

00-12-2014
WENDY J. CLARK as Executrix -vs- DANIEL T. SANKEY

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

I, **William A. Shaw**, Prothonotary/Clerk of Courts of Common Pleas in and for said County, do hereby certify that the foregoing is a full, true and correct copy of the whole record of the case therein stated, wherein

**WENDY J. CLARK, an Executrix of the Estate of
ORVIS E. CLARK**

VS *S. Clark*
DANIEL I. CLARK, an individual
00-18-CD

So full and entire as the same remains of record before the said Court, at **No. 00-18-CD**

IN TESTIMONY WHEREOR, I have hereunto set my hand and affixed the seal of said Court, this 26th Day of May, 2000.



Prothonotary/Clerk of Courts

I, **John K. Reilly, Jr.**, President Judge of the Forty-sixth Judicial District, do certify that **William A. Shaw**, by whom the annexed record, certificate and attestation were made and given, and who in his own proper handwriting, thereunto subscribed his name and affixed the seal of the Court of Common Pleas of said county, was at the time of so doing and now is Prothonotary/Clerk of Courts in and for said County of Clearfield, the Commonwealth of Pennsylvania, duly commissioned and qualified; to all of whose acts as such, full faith and credit are and ought to be given, as well in Courts of Judicature, as elsewhere, and that the said record, certificate and attestation are in due form of law and made by proper officer.

President Judge

I, **William A. Shaw**, Prothonotary/Clerk of Courts of the Court of Common Pleas in and for said county, do certify that the Honorable **John K. Reilly, Jr.**, President Judge by whom the foregoing attestation was made and who has thereunto subscribed his name was at the time of making thereof and still is President Judge, in and for said county, duly commissioned and qualified; to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere.

In Testimony Whereof, I have
hereunto set my hand and affixed
the seal of said Court, this _____ day
of _____, 2000

Prothonotary/Clerk of Courts

4:46 P.M.

Appeal Docket Sheet

Docket Number: 758 WDA 2000

Page 1 of 2

May 11, 2000

Superior Court of Pennsylvania



WENDY J. CLARK, AS EXECUTRIX OF THE ESTATE OF ORVIS E. CLARK, Appellee
V.

DANIEL I. SANKEY, AN INDIVIDUAL, Appellant

00-18-00

Initiating Document: Notice of Appeal

Case Status: Active

Case Processing Status: May 8, 2000 Awaiting Original Record

Journal Number:

Case Category: Civil CaseType: Trespass

Consolidated Docket Nos.:

Related Docket Nos.:

SCHEDULED EVENT

Next Event Type: Case Initiation Next Event Due Date:

Next Event Type: Docketing Statement Received Next Event Due Date: May 25, 2000

Next Event Type: Original Record Received Next Event Due Date: June 17, 2000

COUNSEL INFORMATION

Appellant Sankey, Daniel I.

Pro Se: Appoint Counsel Status:

IFP Status: No

Attorney: Bell, F. Cortez

Law Firm: Bell, Silberblatt & Wood

Bar No.: 30183

Address: Bell, Silberblatt & Wood

318 E. Locust St., Box 670

Clearfield, PA 16830

Phone No.: (814)765-5537

Fax No.: (814)765-9730

Receive Mail: Yes

FILED

MAY 15 2000

11:45

William A. Shaw

Prothonotary

121

Appellee Clark, Wendy J

Appoint Counsel Status:

Pro Se:

IFP Status:

Attorney: Naddeo, James A.

Law Firm: Naddeo, James A., Law Office of

Bar No.: 06820

Address: 211 1/2 E Locust Street

PO Box 552

Clearfield, PA 16830

Phone No.: (814)765-1601

Fax No.: (814)765-8142

Appeal Docket Sheet

Docket Number: 758 WDA 2000

Page 2 of 2

May 11, 2000

Superior Court of Pennsylvania



Receive Mail: Yes

FEE INFORMATION

Receipt No.:

TRIAL COURT/AGENCY INFORMATION

Court Below: Clearfield County Court of Common Pleas

County: Clearfield

Date of OrderAppealed From: March 21, 2000

Date Documents Received: May 8, 2000

Order Type: Order Dated

Judge: Reilly, John K.
President Judge

Division: Civil

Judicial District: 46

Date Notice of Appeal Filed: May 1, 2000

OTN:

Lower Court Docket No.: 00-18-CD

ORIGINAL RECORD CONTENTS

Original Record Item	Filed Date	Content/Description
----------------------	------------	---------------------

Date of Remand of Record:

BRIEFS

DOCKET ENTRIES

Filed Date	Docket Entry/Document Name	Party Type	Filed By
May 8, 2000	Notice of Appeal Filed Notice of Appeal	Appellant	Sankey, Daniel I.
May 11, 2000	Docketing Statement Exited (Civil)		Western District Filing Office

**CERTIFICATE AND TRANSMITTAL OF RECORD UNDER PENNSYLVANIA
RULE OF APPELLATE PROCEDURE 1931(C)**

To the Prothonotary of the Appellate Court to which the within matter has been appealed:

THE UNDERSIGNED, Clerk (or Prothonotary) of the court of Common Pleas of Clearfield County, the said Court being a court of record, does hereby certify that annexed hereto is a true and correct copy of the whole and entire record, including an opinion of the Court as required by Pa. R.A.P. 1925, the original papers and exhibits, if any, on file, the transcript of the proceeding, if any, and the docket entries in the following matter:

00-18-CD

**WENDY J. CLARK, as Executrix of the Estate of
ORVIS E. CLARK
VS.
DANIEL I. SANKEY, an individual**

In compliance with Pa. R.A.P. 1931 (c).

The documents compromising the record have been numbered from **No. 1 to No. 12**, and attached hereto as Exhibit A is a list of the documents correspondingly numbered and identified with reasonable definiteness, including with respect to each document, the number of pages compromising the document.

The date on which the record had been transmitted to the Appellate Court is _____, **2000**.

Prothonotary/Clerk of Courts

(seal)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CASE # 00-18-CD

WENDY J. CLARK, as Executrix Of
the Estate of ORVIS E. CLARK

VS

DANIEL I. SANKEY, an individual

ITEM NO.	DATE of FILING	NAME of DOCUMENT	NO of PAGES
01	01-06-00	WRIT	02
02	01-17-00	PETITION TO ENJOIN	04
03	01-19-00	RULE	01
04	01-019-00	CERTIFICATE OF SERVICE	02
05	01-20-00	SHERIFF RETURNS	01
06	02-07-00	ANSWER TO PETITION TO ENJOIN DEFENDANT FROM TRANSFERRING PROPERTY	06
07	03-31-00	ORDER	01
08	04-10-00	MOTION FOR RECONSIDERATION OF COURT ORDER	06
09	04-13-00	RULE RETURNABLE	01
10	04-18-00	ANSWER TO PETITION FOR CONSIDERATION	05
11	05-01-00	NOTICE OF APPEAL	05
12	05-15-CD	APPEAL DOCKET SHEET WITH DOCKET #758 WDA 2000	02

383

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

FILED

JAN 06 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.

CLARK,

Plaintiff,

v.

DANIEL I. SANKEY,
an individual,

Defendant.

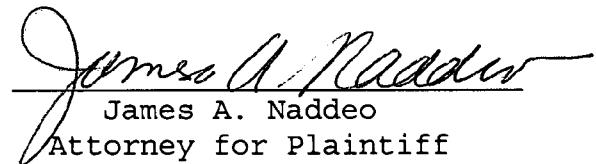
*
*
*
*
* No. 50 - 18 - CD

*

PRAECIPE

TO THE PROTHONOTARY:

Please issue a writ in summons against the above-named defendant, Daniel I. Sankey, whose current address is the Clearfield County Jail, Leonard Street, Clearfield, Pennsylvania 16830.



James A. Naddeo
Attorney for Plaintiff

1/2000
JAN 6 2000
William A. Shaw
Prothonotary
PA \$80.00
Writ to Shand

Lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

CIVIL ACTION

WENDY J. CLARK, as Executrix of
the Estate of ORVIS E. CLARK

Plaintiff(s)

S U M M O N S

vs.

NO: 00-18-CD

DANIEL I. SANKEY, an individual,

Defendant(s)

To the above named Defendant(s) you are hereby notified
that the above named Plaintiff(s), has/have commenced a Civil Action
against you.

Date January 6, 2000

William A. Shaw, Prothonotary

Issuing Attorney:

James A. Naddeo, Esq.
211 1/2 East Locust Street
P.O. Box 552
Clearfield, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

V.

* No. 00 - 18 - CD

DANIEL I. SANKEY,
an individual,

Defendant.

* Type of Pleading:

* Petition to Enjoin

* Filed on behalf of:

* Plaintiff

* Counsel of Record for
* this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

JAN 17 2000

William A. Shaw
Prothonotary

2

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 99 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

RULE

AND NOW, this 18th day of January, 2000, upon
consideration of the attached Petition to Enjoin Defendant From
Transferring Property, a Rule is hereby issued upon Defendant to
Show Cause why the Petition to Enjoin should not be granted.
Rule Returnable for written response on the 7th of February,
2000.

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH
TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION,
YOU MUST TAKE ACTION BY ENTERING A WRITTEN APPEARANCE PERSONALLY
OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES
OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU. YOU ARE
WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU
AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT
FURTHER NOTICE FOR RELIEF REQUESTED BY THE PETITIONER OR MOVANT.
YOU MAY LOSE 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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Market Street
Clearfield, PA 16830
(814) 765-2641

BY THE COURT

FILED

Judge

JAN 19 2000

William A. Shaw
Prothonotary

FILED

JAN 19 2000
10:32 AM/CCH
William A. Shaw
Prothonotary *Naoko*
94

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

PETITION TO ENJOIN DEFENDANT FROM TRANSFERRING PROPERTY

NOW comes the Plaintiff, Wendy J. Clark, Executrix of the Estate of Orvis E. Clark, and petitions the court to enjoin Defendant from transferring property:

1. That your Petitioner is Wendy J. Clark, Executrix of the Estate of Orvis E. Clark, whose address is H.C., Box 30D, Karthaus, Pennsylvania 16845.

2. That the Respondent is Daniel I. Sankey, an individual, whose current address is the Clearfield County Jail, Leonard Street, Clearfield, Pennsylvania 16830.

3. That suit has been filed by your Petitioner against the Respondent to the above-captioned term and number on January 6, 2000, for the wrongful death of Orvis E. Clark, and the Defendant was served on January 7, 2000.

4. That the decedent, Orvis E. Clark, was the victim of a homicide on November 4, 1999.

5. That the Respondent, Daniel I. Sankey, has confessed to the stabbing death of the decedent, Orvis E. Clark.

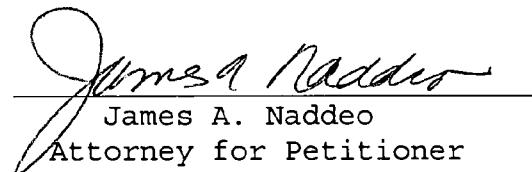
6. That your Petitioner believes and therefore avers that Respondent is the owner of assets, both real and personal.

7. That due to the nature of the litigation, Petitioner will be prevented from liquidating her claim within the normal time table that it would otherwise take in similar litigation.

8. That your Petitioner believes and therefore avers that the only issue to be determined would be the amount of damages to be awarded to your Petitioner.

9. That until such time as the amount of damages can be liquidated in will be in the interest of justice to enjoin the Respondent from disposing or transferring any of his assets pending the outcome of the instant litigation.

WHEREFORE, your Petitioner requests that this Court enter an order enjoining Respondent from transferring any of his assets pending the outcome of the instant litigation.



James A. Naddeo
Attorney for Petitioner

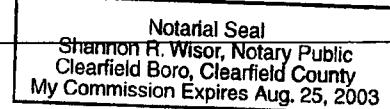
COMMONWEALTH OF PENNSYLVANIA)
ss.
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared WENDY J. CLARK, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Petition to Enjoin are true and correct to the best of her knowledge, information and belief.

Wendy J. Clark
Wendy J. Clark

SWORN and SUBSCRIBED before me this 14th day of January, 2000.

Shannon R. Wisor



ED

MAN 17 2000
Q110481
R. A. Shaw C. G. H. Naddeo
Prothonotary
Court

lap over margin

CA
JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

* No. 00 - 18 - CD

DANIEL I. SANKEY,
an individual,

Defendant.

* Type of Pleading:

* Certificate of Service

* Filed on behalf of:
Plaintiff

* Counsel of Record for
this party:

* James A. Naddeo, Esq.
Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

JAN 19 2000

William A. Shaw
Prothonotary

(4)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiff's Petition to Enjoin in the above-captioned action was served on the following persons and in the following manner on the 19th day of January, 2000:

First-Class Mail, Postage Prepaid

Daniel I. Sankey
Clearfield County Jail
Leonard Street
Clearfield, PA 16830



James A. Naddeo
Attorney for Plaintiffs

0/3-324

Mr. Carl Capra G

----- Lap over margin -----

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

JAMES O NADDEO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLARK, WENDY J. AS EXECUTRIX
VS
SANKEY, DANIEL I.

00-18-CD

FILED

SUMMONS

SHERIFF RETURNS

JAN 20 2000

O 13/21

William A. Shaw
Prothonotary

NOW JANUARY 7, 2000 AT 10:50 AM EST SERVED THE WITHIN
SUMMONS ON DANIEL I. SANKEY, DEFENDANT AT CLEARFIELD COUNTY
JAIL, 410 21ST ST., CLEARFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO DANIEL SANKEY A TRUE AND ATTESTED
COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE
CONTENTS THEREOF.

SERVED BY: DAVIS/MORGILLO

19.33 SHFF. HAWKINS PAID BY: ATTY.
10.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

20th DAY OF January 2000

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co., Clearfield, PA.

SO ANSWERS,

Chester A. Hawkins
by Marilyn Herr

CHESTER A. HAWKINS
SHERIFF

(5)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the : No. 00-18-CD
Estate of ORVIS E. CLARK, :
Plaintiff :
vs. :
DANIEL I. SANKEY, :
an individual, :
Defendant :
: Type of Case: Civil
: Type of Pleading:
: Answer to Petition to Enjoin Defendant
: from Transferring Property
: Filed on Behalf of:
: Daniel I. Sankey, Defendant
: Counsel of Record for this Party:
: F. Cortez Bell, III, Esquire
: I.D. #30183
: Bell, Silberblatt & Wood
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA 16830
: Telephone: (814)765-5537

FILED

FEB 07 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the
Estate of ORVIS E. CLARK,
Plaintiff

Vs. : No. 00-18-CD

DANIEL I. SANKEY,
an individual,
Defendant

ANSWER TO PETITION TO ENJOIN
DEFENDANT FROM TRANSFERRING PROPERTY

NOW, comes the Defendant, Daniel I. Sankey, by and through his attorney, F. Cortez Bell, III, Esquire, who for the Defendant's Answer to Petition to Enjoin Defendant from Transferring Property, respectfully sets forth and avers as follows:

1. Paragraph 1 of the Petition to Enjoin would be admitted to the extent stated.
2. Paragraph 2 of the Petition to Enjoin would be admitted to the extent stated.
3. Paragraph 3 of the Petition to Enjoin can neither be admitted nor denied in part and would be admitted in part. It would be admitted that the Defendant was served with a Writ of Summons as to a suit commenced by the Petitioner on or about January 7, 2000. The Defendant can neither admit nor deny the reasons why the suit was filed as only a Writ of Summons has as of yet been served upon him. To the extent that a specific answer is required to this particular paragraph all further averments of Paragraph 3 which were not admitted above would be denied and strict proof thereof would be demanded at time of trial or hearing in this matter.
4. Paragraph 4 of the Petition to Enjoin can neither be admitted nor denied at this

point in time. The Defendant stands charged with the Criminal Homicide of Orvis E. Clark, however, the Defendant's constitutional right to remain silent would be invoked at this point in time as he cannot be compelled to present evidence against himself at a time when a criminal proceeding and criminal charges have been filed against him. To the extent that a response is deemed necessary the averments of Paragraph 4 of the Petition to Enjoin would be denied and strict proof thereof would be demanded at time of trial or hearing in this matter.

5. Paragraph 5 of the Petition to Enjoin can neither be admitted nor denied at this point in time. The Defendant stands charged with the Criminal Homicide of Orvis E. Clark, however, the Defendant's constitutional right to remain silent would be invoked at this point in time as he cannot be compelled to present evidence against himself at a time when a criminal proceeding and criminal charges have been filed against him. To the extent that a response is deemed necessary the averments of Paragraph 5 of the Petition to Enjoin would be denied and strict proof thereof would be demanded at time of trial or hearing in this matter.

