

00-165-CD
COMMONWEALTH OF PA., DEPT OF TRANSPORTATION -vs- GARY JOHN CROYLE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

③ COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION,
Plaintiff

VS.

④ GARY JOHN CROYLE

Defendant

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* No. 00- 165-C.D

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* TYPE OF CASE:
CIVIL Division

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FILED

FEB 10 2000

01/30/00

William A. Shaw

Cathy Thompson

Prothonotary

PD \$80.00

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

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Plaintiff

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No. 00-165 CD

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GARY JOHN CROYLE

Defendant

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FILED

2/1/00
FEB 1 2000

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

William A. Shaw
Prothonotary

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served a true and correct copy, certified, time-stamped copy of the **APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES**, in the above captioned matter on the following by depositing the same in the U.S. First Class Mail, Certified, Return-Receipt Requested, postage prepaid, addressed as follows:

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

DATE: 2-10-00

BY:


David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA, *
DEPARTMENT OF TRANSPORTATION, *
* No. 00-165-CD
PLAINTIFF *
* TYPE OF PLEADING:
* Affidavit of Service
V *
* FILED ON BEHALF OF:
* GARY JOHN CROYLE
* DEFENDANT
*
* COUNSEL OF RECORD FOR THIS
* PARTY:
*
* David R. Thompson, Esquire
* P.O. Box 587
* Philipsburg, PA 16866
* (814) 342-4100
* I.D. No. 73053

FILED

FEB 23 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA,	*
DEPARTMENT OF TRANSPORTATION,	*
	*
PLAINTIFF	*
	*
V	*
	*
GARY JOHN CROYLE,	*
	*
DEFENDANT	*

AFFIDAVIT OF SERVICE

I, DAVID R. THOMPSON, Esquire, hereby certify that I have caused to be served upon PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, A certified copy of the APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES, in the above captioned matter. I served the same by depositing in the U.S. Mail, postage prepaid, certified mail, return receipt requested, addressed as follows:

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
OFFICE OF CHIEF COUNSEL
Third Floor, Riverfront Office Center
Harrisburg, PA 17104-2516



David R. Thompson, Esquire
Attorney for Defendant

Is your RETURN ADDRESS completed on the reverse side?

SENDER: <ul style="list-style-type: none">■ Complete items 1 and/or 2 for additional services.■ Complete items 3, 4a, and 4b.■ Print your name and address on the reverse of this form so that we can return this card to you.■ Attach this form to the front of the mailpiece, or on the back if space does not permit.■ Write "Return Receipt Requested" on the mailpiece below the article number.■ The Return Receipt will show to whom the article was delivered and the date delivered.		<p>I also wish to receive the following services (for an extra fee):</p> <p>1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.</p>
3. Article Addressed to: <i>Pennsylvania Department of Transportation Office of Chief Counsel Third Floor, Riverfront Office Center Harrisburg, PA 17104-2516</i>	4a. Article Number <i>Z 365 029 040</i>	
5. Received By: (Print Name) <i>Scott A. Klayton</i>	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
6. Signature: (Addressee or Agent) <i>X</i>	7. Date of Delivery <i>FEB 16 2000</i>	
8. Addressee's Address (Only if requested and fee is paid)		

Thank you for using Return Receipt Service.



- Print your name, address, and ZIP Code in this box •

David R. Thompson, Attorney at Law
P.O. Box 587
308 Walton St., Suite 4
Phillipsburg, PA 16866

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION,
Plaintiff

*
* No. 00- 145-CD
*
*

vs.

GARY JOHN CROYLE

Defendant

*
* TYPE OF CASE:
* CIVIL Division
*
*

*
* TYPE OF PLEADING:
* Appeal From Suspension
* of Operating Privileges
*
*

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* FILED ON BEHALF OF:
* Defendant
*
*

*
* COUNSEL OF RECORD FOR
* THIS PARTY:
* David R. Thompson, Esquire
* Attorney at Law
* Supreme Court I.D. 73053
* 308 Walton Street, Suite 4
* P.O. Box 587
* Philipsburg PA 16866
* (814) 342-4100
*

FILED

FEB 10 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA	*
DEPARTMENT OF TRANSPORTATION	* No. 00-
VS.	*
	*
GARY JOHN CROYLE	* APPEAL FROM SUSPENSION
	* OF OPERATING PRIVILEGES
	*

***PETITION FOR APPEAL FROM
SUSPENSION OF OPERATING PRIVILEGES***

TO THE HONORABLE JUDGES OF THE COURT:

AND NOW, comes the Defendant Gary John Croyle by and through his attorney David R. Thompson, Esquire, upon a Petition for Appeal from Suspension of Operating Privileges, whereof the following is a statement:

