
2767 SCHELL LN	)	
RED LION, PA 17356	)	
	)	
STEVEN A. ROBINSON and	)	
MELINDA L. ROBINSON, as husband	)	
and wife	)	
2767 SCHELL LN	)	
RED LION, PA 17356	)	
	)	
BARBARA J. TROSTLE,	)	
2767 SCHELL LN	)	
RED LION, PA 17356	)	
	)	
Defendants.	)	

**CERTIFICATE OF COMPLIANCE**

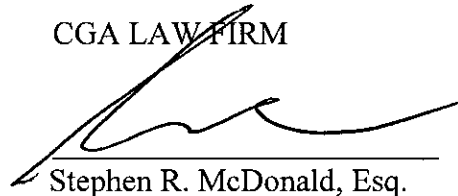
I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that

require filing confidential information and documents differently than non-confidential information.

Respectfully submitted,

CGA LAW FIRM

Date: 10/25/19



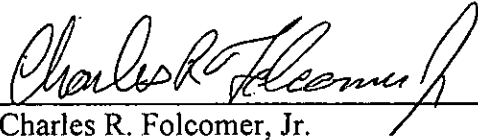
Stephen R. McDonald, Esq.  
Supreme Court I.D. No 310319  
CGA Professional Center  
135 N. George Street  
York, Pennsylvania 17401  
Phone: (717) 848-4900  
Fax: (717) 843-9039  
E-mail: [smcondald@cgalaw.com](mailto:smcondald@cgalaw.com)  
Counsel for Plaintiffs



**VERIFICATION**

I hereby affirm that the following facts are correct. The attached **Complaint** is based upon information which has been furnished to counsel in the preparation of this document. The language of the **Complaint** is that of counsel and not mine. I have read the **Complaint** and to the extent that the same is based upon information which I have given to counsel, it is true and correct to the best of my knowledge, information and belief. To the extent that the content of the **Complaint** is that of counsel, I have relied upon counsel in making this Verification. I hereby acknowledge that the averments of fact set forth in the aforesaid **Complaint** are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Dated: 10/25/19

  
\_\_\_\_\_  
Charles R. Folcomer, Jr.

Handwritten notes: "like of" and "8/21/14"

PREPARED BY: REALTY SETTLEMENT SERVICES, INC.  
RETURN TO: REALTY SETTLEMENT SERVICES, INC.  
1550 LITITZ PIKE  
LANCASTER, PA 17601  
PARCEL ID #: 41-FJ-83



RS# 48613

**THIS DEED** made the 30th day of OCTOBER, 2007

**BETWEEN STEVEN A. ROBINSON and MELINDA L. ROBINSON, MARRIED**

Hereinafter called GRANTOR and  
**STEVEN A. ROBINSON and MELINDA L. ROBINSON, MARRIED and BARBARA J. TROSTEL**  
Hereinafter called GRANTEE

(Both Grantor and Grantee, whether one or more, referred to as though singular in number)  
WITNESSETH, that the said GRANTOR for and in consideration of the sum of  
\*\*\*\*\*(\$ 1.00)\*\*\*\*\* paid by the said GRANTEE to the said GRANTOR, at and before the  
signing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted,  
bargained, sold, and conveyed, and by these presents does grant, bargain, sell and convey unto the said  
GRANTEE and GRANTEE'S heirs, successors and assigns the premises described on Exhibit "A"  
attached hereto and incorporated herein by reference: TENANTS BY THE RIGHT OF SURVIVORSHIP

NOT as tenants in common.  
TOGETHER with all buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments  
and appurtenances, to the same belonging, or in any wise appertaining, and any reversions, remainders,  
rents, issues and profits thereof, and of every part and parcel thereof, including any interests specifically  
set forth on Exhibit "A", if any. And also, all the estate, right, title, interest, property, possession, claim  
and demand whatsoever, both in law and equity, of the Grantor of, in and to the same.

TO HAVE AND TO HOLD the same premises, and the appurtenances, hereby granted to Grantee and  
Grantee's heirs, successors and assigns, to and for the only proper use, benefit and behoof of the said  
Grantee and Grantee's heirs, successors and assigns forever, under and subject to the conditions set  
forth on Exhibit "A", if any,  
AND the said Grantor hereby covenants and agrees that Grantor will warrant specially the property  
hereby conveyed.

Handwritten numbers: "30" and "50"

Book 1931 Page 7414

PLAINTIFF'S EXHIBIT  
tabler  
A

In Witness Whereof, the said Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, Sealed and Delivered  
In the Presence of Us

*Barbara A. Nixdorf*

*Steven A. Robinson* (SEAL)  
STEVEN A. ROBINSON  
*Melinda L. Robinson* (SEAL)  
MELINDA L. ROBINSON

State of Pennsylvania  
County of Lancaster

On the 30th Day of OCTOBER, 2007, before me, the Undersigned Officer, personally appeared **STEVEN A. ROBINSON** and **MELINDA L. ROBINSON** known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained, and desired the same might be recorded as such.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

I certify the address of the within-named

Grantee is: 2767 Schell Lane  
Red Lion, Pa. 17356

*Barbara A. Nixdorf*  
Notary Public

*Barbara A. Nixdorf*

Commonwealth of Pennsylvania

NOTARIAL SEAL  
BARBARA A. NIXDORF, Notary Public  
Manheim Twp., Lancaster County, PA  
My Commission Expires July 21, 2011