6. Paragraph 6 is admitted.

7. Paragraph 7 can neither be admitted nor denied. The Defendant after reasonable investigation has insufficient information in order to allow him to prepare a response to said averment and therefore the same can neither be admitted nor denied. To the extent that a response is deemed necessary the averments of Paragraph 7 of the Petition to Enjoin would be denied and strict proof thereof would be demanded at time of trial or hearing in this matter.

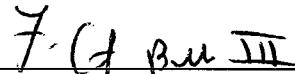
8. Paragraph 8 of the Petition to Enjoin would be denied. It would be specifically denied that the only issue to be determined in the suit apparently filed by the Plaintiff would be the amount of damages to be awarded to the Plaintiff. Strict proof of the denied averments of Paragraph

8 of the Petition to Enjoin would be demanded at time of trial or hearing in this matter.

9. Paragraph 9 of the Petition to Enjoin would be denied. The Defendant would aver by way of denial that as he is incarcerated and his liberty is constrained at this point in time it is necessary for him to liquidate some of his assets in order to maintain the balance of those assets which he may own. The Defendant in his current situation is not employed nor does he have significant income during the period of his incarceration such that he might be able to maintain those assets which existed in his name prior to his arrest. The Defendant further has had continuing expenses associated with maintaining those assets which he does own as well as various expenses associated with regard to the defense of his criminal case as well as the preparation of an appropriate response to the instant Petition. Strict proof of the denied averments of Paragraph 9 of the Petition to Enjoin would be demanded at time of trial or hearing in this matter.

WHEREFORE, the Defendant would respectfully request that your Honorable Court deny any Order Enjoining the Defendant from transferring any of his assets pending the outcome of the instant litigation.

Respectfully submitted,
BELL, SILBERBLATT & WOOD
By,


F. Cortez Bell, III, Esquire
Attorney for Defendant

VERIFICATION

I, DANIEL I. SANKEY, verify that the statements made within the foregoing Answer to Petition to Enjoin Defendant from Transferring Property are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S.A., Section 4904, relating to unsworn falsifications to authorities.

Date: 2-7-00

Daniel I. Sankey
Daniel I. Sankey

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the
Estate of ORVIS E. CLARK,
Plaintiff

Vs. : No. 00-18-CD

DANIEL I. SANKEY,
an individual,
Defendant

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Answer to Petition to Enjoin Defendant from Transferring Property upon the following person by personal hand delivering of such copy to:

James A. Naddeo, Esquire
211½ East Locust Street
Clearfield, PA 16830

F. Cortez Bell III
F. Cortez Bell, III, Esquire
Attorney for Defendant

Date: 2-7-00

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 00-18-CD

WENDY J. CLARK, as Executrix of
the Estate of ORVIS E. CLARK,
Plaintiff

vs.

DANIEL I. SANKEY, an individual,
Defendant

ANSWER TO PETITION TO ENJOIN
DEFENDANT FROM TRANSFERRING PROPERTY

FILED

FEB 07 2000
OCT 12 2000
William A. Shaw
Prothonotary
SKB

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P.O. BOX 670
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

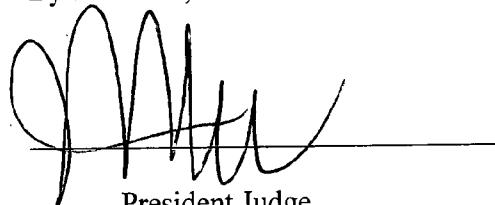
CIVIL ACTION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK :
-vs- : No. 00-18-CD
DANIEL I. SANKEY, an individual :

ORDER

NOW, this 31st day of March, 2000, upon consideration of Petition to Enjoin filed on behalf of Plaintiff above-named, it is the ORDER of this Court that said Petition be and is hereby granted and the Defendant enjoined from transferring any of his assets pending the outcome of the above civil litigation. It is the further ORDER of this Court that Defendant shall have the right to petition the Court for release of assets as may be essential to his defense in the criminal action pending against him.

By the Court,



President Judge

FILED

MAR 31 2000

William A. Shaw
Prothonotary

FILED

MAR 31 2000
O 11:23 AM
William A. Shaw
Prothonotary
/cc Bell

filed

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the : No. 2000-18-CD
Estate of ORVIS E. CLARK, :
Plaintiff :
vs. : Type of Case: Civil
DANIEL I. SANKEY, :
an individual, : Type of Pleading:
Defendant : Motion for Reconsideration of
: Court Order
: Filed on Behalf of:
: Daniel I. Sankey
: Counsel of Record for this Party:
: F. Cortez Bell, III, Esquire
: I.D. #30183
: Bell, Silberblatt & Wood
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA 16830
: Telephone: (814)765-5537

FILED

APR 10 2000

William A. Shaw
Prothonotary

8

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Plaintiff, :
:
V. : No. 2000-18-CD
:
DANIEL I. SANKEY, :
an individual, :
Defendant, :
:

MOTION FOR RECONSIDERATION OF COURT ORDER

NOW COMES, the Defendant, Daniel I. Sankey, by and through his attorney, F. Cortez Bell, III, Esquire who for his Motion for Reconsideration of Court Order respectfully sets forth and avers as follows:

1. That on March 31, 2000, your Honorable Court entered an Order enjoining the Defendant from transferring any of his assets pending the outcome of the above captioned civil litigation.
2. That the Defendant would respectfully request that your Honorable Court reconsider said Order for the following reasons:
 - (A) That the Order provides no means by which the Defendant can maintain his property and assets by way of making payment of taxes as they become due; by way of making insurance payments as they become due; by way of paying utility bills as they become due; by way of making payment for heating oil or heating costs as they become due; by way of paying for the normal upkeep of said real property owned by the Defendant and by making the Defendants normal income tax payments as they become due.

(B) That the Order provides no means by which the Defendant can make payment of all the other normal expenses which are associated with the ownership of personal property and real property which become due on a day to day basis.

(C) That the Order subjects the Defendant to sanctions and restraints when in fact he has not been found guilty of any criminal offenses nor has any judgment been entered against him in any civil proceeding.

(D) That the Order effectively limits the defense of the Defendant as to his criminal charges in that every defense need for funds must first be reviewed by the Court with notice to counsel for the alleged victim's family as well as exposes his defense preparation to the Commonwealth and the public, all of which improperly place restraints upon the Defendant in violation of Constitutional provisions, the Rules of Criminal Procedure and the presumption of innocence

(E) That the Order actually increases the cost of the Defendant's defense as counsel for the Defendant now must present petitions to your Honorable Court as expenses arise or are incurred thereby increasing the ultimate cost which the Defendant will have to pay his counsel.

(F) That if counsel for the Plaintiff in the civil case is to be able to take part in any fashion as to the Court decision on the release of assets such imposes an improper sanction upon the Defendant wherein the victim's family can attempt to limit or impose upon the criminal defense and thereby use such to their advantage in the civil proceedings.

3. That the Defendant would aver that the Order of your Honorable Court is in error and that the same should be rescinded and the Defendant should be allowed to have full use of and freedom to handle his assets in any such fashion as he may desire.

WHEREFORE the Defendant would respectfully request that your Honorable Court would issue an Order rescinding and vacating the Order of March 31, 2000 by which restraints were placed on the Defendant use of his assets.

F. Cortez Bell III
F. Cortez Bell, III, Esquire
Counsel for Defendant

VERIFICATION

I, F. Cortez Bell, III, Esquire, verify that the statements made within the foregoing Motion for Reconsideration of Court Order are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsification to authorities.

Date: April 10, 2000

F. Cortez Bell III
F. Cortez Bell, III, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Plaintiff, :
: :
V. : : No. 2000-18-CD
: :
DANIEL I. SANKEY, :
an individual, :
Defendant, : :
:

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Motion for
Reconsideration of Court Order upon the following person by first class mail, postage prepaid,
addressed as follows:

James A. Naddeo, Esquire
P.O. Box 552
Clearfield, PA. 16830

F. Cortez Bell III
F. Cortez Bell, III, Esquire
Attorney for Defendant

Date: April 10, 2000

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 2000-18-CD

WENDY J. CLARK, as Executrix of
the Estate of ORVIS E. CLARK,
Plaintiff

vs.

DANIEL T. SANKEY, an individual,
Defendant

MOTION FOR RECONSIDERATION
OF COURT ORDER

FILED

APR 10 2001
D 3/10/01
William A. Shaw
Prothonotary

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the
Estate of ORVIS E. CLARK,
Plaintiff

Vs. No. 2000-18-CD

DANIEL I. SANKEY, an individual,
Defendant

RULE RETURNABLE

AND NOW, this *13th* day of April, 2000 upon consideration of the Motion for Reconsideration of Court Order filed with regard to the above-captioned matter, it is the Order of this Court that a Rule is directed to the Plaintiff to appear and show cause why the prayer of said Motion for Reconsideration of Court Order should not be granted.

Said Rule Returnable on the *1st* day of *June*, 2000 at *10:00* A.M. for hearing before this Court in Courtroom No. *1*.

FILED

APR 13 2000

William A. Shaw
Prothonotary

BY THE COURT,

President Judge

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 2000-18-CD

WENDY J. CLARK, as Executrix of
the Estate of ORVIS E. CLARK,
Plaintiff

vs.

DANIEL I. SANKEY, an individual,
Defendant

RULE RETURNABLE

FILED
APR 13 2000
D. S. O. C. C. Acty. for
William A. Shaw
Plaintiff
S. S. T.

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

* No. 00 - 18 - CD

DANIEL I. SANKEY,
an individual,

Defendant.

* Type of Pleading:

* Answer to Petition for
Reconsideration

* Filed on behalf of:
* Plaintiff

* Counsel of Record for
this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

1/8/2000

William A. Shaw
Prothonotary

(10)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

ANSWER TO PETITION FOR RECONSIDERATION

NOW COMES the Plaintiff, Wendy J. Clark, Executrix of
the Estate of Orvis E. Clark, and by her attorney, James A.
Naddeo, Esquire, sets forth the following:

1. Admitted.
2. (A) Denied in that after reasonable investigation
the Plaintiff is without knowledge or information sufficient to
form a belief as to the truth of said averment.

(B) Denied in that after reasonable investigation the
Plaintiff is without knowledge or information sufficient to form a
belief as to the truth of said averment.

(C) Admitted as stated but in further answer thereto it
is alleged that this argument was previously made to the Court.

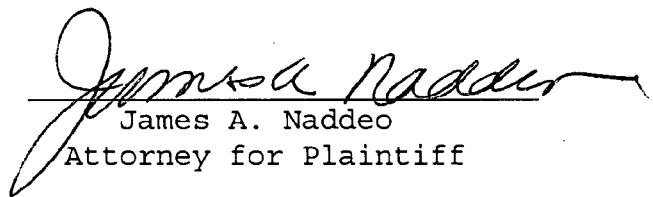
(D) Denied in that after reasonable investigation the
Plaintiff is without knowledge or information sufficient to form a
belief as to the truth of said averment.

(E) Denied in that after reasonable investigation the Plaintiff is without knowledge or information sufficient to form a belief as to the truth of said averment.

(F) States a conclusion to which no answer is required.

3. States a demand for relief for which no answer is required.

WHEREFORE, Plaintiff respectfully requests that Defendant's prayer for relief be denied.



James A. Naddeo
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)
ss.
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared WENDY J. CLARK, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Answer to Petition for Reconsideration are true and correct to the best of her knowledge, information and belief.

Wendy J. Clark
Wendy J. Clark

SWORN and SUBSCRIBED before me this 18th day of April, 2000.

Linda C. Lewis

Notarial Seal
Linda C. Lewis, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires July 25, 2003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

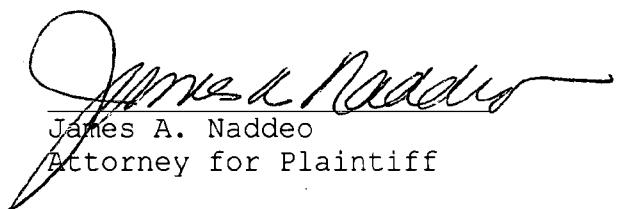
WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiff's Answer to Petition for Reconsideration in the above-captioned action was served on the following person and in the following manner on the 18th day of April, 2000:

First-Class Mail, Postage Prepaid

F. Cortez Bell, III, Esquire
Bell, Silberblatt & Wood
318 East Locust Street
P. O. Box 670
Clearfield, PA 16830


James A. Naddeo
Attorney for Plaintiff

Lap over margin

See
11054, 11054-100
James A. Naddeo
JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
" P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the : NO. 00-18-CD
Estate of ORVIS E. CLARK, :
Appellee : Type of Case: Civil
V. : Type of Pleading:
: Notice of Appeal
DANIEL I. SANKEY, an individual, :
Appellant : Filed on Behalf of:
: Daniel I. Sankey
: Counsel of Record for
: This Party:
: F. Cortez Bell, III, Esquire
: I.D. #30183
: BELL, SILBERBLATT & WOOD
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA. 16830
: Telephone: 814-765-5537

5
FILED

(MAY 01 2000)

William A. Shaw
Prothonotary

11

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

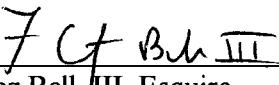
WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Appellee :
V. : NO. 00-18-CD
DANIEL I. SANKEY, an individual, :
Appellant :
:

NOTICE OF APPEAL

Notice is hereby given that Daniel I. Sankey, Appellant in the above captioned matter, hereby appeals to the Superior Court of Pennsylvania from the Order of the Court of Common Pleas of Clearfield County, entered in this matter on March 31, 2000. This Order has been entered in the docket as evidence by the attached copy of the docket entries, as well as evidenced by the attached copy of the Court's Order dated March 31, 2000.

Respectfully submitted,

BELL, SILBERBLATT & WOOD
By:


F. Cortez Bell, III, Esquire
Counsel for Appellant
Supreme Court No. 30183

F. Cortez Bell, III, Esquire
Bell, Silberblatt & Wood
318 East Locust Street
P.O. Box 670
Clearfield, PA. 16830
Telephone: 814-765-5537

Dated: May 1, 2000

Printed By IHR Limited Form H-611 ESQ0574	James A. Naddeo, Esq.	WENDY J. CLARK, as Executrix Of the Estate of ORVIS E.	JANUARY 6, 2000, PRAECIPE FOR WRIT, filed by James A. Naddeo, Esq., Attorney for the Plaintiff No Certified Copies
	CLARK		Please issue a writ in summons against the above-named defendant, Daniel I. Sankey, whose current address is the Clearfield County Jail, Leonard Street, Clearfield, Pennsylvania 16830. /s/James A. Naddeo
			JANUARY 6, 2000, WRIT ISSUED TO SHERIFF FOR SERVICE.
			JAN. 17, 2000, PETITION TO ENJOIN, filed by s/JAMES A. NADDEO, ESQ. ONE (1) CC ATTY NADDEO VERIFICATION, s/WENDY J. CLARK
		00-18-CD	JAN. 19, 2000, RULE, RE: ISSUED UPON DEFENDANT, RULE RETURNABLE FOR WRITTEN RESPONSE ON THE 7th of FEB., 2000. BY THE COURT, s/JOHN K. REILLY, JR., PRESIDENT JUDGE ONE (1) CC ATTY NADDEO
			JAN. 19, 2000, CERTIFICATE OF SERVICE, filed. NO CERT COPIES
			JAN. 20, 2000, SHERIFF RETURN, SUMMON UPON DEFENDANT, SO ANSWERS, CHESTER A. HAWKINS, SHERIFF by s/Marilyn Hamm
	F. Cortez Bell, III	DANIEL I. SANKEY, an Individual	FEB. 07, 2000, ANSWER TO PETITION TO ENJOIN DEFENDANT FROM TRANSFERRING PROPERTY, filed by s/F. CORTEZ BELL, III, ESQUIRE-FIVE (5) CC ATTY BELL, III VERIFICATION, s/DANIEL CERTIFICATE OF SERVICE, filed.
			MAR. 31, 2000, ORDER, RE: PETITION TO ENJOIN is GRANTED, ETC.: BY THE COURT, s/JOHN K. REILLY, JR., PRESIDENT JUDGE ONE (1) CC ATTY NADDEO, BELL
		Pro BY ATTY 80.00 Shff Hawkins By Atty 29.33	APR. 10, 2000, MOTION FOR RECONSIDERATION OF COURT ORDER, filed by s/F. CORTEZ BELL, III, ESQ. SEVEN (7) CC ATTY BELL VERIFICATION, s/F. CORTEZ BELL, III, ESQ. CERTIFICATE OF SERVICE, filed.
			APR. 13, 2000, RULE RETURNABLE, UPON PLAINTIFF, RETURNABLE JUNE 01, 2000, FOR A HEARING: BY THE COURT, s/JOHN K. REILLY, JR., P.J. CC ATTY BELL
			APRIL 18, 2000, ANSWER TO PETITION FOR RECONSIDERATION, filed by s/JAMES A. NADDEO ONE (1) CC ATTY NADDEO CERTIFICATE OF SERVICE, filed.

