

00-27-CD
COMMONWEALTH OF PENNSYLVANIA -vs- TINA PRISTAS

①

**IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, 46TH JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
CIVIL ACTION - LAW**

**COMMONWEALTH
OF PENNSYLVANIA**

vs.

TINA PRISTAS,
532 Chestnut Avenue
P.O. Box 281
DuBois, PA 15801

Defendant.

No. 00-27. CD

**APPEAL FROM DRIVER'S
LICENSE SUSPENSION**

Type of Pleading:
**PETITION FOR APPEAL FROM
THE ORDER OF THE
DIRECTOR OF THE BUREAU
OF DRIVER LICENSING
SUSPENDING OPERATING
PRIVILEGES**

Filed on Behalf of: **DEFENDANT**

Pro Se:
TINA M. PRISTAS
532 Chestnut Avenue
P.O. Box 281
DuBois, PA 15801

FILED

JAN 10 2000

William A. Shaw
Prothonotary

**IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, 46TH JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
CIVIL ACTION - LAW**

**COMMONWEALTH
OF PENNSYLVANIA**

vs.

TINA PRISTAS,
532 Chestnut Avenue
P.O. Box 281
DuBois, PA 15801

Defendant.

No. 00-27-00

**PETITION FOR APPEAL FROM THE
ORDER OF THE DIRECTOR OF THE BUREAU OF DRIVER LICENSING
SUSPENDING OPERATING PRIVILEGES**

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

The Petition of Tina Pristas, Pro Se, respectfully represents that:

1. Petitioner's residence is 532 Chestnut Avenue, P.O. Box 281, DuBois, Pennsylvania 15801.
2. She is duly licensed to operate motor vehicles in the Commonwealth of Pennsylvania, Operator's License No. 19741696.
3. December 2, 1999, the Director of the Bureau of Driver Licensing, Pennsylvania Department of Transportation, suspended Petitioner's operating privileges effective January 13, 2000, under authority of §1786(d) of the Motor Vehicle Code as indicated on the attached notice which is labeled Exhibit "A".
4. Petitioner has filed an Appeal of the Summary Conviction at the District Justice to the Court of Common Pleas of Fayette County, Pennsylvania, a copy of which is attached hereto, incorporated herein by reference and labeled Exhibit "B".
5. Petitioner was not the registered owner of the vehicle on June 9, 1999, the date of the citation.

WHEREFORE, Petitioner respectfully prays that this Appeal be allowed and that a hearing de novo be granted to determine whether your Petitioner is subject to suspension of her operating privileges pending the Summary Appeal to the Honorable Court of Common Pleas of Fayette County, and that this Appeal act as a supersedeas pending hearing, and that upon conclusion thereof, the Order of the Director of Bureau of Driver Licensing be vacated and the appeal sustained.

Date: 1/7/00

Tina Pristas
Tina Pristas, Pro Se

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, 46TH JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
CIVIL ACTION - LAW

COMMONWEALTH
OF PENNSYLVANIA

vs.

No.

TINA PRISTAS,
532 Chestnut Avenue
P.O. Box 281
DuBois, PA 15801

Defendant.

VERIFICATION

I, Tina Pristas, do hereby verify that the averments made in the within
Petition for Appeal are true and correct to the best of my knowledge, information and
belief. I understand that false statements herein are made subject to the penalties of 18 Pa.
C.S. § 4904 relating to Unsworn Falsification to Authorities.

DATE: 1/7/00

Tina Pristas
Tina Pristas

**IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, 46TH JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
CIVIL ACTION - LAW**

**COMMONWEALTH
OF PENNSYLVANIA**

vs.

TINA PRISTAS,
532 Chestnut Avenue
P.O. Box 281
DuBois, PA 15801

Defendant.

No.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Petition for Appeal from Driver's License Suspension filed in the above-entitled action was served on the following via First-Class, Certified Mail, return receipt requested to the following on the date set forth below.

