

# COPY

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA  
CIVIL

JOANNE TITUS

vs.

TYLER TITUS

:  
:  
:  
:  
:  
:

2022 - 1749

APPEARANCES

For the Plaintiff: Melissa Calvert, Esquire  
138 West Market Street  
Mercer, Pennsylvania 16137

For the Defendant: Self represented

TRANSCRIPT OF PROCEEDINGS

Before the Honorable Tedd C. Nesbit, Judge

July 27, 2022

PFA HEARING

JUDITH R. SCARSELLA  
Official Court Reporter  
Mercer County, Pennsylvania

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## I N D E X

### WITNESS

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#### JOANNE TITUS

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## E X H I B I T

### Plaintiff's

ID EV

(None marked)

### Defendant's

(None marked)

1 THE COURT: Good morning. Swear everyone in.  
2 (Whereupon, the parties were sworn.)

3 THE COURT: Do we have any preferences of  
4 order?

5 MS. CALVERT: Your Honor, we have Joanne Titus  
6 versus Tyler Titus. It's a hearing, Your Honor.

7 THE COURT: Okay.

8 Mr. Titus, would you state your name for the  
9 record, please.

10 THE DEFENDANT: Tyler Titus.

11 THE COURT: And were you sworn in just a minute  
12 ago?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Do you have counsel?

15 THE DEFENDANT: No. I'm representing myself,  
16 Your Honor.

17 THE COURT: Do you want counsel?

18 THE DEFENDANT: No, Your Honor.

19 THE COURT: Okay.

20 MS. CALVERT: Your Honor, I will start by  
21 calling my client, Joanne Titus, to the stand.

22 THE COURT: She should have been sworn in.

23 MS. CALVERT: She was.

24 THE COURT: Okay.

25

1 Whereupon,

2 JOANNE TITUS,

3 a witness called on behalf of the Plaintiff, having been  
4 previously sworn, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MS. CALVERT:

7 Q. Please state your name and spell it for the  
8 record.

9 A. Joanne Titus, J-o-a-n-n-e T-i-t-u-s.

10 Q. And Ms. Titus, are we here today because you filed  
11 a PFA?

12 A. Yes.

13 Q. Who did you file that PFA against?

14 A. Against Tyler Titus.

15 Q. What is your relationship with him?

16 A. He's my son.

17 Q. I'm going to direct your attention to July 4th of  
18 this year at approximately 10:30 p.m. Do you remember where  
19 you were that day?

20 A. Yes, I do.

21 Q. Where were you?

22 A. I was in the hallway of my house. The bathroom is  
23 on the left and the door was in front of me to go outside.

24 Q. On that date and time did you have an encounter  
25 with your son?

1 A. Yes, I did.

2 Q. Can you explain that encounter for the Court.

3 A. That encounter was he got highly upset and angry  
4 and told me that he was going to shoot me in the back of the  
5 head with a high-powered rifle at 300 yards and no one would  
6 know who did it.

7 Q. Did this cause fear?

8 A. Absolutely.

9 Q. Are you still fearful of your son to this day?

10 A. Yes, I am.

11 Q. Was there a prior incident in 2010 that involved  
12 your son?

13 A. Yes, there was.

14 Q. Where did that incident occur?

15 A. In our home.

16 Q. Explain to the Court -- well, let me ask you this.  
17 Did he have a firearm on that occasion?

18 A. Yes, he did.

19 Q. Did he point that firearm at you and/or your  
20 husband and/or your daughter?

21 A. Yes, he did.

22 Q. And threaten to shoot you at that time?

23 A. Yes, he did.

24 Q. Was he charged in that incident?

25 A. Yes, he was.

1 Q. Would you agree that his charges were Criminal  
2 Attempt at Aggravated Assault, a felony of the second degree?

3 A. Yes.

4 Q. Terroristic Threats with the Intent to Terrorize  
5 and --

6 THE COURT: Ms. Calvert, since he is  
7 unrepresented, was there an actual conviction or just a  
8 charge?

9 THE WITNESS: Yes, Your Honor.

10 THE COURT: What was the actual conviction?

11 MS. CALVERT: Those are the convictions, Your  
12 Honor. I was going to go through them and submit it for the  
13 record.

14 THE COURT: I will take judicial notice of it.

15 MS. CALVERT: Okay. Then I would still submit  
16 it as Exhibit A.

17 THE COURT: Okay. Have you shown that to Mr.  
18 Titus?

19 THE DEFENDANT: Excuse me?

20 THE COURT: She has to show you the exhibit  
21 that's marked before we can enter it into evidence and you  
22 can have a chance to object to it.