RECEIVED APR - 3 2000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

WENDY J. CLARK, as Executrix of the :

Estate of ORVIS E. CLARK :

-vs- : No. 00-18-CD

DANIEL I. SANKEY, an individual :

ORDER

NOW, this 31st day of March, 2000, upon consideration of Petition to Enjoin filed on behalf of Plaintiff above-named, it is the ORDER of this Court that said Petition be and is hereby granted and the Defendant enjoined from transferring any of his assets pending the outcome of the above civil litigation. It is the further ORDER of this Court that Defendant shall have the right to petition the Court for release of assets as may be essential to his defense in the criminal action pending against him.

By the Court,

/s/JOHN K. REILLY, JR.

President Judge

I hereby certify that the above is a true and accurate copy of the above signed statement filed in this office.

MAR 31 2000

Attest:

Will J. H.
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the
Estate of ORVIS E. CLARK,
Appellee
V. : NO. 00-18-CD
DANIEL I. SANKEY, an individual,
Appellant

PROOF OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Notice of Appeal
upon the persons and in the manner indicated below, which service satisfies the requirements of Pa.
R.A.P. 121:

Service By First Class Mail, Postage Pre-paid

David Meholick

Court Administrator

Clearfield County Courthouse

Clearfield, PA 16830

Cathy Warrick

Official Court Reporter

Clearfield County Courthouse

Clearfield, PA 16830

Honorable John K. Reilly, Jr.

Court of Common Pleas of

Clearfield County

Clearfield County Courthouse

Clearfield, PA 16830

James A. Naddeo, Esquire

211½ East Locust Street

P.O. Box 552

Clearfield, PA 16830

BELL, SILBERBLATT & WOOD

By

F. Cortez Bell, III

F. Cortez Bell, III, Esquire

Attorney for Appellant

Supreme Court No. 30183

Dated: May 1, 2000

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 00-18-CD

WENDY J. CLARK, as Executrix of
the Estate of ORVIS E. CLARK,
Appellee

VS.

DANIEL T. SANKEY, an individual,
Appellant

NOTICE OF APPEAL

FILED

MAY 01 2000
O'DAHL & BELL
William A. Shaw
Prothonotary

7/24/00
McCathy Bell
1cc Sup. Court w \$55.00
ck.

BELL, SILBERBLATT & WOOD

ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

Appeal Docket Sheet

Docket Number: 758 WDA 2000

Page 1 of 2

May 11, 2000

Superior Court of Pennsylvania



WENDY J. CLARK, AS EXECUTRIX OF THE ESTATE OF ORVIS E. CLARK, Appellee
V.

DANIEL I. SANKEY, AN INDIVIDUAL, Appellant

00-18-00

Initiating Document: Notice of Appeal

Case Status: Active

Case Processing Status: May 8, 2000 Awaiting Original Record

Journal Number:

Case Category: Civil Case Type: Trespass

Consolidated Docket Nos.:

Related Docket Nos.:

SCHEDULED EVENT

Next Event Type: Case Initiation Next Event Due Date:

Next Event Type: Docketing Statement Received Next Event Due Date: May 25, 2000

Next Event Type: Original Record Received Next Event Due Date: June 17, 2000

COUNSEL INFORMATION

Appellant Sankey, Daniel I.

Appoint Counsel Status:

Pro Se:

IFP Status: No

Attorney: Bell, F. Cortez

Law Firm: Bell, Silberblatt & Wood

Bar No.: 30183

Address: Bell, Silberblatt & Wood

318 E. Locust St., Box 670

Clearfield, PA 16830

Phone No.: (814)765-5537

Fax No.: (814)765-9730

Receive Mail: Yes

FILED

May 11, 2000

11:45

William A. Shaw
Prothonotary

Appellee Clark, Wendy J

Appoint Counsel Status:

Pro Se:

IFP Status:

Attorney: Naddeo, James A.

Law Firm: Naddeo, James A., Law Office of

Bar No.: 06820

Address: 211 1/2 E Locust Street

PO Box 552

Clearfield, PA 16830

Phone No.: (814)765-1601

Fax No.: (814)765-8142

Appeal Docket Sheet

Docket Number: 758 WDA 2000

Page 2 of 2

May 11, 2000

Super Court of Pennsylvania



Receive Mail: Yes

FEE INFORMATION

Receipt No.:

TRIAL COURT/AGENCY INFORMATION

Court Below: Clearfield County Court of Common Pleas

County: Clearfield

Division: Civil

Date of OrderAppealed From: March 21, 2000

Judicial District: 46

Date Documents Received: May 8, 2000

Date Notice of Appeal Filed: May 1, 2000

Order Type: Order Dated

OTN:

Judge: Reilly, John K.
President Judge

Lower Court Docket No.: 00-18-CD

ORIGINAL RECORD CONTENTS

Original Record Item

Filed Date

Content/Description

Date of Remand of Record:

BRIEFS

DOCKET ENTRIES

Filed Date	Docket Entry/Document Name	Party Type	Filed By
May 8, 2000	Notice of Appeal Filed Notice of Appeal	Appellant	Sankey, Daniel I.
May 11, 2000	Docketing Statement Exited (Civil)		

Western District Filing Office

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

I, **William A. Shaw**, Prothonotary/Clerk of Courts of Common Pleas in and for said County, do hereby certify that the foregoing is a full, true and correct copy of the whole record of the case therein stated, wherein

**WENDY J. CLARK, an Executrix of the Estate of
ORVIS E. CLARK**
VS
DANIEL I. CLARK, an individual
00-18-CD

So full and entire as the same remains of record before the said Court, at **No. 00-18-CD**

IN TESTIMONY WHEREOR, I have hereunto set my hand and affixed the seal of said Court, this 26th Day of May, 2000.

Prothonotary/Clerk of Courts

I, **John K. Reilly, Jr.**, President Judge of the Forty-sixth Judicial District, do certify that **William A. Shaw**, by whom the annexed record, certificate and attestation were made and given, and who in his own proper handwriting, thereunto subscribed his name and affixed the seal of the Court of Common Pleas of said county, was at the time of so doing and now is Prothonotary/Clerk of Courts in and for said County of Clearfield, the Commonwealth of Pennsylvania, duly commissioned and qualified; to all of whose acts as such, full faith and credit are and ought to be given, as well in Courts of Judicature, as elsewhere, and that the said record, certificate and attestation are in due form of law and made by proper officer.

President Judge

I, **William A. Shaw**, Prothonotary/Clerk of Courts of the Court of Common Pleas in and for said county, do certify that the Honorable **John K. Reilly, Jr.**, President Judge by whom the foregoing attestation was made and who has thereunto subscribed his name was at the time of making thereof and still is President Judge, in and for said county, duly commissioned and qualified; to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere.

In Testimony Whereof, I have
hereunto set my hand and affixed
the seal of said Court, this _____ day
of _____, 2000

Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CASE # 00-18-CD

WENDY J. CLARK, as Executrix Of
the Estate of ORVIS E. CLARK

VS

DANIEL I. SANKEY, an individual

ITEM NO.	DATE of FILING	NAME of DOCUMENT	NO of PAGES
01	01-06-00	WRIT	02
02	01-17-00	PETITION TO ENJOIN	04
03	01-19-00	RULE	01
04	01-019-00	CERTIFICATE OF SERVICE	02
05	01-20-00	SHERIFF RETURNS	01
06	02-07-00	ANSWER TO PETITION TO ENJOIN DEFENDANT FROM TRANSFERRING PROPERTY	06
07	03-31-00	ORDER	01
08	04-10-00	MOTION FOR RECONSIDERATION OF COURT ORDER	06
09	04-13-00	RULE RETURNABLE	01
10	04-18-00	ANSWER TO PETITION FOR CONSIDERATION	05
11	05-01-00	NOTICE OF APPEAL	05
12	05-15-CD	APPEAL DOCKET SHEET WITH DOCKET #758 WDA 2000	02

Printed by: <u>MAIL</u> Form: H-4111 ED00574	James A. Naddeo, Esq.	WENDY J. CLARK, as Executrix of the Estate of ORVIS E.	JANUARY 6, 2000, PRAECIPE FOR WRIT, filed by James A. Naddeo, Esq., Attorney for the Plaintiff No Certified Copies
		CLARK	Please issue a writ in summons against the above-named defendant, Daniel I. Sankey, whose current address is the Clearfield County Jail, Leonard Street, Clearfield, Pennsylvania 16830. /s/James A. Naddeo
			JANUARY 6, 2000, WRIT ISSUED TO SHERIFF FOR SERVICE.
			JAN. 17, 2000, PETITION TO ENJOIN, filed by s/JAMES A. NADDEO, ESQ. ONE (1) CC ATTY NADDEO
		00-18-CD	VERIFICATION, s/WENDY J. CLARK
			JAN. 19, 2000, RULE, RE: ISSUED UPON DEFENDANT, RULE RETURNABLE FOR WRITTEN RESPONSE ON THE 7th of FEB., 2000. BY THE COURT, s/JOHN K. REILLY, JR., PRESIDENT JUDGE ONE (1) CC ATTY NADDEO
			JAN. 19, 2000, CERTIFICATE OF SERVICE, filed. NO CERT COPIES
		DANIEL I. SANKEY, an Individual	JAN. 20, 2000, SHERIFF RETURN, SUMMON UPON DEFENDANT, SO ANSWERS, CHESTER A. HAWKINS, SHERIFF by s/Marilyn Hamm FEB. 07, 2000, ANSWER TO PETITION TO ENJOIN DEFENDANT FROM TRANSFERRING PROPERTY, filed by s/F. CORTEZ BELL, III, ESQUIRE FIVE (5) CC ATTY BELL, III VERIFICATION, s/DANIEL CERTIFICATE OF SERVICE, filed.
		Pro BY ATTY 80.00	MAR. 31, 2000, ORDER, RE: PETITION TO ENJOIN is GRANTED, ETC.: BY THE COURT, s/JOHN K. REILLY, JR., PRESIDENT JUDGE ONE (1) CC ATTY NADDEO, BELL
		Shff Hawkins By Atty 29.33	APR. 10, 2000, MOTION FOR RECONSIDERATION OF COURT ORDER, filed by s/F. CORTEZ BELL, III, ESQ. SEVEN (7) CC ATTY BELL VERIFICATION, s/F. CORTEZ BELL, III, ESQ.
		Pro By Atty Bell 45.00	CERTIFICATE OF SERVICE, filed. APR. 13, 2000, RULE RETURNABLE, UPON PLAINTIFF, RETURNABLE JUNE 01, 2000; FOR A HEARING: BY THE COURT, s/JOHN K. REILLY, JR.; P.J. CC ATTY BELL
			APRIL 18, 2000, ANSWER TO PETITION FOR RECONSIDERATION, filed by s/JAMES A. NADDEO ONE (1) CC ATTY NADDEO CERTIFICATE OF SERVICE, filed.
			MAY 01, 2000, NOTICE OF APPEAL, filed by s/F. CORTEZ BELL, III, ESQ. SEVEN (7) CC ATTY BELL ONE (1) CC SUPERIOR COURT W/\$55.00 CR. CERTIFICATE OF SERVICE, filed.
			MAY 15, 2000, APPEAL DOCKET SHEET DOCKET NUMBER: 758 WDA 2000, filed.

**CERTIFICATE AND TRANSMITTAL OF RECORD UNDER PENNSYLVANIA
RULE OF APPELLATE PROCEDURE 1931(C)**

To the Prothonotary of the Appellate Court to which the within matter has been appealed:

THE UNDERSIGNED, Clerk (or Prothonotary) of the court of Common Pleas of Clearfield County, the said Court being a court of record, does hereby certify that annexed hereto is a true and correct copy of the whole and entire record, including an opinion of the Court as required by Pa. R.A.P. 1925, the original papers and exhibits, if any, on file, the transcript of the proceeding, if any, and the docket entries in the following matter:

00-18-CD

**WENDY J. CLARK, as Executrix of the Estate of
ORVIS E. CLARK
VS.
DANIEL I. SANKEY, an individual**

In compliance with Pa. R.A.P. 1931 (c).

The documents compromising the record have been numbered from **No. 1 to No. 12**, and attached hereto as Exhibit A is a list of the documents correspondingly numbered and identified with reasonable definiteness, including with respect to each document, the number of pages comprising the document.

The date on which the record had been transmitted to the Appellate Court is ,
2000.

Prothonotary/Clerk of Courts

(seal)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

* Type of Pleading:
* Petition to Enforce
* Settlement
*
* Filed on behalf of:
* Plaintiff
*
* Counsel of Record for
* this party:
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

AUG 28 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

AND NOW, this 28th day of August, 2000, upon
consideration of the attached Petition to Enforce Settlement, a
Rule is hereby issued upon Defendant to Show Cause why the
Petition to Enforce Settlement should not be granted. Rule
Returnable for written response on the 18th of Sept., 2000.

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH
TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION,
YOU MUST TAKE ACTION BY ENTERING A WRITTEN APPEARANCE PERSONALLY
OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES
OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU. YOU ARE
WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU
AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT
FURTHER NOTICE FOR RELIEF REQUESTED BY THE PETITIONER OR MOVANT.
YOU MAY LOSE 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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Market Street
Clearfield, PA 16830
(814) 765-2641

BY THE COURT,

FILED

AUG 29 2000

William A. Shaw
Prothonotary

Judge

FILED

AUG 29 2000
101143 KCS
William A. Shaw
Prothonotary
Nadded

FILED

Aug 29 2000
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

Petition To Enforce Settlement

Now comes Wendy J. Clark, Executrix of the Estate of
Orvis E. Clark, and by her attorney, James A. Naddeo, Esquire
sets forth the following:

1. That your Petitioner caused suit to be filed
against Daniel I. Sankey, Defendant by Writ on January 6, 2000.
2. That Defendant was served with Summons by the
Clearfield County Sheriff's Department on January 7, 2000.
3. That on January 17, 2000, Petitioner caused a
Petition to Enjoin Defendant from disposing of assets with Rule
Returnable on or before February 7, 2000.
4. That Counsel for Defendant, F. Cortez Bell, III,
filed an answer to Plaintiff's Petition for equitable relief on
or about February 7, 2000.
5. That Argument upon Petitioner's request for
equitable relief was held on March 7, 2000.

6. That subsequent to Argument, the Court entered an Order enjoining any disposition of Defendant's assets. A copy of said Order dated March 31, 2000 is attached hereto as Exhibit "A".

7. That a Motion for Reconsideration was filed by counsel for Defendant on April 10, 2000.

8. That Defendant's counsel also filed an Appeal from the Court's Order of March 31, 2000, with the Superior Court of Pennsylvania, which appeal was filed on May 1, 2000.

9. That the Court granted argument upon Defendant's request for reconsideration, at which time it was agreed that Defendant would withdraw his Appeal to the Superior Court; that counsel for Defendant would petition the Court to become conservator of Defendant's assets; and that Defendant's assets would be applied first to the costs of his defense upon his pending criminal charges with any remaining assets being preserved pending conclusion of the instant civil action.

10. That Defendant and his counsel have failed to comply with the terms of their settlement.

11. That Plaintiff, through her counsel, has made numerous attempts by letter and by telephone to contact Defendant's counsel, but he has failed and/or refused to answer said letter or telephonic communication.

12. That Plaintiff believes and therefore avers that Defendant's failure to implement the terms of settlement is both obdurate and vexatious.

WHEREFORE, Plaintiff respectfully requests that the Court enter a rule upon the Defendant to show cause why the Defendant should not be directed to implement the terms of settlement and why Defendant should not pay Plaintiff reasonable counsel fees.