Pennsylvania Department of Transportation
Office of Chief Counsel
Third Floor, Riverfront Office Center
Harrisburg, PA 17104-2516

DATE: 1/10/00

Tina Pristas
Tina Pristas, Pro Se

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Harrisburg, PA 17123
DECEMBER 09, 1999

TINA PRISTAS
532 CHESTNUT AVE
PO BOX 281
DU BOIS PA 15801

993369283204676 001
12/02/1999
19741696
06/07/1961

Dear Motorist:

Your driving privilege is scheduled to be suspended on 01/13/2000, because you failed to produce proof of financial responsibility on 06/09/1999, the date of your traffic offense.

1. Your driving privilege will be suspended for three months effective 01/13/2000 at 12:01 A.M. as authorized by Section 1786(d) of the Vehicle Code.

Please see the enclosed application for restoration fee information.

2. You will be required to return any current driver's license or learner's permit and/or temporary drivers license (camera card) in your possession.

3. You will be required to provide the Department with proof that all motor vehicles registered in your name are covered by a motor vehicle liability insurance policy or by a program of self-insurance approved by the Department.

You will not be permitted to operate a motor vehicle until you have been advised in writing by this Bureau that your privilege has been reinstated.

If you do not comply with this notice, this Bureau will refer this matter to the Pennsylvania State Police for prosecution under Section 1571 (A) of the Vehicle Code.

EFFECTIVE DATE OF SUSPENSION: 01/13/2000 12:01 A.M.

In order to comply with this sanction you are required to return any current driver's license, learner's permit and/or temporary driver's license (camera card) in your possession no later than the effective date listed. If you cannot comply with the requirements stated above, you are required to submit a DL16LC Form or a sworn affidavit stating that you are aware of the sanction against your driving privilege. Failure to comply with this notice shall result in this Bureau referring this matter to the Pennsylvania State Police for prosecution under SECTION 1571(a)(4) of the Vehicle Code.

Although the law mandates that your driving privilege is under suspension even if you do not surrender your license, Credit will not begin until all current driver's license product(s), the DL16LC Form, or a letter acknowledging your sanction is received in this Bureau.

WHEN THE DEPARTMENT RECEIVES YOUR LICENSE OR ACKNOWLEDGEMENT, WE WILL SEND YOU A RECEIPT. IF YOU DO NOT RECEIVE THIS RECEIPT WITHIN 15 DAYS CONTACT THE DEPARTMENT IMMEDIATELY. OTHERWISE, YOU WILL NOT BE GIVEN CREDIT TOWARD SERVING THIS SANCTION.

APPEAL

You have the right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the mail date of this letter, DECEMBER 09, 1999. If you file an appeal in the County Court, the Court will give you a time-stamped certified copy of the appeal. Send this time-stamped certified copy of the appeal by certified mail to:

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
OFFICE OF CHIEF COUNSEL
THIRD FLOOR, RIVERFRONT OFFICE CENTER
HARRISBURG, PA. 17104-2516

993369283204676

Sincerely,

Rebecca L. Bickley

Rebecca L. Bickley, Director
Bureau of Driver Licensing

SEND FEE/LICENSE/DL-16LC/TO:
Department of Transportation
Bureau of Driver Licensing
P.O. Box 68693
Harrisburg, PA 17106-8693

INFORMATION (7:00 AM TO 9:00 PM)
IN STATE 1-800-932-4600
OUT-OF-STATE 717-391-6190
TDD IN STATE 1-800-228-0676
TDD OUT-OF-STATE 717-391-6191



IN THE COURT OF COMMON PLEAS, COUNTY OF

1609 SD of 1999

Notice of Appeal from Summary Criminal Conviction

Name and Address of Defendant:

TINA KRISTAS
P.O. Box 281
DuBois, PA ZIP 15801

Date: 12-15-97

Issuing Authority Docket No. TR 0000621-97

Citation No. A-9120593-1

Magisterial District No. 14-2-3

Appeal from sentence of

Date of Sentence: 11/12/97 Offense(s) of which convicted 15-21142338

Name and mailing address of affiant as shown on citation

or complaint OFFICER Ronald J. Martino
P.O. Box 509
Perryopolis, PA 15473

If sentence includes fine and costs, amount of which paid:

Type or amount of bail furnished to issuing authority, if any:

Name and address of issuing authority:

District Judge Richard L. Bickel
RD #1, Box 106
Perryopolis, PA ZIP 15473
Phone 717/123-8040

Name and address of Attorney for Defendant:

(signature) [Signature]
(print name) T. J. [Name]
(street) [Address] Phone [Number]
(address) [Address] ZIP [Code]

ATTORNEY IDENTIFICATION NO.

NOTICE TO DEFENDANT:

If your appeal is from a motor vehicle conviction other than parking, have the clerk of courts certify this copy and mail to the following address:

Bureau of Traffic Safety Operations
Room 308
Transportation and Safety Building
Harrisburg, Pennsylvania 17123

I hereby certify that an appeal has been filed in the above captioned matter.

DEC 17 11 18 AM '99

FILED

[Signature]

CLERK OF COURTS

FILED

JAN 10 2000

01/11/39/09. Pd.

William R. Shaw

Prothonotary \$780.00

CASE TO CLP

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

COMMONWEALTH OF
PENNSYLVANIA

vs.

TINA PRISTAS

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: No. 00-27-CD
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ORDER

AND NOW, this 13th day of January, 2000, upon
consideration of the foregoing Petition for Appeal from the Order of the Director of
the Bureau of Licensing, Department of Transportation, revoking operating privileges
of Tina Pristas, and on Motion of the Defendant, a hearing De Novo is granted to
determine whether the Petitioner is subject to suspension of her operating privileges.
The Court Administrator's Office is directed to schedule the matter for hearing on the
next available License Suspension Appeal hearing date.

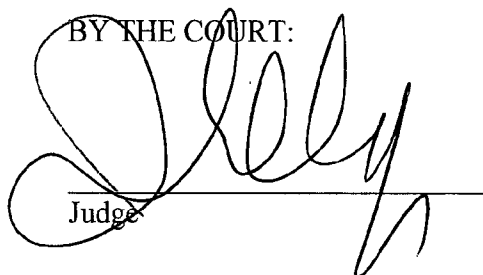
This Appeal shall act as a Supersedeas of the Suspension Order.

FILED

JAN 13 2000

William A. Shaw
Prothonotary

BY THE COURT:



Judge

FILED

JAN 13 2000
03:02 PM
William A. Shaw
Prothonotary

Pristas

[Signature]

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CP

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, 46TH JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF
PENNSYLVANIA

Plaintiff

v.

TINA M. PRISTAS

Defendant

No: 00-27-C.D.

Type of Case: CIVIL

Type of Pleading:
MOTION FOR CONTINUANCE

Filed on Behalf of:
Defendant

Counsel of Record for this Party:

Tina M. Pristas, Esquire
P.O. Box 281
DuBois, PA 15801

(814) 849-2828

Supreme Court ID No: 50322

FILED

APR 07 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, 46TH JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF
PENNSYLVANIA

Plaintiff

v.

TINA M. PRISTAS

Defendant

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)

No: 00-27-C.D.

Type of Case: CIVIL

MOTION FOR CONTINUANCE

AND NOW, comes the Defendant/Petitioner, Tina M. Pristas, Esquire, and files the following Motion For Continuance and in support of this Motion, Defendant/Petitioner avers the following:

1. A hearing on Defendant's Driver's License Suspension Appeal is scheduled for April 10, 2000, before this Honorable Court.
2. The hearing regarding the underlying vehicle code violation has not yet been conducted.
3. William Kuhar, Esquire, attorney for the Commonwealth of Pennsylvania, consents to this request for continuance.

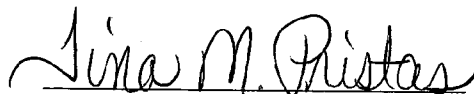
WHEREFORE, Petitioner requests this Court to grant a continuance of this matter until a hearing can be held on the vehicle code violation charge.