23 THE DEFENDANT: I will allow it.

24 THE COURT: Did you say A?

25 MS. CALVERT: Yes, Your Honor.

1 THE COURT: We will admit it into evidence.

2 Q. Ms. Titus, based on these incidents are you asking  
3 the Court to grant a PFA?

4 A. Yes, I am.

5 Q. For what duration?

6 A. As long as I can get it.

7 Q. Three years?

8 A. Yes.

9 Q. Are you also asking that Mr. Titus be evicted from  
10 your residence?

11 A. Yes, I am.

12 Q. And for the record, what is the address of that  
13 residence?

14 A. 11 Patricia Circle, Transfer, PA 16154.

15 MS. CALVERT: I have nothing further for this  
16 witness, Your Honor.

17 THE COURT: Alright.

18 Mr. Titus, do you have any questions of her?

19 THE DEFENDANT: Yes, Your Honor. I can cross  
20 examine her?

21 THE COURT: Yes. Now, before you begin, are  
22 you facing any criminal charges as a result of this incident?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: Alright.

25 And this would go for anybody else in the

1 courtroom. If we continue with a hearing and I end up  
2 finding and granting the PFA, you will lose your right to  
3 firearms.

4 Do you understand that?

5 THE DEFENDANT: I understand that, Your Honor.

6 THE COURT: That would go for anybody else.

7 One of the advantages of not going through a hearing is  
8 sometimes you can work it out and at some point you will get  
9 your firearms back.

10 But if we go through a hearing and I find for  
11 her, then you're going to lose your firearms. Do you  
12 understand?

13 THE DEFENDANT: I understand, Your Honor.

14 THE COURT: Proceed.

15 CROSS EXAMINATION

16 BY MR. TITUS:

17 Q. Hello, mother. Questions. I'm trying to keep  
18 this straight to the point and run through your PFA.

19 You said the Defendant has been starting to act  
20 like he did years ago. Can you elaborate? What was I acting  
21 like years ago?

22 A. Unstable, screaming, yelling, terrorizing me.

23 Q. Can you be more specific? Any examples?

24 A. The example of that night where you told me that.

25 Q. Alright. That night, you said that was on what



1 date?

2 A. Fourth of July evening.

3 Q. Was that when I joked about shooting you or is  
4 that when I was following you when you were on the phone when  
5 you were on with the Senior Center and I was trying to get  
6 them to send someone to help us?

7 A. No. That was in the hallway with the minor child  
8 standing in between us and your father, Jeffrey Titus, in the  
9 bathroom to the left of us. It wasn't a joke.

10 Q. So it was when I made the poor decision of saying  
11 that I was going shoot you if you didn't return my stuff?

12 A. You were going to shoot me in the back of the head  
13 at 300 yards with a high-powered rifle and no one would find  
14 me.

15 Q. Do you have a recording of that that we can submit  
16 to the Court?

17 A. No. But I have a witness.

18 Q. Okay. I wasn't denying that I said it.

19 The Defendant was acting manic and screaming.  
20 What was I screaming about and acting manic about?

21 A. Everything and anything. Your daughter was  
22 crying, wanted to leave. Everyone on the property wanted to  
23 leave; her mother, her stepfather.

24 Q. When did you first observe her crying?

25 A. When she came into the house from the garage and

1     lifted up her shorts and had her mother's phone number  
2     written on her thigh because she was afraid and she wanted to  
3     go home.

4           Q.     Did you observe her crying before that?

5           A.     Yes; a couple of times when you kept coming in to  
6     get her and saying she wasn't there to see us.

7           Q.     Have I been allowed to read to my daughter at  
8     night at any point in the last year?

9                   MS. CALVERT: Your Honor, objection, relevance.

10                  THE COURT: Sustained. Just stick to the  
11     incident you cross examined her about.

12                  THE DEFENDANT: Understood.

13           Q.     The Defendant was sleeping in the house and the  
14     Plaintiff asked him to go outside because she is just getting  
15     over lung cancer and is on oxygen. Can you tell me when that  
16     happened; date and time, roughly?

17           A.     Not that night.

18           Q.     So not the night of July 4th at 10:30 p.m.?

19           A.     No; not that I --

20           Q.     Okay. The Defendant got mad and started following  
21     Plaintiff around because he was afraid she was calling the  
22     police, so he stood outside bedroom door. Was that July 4th  
23     around 10:30 p.m.?

24           A.     No. That was much later after your daughter and  
25     everyone left. That's not when that happened. But you did

1 stalk me all night.