James A. Naddeo
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

WENDY J. CLARK, as Executrix of the : APR 03 2000

Estate of ORVIS E. CLARK : [Redacted]

-vs- : No. 00-18-CD

DANIEL I. SANKEY, an individual : [Redacted]

ORDER

NOW, this 31st day of March, 2000, upon consideration of Petition to Enjoin filed on behalf of Plaintiff above-named, it is the ORDER of this Court that said Petition be and is hereby granted and the Defendant enjoined from transferring any of his assets pending the outcome of the above civil litigation. It is the further ORDER of this Court that Defendant shall have the right to petition the Court for release of assets as may be essential to his defense in the criminal action pending against him.

By the Court,

/s/JOHN K. REILLY, JR.

President Judge

I hereby certify that the above is a true and accurate copy of the original statement filed in this case.

MAR 31 2000

Attest:

William H. Flanagan
Prothonotary

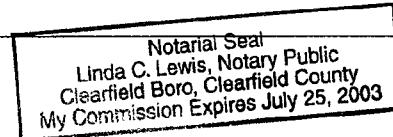
COMMONWEALTH OF PENNSYLVANIA) SS
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared JAMES A. NADDEO, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

James A. Nadeau

SWORN and SUBSCRIBED before me this 28th day of August,
2000.

Frank Lewis



828
1/2 in to 11/16
Prothonotary
William A. Shaw
O/10/70 (44)
AUG 28 2000

FILED

Lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

(P)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

DANIEL I. SANKEY,
an individual,

Defendant.

*

*

*

*

*

*

No. 00 - 18 - CD

*

*

*

*

*

Type of Pleading:

*

Certificate of Service

*

*

*

Filed on behalf of:

*

Plaintiff

*

Counsel of Record for
this party:

*

*

James A. Naddeo, Esq.

*

Pa I.D. 06820

*

211 1/2 E. Locust Street

*

P.O. Box 552

*

Clearfield, PA 16830

*

(814) 765-1601

FILED

AUG 29 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiff's Petition to Enforce Settlement in the above-captioned action was served on the following person and in the following manner on the 29th day of August, 2000:

First-Class Mail, Postage Prepaid

F. Cortez Bell, III, Esquire
Bell, Silberblatt & Wood
318 East Locust Street
P. O. Box 670
Clearfield, PA 16830

James A. Naddeo
James A. Naddeo
Attorney for Plaintiff

FILED

AUG 27 2000
0133046 atty
William A. Shaw
Prothonotary
Naddeo

----- Lap over margin -----

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the : No. 2000-18-CD
Estate of ORVIS E. CLARK, :
Plaintiff :
vs. : Type of Case: Civil
DANIEL I. SANKEY, :
an individual, : Type of Pleading:
Defendant : Answer to Petition to Enforce
: Settlement
: Filed on Behalf of:
: Daniel I. Sankey
: Counsel of Record for this Party:
: F. Cortez Bell, III, Esquire
: I.D. #30183
: Bell, Silberblatt & Wood
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA 16830
: Telephone: (814)765-5537

FILED

SEP 19 2000
012-30167
William A. Shaw
Prothonotary

WWD c/c EGD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Plaintiff :
:
Vs. : No. 00-18-CD
:
DANIEL I. SANKEY, :
an individual, :
Defendant :
:

ANSWER TO PETITION TO ENFORCE
SETTLEMENT

NOW, comes the Defendant, DANIEL I. SANKEY, by and through his attorney, F. Cortez Bell, III, Esquire, who for the Defendant's Answer to Petition to Enforce Settlement respectfully sets forth and avers as follows:

1. Paragraph 1 of the Petition is admitted.
2. Paragraph 2 of the Petition is admitted.
3. Paragraph 3 of the Petition is admitted.
4. Paragraph 4 of the Petition is admitted.
5. Paragraph 5 of the Petition is admitted.
6. Paragraph 6 of the Petition is admitted.
7. Paragraph 7 of the Petition is admitted.
8. Paragraph 8 of the Petition is admitted.
9. Paragraph 9 of the Petition is admitted to the extent stated. Defendant would

further aver that the agreement called for the continuation of any payments necessary to maintain assets of the Defendant such as real estate taxes, fuels for heating over the winter months or any such other expenses which are associated with maintaining any of the real properties owned by the Defendant to keep the same from deteriorating.

10. Paragraph 10 of the Petition is admitted.

11. Paragraph 11 of the Petition is admitted.

12. Paragraph 12 of the Petition is denied. Although it is admitted that the Defendant has up until the date of this response failed to implement the terms of the settlement agreement, said failure is not obdurate or vexatious. During the course of the intervening time period the Defendant retained co-counsel as to the defense of his criminal matter and as such there have been some difficulties in determining instant counsel's position in regard to the representation of the Defendant as to the criminal proceedings such that counsel for the Defendant could be in a position to assure the Court that the funds are properly being expended in regard to the defense of the Defendant's criminal matter. Those areas of concern now appear to have been resolved and hence concurrent with the filing of this response or in certain instance upon approval of counsel for the Plaintiff's review of the Conservatorship Petition, the same will be filed as well as a Praeclipe for Withdrawal of the Appeal before the Superior Court of Pennsylvania has been transmitted to the Court on Monday, September 18, 2000.

WHEREFORE, the Defendant respectfully requests that your Honorable Court not assess any costs or counsel fees to the Plaintiff as the Defendant has now taken the appropriate steps

in order to proceed with the settlement which was reached previously with the Court's approval.

Respectfully submitted,

BELL, SILBERBLATT & WOOD
By,

F. Cortez Bell, III
F. Cortez Bell, III, Esquire
Attorney for Defendant

VERIFICATION

I, F. Cortez Bell, III, Esquire, verify that the statements made within the foregoing Answer to Petition to Enforce Settlement are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S.A., Section 4904, relating to unsworn falsifications to authorities.

Date: 9-18-2000

F. Cortez Bell III
F. Cortez Bell, III, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Plaintiff :
:
Vs. : No. 00-18-CD
:
DANIEL I. SANKEY, :
an individual, :
Defendant :
:

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Answer to Petition to Enforce Settlement upon the following person by mailing such copy first class mail, postage prepaid to:

James A. Naddeo, Esquire
211½ East Locust Street
P.O. Box 552
Clearfield, PA 16830

F. Cortez Bell III

F. Cortez Bell, III, Esquire
Attorney for Defendant

Date: 9-19-2000

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 2000-18-CD

WENDY J. CLARK, as Executrix of
the Estate of ORVIS E. CLARK,
Plaintiff

vs.

DANIEL I. SANKEY, an individual,
Defendant

ANSWER TO PETITION TO ENFORCE
SETTLEMENT

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

LAW OFFICES
BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P.O. BOX 670
CLEARFIELD, PA. 16830

CERTIFIED COPY

HCF Br. II
ATTORNEYS FOR Defendant

In the Superior Court of Pennsylvania
Sitting at Pittsburgh

No. 758

WESTERN DOCKET APPEAL, 2000

WENDY J. CLARK, AS EXECUTRIX
OF THE ESTATE OF ORVIS E. CLARK
Appellee
-v-

DANIEL I. SANKEY, AN INDIVIDUAL

Appellant : 00-18-CD

: Appeal from the order Dated on 3-21-2000,
In the Court of Common Pleas, by the
: Honorable John K. Reilly, Civil Division

: Of the County of Clearfield

Certified from the Record

September 20, 2000 Praecept To Discontinue Appeal, filed by appellant.
(APPEAL DISCONTINUED)

In Testimony Whereof, I have hereunto set my hand and the seal of said Court at Pittsburgh,

Pa. this

20th

Day of

September

2000

FILED

SEP 22 2000

12:36 pm

William A. Shaw

Prothonotary

Eleanor K. Valecko
Deputy Prothonotary

COMMONWEALTH OF PENNSYLVANIA



Superior Court of Pennsylvania

Western District

September 20, 2000

David A. Szewczak, Esq.
Prothonotary

Eleanor R. Valecko
Deputy Prothonotary

330 Grant Street
Pittsburgh, PA 15219
412-565-7592

www.superior.court.state.pa.us

Mr. William A. Shaw
Prothonotary
Clearfield County
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

RE: CLARK, W. V. SANKEY, D.
No. 758 WDA 2000

September 20, 2000 received from the Superior Court of Pennsylvania, Western District Office, the certificate of discontinuance of the court, in the above entitled case.

Contents of Original Record:

Original Record Item	Description
<input type="checkbox"/>	

Return to:

Superior Court of Pennsylvania
Office of the Prothonotary
330 Grant Street
Suite 1015
Pittsburgh, PA 15219
412-565-7592

Trial Court Docket Number(s):

00-18-CD



Superior Court of Pennsylvania

David A. Szewczak, Esq.
Prothonotary

Eleanor R. Valecko
Deputy Prothonotary

Western District

September 20, 2000

330 Grant Street
Pittsburgh, PA 15219
412-565-7592
www.superior.court.state.pa.us

Notice of Discontinuance of Action

RE: CLARK, W. V. SANKEY, D.

Appeal of: Daniel I. Sankey

Type of Action: Notice of Appeal

No. 758 WDA 2000

Clearfield County Court of Common Pleas

Agency Docket Number: 00-18-CD

The above-captioned matter has been marked "Discontinued" with this court.
Certification is being sent to the lower court.

Attorney Name	Party Name	Party Type
F. Cortez Bell, Esq.	Daniel I. Sankey	Appellant
James A. Naddeo, Esq.	Wendy J Clark	Appellee

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the : No. 2000-18-CD
Estate of ORVIS E. CLARK, :
Plaintiff :
vs. : Type of Case: Civil
DANIEL I. SANKEY, : Type of Pleading:
an individual, : Petition to Appoint Conservatorship
Defendant : of the Defendant's Estate
: Filed on Behalf of:
: Daniel I. Sankey
: Counsel of Record for this Party:
: F. Cortez Bell, III, Esquire
: I.D. #30183
: Bell, Silberblatt & Wood
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA 16830
: Telephone: (814)765-5537

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

OCT 09 2000

Attest.

William L. Brown
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the
Estate of ORVIS E. CLARK,
Plaintiff

Vs. : No. 00-18-CD

DANIEL I. SANKEY,
an individual,
Defendant

**PETITION TO APPOINTMENT CONSERVATORSHIP
OF THE DEFENDANT'S ESTATE**

NOW comes the Defendant, Daniel I. Sankey, by and through his attorney, F. Cortez Bell, III, Esquire, who for the Defendant's Petition to Appointment Conservatorship of the Defendant's Estate respectfully sets forth and avers as follows:

1. That the Plaintiff, Wendy J. Clark, acting as Executrix of the Estate of Orvis E. Clark, caused suit to be filed against the Defendant by Writ of Summons on January 6, 2000.
2. That the Defendant, Daniel I. Sankey, was served with Summons by the Clearfield County Sheriff's Department on January 7, 2000.
3. That on or about January 17, 2000 the Plaintiff caused to be filed a Petition to Enjoin Defendant from disposing assets with said matter originally commencing with the Court by Rule Returnable and subsequently being the subject of argument and briefing on or about March 7, 2000.
4. That by Order of Court dated March 31, 2000 your Honorable Court issued an Order enjoining the Defendant from disposing of any assets.

5. That a Motion for Reconsideration of said Court Order was filed by counsel for the Defendant on or about April 10, 2000.

6. That as a result of that Motion for Reconsideration having been filed further discussions were had with the Court and counsel for each party by which an agreement was reached that an appeal that had been filed as to the Court's Order to the Superior Court of Pennsylvania was to be withdrawn and a Petition for Conservatorship of the Defendant's Estate was to be filed with your Honorable Court.

7. That the purpose of the conservatorship was such that a listing of the assets of the Defendant would be supplied to the Court as well as counsel for the Defendant would be appointed as conservator of the estate of the Defendant to assure that any assets disposed of by the Defendant would be used solely for the purpose of the defense of the Defendant as to criminal proceedings which were the subject of the matters give rise to the Plaintiff's civil complaint as well as such that any assets could be expended to maintain specifically the real property assets of the Defendant such that the same would not diminish in value during the course of any proceedings as to the criminal or civil matters currently existing before the Court of Common Pleas of Clearfield County.

8. That attached to this Petition for Conservatorship as Exhibit A is a complete listing of all real and personal assets of the Defendant.

9. That the Defendant by executing the verification to this Petition indicates his understanding of the listing of the assets set forth herein, verifying that the same is true and accurate as well as verifies his understanding of the nature of this Petition and that as a result thereof his current counsel, F. Cortez Bell, III, Esquire, would be appointed conservator of the assets of the Defendant as set forth within Exhibit A such that the same could not be disposed of or converted

without prior notice to the Plaintiff and appropriate Court Order subject to the proviso that assets could be used for the defense of the Defendant as to criminal proceedings pending before the Courts of the Commonwealth of Pennsylvania which were the subject of the filing of the Plaintiff's Complaint as well as that sums could be expended, although accounted for, such that any real or personal assets of the Defendant be maintained and not subject to deterioration during the course of the pendency of the criminal and civil proceedings.

WHEREFORE, it is respectfully requested that your Honorable Court appoint the Defendant's attorney, F. Cortez Bell, III, Esquire to act as conservator of the estate, both real and personal of the Defendant, Daniel I. Sankey.

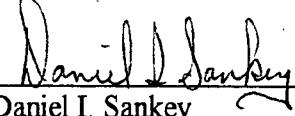
Respectfully submitted,
BELL, SILBERBLATT & WOOD
By,

F. Cortez Bell, III
F. Cortez Bell, III, Esquire
Attorney for the Defendant

VERIFICATION

I, Daniel I. Sankey, verify that the statements made within the foregoing Petition to Appointment Conservatorship of Defendant's Estate are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S.A., Section 4904, relating to unsworn falsifications to authorities. I further verify that I understand the nature of the Petition for Conservatorship and that as a result of the same my use of real or personal assets will be enjoined subject to the use of funds as necessary for my defense as to criminal matters before the Courts of the Commonwealth of Pennsylvania as well as the use of such funds as are necessary to maintain those real and personal assets held by me such that the same would not deteriorate.

Date: 10-08-2000



Daniel I. Sankey

EXHIBIT A

Real Estate

Partnership - Daniel Sankey and Tom Wick

91% interest in 87 acres in Morris Township, Clearfield County, Pennsylvania
Map #124-Q10-000-00050 Deed Book Volume 1650, Page 547
(Purchase Price \$18,000.00)

3 lots in Woodward Township, Clearfield County, Pennsylvania –
Map #130-M14-384-00022 Deed Book Volume 1649, Page 597
(Purchase Price \$1,600.00)

Lot and trailer in Lawrence Township, Clearfield County, Pennsylvania
Map # 123-J09-269-00124 Deed Book Volume 1649, Page 61
(Purchase Price \$978.47)

Lot and Building in Clearfield Borough, Pennsylvania
Map #K08-205-00015 Deed Book Volume 1667 Page 113
(Former Clearfield Hardware & Building)
(Purchase Price \$25,000.00)

Please note that along with the real estate there obviously are certain receipts from rental of the real estate as well as certain debts associated with regard to mortgage payments, real estate taxes and other expenditures. The Defendant through Powers of Attorney provided to two (2) family members has asked the partner, Tom Wick, for an accounting as to the current status of all partnership assets and liabilities. Requests have been made on several occasions and have not been responded to. There is currently pending before the Clearfield County Court system to term number 2000-1051-CD an action filed by Tom Wick seeking to dissolve the partnership. Thus it is believed that there may be financial assets in the name of the partnership, the amount of which is unknown.

Privately Owned by Daniel Sankey

House and lot in Bellefonte Borough, Centre County, Pennsylvania.
Property address of 730 Bud's Alley, Bellefonte, PA 16823

Vehicles

1993 Chevrolet S-10 Blazer
PA Registration ABH-9445
VIN #1GNCT18W0P0125486

1986 Chevrolet Cavalier
PA Registration BKL-7381
VIN #1G1JCB9P8GJ305466

Both vehicles are currently in the possession of the Pennsylvania State Police as evidence and the condition thereof or the value of the same is currently unknown.

Personal Property

Retirement - The Defendant currently receives the sum of Three Hundred Fifty-four (\$354.00) Dollars which is direct deposited from the Defendant's Employment with the Commonwealth of Pennsylvania.

Checking Account - PA State Employees Credit Union. Balance is a minimal amount. Each month by way of direct deposit the Defendant's retirement from employment with the Commonwealth of Pennsylvania is deposited. (See above).