FILED

APR 07 2000

William A. Shaw
Prothonotary

Respectfully Submitted,



Tina M. Pristas, Esquire

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, 46TH JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF
PENNSYLVANIA

Plaintiff

v.

TINA M. PRISTAS

Defendant

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No: 00-27-C.D.

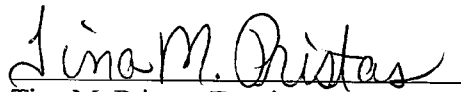
Type of Case: CIVIL

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Motion for Continuance in the above-entitled action was served on the following via First-Class, United States Mail, postage prepaid, and via fax on the date set forth below unless otherwise indicated:

William Kuhar, Esquire
1209 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
FAX Number 412/565-7778

DATE: 4-6-00


Tina M. Pristas, Esquire

FILED

APR 07 2000

William A. Shaw

Prothonotary

McCally Pisto

[Signature]

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

COMMONWEALTH OF
PENNSYLVANIA

vs.

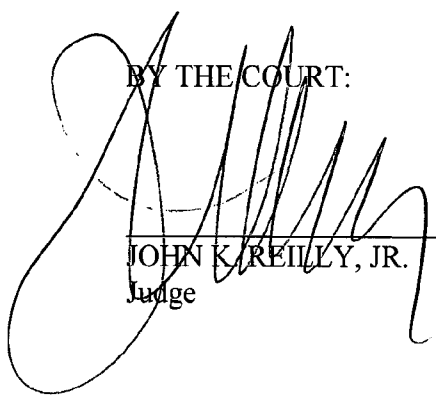
TINA PRISTAS

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: No. 00-27-CD
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ORDER

AND NOW, this 16th day of April, 2000, upon
consideration of the foregoing Motion for Continuance, it is hereby Ordered that the
within case be and is continued. The Court Administrator's Office is directed to schedule
the matter for hearing on the next available License Suspension Appeal hearing date.

BY THE COURT:



JOHN K. REILLY, JR.
Judge

FILED

APR 11 2000

William A. Shaw
Prothonotary

FILED

U.S. DISTRICT COURT
SOUTHERD DISTRICT OF NEW YORK
WILLIAM A. SHAW
PROSECUTOR
ATTORNEY AT LAW
NEW YORK, N.Y.

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

COMMONWEALTH OF PENNSYLVANIA:

-vs-

: No. 00 - 27 - CD

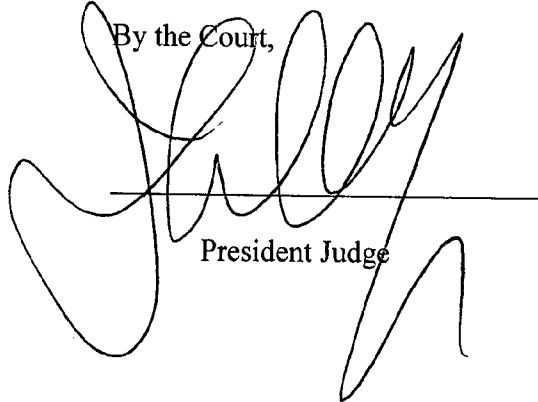
TINA PRISTAS

:

ORDER

NOW, this 28th day of August, 2000, this appeal by the Petitioner, Tina Prista, from a three-month suspension of her privilege to operate a vehicle in Pennsylvania pursuant to Section 1786(d) of the Vehicle Code is, with the consent of the Department of Transportation, remanded to the Department to rescind the appealed three-month operating privilege suspension and delete the reported conviction for violating Section 1786(f) of the Vehicle Code on June 9, 1999, from the Petitioner's driving record.

By the Court,

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be the name of the President Judge.

President Judge

FILED

AUG 29 2000

William A. Shaw
Prothonotary

FILED

Shaw AUG 29 2000
018-531 cc atty kuhn
William A. Shaw
Prothonotary
cc atty Pristas