2 Q. The Defendant went to the Plaintiff and said I  
3 will shoot you with a high-powered rifle from 300 yards away  
4 and no one will know who did it. That was on July 4th at  
5 10:30, approximately?

6 A. Yes; while your daughter was still there.

7 Q. The police were called along with Crises and  
8 talked him into going to Sharon Regional about admitting  
9 himself. Was I told that I could or could not go?

10 A. That was the next day.

11 MS. CALVERT: Your Honor, I'm going to object  
12 again to relevance.

13 THE WITNESS: That was the next day.

14 THE DEFENDANT: I'll overrule it.

15 Q. So you say that was the next day. When that  
16 happened the next day, the 5th, was I told that if I didn't  
17 go that a Judge was waiting to write the warrant and I would  
18 have to go either way and that would be on my permanent  
19 record and that would be very bad for me? Yes or no?

20 A. No. That never happened.

21 Q. The Defendant has been going to different family  
22 members harassing them to get to the Plaintiff. Can you  
23 elaborate how I was doing any such thing?

24 A. Well, the Hermitage Police were called to 275  
25 Butterfly Lane by Deborah Stefanick and you were told not to

1     come back because she doesn't want you there.

2             They were also called to Crawford Drive where your  
3     daughter is staying with her biological mother, and you were  
4     told by them also to pay attention to what they're telling  
5     you.

6             And also at the Senior Center you went up there  
7     and they had to call the Hermitage Police to have you  
8     removed. And you went to my priest -- I'm sorry -- whom I  
9     spoke with. You went to my priest. Not a priest; my priest  
10    that I go to church every Saturday.

11            Q.     The Defendant went to see the priest and messaged  
12    saying he was on the way. Plaintiff is scared this means the  
13    Defendant is going to do something drastic.

14            Did I text message you at virtually the same time  
15    that you made the PFA, I think seven minutes after you made  
16    the PFA, that I had gone to our priest seeking him to set up  
17    family counseling?

18            A.     I honestly don't remember if I received a text at  
19    that approximate time.

20            Q.     Do you know if your husband or --

21            A.     No, I do not. I can't speak for them.

22            Q.     -- Debby told you that I texted them the same  
23    thing?

24            A.     No.

25            Q.     Okay. Last: The Defendant has mental health

1 issues and about 12 years ago the Defendant held his parents  
2 hostage with a firearm and was charged for it and went to  
3 jail for a year.

4 What mental health issues did I have? When were  
5 they diagnosed?

6 A. While you were in jail. And they put you on  
7 medication and you came home. We took you back with open  
8 arms and you refused medication.

9 Q. Could you be more specific as to who "they" is?

10 A. The doctors.

11 Q. The doctors where?

12 A. In the hospital that you were at.

13 Q. In the hospital or the jail?

14 A. I'm not quite sure, to be honest with you. But  
15 someone said you needed meds.

16 Q. Were you aware I was at Torrance State Mental  
17 Hospital?

18 A. Yes, I was.

19 Q. Are you aware I left there with no diagnosis --

20 A. So you claim.

21 Q. -- after being there? Okay. I have paperwork.

22 A. That's fine.

23 Q. Are you aware that you sent several doctors to see  
24 me at the jail after I left the mental hospital that I was  
25 ordered by the state to go to and they also made no

1 diagnosis?

2 A. No. I didn't send anybody to the jail. We found  
3 someone for you after.

4 Q. Are you aware that one of the people you sent to  
5 the jail for me who finally made a diagnosis of bipolar  
6 sexually assaulted me shortly after?

7 MS. CALVERT: Your Honor, I'm going to object  
8 to relevance.

9 THE COURT: Sustained.

10 THE DEFENDANT: Nothing further, Your Honor.

11 THE COURT: Okay.

12 MS. CALVERT: Just one follow up.

13 THE COURT: Alright.

14 REDIRECT EXAMINATION

15 BY MS. CALVERT:

16 Q. Ms. Titus, during your testimony you indicated  
17 that after he had made that threat that he continued to  
18 follow you around the house. How long did that occur?

19 A. All night. I called the State Police; Neil Corey  
20 who was on duty. They were pretty busy that night. They had  
21 several accidents. They had been to my house at least five  
22 times within that week and they just continued to tell him,  
23 please, just go there and leave her alone. Go into the shop.  
24 Leave every -- they were well aware of him.

25 I called, told them the specific threat and they

1 told me it was a gray area at that point. And they didn't  
2 even give me the Crises -- I called the Crises Center that  
3 next morning and they came out. Jamie from Behavioral  
4 Health.