Miscellaneous items of clothing/furniture/personal effects/tools.

½ interest in partnership personal property such as tools/materials/equipment used by partnership to remodel the various real properties owned by the Defendant and Tom Wick. Current value and location of the same is unknown as Defendant and those who have Power of Attorney do not have any access to the Partnership Properties.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the
Estate of ORVIS E. CLARK,
Plaintiff

Vs. : No. 00-18-CD

DANIEL I. SANKEY,
an individual,
Defendant

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Petition to
Appointment Conservatorship of Defendant's Estate upon the following persons by mailing such copy
first class mail, postage prepaid to:

James A. Naddeo, Esquire
211 1/2 East Locust Street
P.O. Box 552
Clearfield, PA 16830

F. Cortez Bell, III

F. Cortez Bell, III, Esquire

Attorney for Defendant

Date: 10 - 9 - 2000

Printed by: IMF Limited - Form H-111 EP00074	James A. Naddeo, Esq.	WENDY J. CLARK, as Executrix Of the Estate of ORVIS E.	JANUARY 6, 2000, PRAECIPE FOR WRIT, filed by James A. Naddeo, Esq., Attorney for the Plaintiff No Certified Copies
	CLARK		Please issue a writ in summons against the above-named defendant, Daniel I. Sankey, whose current address is the Clearfield County Jail, Leonard Street, Clearfield, Pennsylvania 16830. /s/James A. Naddeo
			JANUARY 6, 2000, WRIT ISSUED TO SHERIFF FOR SERVICE.
			JAN. 17, 2000, PETITION TO ENJOIN, filed by s/JAMES A. NADDEO, ESQ. ONE (1) CC ATTY NADDEO VERIFICATION, s/WENDY J. CLARK
			JAN. 19, 2000, RULE, RE: ISSUED UPON DEFENDANT, RULE RETURNABLE FOR WRITTEN RESPONSE ON THE 7th of FEB., 2000. BY THE COURT, s/JOHN K. REILLY, JR., PRESIDENT JUDGE ONE (1) CC ATTY NADDEO
			JAN. 19, 2000, CERTIFICATE OF SERVICE, filed. NO CERT COPIES
	F. Cortez Bell, III	DANIEL I. SANKEY, an Individual	JAN. 20, 2000, SHERIFF RETURN, SUMMON UPON DEFENDANT, SO ANSWERS, CHESTER A. HAWKINS, SHERIFF by s/Marilyn Hamm FEB. 07, 2000, ANSWER TO PETITION TO ENJOIN DEFENDANT FROM TRANSFERRING PROPERTY, filed by s/F. CORTEZ BELL, III, ESQUIRE FIVE (5) CC ATTY BELL, III VERIFICATION, s/DANIEL CERTIFICATE OF SERVICE, filed.
			MAR. 31, 2000, ORDER, RE: PETITION TO ENJOIN is GRANTED, ETC.: BY THE COURT, s/JOHN K. REILLY, JR., PRESIDENT JUDGE ONE (1) CC ATTY NADDEO, BELL
	Pro	BY ATTY 80.00	APR. 10, 2000, MOTION FOR RECONSIDERATION OF COURT ORDER, filed by s/F. CORTEZ BELL, III, ESQ. SEVEN (7) CC ATTY BELL VERIFICATION, s/F. CORTEZ BELL, III, ESQ. CERTIFICATE OF SERVICE, filed.
	Shff Hawkins	By Atty 29.33	APR. 13, 2000, RULE RETURNABLE, UPON PLAINTIFF, RETURNABLE JUNE 01, 2000, FOR A HEARING: BY THE COURT, s/JOHN K. REILLY, JR., P.J. CC ATTY BELL
			APRIL 18, 2000, ANSWER TO PETITION FOR RECONSIDERATION, filed by s/JAMES A. NADDEO ONE (1) CC ATTY NADDEO CERTIFICATE OF SERVICE, filed.
			MAY 01, 2000, NOTICE OF APPEAL, filed by s/F. CORTEZ BELL, III, ESQ. SEVEN (7) CC ATTY BELL ONE (1) CC SUPERIOR COURT W/\$55.00 CR. CERTIFICATE OF SERVICE, filed.
			MAY 15, 2000, APPEAL DOCKET SHEET DOCKET NUMBER: 758 WDA 2000, filed.
			AUG. 28, 2000, PETITION TO ENFORCE SETTLEMENT, filed by s/JAMES A. NADDEO, ESQ.
			AUGUST 29, 2000, RULE, AND NOW, THIS 28th DAY OF AUGUST, 2000, RULE ISSUED UPON DEFENDANT, RULE RETURNABLE FOR WRITTEN RESPONSE THE 18th DAY OF SEPTEMBER 2000. BY THE COURT: /s/John K. Reilly, Jr., P.J. ONE (1) CC ATTY NADDEO
			AUGUST 29, 2000, CERTIFICATE OF SERVICE, PETITION TO ENFORCE SETTLEMENT, UPON F. CORTEZ BELL, III, ESQ., filed by s/James A. Naddeo ONE (1) CC ATTY NADDEO
			SEP. 19, 2000, ANSWER TO PETITION TO ENFORCE SETTLEMENT, filed by s/F. CORTEZ BELL, III, ESQUIRE VERIFICATION, s/F. CORTEZ BELL, III, ESQUIRE CERTIFICATE OF SERVICE, filed.
			SEP. 22, 2000, DISCONTINUANCE OF APPEAL. Praecipe to Discontinue Appeal, filed by appellant. (APPEAL DISCONTINUED) s/ELIANOR R. VALECKO, DEPUTY PROTHONOTARY SUPERIOR COURT OF PENNSA.
			OCTOBER 9, 2000, PETITION TO APPOINT CONSERVATORSHIP OF THE DEFENDANT'S ESTATE, filed by Atty. Bell Five Cert. to Atty.
PLEASE REFER TO COMPUTER FOR FURTHER ENTRIES			not in papers - Naddeo has a certified copy Carly Chipp Bell have the original in his papers.
There was supposed to be an order filed w/this			

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

DANIEL I. SANKEY,
an individual,

Defendant.

* No. 00 - 18 - CD

* Type of Pleading:

* COMPLAINT

* Filed on behalf of:
* Plaintiff

* Counsel of Record for
* this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

DEC 07 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

* No. 00 - 18 - CD

DANIEL I. SANKEY,
an individual,

Defendant.

NOTICE

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 property or other 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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURT HOUSE
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

COMPLAINT

NOW COMES the Plaintiff, Wendy J. Clark, Executrix of
the Estate of Orvis E. Clark, and by her attorney, James A.
Naddeo, Esquire, sets forth the following:

1. That the Plaintiff, Wendy J. Clark, is the
Executrix of the Estate of Orvis E. Clark, who died on November
4, 1999 pursuant to Letters Testamentary issued by the Register
of Wills of Clearfield County, Pennsylvania, dated November 12,
1999, a copy of said Letters is attached hereto as Exhibit "A".

2. That the Defendant, Daniel I. Sankey, is a sui
juris, adult individual who is currently incarcerated at Western
Penn Prison, Pittsburgh, Pennsylvania.

First Count

Wendy J. Clark, Executrix of the Estate of Orvis E.
Clark v. Daniel I. Sankey, on behalf of the children of
Orvis E. Clark, Deceased

3. That Decedent having brought no action against the
Defendant herein for damages for injures causing his death and

no other action for wrongful death of said decedent having been brought against the Defendant, Plaintiff Executrix brings this action on behalf of said Decedent and for expenses incident to the death of said decedent and on behalf of the following persons who are the only persons entitled to recover damages in this suit, to wit: Wendy J. Clark, Veronica A. Clark, Orvis E. Clark, Jr.

4. That on or about November 4, 1999 the Defendant proceeded to the home of the Decedent where he violently, intentionally, recklessly and willfully used a knife to stab Decedent about various parts of his body.

5. That as a result of the assault and battery described in Paragraph 4 hereof, which is incorporated herein by reference, Decedent suffered severe injuries which result in his death.

6. That as a further result of Defendant's assault and battery, Decedent suffered great pain and suffering.

7. That by reason of the wrongful acts of the Defendant, Daniel I. Sankey, which acts resulted in the fatal injuries to and the death of Orvis E. Clark, the Plaintiff claims damage from the Defendant for and on behalf of the children of the Decedent as follows:

A. For support, maintenance, gifts and services which he had regularly provided for them and

for contributions which he had regularly made prior to November 4, 1999 and which he would have continued to provide and make for a period of time from November 4, 1999 until the expiration of his natural life;

B. For loss of inheritance which they would have received had he lived to the end of his normal expectancy;

C. For expenses incident to the administration of the estate of the deceased;

D. For funeral and burial expenses, including grave marker;

E. For parental guidance and other damages allowable by law.

8. That in addition to compensatory damages Plaintiff seeks punitive damages for the willful and malicious conduct of the Defendant.

WHEREFORE, the Plaintiff claims damage from the Defendant in excess of Twenty Thousand (\$20,000.00) Dollars. Jury Trial Demanded.

Second Count

Wendy J. Clark, Executrix of the Estate of Orvis E.
Clark v. Daniel I. Sankey, for and on behalf of Orvis E.
Clark, deceased

9. That Plaintiff incorporates by reference Paragraphs 1 through 8 of this Complaint by reference and makes them a part hereof.

10. That by reason of the wrongful acts of the Defendant, Daniel I. Sankey, resulting in the fatal injures to and the death of Orvis E. Clark, Plaintiff claims damages from Defendant for and on behalf of the Estate of Orvis E. Clark, deceased as follows:

A. For loss of earnings and earning power of the deceased for a period of time beginning November 4, 1999 and continuing to the termination of his natural life, which earnings and earning power would have continued for the said period of time but for his death on said date;

B. For pain and suffering;

C. For expenses caused by the injuries; and

D. For other damages allowable by law.

WHEREFORE, Plaintiff claims damages from the Defendant in excess of Twenty Thousand (\$20,000.00) Dollars. JURY TRIAL DEMANDED.

Third Count

Wendy J. Clark, Executrix of the Estate of Orvis E.
Clark v. Daniel I. Sankey on behalf of the children of
Orvis E. Clark, deceased

11. That the Plaintiff incorporates Paragraphs 1 and 2 of this Complaint by reference and makes them a part hereof.

12. That Decedent having brought no action against the Defendant herein for damages for injures causing his death and no other action for wrongful death of said decedent having been brought against the Defendant, Plaintiff Executrix brings this action on behalf of said Decedent and for expenses incident to the death of said decedent and on behalf of the following persons who are the only persons entitled to recover damages in this suit, to wit: Wendy J. Clark, Veronica A. Clark, Orvis E. Clark, Jr.

13. That on or about November 4, 1999, Defendant proceeded to the home of the Decedent.

14. That a verbal altercation took place between Plaintiff's Decedent and the Defendant.

15. That during the course of the verbal altercation the parties' dispute became physical.

16. That Defendant mistakenly believing that his life was in danger carelessly, recklessly and willfully used excessive force to defend himself by stabbing Plaintiff's Decedent numerous times on various parts of decedent's body.

17. That as a result of the negligence, recklessness and carelessness of the Defendant as described in Paragraph 16

hereof which is incorporated herein by reference, Decedent suffered serious injuries which resulted in his death.

18. That by reason of the negligence, recklessness and carelessness of the Defendant, Daniel I. Sankey, which acts resulted in the fatal injuries to and the death of Orvis E. Clark, the Plaintiff claims damage from the Defendant for and on behalf of the children of the Decedent as follows:

A. For support, maintenance, gifts and services which he had regularly provided for them and for contributions which he had regularly made prior to November 4, 1999 and which he would have continued to provide and make for a period of time from November 4, 1999 until the expiration of his natural life;

B. For loss of inheritance which they would have received had he lived to the end of his normal expectancy;

C. For expenses incident to the administration of the estate of the deceased;

D. For funeral and burial expenses, including grave marker;

E. For parental guidance and other damages allowable by law.

WHEREFORE, the Plaintiff claims damage from the Defendant in excess of Twenty Thousand (\$20,000.00) Dollars. Jury Trial Demanded.

Fourth Count

Wendy J. Clark, Executrix of the Estate of Orvis E.
Clark v. Daniel I. Sankey, for and on behalf of Orvis E.
Clark, deceased

19. That the Plaintiff incorporates Paragraphs 1 and 2 of this Complaint and Paragraphs 13 through Eighteen of this Complaint by reference and makes them a part hereof.

20. That by reason of the negligence, recklessness and carelessness of the Defendant, Daniel I. Sankey, resulting in the fatal injures to and the death of Orvis E. Clark, Plaintiff claims damages from Defendant for and on behalf of the Estate of Orvis E. Clark, deceased as follows:

A. For loss of earnings and earning power of the deceased for a period of time beginning November 4, 1999 and continuing to the termination of his natural life, which earnings and earning power would have continued for the said period of time but for his death on said date;

B. For pain and suffering;

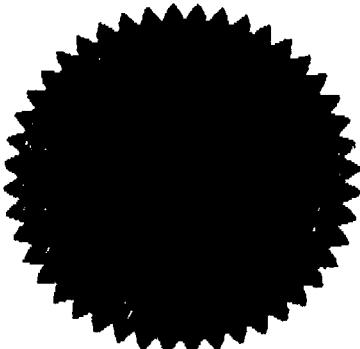
C. For expenses caused by the injuries; and

D. For other damages allowable by law.

WHEREFORE, Plaintiff claims damages from the Defendant
in excess of Twenty Thousand (\$20,000.00) Dollars. JURY TRIAL
DEMANDED.


James A. Naddeo
Attorney for Plaintiff

WILL



Register of Wills Certificate of Grant of Letters

No. 99-634

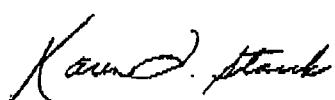
ESTATE OF **Orvis E. Clark**
Late of Karthaus
Clearfield County, Pa.,
Deceased.
Social Security No. **173-34-3240**

WHEREAS, on the 12th day of November, 1999,
instrument(s) dated October 16, 1992
was admitted to probate as the last will of Orvis E. Clark
late of Karthaus, Clearfield County, PA
who died on the 4th day of November 1999, and

WHEREAS, a true copy of the will as probated is annexed hereto.

THEREFORE, I, Karen L Starck, Register of Wills in and for the County of Clearfield, in the Commonwealth of Pennsylvania, hereby certify that I have this day granted Letters Testamentary to Wendy Jo Clark a/k/a Wendy Clark who has duly qualified as Executrix and has agreed to administer the estate according to law, all of which fully appears of record in my office at Clearfield, Pennsylvania.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my Office the 12th day of November, 1999.



Register of Wills

**My Commission Expires
First Monday in January, 2001**

EXHIBIT "A"

COMMONWEALTH OF PENNSYLVANIA)

ss.

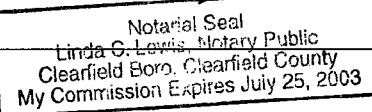
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared WENDY J. CLARK, as Executrix of the Estate of ORVIS E. CLARK, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

Wendy J. Clark
Wendy J. Clark

SWORN and SUBSCRIBED before me this 27th day of November, 2000.

Linda C. Lewis



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

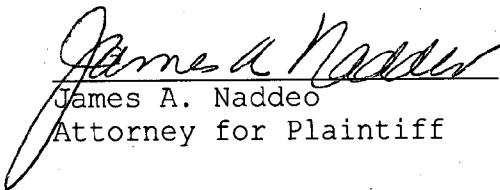
WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiff's Complaint filed in the above-captioned action was served on the following person and in the following manner on the 7th day of December, 2000:

First-Class Mail, Postage Prepaid

F. Cortez Bell, III, Esquire
Bell, Silberblatt & Wood
318 East Locust Street
P. O. Box 670
Clearfield, PA 16830


James A. Naddeo
Attorney for Plaintiff

FILED

DFC 07/2000
1838/C4
William A. Shaw
Prothonotary
JAN
NADDEO

Lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

* No. 00 - 18 - CD

DANIEL I. SANKEY,
an individual,

Defendant.

