

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**

	:	FAMILY COURT DIVISION
	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	
	:	
Defendant	:	D.R. No.

**PETITION TO CONTEST PATERNITY OR VACATE ORDER OF PATERNITY**

1. The Plaintiff is \_\_\_\_\_, residing at \_\_\_\_\_, Philadelphia, PA 191\_\_\_\_\_.
2. The Defendant is \_\_\_\_\_, residing at \_\_\_\_\_, Philadelphia, PA 191\_\_\_\_\_.
3. Defendant is the mother of \_\_\_\_\_, who is the child in question.
4. On \_\_\_/\_\_\_/\_\_\_\_\_, Plaintiff was determined to be the father of the child, \_\_\_\_\_, by the following means (circle the one which applies):
  - a. Plaintiff signed an Acknowledgment of Paternity on \_\_\_/\_\_\_/\_\_\_\_\_, believing he was the father of the child; or
  - b. An order finding Paternity by default was entered on \_\_\_/\_\_\_/\_\_\_\_\_ by the Honorable \_\_\_\_\_.
5. Plaintiff believes that he is not the father of the child.
6. Plaintiff believes that he is not the father and that this matter should be opened for the following reason(s) (*circle all that apply*):
  - a. According to a DNA genetic test report, Plaintiff is excluded as the biological father of the child above. A copy of the report is attached;

- b. Plaintiff has recently learned that Defendant was sexually involved with another man at the time of conception and believes that man is the father of the child. Plaintiff's previous belief that he was the only possible father was based on fraudulent assertions from Defendant;
  - c. Plaintiff has never had sexual intercourse or any type of contact or relationship with Defendant which could have resulted in Defendant being impregnated with this child;
  - d. Defendant has recently told Plaintiff that he is not the father of the child, such that Plaintiff's belief that he was the father was a result of a fraudulent misrepresentation by Defendant;
  - e. Plaintiff does not know Defendant and believes that the order of paternity by default was a case of mistaken identity and was entered in error;
  - f. Plaintiff had no notice of the proceeding where paternity was determined by default. If Plaintiff had notice, he would have appeared and contested paternity.
7. In order to properly determine the paternity of the child, Plaintiff asks that this matter be opened, that blood or genetic testing be ordered, and that Defendant be required to cooperate by presenting the child for testing.

Wherefore, Plaintiff respectfully requests this Honorable Court to order blood or genetic testing to determine paternity and to require Defendant to cooperate with the testing.

Respectfully submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff, *pro se*

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**VERIFICATION**

I verify that the statements in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff, *pro se*

\_\_\_\_\_  
: PHILADELPHIA COUNTY

Plaintiff : COURT OF COMMON PLEAS  
v. : FAMILY DIVISION  
: :  
: :  
: :  
Defendant :  
: D.R. No.:

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**ORDER**

This Court having considered Plaintiff's Petition to Contest Paternity or Order to Vacate Paternity and finding good and sufficient cause therefore, that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is hereby ORDERED and DECREED that said Petition is Granted and specifically finds that Plaintiff is not the father of the child in question.

BY THE COURT:

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J.

	:	PHILADELPHIA COUNTY
Plaintiff	:	COURT OF COMMON PLEAS
	:	FAMILY DIVISION
	:	
v.	:	
	:	
Defendant	:	
	:	D.R. No.:

**RULE TO SHOW CAUSE**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, a rule is hereby granted upon Defendant to show cause why Plaintiff's Petition to Contest Paternity or Order to Vacate Paternity should not be granted.

A hearing will be held on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ a.m./p.m., Courtroom no. \_\_\_\_, 34 South 11<sup>th</sup> Street, Philadelphia, PA to determine whether the requested relief will be granted.

BY THE COURT

\_\_\_\_\_  
J.