5 Q. So after that it continued throughout the night?

6 A. Oh, absolutely.

7 MS. CALVERT: I have nothing further for this  
8 witness.

9 THE DEFENDANT: Can I ask a follow-up question,  
10 Your Honor?

11 THE COURT: Sure.

12 THE DEFENDANT: Actually, I'm going to leave  
13 that. Nothing further from her, Your Honor.

14 THE COURT: You can have a seat, Ma'am.

15 MS. CALVERT: I next call Jeffrey Titus.

16 THE COURT: Is that really necessary?

17 MS. CALVERT: Your Honor, he will corroborate  
18 the threat. If the Court doesn't need to hear it, then that  
19 would be the offer of proof for him.

20 THE DEFENDANT: I'm not denying it. They're  
21 calling it a threat because I said what I said. What she has  
22 in the PFA is fairly close to what I said. I shouldn't have  
23 said it. Anything else I have to say on that matter I guess  
24 I will put in my testimony, Your Honor.

25 THE COURT: Alright. Go ahead.

1 MS. CALVERT: Your Honor, I believe he needs  
2 Fifth Amendment rights if he's admitting to the threats.

3 THE COURT: Sir, do you understand you have an  
4 absolute right to remain silent? A transcript of this could  
5 be made and if the Commonwealth decides to bring charges  
6 against you, you could incriminate yourself if you testify?

7 THE DEFENDANT: Understood, Your Honor.

8 THE COURT: So you have an absolute right to  
9 remain silent. I would encourage you to do so. But if you  
10 want to testify, feel free. You can do it from right there.

11 THE DEFENDANT: Your Honor, I don't have a  
12 whole lot to say other than I was trying to send my daughter  
13 to be more 50/50 with her mother. And this is what kicked  
14 this off. And they have been calling the police on me and  
15 out loud when I say "they," my mother and her husband.

16 They've been having senior issues for months  
17 now and I've been being denied being a father to my daughter  
18 who I have full custody of. The night I sent her to stay  
19 nights at her mother's house and --

20 THE COURT: Let me interrupt you. I'm  
21 confused. Your baby mother, what is her name?

22 THE DEFENDANT: Amanda Clark.

23 THE COURT: Is she living with your mother?

24 THE DEFENDANT: No. I have full custody of my  
25 daughter. My daughter and I live with my mother and father.



1 I have a 32 by 40 foot shop on my mother and father's  
2 property.

3 THE COURT: Let's me interrupt you again. If  
4 you lose, which you have a very strong likelihood of, how are  
5 you going to work? When you say "shop," is that what you do  
6 for a living?

7 THE DEFENDANT: Yes. I was going to bring that  
8 up for the Court. When I've been evicted here, I thought I  
9 had 30 days to get my belongings. I have a few garbage bags  
10 with dirty clothes mixed with shoes mixed with bed clothes  
11 dumped on my friend's curb. They called two of my customers  
12 and let them go through my shop just willy-nilly picking and  
13 choosing what they go with under pressure.

14 THE COURT: What do you do out of the shop,  
15 sir?

16 THE DEFENDANT: I work on high-performance race  
17 cars, mostly wiring.

18 THE COURT: Do you have expensive tools for  
19 that?

20 THE DEFENDANT: Yes, Your Honor. I have lots  
21 of stock, I have lots of tools. I've built essentially the  
22 entire shop by hand of my own money. I don't want to get too  
23 carried away with that right now.

24 THE COURT: The only reason I'm asking, sir, is  
25 I'm going to grant her PFA. I find her completely credible.

1 You said you said it. You've been having some troubles. The  
2 Hermitage police are involved. You need to help yourself.  
3 If you're going to get booted out, we need to figure out a  
4 way for you to get your tools.

5 THE DEFENDANT: I was going to present that. I  
6 just wanted to say that I'm trying to find an amicable  
7 solution. If she wants to sustain the PFA, all I can say is  
8 that I don't believe in my heart that she's really scared of  
9 my in any way, shape, or form. I think she's using this as a  
10 tool against me to try to get my daughter, which I don't  
11 think will work for her. And in the meantime, my daughter is  
12 being withheld from me.

13 THE COURT: Well sir, it has been my experience  
14 that sometimes that would happen. But it seems it me, I've  
15 seen her testify twice now, she's afraid of you. She thinks  
16 you're struggling with your mental health issue. And you  
17 just admitted you were in Torrance and some other places.  
18 And you might have some mental health issues.