* Type of Pleading:

* Certificate of Service

* Filed on behalf of:

* Plaintiff

* Counsel of Record for
this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

JAN 15 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Plaintiff's Notice of Default filed in the above-captioned action was served on the following person and in the following manner on the 15th day of January, 2001:

First-Class Mail, Postage Prepaid

Daniel I. Sankey
SCI Pittsburgh
PO Box 99901
Pittsburgh, PA 15233

F. Cortez Bell, III, Esquire
Bell, Silberblatt & Wood
318 East Locust Street
P. O. Box 670
Clearfield, PA 16830


James A. Naddeo
Attorney for Plaintiff

FILED

JAN 15 2001

Q/C 33
William A. Shaw
Prothonotary

cc-atk
Laddie
James A. Naddeo

Lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the : No. 2000-18-CD
Estate of ORVIS E. CLARK, :
Plaintiff :
vs. : Type of Case: Civil
DANIEL I. SANKEY, :
an individual, : Type of Pleading:
Defendant : Answer and New Matter
: to Plaintiff's Complaint
: Filed on Behalf of:
: Daniel I. Sankey
: Counsel of Record for this Party:
: F. Cortez Bell, III, Esquire
: I.D. #30183
: Bell, Silberblatt & Wood
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA 16830
: Telephone: (814)765-5537
:

FILED

JAN 24 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix :
of the Estate of ORVIS E. :
CLARK, :
: Plaintiff :
: Vs. : No. 2000-18-CD
: DANIEL I. SANKEY, :
: Defendant :
:

NOTICE TO PLEAD

TO THE WITHIN PLAINTIFF, WENDY J. CLARK, as Executrix of
the Estate of ORVIS E. CLARK:

You are hereby notified to file a written response to the
enclosed New Matter within twenty (20) days from service hereof or
a judgment may be entered against you.

BELL, SILBERBLATT & WOOD
By,


F. Cortez Bell, III, Esquire
Attorney for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Plaintiff :
:
Vs. : No. 00-18-CD
:
DANIEL I. SANKEY, :
an individual, :
Defendant :
:

ANSWER AND NEW MATTER TO
PLAINTIFF'S COMPLAINT

ANSWER

NOW, comes the Defendant, DANIEL I. SANKEY, by and through his attorney, F. Cortez Bell, III, Esquire, who for the Defendant's Answer to Plaintiff's Complaint respectfully sets forth and avers as follows:

1. Paragraph 1 of the Complaint is admitted.
2. Paragraph 2 of the Complaint is admitted. It would be further averred that the correct name of the Defendants place of incarceration is the Western Diagnostic and Classification Center.

FIRST COUNT

3. Paragraph 3 of the Complaint can be admitted in part and can neither be admitted nor denied in part. It would be admitted that the Decedent in his own right has not brought an action against the Defendant for injuries causing his death nor has the Decedent brought an action for

wrongful death. The Defendant after reasonable investigation is without sufficient knowledge or information to form a belief as to the truth of the balance of the averments set forth within Paragraph 3 of the Plaintiff's Complaint and the same therefore can neither be admitted nor denied. To the extent that such a response constitutes a denial of said averments, strict proof thereof would be demanded at time of trial or hearing in this matter.

4. Paragraph 4 of the Complaint is denied. It would be specifically denied that the Defendant on or about November 4, 1999, proceeded to the home of the Decedent where the Defendant violently, intentionally, recklessly and willfully used a knife to stab the Decedent about various parts of his body. Strict proof of the denied averments of Paragraph 4 of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

5. Paragraph 5 of the Compliant is denied. It would be specifically denied that the Defendant in any fashion committed an assault or battery on the Decedent on or about November 4, 1999, by any of the conduct set forth within Paragraph 4 of the Plaintiff's Complaint as well as it would be specifically denied that any such conduct caused the Decedent to suffer severe injuries which resulted in the Decedents death. Strict proof of the denied averments of Paragraph 5 of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

6. Paragraph 6 of the Complaint is denied. It would be specifically denied that the Defendant in any fashion committed an assault or battery on the Decedent on or about November 4, 1999, as well as it would be specifically denied that any conduct of the Defendant caused the Decedent to suffer great pain or suffering. Strict proof of the denied averments of Paragraph 6 of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

7. Paragraph 7 of the Complaint and each of the subparagraphs A through E

thereunder would be denied. It would be specifically denied that the Defendant in any fashion committed a wrongful act resulting in fatal injuries and/or death of the Decedent as well as it would be specifically denied that any conduct of the Defendant caused the Plaintiff's to suffer any damages associated in regard to support, maintenance, gifts, or services from November 4, 1999 until the expiration of the Decedent's natural life; it would be specifically denied that the Defendant caused the Plaintiff's to suffer any damages associated in regard to loss of inheritance had the Decedent lived to the end of his normal life expectancy; it would be specifically denied that the Defendant caused the Plaintiff's to suffer any damages associated in regard to expenses incident to the administration of the estate of the deceased; it would be specifically denied that the Defendant caused the Plaintiff's to suffer any damages associated in regard to funeral and burial expenses, including grave marker; it would be specifically denied that the Defendant caused the Plaintiff's to suffer any damages associated in regard to parental guidance and any other damages allowable by law. Strict proof of the denied averments of Paragraph 7 and each of the subparagraphs A through E thereunder of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

8. Paragraph 8 of the Complaint is denied. It would be specifically denied that the Defendant did any conduct which was willful and/or malicious such that punitive damages would be allowed by law. Strict proof of the denied averments of Paragraph 8 of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

WHEREFORE the Defendant would respectfully request that the Court deny the claim for damages filed by the Plaintiff, find judgment in favor of the Defendant as to the Plaintiff's Complaint and award the Defendant counsel fees, costs and expenses associated in regard to the defense of the instant matter.

SECOND COUNT

9. Paragraph 9 of the Complaint is an incorporating Paragraph to which no formal response is deemed necessary. Should a formal response may be found to be necessary, the Defendant would specifically deny the averments of Paragraph 9 and strict proof thereof would be demanded at time of trial or hearing in this matter.

10. Paragraph 10 of the Complaint and each of the subparagraph A through D thereunder would be denied. It would be specifically denied that the Defendant did any wrongful acts resulting in either fatal injuries or the death of the Decedent. It would be further specifically denied that any conduct of the Defendant caused the Plaintiffs to suffer any damages related to loss of earnings or earning power of the Decedent now or in the future; it would be further specifically denied that any conduct of the Defendant caused the Plaintiffs to suffer any damages related to pain and suffering; it would be further specifically denied that any conduct of the Defendant caused the Plaintiffs to suffer any damages related to expenses caused by any injuries; it would be further specifically denied that any conduct of the Defendant caused the Plaintiffs to suffer any other damages allowed by law. Strict proof of the denied averments of Paragraph 10 and each of the subparagraphs A through D thereunder of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

WHEREFORE the Defendant would respectfully request that the Court deny the claim for damages filed by the Plaintiff, find judgment in favor of the Defendant as to the Plaintiff's Complaint and award the Defendant counsel fees, costs and expenses associated in regard to the defense of the instant matter.

THIRD COUNT

11. Paragraph 11 of the Complaint is an incorporating Paragraph to which no formal response is deemed necessary. Should a formal response may be found to be necessary, the Defendant would specifically deny the averments of Paragraph 11 and strict proof thereof would be demanded at time of trial or hearing in this matter.

12. Paragraph 12 of the Complaint can be admitted in part and can neither be admitted nor denied in part. It would be admitted that the Decedent in his own right has not brought an action against the Defendant for injuries causing his death nor has the Decedent brought an action for wrongful death. The Defendant after reasonable investigation is without sufficient knowledge or information to form a belief as to the truth of the balance of the averments set forth within Paragraph 12 of the Plaintiff's Complaint and the same therefore can neither be admitted nor denied. To the extent that such a response constitutes a denial of said averments, strict proof thereof would be demanded at time of trial or hearing in this matter.

13. Paragraph 13 of the Complaint is admitted.

14. Paragraph 14 of the Complaint is denied. It would be specifically be denied that a verbal altercation took place between the Decedent and the Defendant before the Defendant was attacked by the Decedent. Strict proof of the denied averments of Paragraph 14 of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

15. Paragraph 15 of the Complaint is denied. It would be specifically be denied that a verbal altercation took place between the Decedent and the Defendant before the Defendant was attacked by the Decedent. It would be specifically denied that any verbal altercation became physical. The Decedent physically attacked the Defendant. Strict proof of the denied averments of Paragraph

15 of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

16. Paragraph 16 of the Complaint is denied. It would be specifically denied that the Defendant was operating under any form of mistaken belief as to the fact that his life was in danger as well as it would be specifically denied that the Defendant used any form of excessive force in any careless, reckless or willful manner to defend himself from the attack of the Decedent. Strict proof of the denied averments of Paragraph 16 of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

17. Paragraph 17 of the Complaint is denied. It would be specifically denied that the Defendant in any fashion committed any of the acts set forth in Paragraph 16 of the Plaintiff's Complaint as well as it would be specifically denied that any such conduct caused the Defendant was done in a negligent, reckless or careless fashion such that the Decedent suffered severe injuries which resulted in the Decedents death. Strict proof of the denied averments of Paragraph 17 of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

18. Paragraph 18 of the Complaint and each of the subparagraph A through E thereunder would be denied. It would be specifically denied that the Defendant did any negligent, reckless or careless acts resulting in either fatal injuries or the death of the Decedent such that the Plaintiff or anyone claiming through the Plaintiff can claim damages. It would be further specifically denied that any conduct of the Defendant caused the Plaintiff's to suffer any damages associated in regard to support, maintenance, gifts, or services from November 4, 1999 until the expiration of the Decedents natural life; it would be specifically denied that the Defendant caused the Plaintiff's to suffer any damages associated in regard to loss of inheritance had the Decedent lived to the end of his normal life expectancy; it would be specifically denied that the Defendant caused the Plaintiff's

to suffer any damages associated in regard to expenses incident to the administration of the estate of the deceased; it would be specifically denied that the Defendant caused the Plaintiff's to suffer any damages associated in regard to funeral and burial expenses, including grave marker; it would be specifically denied that the Defendant caused the Plaintiff's to suffer any damages associated in regard to parental guidance and any other damages allowable by law. Strict proof of the denied averments of Paragraph 18 and each of the subparagraphs A through E thereunder of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

WHEREFORE the Defendant would respectfully request that the Court deny the claim for damages filed by the Plaintiff, find judgment in favor of the Defendant as to the Plaintiffs Complaint and award the Defendant counsel fees, costs and expenses associated in regard to the defense of the instant matter.

FOURTH COUNT

19. Paragraph 19 of the Complaint is an incorporating Paragraph to which no formal response is deemed necessary. Should a formal response may be found to be necessary, the Defendant would specifically deny the averments of Paragraph 19 and strict proof thereof would be demanded at time of trial or hearing in this matter.

20. Paragraph 20 of the Complaint and each of the subparagraph A through D thereunder would be denied. It would be specifically denied that the Defendant did any acts negligently, recklessly or carelessly resulting in either fatal injuries or the death of the Decedent. It would be further specifically denied that any conduct of the Defendant caused the Plaintiffs to suffer any damages related to loss of earnings or earning power of the Decedent now or in the future; it would be further specifically denied that any conduct of the Defendant caused the Plaintiffs to suffer

any damages related to pain and suffering; it would be further specifically denied that any conduct of the Defendant caused the Plaintiffs to suffer any damages related to expenses caused by any injuries; it would be further specifically denied that any conduct of the Defendant caused the Plaintiffs to suffer any other damages allowed by law. Strict proof of the denied averments of Paragraph 20 and each of the subparagraphs A through D thereunder of the Plaintiff's Complaint would be demanded at time of trial or hearing in this matter.

WHEREFORE the Defendant would respectfully request that the Court deny the claim for damages filed by the Plaintiff, find judgment in favor of the Defendant as to the Plaintiff's Complaint and award the Defendant counsel fees, costs and expenses associated in regard to the defense of the instant matter.

NEW MATTER

NOW, comes the Defendant, DANIEL I. SANKEY, by and through his attorney, F. Cortez Bell, III, Esquire, who for the Defendant's New Matter to Plaintiff's Complaint respectfully sets forth and avers as follows:

21. Paragraphs 1 through 20 of the Defendant's Answer to Plaintiff's Complaint would be incorporated herein by reference as if the same were set forth in full at length and made a part hereof.

22. That the Decedent on or about November 4, 1999 produced a knife and attacked the Defendant.

23. That the Defendant at all time on or about November 4, 1999, acted strictly in self defense as to the unjustified, improper and illegal assault and battery upon the Defendant by the

Decedent.

24. That the Decedent as a result of his own conduct on or about November 4, 1999, by producing a knife and attacking, without cause, the Defendant caused the actions of the Defendant in self defense as to the unjustified, improper and illegal assault and battery upon the Defendant by the Decedent.

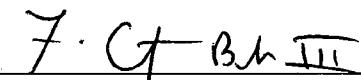
25. That the Decedent as a result of his own conduct on or about November 4, 1999, by producing a knife and attacking, without cause, the Defendant, was himself negligent, reckless and careless thereby resulting and causing injuries to himself from which the Decedent died.

26. That the Decedent as a result of his own conduct on or about November 4, 1999, by producing a knife and attacking, without cause, the Defendant, assumed the risk that his action might result in and cause injuries to himself from which the Decedent died.

WHEREFORE the Defendant would respectfully request that the Court deny the claim for damages filed by the Plaintiff, find judgment in favor of the Defendant as to the Plaintiffs Complaint and award the Defendant counsel fees, costs and expenses associated in regard to the defense of the instant matter.

Respectfully submitted,

BELL, SILBERBLATT & WOOD
By,

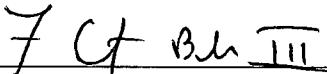

F. Cortez Bell, III, Esquire
Attorney for Defendant

VERIFICATION

I, F. CORTEZ BELL, III, ESQUIRE, verify that the statements made within the foregoing Answer and New Matter to Plaintiff's Complaint are true and correct to the best of my knowledge, information and belief based upon the facts supplied to me by the Defendant herein. I further state that this document has been filed without the signature of the Defendant verifying the same in order to allow the prompt filing of a response to the Plaintiff's Complaint and that the signature of the Defendant will be obtained if required.

This verification is made subject to the penalties of 18 Pa. C.S.A., Section 4904, relating to unsworn falsifications to authorities.

Date: January 24, 2001


F. Cortez Bell, III, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Plaintiff :
:
Vs. : No. 00-18-CD
:
DANIEL I. SANKEY, :
an individual, :
Defendant :
:

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Answer and New Matter to Plaintiff's Complaint upon the following person by mailing such copy first class mail, postage prepaid to:

James A. Naddeo, Esquire
211½ East Locust Street
P.O. Box 552
Clearfield, PA 16830

F. Cortez Bell III
F. Cortez Bell III, Esquire
Attorney for Defendant

Date: January 24, 2001

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
NO: 2000-18-CD

WENDY J. CLARK as Executrix of the
Estate of ORVIS E. CLARK,
Plaintiff

vs.

DANIEL I. SANKEY,
Defendant

ANSWER AND NEW MATTER TO
PLAINTIFF'S COMPLAINT

FILED

JAN 24 2001
2:45 PM
CATHY BELL
William A. Shaw
Prothonotary

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

* No. 00 - 18 - CD

DANIEL I. SANKEY,
an individual,

Defendant.

* Type of Pleading:

* Answer to New Matter

* Filed on behalf of:
* Plaintiff

* Counsel of Record for
* this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

FEB 01 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

ANSWER TO NEW MATTER

NOW COMES, Plaintiffs, WENDY J. CLARK, as Executrix of the Estate of ORVIS E. CLARK, by and through her attorney, James A. Naddeo, Esquire sets forth the following Answer to New Matter.

1. Paragraph 21 is denied and in answer thereto, Plaintiff incorporates allegations 1 through 20 of her Complaint by reference and makes them a part hereof.

2. Paragraph 22 is denied and on the contrary, it is alleged that Decedent did not threaten or attack Defendant in any manner.

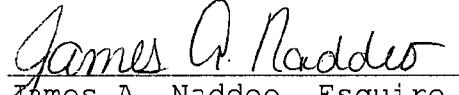
3. Paragraph 23 states a conclusion to which no answer is required. To the extent that an answer may be required, it is alleged that Defendant's attack upon Decedent was not justified and that Decedent did not illegally or otherwise assault and batter the Defendant.

4. Paragraph 24 is denied and on the contrary it is alleged that Decedent did not produce a knife and/or attack the Defendant. In further answer thereto, it is alleged that Defendant's conduct was not in self-defense or justified as the result of an improper or illegal assault and battery.

5. Paragraph 25 is denied and on the contrary it is alleged that Decedent did not produce a knife or attack the Defendant with or without cause.