**EXHIBIT 'A'**

**2767 SCHELL LANE  
NORTH HOPEWELL TOWNSHIP  
YORK COUNTY, PA**

**ALL THAT CERTAIN tract of land, together with improvements erected thereon, situate in the Township of North Hopewell, County of York, and Commonwealth of Pennsylvania, bounded and described as follows:**

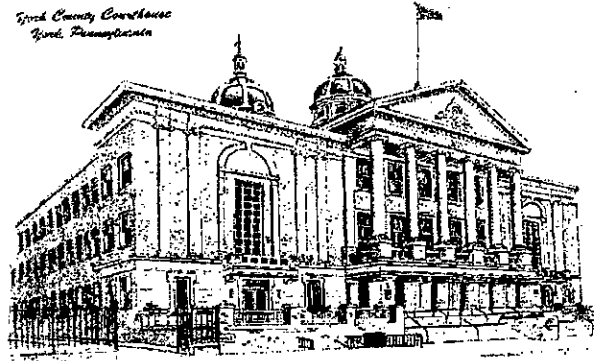
**BEGINNING at a point in a private right-of-way at a corner of property now or late of John H. Stump III and wife, said point of beginning is North seventy-three (73) degrees West, three hundred ninety-five and ten one-hundredths (395.10) feet from the property line of land now or late of Robert Hoffman; thence through said private right-of-way, North seventy-three (73) degrees West one hundred twenty-five (125) feet to a point, said point is marked by an iron pipe set back on the next property line twelve and one-half (12 1/2) feet; thence along property now or late of Gail S. Stump and husband North seventeen (17) degrees East one hundred eighty-seven and fifty one-hundredths (187.50) feet to an iron pipe; thence along land now or late of Ted Ziegler South seventy-three (73) degrees East one hundred twenty-five (125) feet to an iron pipe; thence along property now or late of John H. Stump III and wife South seventeen (17) degrees West one hundred eighty-seven and fifty one-hundredths (187.50) feet to a point, the place of BEGINNING.**

**BEING THE SAME PREMISES which John H. Stump IV and Kathy L. Stump, husband and wife, by deed dated August 7, 1998 and recorded August 20, 1998, in the Recorder of Deeds Office in and for York County in Record Book 1334, page 5639, granted and conveyed unto Steven A. Robinson and Melinda L. Robinson, husband and wife.**

**THIS is a conveyance from husband and wife to husband and wife and mother-in-law and is therefore exempt from Realty Transfer Tax.**

**Tax Map No. 41-FJ-83**

York County Courthouse  
York, Pennsylvania



**YORK COUNTY RECORDER OF DEEDS**  
**28 EAST MARKET STREET**  
**YORK, PA 17401**

*Randi L. Reisinger - Recorder*  
*Gloria A. Fleming - Deputy*

Instrument Number - 2007082614  
Recorded On 11/7/2007 At 10:19:01 AM

Book - 1931 Starting Page - 7414  
\* Total Pages - 4

\* Instrument Type - DEED  
Invoice Number - 733748  
\* Grantor - ROBINSON, STEVEN A  
\* Grantee - ROBINSON, STEVEN A  
User - DEF  
\* Customer - REALTY SETTLEMENT SERVICES INC OF LANCASTER

\* Received By: COUNTER

**\* FEES**

STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$10.00
RECORDING FEES	\$13.50
AFFORDABLE HOUSING	\$11.50
PIN NUMBER FEES	\$2.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
TOTAL PAID	\$42.50

**PARCEL IDENTIFICATION NUMBER**

41000FJ0083000000

Total Parcels: 1

**I Certify This Document To Be  
Recorded In York County, Pa.**



*Randi L. Reisinger*  
Recorder of Deeds

*THIS IS A CERTIFICATION PAGE*  
**PLEASE DO NOT DETACH**  
*THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT*

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

Book: 1931 Page: 7417

CHARLES R. FOLCOMER, Jr.,  
Individually and as personal representative  
of the Estate of NANCY A. FOLCOMER,  
Deceased,  
3628 STINE HILL RD  
RED LION, PA 17356

Plaintiff,

v.

TODD FREDERICK KRAFT,  
1300 E MARKET ST, ROOM 14  
YORK, PA 17403

JEREMY MICHAEL ROBBINS,  
2767 SCHELL LN  
RED LION, PA 17356

STEVEN A. ROBINSON and  
MELINDA L. ROBINSON, as husband  
and wife  
2767 SCHELL LN  
RED LION, PA 17356

BARBARA J. TROSTLE,  
2767 SCHELL LN  
RED LION, PA 17356

Defendants.

IN THE COURT OF COMMON PLEAS

YORK COUNTY PENNSYLVANIA

2018-SU-002527

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

RECEIVED  
2019 OCT 25 PM 2:17  
CLERK OF COURT YORK PA

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25<sup>th</sup> day of October, 2019, I served a true and correct copy of the foregoing Complaint via first class mail, postage paid mail as follows:

Todd Frederick Kraft  
1300 E Market St, Room 14  
York, PA 17403  
*Pro Se Defendant*

Jeremy Michael Robbins  
2767 Schell Ln  
Red Lion, PA 17356  
*Pro Se Defendant*

Steven A. Robinson  
2767 Schell Ln  
Red Lion, PA 17356  
*Pro Se Defendant*

Melinda L. Robinson  
2767 Schell Ln  
Red Lion, PA 17356  
*Pro Se Defendant*

Barbara J. Trostle  
2767 Schell Ln  
Red Lion, PA 17356  
*Pro Se Defendant*

CGA Law Firm

By: Virginia Brate  
Virginia L. Brate, Paralegal to  
Stephen R. McDonald, Esquire