19 THE DEFENDANT: Where I didn't have any  
20 diagnosis. They said I was okay. I spent six days in the  
21 fourth floor of Sharon Regional. If we can continue this,  
22 you can subpoena Dr. Motto. The only thing he wanted was for  
23 them to come in for a family meeting. My dad was about in  
24 tears on the phones because he couldn't get her to come for a  
25 family meeting. Luckily they didn't keep me until they came

1 in for a family meeting. I was only trying to arrange a  
2 family meeting. What she has in her PFA should not have  
3 happened.

4 THE COURT: Sir, we have a whole courtroom full  
5 and I have to hear everyone's case today.

6 THE DEFENDANT: I understand.

7 THE COURT: So I'm going to grant the PFA. If  
8 you need help, you need to get --

9 THE DEFENDANT: Can we figure out what we can  
10 do about my shop then?

11 MS. CALVERT: Your Honor, we dispute that the  
12 shop is his. The tools in it, Mr. Titus will make  
13 arrangements to get those tools to him. He would not be  
14 subject to the PFA, so I believe they can communicate  
15 relative to that issue.

16 THE DEFENDANT: Can I ask: I imagine when I  
17 get there it's going to be mostly this is all mine, because  
18 everything's been mine, mine, mine for --

19 THE COURT: If that's the case, you need to go  
20 either to the Magistrate or downstairs to the Prothonotary's  
21 office and file a civil suit.

22 MS. CALVERT: Your Honor, just for the record  
23 he is not welcome on the property. He cannot come to the  
24 shop. They will make outside arrangements.

25 THE DEFENDANT: So when I go to get my stuff, I

1 will not be allowed at the shop?

2 THE COURT: No.

3 THE DEFENDANT: There's no way to make any --

4 THE COURT: All that -- and this goes for  
5 anybody else sitting in the back of the courtroom. All of  
6 this could have been worked out between you two before you  
7 got to me. And now that I'm going to grant the PFA -- you  
8 guys could have talked about all of this. You could have  
9 agreed to extend the PFA for six months, a year, get your  
10 stuff. You guys could have worked anything out you wanted.

11 THE DEFENDANT: Melissa told me it was extended  
12 for three years or nothing.

13 MS. CALVERT: That was our offer.

14 THE DEFENDANT: That's the only attempt we had  
15 at working it out.

16 THE COURT: Well, neither side worked it out.

17 THE DEFENDANT: Can we take a recess to see if  
18 we can work it out note?

19 MS. CALVERT: No, Your Honor.

20 THE COURT: And now, this 27th day of July,  
21 this matter before the Court for a PFA, and Defendant having  
22 testified making an admission, IT IS HEREBY ORDERED the PFA  
23 is granted for three years. Defendant is excluded from the  
24 residence and he shall have no contact with the Plaintiff.

25 The Plaintiff's husband shall arrange with the

1 Defendant to --

2 THE DEFENDANT: The husband is not on the PFA,  
3 Your Honor.

4 THE COURT: Right. If you would let me  
5 continue.

6 THE DEFENDANT: Sorry.

7 THE COURT: Plaintiff's husband shall contact  
8 the Defendant to arrange for Defendant's tools to be given to  
9 him from the shop.

10 So do you understand all that, sir?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Now, do you have someplace to go  
13 for you and your daughter?

14 THE DEFENDANT: Yes. But she's being withheld  
15 from me right now. I have filed an emergency custody relief  
16 that was denied. I filed a contempt and I haven't heard back  
17 if that's been granted yet.

18 THE COURT: Who's the judge?

19 MS. CALVERT: I'm not sure. I believe the  
20 mother in that case is represented by Attorney Wenger.

21 THE DEFENDANT: Correct.

22 MS. CALVERT: So I'm not sure what the status  
23 is of the custody case.

24 THE COURT: You'll have to work that out on the  
25 custody side. Okay, sir? Do you have any questions?

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THE DEFENDANT: No, sir.

THE COURT: We'll be in recess on this matter.

(The hearing concluded.)

- - -

**CERTIFICATION**

Pursuant to the requirements of Pa. R.J.A. No. 4013, I  
HEREBY CERTIFY the accuracy of this transcription of the  
notes taken by me on the hearing of the within cause, that  
this is a true and correct copy of the same, and meets the  
format specifications established by the Supreme Court of  
Pennsylvania in Rule 4010.

  
Judith R. Scarsella,  
Official Court Reporter

The foregoing record of the proceedings on the hearing  
of the within cause, having been transcribed pursuant to the  
Rules of Judicial Administration, is hereby approved and  
directed to be filed.

\_\_\_\_\_  
Tedd C. Nesbit, Judge J.

\_\_\_\_\_  
Date

Judith R. Scarsella  
Official Court Reporter  
Mercer County, Pennsylvania