6. Paragraph 26 is denied and in answer thereto, Plaintiff incorporates her answer to Paragraph 25 of Defendant's New Matter by reference and makes it a part thereof.

WHEREFORE, Plaintiff demands judgment as set forth in her Complaint.



James A. Naddeo, Esquire
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)

ss.

COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared WENDY J. CLARK, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Answer to New Matter are true and correct to the best of her knowledge, information and belief.

Wendy J. Clark
Wendy J. Clark

SWORN and SUBSCRIBED before me this 31st day of January, 2001.

Shannon R. Wisor

Notarial Seal
Shannon R. Wisor, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Aug. 25, 2003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiff's Answer to New Matter filed in the above-captioned action was served on the following person and in the following manner on the 1st day of February, 2001:

First-Class Mail, Postage Prepaid

F. Cortez Bell, III, Esquire
Bell, Silberblatt & Wood
318 East Locust Street
P. O. Box 670
Clearfield, PA 16830

James A. Naddeo
James A. Naddeo
Attorney for Plaintiff

[REDACTED]

FER 01 2001
01/03/01 JCC Atty
James A. Naddeo
Pittsburgh
Get Naddeo

Lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOGUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00-18-CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *
*
*
* Type of Pleading:
*
* Certificate of Service
*
*
* Filed on behalf of:
* Plaintiff
*
* Counsel of Record for
* this party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

AUG 3 2001
013:38/2/catty
William A. Shaw
Notary Public
Naddeo

E
get

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00-18-CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

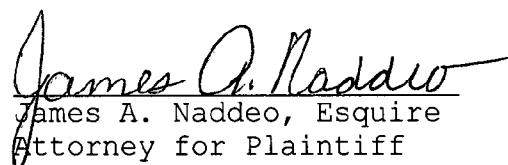
I, James A. Naddeo, Esquire, Attorney for Plaintiff,
Wendy J. Clark, Executrix of the Estate of Orvis E. Clark, do
hereby certify that a true and correct copy of Notice of
Deposition of Daniel I. Sankey in the above matter was served by
first-class mail, postage prepaid, upon the following:

F. Cortez Bell, III, Esquire
Bell, Silberblatt & Wood
318 East Locust Street
PO Box 670
Clearfield, PA 16830

Captain Novak
SCI Greensburg
RD10 Box 10
Route 119 South
Greensburg, PA 15601

Tammy Elias
Sargent's Court Reporting Services Inc.
210 Main Street
Johnstown, PA 15901

Said Notice of Deposition was mailed this 31st day of
August, 2001.


James A. Naddeo, Esquire
Attorney for Plaintiff

——— Lap over margin ———

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 652
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

DANIEL I. SANKEY,
an individual,

Defendant.

*

*

*

*

*

No. 00-18-CD

*

*

*

*

*

Type of Pleading:

*

**PETITION TO WITHDRAW
AS COUNSEL**

*

*

*

Filed on behalf of:

*

Plaintiff

*

*

Counsel of Record for
this party:

*

*

James A. Naddeo, Esq.

*

Pa I.D. 06820

*

211 1/2 E. Locust Street

*

P.O. Box 552

*

Clearfield, PA 16830

*

(814) 765-1601

FILED

MAY 15 2002

**William A. Shaw
Prothonotary**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

AND NOW, this 16th RULE day of May, 2002, upon
consideration of the attached Petition to Withdraw as Counsel, a
Rule is hereby issued upon Defendant to Show Cause why the
Petition to Withdraw as Counsel should not be granted. Rule
Returnable for written response on the 5th of June, 2002.

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH
TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION,
YOU MUST TAKE ACTION BY ENTERING A WRITTEN APPEARANCE PERSONALLY
OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES
OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU. YOU ARE
WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU
AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT
FURTHER NOTICE FOR RELIEF REQUESTED BY THE PETITIONER OR MOVANT.
YOU MAY LOSE 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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Market Street
Clearfield, PA 16830
(814) 765-2641

BY THE COURT

Judge

FILED

MAY 16 2002
01 3:40 PM
William A. Shaw
Prothonotary

2 Cents to Answer

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

PETITION TO WITHDRAW AS COUNSEL

NOW COMES your Petitioner, James A. Naddeo, Esquire,
and sets forth the following:

1. That Plaintiff retained the services of Dwight L. Koerber, Esquire, to pursue a survival and wrongful death action against Defendant, Daniel I. Sankey, as a result of the death of Plaintiff's Decedent, Orvis E. Clark.
2. That subsequently Plaintiff agreed to retain James A. Naddeo, Esquire, to pursue her cause of action.
3. That counsel was employed on a contingent fee basis with the understanding that Plaintiff would post the sum of \$3,000.00 to cover the costs of litigation.
4. That suit was filed by Writ of Summons on January 6, 2000, by your Petitioner who is currently attorney of record for Plaintiff.
5. That subsequent to the issuance of a Summons, your Petitioner pursued Plaintiff's claim by initiating various

proceedings as appear from the document list attached hereto as Exhibit "A".

6. That in addition to the matters listed on Exhibit "A", Petitioner engaged in a multitude of correspondence, attempted to take Defendant's deposition, and generally pursued this litigation in a diligent manner, all of which was complicated by the fact that Defendant is incarcerated for having intentionally caused the death of Plaintiff's Decedent.

7. That during the course of this litigation Plaintiff made it clear on numerous occasions that her goal was to use the instant suit as a means to harass the Defendant.

8. That there currently exists serious philosophical differences between Plaintiff and her counsel as to the purpose of the instant suit.

9. That Plaintiff has evidenced a desire to retain another attorney to represent the interests of the Decedent's Estate.

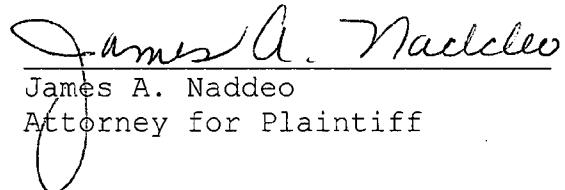
10. That your Petitioner believes it would be in the best interests of the Plaintiff that she find counsel who is more inclined to pursue her goal of harassing Defendant with a civil suit.

11. That your Petitioner has incurred the following expenses to date:

a) William A. Shaw, Prothonotary \$ 80.00

b)	Clearfield County Sheriff	29.33
c)	Sargent's Court Reporting	<u>238.00</u>
	TOTAL	\$347.33

WHEREFORE, Petitioner respectfully requests that the Court enter a rule upon the Plaintiff to show cause why your Petitioner should not be permitted to withdraw as counsel and to show cause why he should not be reimbursed for his out-of-pocket Expenses with the balance of the retainer paid by Plaintiff to be refunded to her.


James A. Naddeo
James A. Naddeo
Attorney for Plaintiff

NUMBER	DATE OF DOCUMENT	NAME OF DOCUMENT
1	1-6-00	Praeceope for Writ
2	1-7-00	Sheriff Return
3	1-17-00	Petition to Enjoin
4	1-19-00	Certificate of Service
5	2-7-00	Answer to Petition to Enjoin Defendant from Transferring Property
6	3-31-00	Order
7	4-10-00	Motion for Reconsideration of Court Order
8		Brief in Support of Plaintiff's Petition to Enjoin Defendant From Transferring Property
9	4-13-00	Rule Returnable (6-1-00)
10	4-18-00	Answer to Petition for Reconsideration
11	8-28-00	Petition to Enforce Settlement
12	8-29-00	Certificate of Service
13	9-18-00	Answer to Petition to Enforce Settlement
14	9-19-00	Praecipe to Discontinue Appeal
15	10-09-00	<i>Petition To</i> Petition To Appoint Conservatorship of the Defendant's Estate
16	12-06-00	Complaint
17	1-15-01	Certificate of Service
18	1-24-01	Answer and New Matter to Plaintiff's Complaint
19	1-31-01	Answer to New Matter / Certificate of Service
20	08-16-01	Petition for a Stay of Preceeding Due to the Discharged of Counsel for His Incompetency and Failing to Communicate With Appellant
21	08-31-01	Notice of Taking Deposition
22	08-31-01	Certificate of Service
23	09-27-01	Motion For Stay of Any And/Or All Proceedings In the Above Captioned Case

FILED

MAY 15 2002
O/OSOL/ath/Naddeo
William A. Shaw
Prothonotary
Eft

lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00-18-CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *
*
*
* Type of Pleading:
*
* **CERTIFICATE OF SERVICE**
*
*
*
* Filed on behalf of:
* Plaintiff
*
* Counsel of Record for
* this party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

AUG 14 2002

013451 NOCC
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

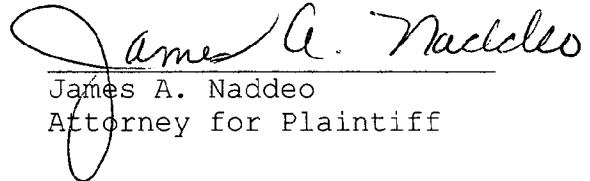
WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Petition to Withdraw as Counsel filed in the above-captioned action was served on the following person and in the following manner on the 17th day of May, 2002:

First-Class Mail, Postage Prepaid

Wendy J. Clark
HC Box 30D
Karthaus, PA 16845



James A. Naddeo
Attorney for Plaintiff

----- lap over margin -----

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

No. 00-18-CD

DANIEL I. SANKEY,
an individual,

Defendant.

Type of Pleading:

**MOTION FOR RULE
ABSOLUTE**

Filed on behalf of:
Plaintiff

Counsel of Record for
this party:

James A. Naddeo, Esq.
Pa I.D. 06820

211 1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

FILED

AUG 15 2002

010451/cb/att/Noobles
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

MOTION FOR RULE ABSOLUTE

AND NOW comes James A. Naddeo, attorney of record for Plaintiff, Wendy J. Clark, and sets forth the following:

1. A Petition for leave to withdraw as counsel for Plaintiff in the above-captioned matter was filed on May 14, 2002.

2. A certified copy of said Petition with Rule returnable for June 5, 2002, was served upon Plaintiff by regular mail on May 17, 2002.

3. That Plaintiff failed to respond to the Rule to Show Cause.

WHEREFORE, Petitioner moves the Court to enter the Order attached to this Motion.

Respectfully submitted,

James A. Naddeo
James A. Naddeo, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

O R D E R

AND NOW this 22nd day of August, 2002, upon Motion of James A. Naddeo, Esquire, attorney of record for Plaintiff in the above-captioned case, and Plaintiff having failed to respond to the Petition for leave to withdraw as counsel by the return date set by this Court. It is the ORDER of this Court that the Rule issued in this matter be made absolute and that James A. Naddeo, Esquire, be granted leave to withdraw as counsel for Plaintiff. It is the further ORDER of this Court that Dwight L. Koerber, Esquire, be relieved from any further responsibility to Plaintiff in respect to the above-captioned litigation. Finally, it is the ORDER of this Court that counsel be permitted to deduct out-of-pocket expenses from the deposit made to them by Plaintiff and that the balance of said deposit be returned forthwith to Plaintiff.

BY THE COURT,

FILED

BA

AUG 22 2002

011501/C/Catty Nuckles
William A. Shaw
Prothonotary

——— lap over margin ———

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

JA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix
Of the Estate of ORVIS E.
CLARK,

Plaintiff,

v.

* No. 00-18-CD

DANIEL I. SANKEY,
an individual,

Defendant.

* Type of Pleading:

* **CERTIFICATE OF SERVICE**

* Filed on behalf of:

* Plaintiff

* Counsel of Record for
this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

AUG 28 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

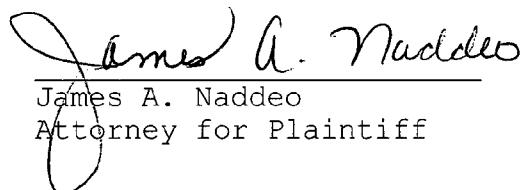
WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Motion for Rule Absolute filed in the above-captioned action was served on the following person and in the following manner on the 27th day of August, 2002:

First-Class Mail, Postage Prepaid

Wendy J. Clark
HC Box 30D
Karthaus, PA 16845



James A. Naddeo
Attorney for Plaintiff

FILED

13 C-81
AUG 28 2002
30

William A. Shaw
Prothonotary

lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00-18-CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

*
*
*
* Type of Pleading:
*
* **PRAECIPE TO WITHDRAW
APPEARANCE**
*
*
* Filed on behalf of:
* Plaintiff
*
* Counsel of Record for
* this party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

SEP 18 2002

William A. Shaw
Prothonotary

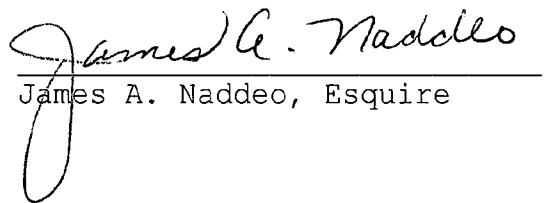
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix *
Of the Estate of ORVIS E. *
CLARK, *
Plaintiff, *
*
v. * No. 00 - 18 - CD
*
DANIEL I. SANKEY, *
an individual, *
Defendant. *

PRAECIPE TO WITHDRAW APPEARANCE

To the Prothonotary:

Please withdraw my appearance on behalf of the Plaintiff in the above-captioned matter as permitted by Court Order dated August 22, 2002.



James A. Naddeo, Esquire

Date: September 18, 2002

FILED
B-13-41-B1
SEP 18 2002
No CC

William A. Shaw
Prothonotary

Lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

(A)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WENDY J. CLARK, as Executrix of : No. 2000-18-CD
: :
the Estate of ORVIS E. CLARK : Type of Case: Civil
: :
Plaintiff, : Type of Pleading:
: Revocation of Conservator
vs. : :
: :
DANIEL I. SANKEY, : :
: :
an individual,

Defendant

Filed by Plaintiff, Pro Se

Daniel I. Sankey

Daniel I. Sankey

Date: September 16th, 2002

FILED

SEP 23 2002

(EWA)

u/l:u/l

William A. Shaw
Prothonotary

I cert to DPA.

REVOCATION OF CONSERVATOR

I, Daniel I. Sankey, executed power of Conservator on 10/06/2002, Whereby I empowered F. Cortez Bell III Esq. To represent me in Court in my absence. Since I was now found Guilty in the Common Pleas Court of Clearfield County, and would soon be sent to Western Diagnostic Center in Pittsburgh, PA.

I did not know the meaning of the word "Conservator", and thought I was just giving Attorney Bell authority to represent me at Reconsideration and Sentencing and to start my Appeal to Superior Court.

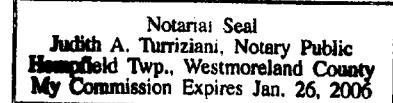
By this instrument, I hereby revoke and make void said appointment of my agent, as appointed in my above noted Conservatorship, and revoke and make void all powers and authorities therein and all other matters, and things therein or in any of them contained, and all acts, matters, and things whatsoever which shall or may be acted, done or performed by means thereof, in any manner whatsoever.

Signed: Daniel I. Sankey
Daniel I. Sankey

Date: 8-15-02

SWORN AND SUBSCRIBED BEFORE ME THIS
15th DAY OF August 2002

Judith A. Turriziani



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, AS EXECUTRIX
OF THE ESTATE OF
ORVIS E. CLARK
PLAINTIFF

vs.
DANIEL I. SANKEY
AN INDIVIDUAL
Defendant

RE No. 00-18-CD
AND ALL OTHER MATTER

AFFIDAVIT

Before me, the undersigned authority, personally appeared DANIEL I SANKEY

Who being duly sworn according to law, deposes and says that he is the petitioner in the foregoing,
CIVIL ACTION
REVOCATION OF CONSERVATOR, and that the facts set forth therein are true and correct to
the best of his knowledge, information and belief.

/s/ Daniel I. Sankey
Petitioner
8-15-2002

SWORN TO AND SUBSCRIBED BEFORE ME

THIS ____ DAY OF _____, 20____. ← SEE SHEET #2

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

AFFIDAVIT

I, Daniel L. Sankey hereby certify that the statements made in this action are true and correct to the best of my knowledge, information and belief.

I understand that false statements are subject to the penalties of perjury pursuant to 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

/s/ Daniel L. Sankey

R.D. #10, Box 10
Greensburg, Pa. 15601

Dated: 9-6-2002
9-16-2002

CERTIFICATE OF SERVICE

I, DANIEL T. SANKEY, petitioner hereby certify that true and

Correct copies of the foregoing Motion/Petition were sent to the Person (s) listed below
by United States First Class Mail on: 8-16, 2002

Re Submitted: 9-6-2002
Re Submitted: 9-16-2002

Clerk of Court/Prothonotary

Clearfield County Courthouse

230 E. Market St.

Clearfield, Pa. 16830

E. Cortez Bell III, Esq.

318 East Locust St.

P.O. Box 670

Clearfield, Pa.
16830

James A. Nadelo, Esq.

21 1/2 East Locust Street

P.O. Box 552

Clearfield, Pa. 16830

BY: Daniel Sankey
(Petitioner)

9-6-2002
9-16-2002

FILED

SEP 23 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, for the Estate :
of ORVUS E. CLARK, :
Plaintiff, :
: :
vs. : Case No. 2000-00018-CD
: :
DANIEL I. SANKEY, :
Defendant. :
:

FILED

JAN 15 2003

MOTION TO DISMISS
RULE TO SHOW CAUSE

William A. Shaw
Prothonotary

AND NOW, comes the Defendant, Daniel I. Sankey, filing Pro-Se, and respectfully moves this Honorable Court to dismiss the within Civil Action, or in the alternative, issue a Rule to Show Cause upon the Plaintiff, Wendy J. Clark as to why the Court should not dismiss the action, the Defendant respectfully represents:

1. On January 19, 2000, the Plaintiff, through counsel, filed a petition to enjoin Defendant from transferring property, for which this court granted.

2. On March 31, 2000, this Court ordered that the Defendant may liquidate assets essential for his criminal defense.

3. On December 7, 2000, the Plaintiff, through counsel, file a civil complaint against the Defendant.

4. To the date of this pleading, no discovery has been exchanged, nor any further action taken in the within civil action.

5. On September 18, 2002, the Defendant received notice from attorney James A Naddeo, who originally represented the Plaintiff, who states that he is no longer the attorney of record, and that the Plaintiff has not obtained alternate counsel.

6. On September 19, 2002, a praeceipe to withdraw appearance on behalf of plaintiff was filed with this court.

WHEREFORE, and for the forgoing reasons, the Defendant moves the Honorable Court to dismiss the within civil action with prejudice, or in the alternative, issue a Rule to Show Cause upon the Plaintiff as to why the court shouldn't dismiss the action.

Respectfully submitted,

Daniel I. Sankey
JUL

Daniel I. Sankey
EL-6018
RD# 10 Box 10
Greensburg, PA 15601

DATE:

Bonnie,

Withdrawal for showing

called 1-20-03-

9:00 AM
thanks!

HL —

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, for the Estate :
of ORVUS E. CLARK, :
Plaintiff, :
:
:
vs. : Case No. 2000-00018-CD
:
:
:
DANIEL I. SANKEY, :
Defendant. :
:

PROOF OF SERVICE

I, Daniel I. Sankey, hereby certify that on this date, a true and correct copy of the foregoing pleading has been served upon the person(s) indicated below, via first class mail, postage paid:

ADDRESSED AS FOLLOWS:

Clerk of Court, Photoengraving
Clearfield County Court House
230 E MARKET ST.
Clearfield, PA. 16830

Judge, John K. Reilly
Clearfield County Court House
230 E MARKET ST.
Clearfield, PA. 16830

BY: Daniel I. Sankey
Daniel I. Sankey, Defendant
EL-6018
RD# 10 Box 10
Greensburg, PA 15601

WINDY Jo CLARK
HC Box 300
KARTHUS, PA.
16845

DATE:

AFFIDAVIT

I, Daniel D. Sankey, hereby certify that the statements made

In this action are true and correct to the best of my knowledge, information and belief.

I understand that false statements are subject to the penalties of perjury, pursuant to
18 Pa. C.S.A. ss; 4904, relating to unsworn falsification to authorities.

/s/ Daniel D. Sankey
EL 6018
R.D.# 10 BOX 10
GREENSBURG, PA 15601

Dated: _____

ASSOCIATE
LINDA C. LEWIS

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
MARINO BUILDING
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

September 18, 2002

TELEPHONE
(814) 765-1601
TELECOPIER
(814) 765-8142

Mr. Daniel I. Sankey, EL-6018
SCI Greensburg
Box 10
Greensburg, PA 15601

RE: Wendy J. Clark, as Executrix of the Estate
of Orvis W. Clark vs. Daniel I. Sankey

Dear Mr. Sankey:

I am no longer attorney of record in the above-captioned case. To my knowledge, Plaintiff has not obtained alternate counsel.

Sincerely,

James A. Naddeo
James A. Naddeo

JAN/jlr

Date: 10/07/2002

Time: 01:37 PM

Page 1 of 1

Clearfield County Court of Common Pleas

User: BILLSHAW

ROA Report

Case: 2000-00018-CD

Current Judge: John K. Reilly Jr.

Wendy J. Clark, Orvis E. Clark vs. Daniel I Sankey

Civil Other

Date	Judge
12/07/2000	Transferred from Docket
	Complaint, filed by s/James A. Naddeo, Esq. 1 cc atty Naddeo.
	Certificate of Service.
01/15/2001	Certificate of Service, Plaintiff's Notice of Default, upon Daniel I. Sankey, F. No Judge Cortez Bell, III, Esq. s/James A. Naddeo, Esq. 2 cc atty Naddeo
01/24/2001	Answer and New Matter to Plaintiff's Complaint. Filed by s/F. Cortez Bell, III, Esq. 5 cc atty Bell
02/01/2001	Answer to New Matter, filed by s/James A. Naddeo, Esq. Verification, s/Wendy J. Clark Cert. of Service 1 cc atty Naddeo
08/31/2001	Certificate of Service, Notice of Deposition of Daniel I. Sankey, upon Parties of Interest. filed by s/James A. Naddeo, Esq. 2 cc Atty Naddeo
05/15/2002	Petition To Withdraw As Counsel Of Behalf of Plaintiff. Filed by s/James A. Naddeo, Esq. 2 cc Atty. Naddeo
05/16/2002	RULE, AND NOW, this 16th day of May, 2002, issued upon the Defendant, John K. Reilly Jr. returnable for Written Response on the 5th of June, 2002. by the Court, s/JKR,JR.,P.J. 2 cc to Atty
08/14/2002	Certificate of Service, Petition to Withdraw as Counsel served upon Wendy John K. Reilly Jr. J. Clark. by the Court, s/James A. Naddeo, Esq. no cc
08/15/2002	Motion For Rule Absolute. filed by s/James A. Naddeo, Esq. 1 cc Atty Naddeo
08/22/2002	ORDER: AND NOW, this 22 day of August, 2002, Attorney Naddeo's Motion to withdraw as counsel for the Plaintiff is granted, also any responsibility of Attorney Koerber be relieved. One CC to Atty. Naddeo
08/28/2002	Certificate of Service, Motion for Rule Absolute upon WENDY J. CLARK. filed by s/James A. Naddeo, Esq. no cc
09/18/2002	Praecipe to Withdraw Appearance filed by James A. Naddeo, Esq. No CC. John K. Reilly Jr.
09/19/2002	Praecipe to Withdraw Appearance on behalf of Plaintiff. No cc. John K. Reilly Jr.
09/23/2002	Revocation of Conservator, filed by Daniel I. Sankey 1 cert. to Defendant. John K. Reilly Jr.

FILED

013:39844
JAN 15 2003

1 cc c/c with original
3 cc Mr. Sankey

WAS
cc William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, FOR THE ESTATE OF
ORVIS E. CLARK, PLAINTIFF,
VS.

DANIEL I. SANKEY DEFENDANT.

CASE NO. 2000-00018-CB

WOOD LIKE TO WITHDRAW MOTION
TO DISMISS RULE TO SHOW CAUSE

Joseph E. Sankey
JOSEPH E. SANKEY
106 KATE ST.
OSCEOLA Mich, P2.
16666
PA. # 814-339-7367

FILED

JAN 21 2003 Env
O/ 1:00pm
William A. Shaw
Prothonotary
No Ctr
copy to 4/n

W. E. Miller, M. D., of the New York City
Medical Department, has been appointed
Secretary of the American Medical Association.

MISSING AND MISCELLANEOUS

FILED

JAN 21 2003

William A. Shaw
Prothonotary

CR

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the : No. 2000-18-CD
Estate of ORVIS E. CLARK, :
Plaintiff :
vs. : Type of Case: Civil
DANIEL I. SANKEY, : Type of Pleading:
an individual, : Petition to Appoint Conservatorship
Defendant : of the Defendant's Estate
: Filed on Behalf of:
: Daniel I. Sankey
: Counsel of Record for this Party:
: F. Cortez Bell, III, Esquire
: I.D. #30183
: Bell, Silberblatt & Wood
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA 16830
: Telephone: (814)765-5537

FILED

OCT 09 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Plaintiff :
:
Vs. : No. 00-18-CD
:
DANIEL I. SANKEY, :
an individual, :
Defendant :
:

PETITION TO APPOINTMENT CONSERVATORSHIP
OF THE DEFENDANT'S ESTATE

NOW comes the Defendant, Daniel I. Sankey, by and through his attorney, F. Cortez Bell, III, Esquire, who for the Defendant's Petition to Appointment Conservatorship of the Defendant's Estate respectfully sets forth and avers as follows:

1. That the Plaintiff, Wendy J. Clark, acting as Executrix of the Estate of Orvis E. Clark, caused suit to be filed against the Defendant by Writ of Summons on January 6, 2000.
2. That the Defendant, Daniel I. Sankey, was served with Summons by the Clearfield County Sheriff's Department on January 7, 2000.
3. That on or about January 17, 2000 the Plaintiff caused to be filed a Petition to Enjoin Defendant from disposing assets with said matter originally commencing with the Court by Rule Returnable and subsequently being the subject of argument and briefing on or about March 7, 2000.
4. That by Order of Court dated March 31, 2000 your Honorable Court issued an Order enjoining the Defendant from disposing of any assets.

5. That a Motion for Reconsideration of said Court Order was filed by counsel for the Defendant on or about April 10, 2000.

6. That as a result of that Motion for Reconsideration having been filed further discussions were had with the Court and counsel for each party by which an agreement was reached that an appeal that had been filed as to the Court's Order to the Superior Court of Pennsylvania was to be withdrawn and a Petition for Conservatorship of the Defendant's Estate was to be filed with your Honorable Court.

7. That the purpose of the conservatorship was such that a listing of the assets of the Defendant would be supplied to the Court as well as counsel for the Defendant would be appointed as conservator of the estate of the Defendant to assure that any assets disposed of by the Defendant would be used solely for the purpose of the defense of the Defendant as to criminal proceedings which were the subject of the matters give rise to the Plaintiff's civil complaint as well as such that any assets could be expended to maintain specifically the real property assets of the Defendant such that the same would not diminish in value during the course of any proceedings as to the criminal or civil matters currently existing before the Court of Common Pleas of Clearfield County.

8. That attached to this Petition for Conservatorship as Exhibit A is a complete listing of all real and personal assets of the Defendant.

9. That the Defendant by executing the verification to this Petition indicates his understanding of the listing of the assets set forth herein, verifying that the same is true and accurate as well as verifies his understanding of the nature of this Petition and that as a result thereof his current counsel, F. Cortez Bell, III, Esquire, would be appointed conservator of the assets of the Defendant as set forth within Exhibit A such that the same could not be disposed of or converted

without prior notice to the Plaintiff and appropriate Court Order subject to the proviso that assets could be used for the defense of the Defendant as to criminal proceedings pending before the Courts of the Commonwealth of Pennsylvania which were the subject of the filing of the Plaintiff's Complaint as well as that sums could be expended, although accounted for, such that any real or personal assets of the Defendant be maintained and not subject to deterioration during the course of the pendency of the criminal and civil proceedings.

WHEREFORE, it is respectfully requested that your Honorable Court appoint the Defendant's attorney, F. Cortez Bell, III, Esquire to act as conservator of the estate, both real and personal of the Defendant, Daniel I. Sankey.

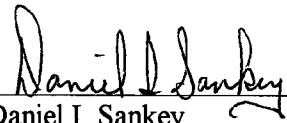
Respectfully submitted,
BELL, SILBERBLATT & WOOD
By,

F. Cortez Bell III
F. Cortez Bell, III, Esquire
Attorney for the Defendant

VERIFICATION

I, Daniel I. Sankey, verify that the statements made within the foregoing Petition to Appointment Conservatorship of Defendant's Estate are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S.A., Section 4904, relating to unsworn falsifications to authorities. I further verify that I understand the nature of the Petition for Conservatorship and that as a result of the same my use of real or personal assets will be enjoined subject to the use of funds as necessary for my defense as to criminal matters before the Courts of the Commonwealth of Pennsylvania as well as the use of such funds as are necessary to maintain those real and personal assets held by me such that the same would not deteriorate.

Date: 10-08-2000



Daniel I. Sankey

EXHIBIT A

Real Estate

Partnership - Daniel Sankey and Tom Wick

91% interest in 87 acres in Morris Township, Clearfield County, Pennsylvania
Map #124-Q10-000-00050 Deed Book Volume 1650, Page 547
(Purchase Price \$18,000.00)

3 lots in Woodward Township, Clearfield County, Pennsylvania
Map #130-M14-384-00022 Deed Book Volume 1649, Page 597
(Purchase Price \$1,600.00)

Lot and trailer in Lawrence Township, Clearfield County, Pennsylvania
Map # 123-J09-269-00124 Deed Book Volume 1649, Page 61
(Purchase Price \$978.47)

Lot and Building in Clearfield Borough, Pennsylvania
Map #K08-205-00015 Deed Book Volume 1667 Page 113
(Former Clearfield Hardware & Building)
(Purchase Price \$25,000.00)

Please note that along with the real estate there obviously are certain receipts from rental of the real estate as well as certain debts associated with regard to mortgage payments, real estate taxes and other expenditures. The Defendant through Powers of Attorney provided to two (2) family members has asked the partner, Tom Wick, for an accounting as to the current status of all partnership assets and liabilities. Requests have been made on several occasions and have not been responded to. There is currently pending before the Clearfield County Court system to term number 2000-1051-CD an action filed by Tom Wick seeking to dissolve the partnership. Thus it is believed that there may be financial assets in the name of the partnership, the amount of which is unknown.

Privately Owned by Daniel Sankey

House and lot in Bellefonte Borough, Centre County, Pennsylvania.
Property address of 730 Bud's Alley, Bellefonte, PA 16823

Vehicles

1993 Chevrolet S-10 Blazer
PA Registration ABH-9445
VIN #1GNCT18W0P0125486

1986 Chevrolet Cavalier
PA Registration BKL-7381
VIN #1G1JCB9P8GJ305466

Both vehicles are currently in the possession of the Pennsylvania State Police as evidence and the condition thereof or the value of the same is currently unknown.

Personal Property

Retirement - The Defendant currently receives the sum of Three Hundred Fifty-four (\$354.00) Dollars which is direct deposited from the Defendant's Employment with the Commonwealth of Pennsylvania.

Checking Account - PA State Employees Credit Union. Balance is a minimal amount. Each month by way of direct deposit the Defendant's retirement from employment with the Commonwealth of Pennsylvania is deposited. (See above).

Miscellaneous items of clothing/furniture/personal effects/tools.

½ interest in partnership personal property such as tools/materials/equipment used by partnership to remodel the various real properties owned by the Defendant and Tom Wick. Current value and location of the same is unknown as Defendant and those who have Power of Attorney do not have any access to the Partnership Properties.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WENDY J. CLARK, as Executrix of the :
Estate of ORVIS E. CLARK, :
Plaintiff :
:
Vs. : No. 00-18-CD
:
DANIEL I. SANKEY, :
an individual, :
Defendant :
:

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Petition to
Appointment Conservatorship of Defendant's Estate upon the following persons by mailing such copy
first class mail, postage prepaid to:

James A. Naddeo, Esquire
211 1/2 East Locust Street
P.O. Box 552
Clearfield, PA 16830

F. Cortez Bell, III

F. Cortez Bell, III, Esquire
Attorney for Defendant

Date: 10 - 9 - 2000

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 2000-18-CD

WENDY J. CLARK, as Executrix of
the Estate of Orvis E. Clark,
Plaintiff

vs.

DANIEL I. SANKEY, an individual,
Defendant

PETITION TO APPOINT CONSERVATORSHIP
OF THE DEFENDANT'S ESTATE

FILED

OCT 09 2000
1229 Scott
William A. Shaw
Prothonotary
Bell

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830