1. Petitioner is Gary John Croyle whose address is RD 1 Box 245-B, West Decatur, Clearfield County, Pennsylvania, 16878.
2. By Official Notice from the Director of the Bureau of Driver Licensing, Department of Transportation, Commonwealth of Pennsylvania, a true and correct copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, Petitioner was informed that his operating privileges would be suspended for a period of one (1) year, effective February 23, 2000, as a result of an alleged violation of Section 1371 of the Motor Vehicle Code.
3. Petitioner believes and therefore avers that the suspension of his operating privileges by the Department of Transportation, Commonwealth of Pennsylvania, is improper and without legal basis for the following reasons:

- a. Petitioner was not informed that his license would be suspended for his offense.
- b. The offense of which the Petitioner was convicted is not substantially similar to Section 3731 of the Motor Vehicle Code which is required under Sections 1532B of the Vehicle Code.

WHEREFORE, Petitioner prays that this Honorable Court enter an Order fixing the time and place of a hearing to determine whether the operating privileges of Petition should be suspended or the suspension should be set aside as improper and invalid.

Respectfully submitted,



David R. Thompson, Esquire
Attorney for Defendant

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Harrisburg, PA 17123
JANUARY 19, 2000

GARY JOHN CROYLE	000126102781747 001
R D 1 BOX 245-B	01/12/2000
WEST DECATUR PA 16878	19190818
	03/10/1961

Dear Motorist:

Section 1581 of the Vehicle Code requires the Department to treat certain out of state convictions as though they had occurred in Pennsylvania. Therefore, as a result of the Department receiving notification from MAINE of your conviction on 11/09/1999 of an offense which occurred on 11/07/1999, which is equivalent to a violation of Section 3731 of the Pa. Vehicle Code, DRIVING UNDER INFLUENCE, your driving privilege is being SUSPENDED for a period of 1 YEAR(S), as mandated by Section 1532B of the Vehicle Code.

The effective date of suspension is 02/23/2000, 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.

000126102781747

Please see the enclosed application for restoration fee information.

You will be notified of any outstanding restoration requirements approximately 30 days before the eligibility date of the restoration of your driving privilege. You must follow those instructions very carefully in order to have your driving privilege restored.

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, JANUARY 19, 2000. 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

Sincerely,

Rebecca L. Bickley

Rebecca L. Bickley, Director
Bureau of Driver Licensing

SEND FEE/LICENSE/DL-16LC/T0:
Department of Transportation
Bureau of Driver Licensing
P.O. Box 68693
Harrisburg, PA 17106-8693

INFROMATION (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

FILED

FEB 10 2000

01/30/00
William A. Shaw
Prothonotary

City of Smyrna
P.D. \$80.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Plaintiff

*
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* No. 00-145 CD

vs.

GARY JOHN CROYLE

Defendant

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FILED

FEB 10 2000

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

William A. Shaw
Prothonotary

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served a true and correct copy, certified, time-stamped copy of the **APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES**, in the above captioned matter on the following by depositing the same in the U.S. First Class Mail, Certified, Return-Receipt Requested, postage prepaid, addressed as follows:

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

DATE: 2-10-00

BY: 

David R. Thompson, Esquire

FILED

FEB 10 2000
O'Halloran
William A. Shaw
Prothonotary

Se-11-8

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

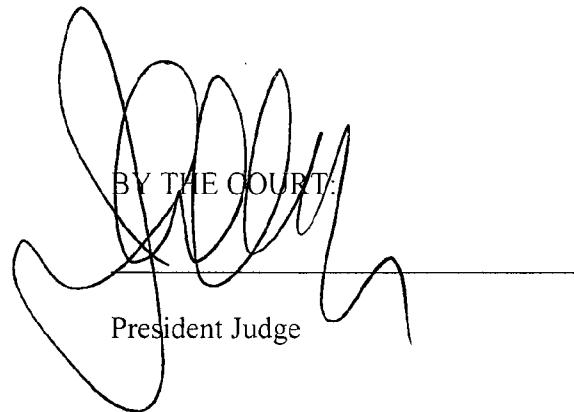
COMMONWEALTH :

VS : NO. 00-165-CD

GARY JOHN CROYLE :

O R D E R

NOW, this 28th day of August, 2000, this being the date set for license suspension appeal hearing, GARY JOHN CROYLE is given Ten (10) Days from this date to supply the Court with documentation from the State of Maine indicating the date of surrender of his Pennsylvania operator's license and the date operating privileges were restored. If such documentation is satisfactory, credit will be given for suspension time served in Maine.



BY THE COURT:
President Judge

FILED

AUG 29 2000

William A. Shaw
Prothonotary

FILED

1000
AUG 29 2000
O/S 57/1/c atty kuhne
William A. Shaw
Prothonotary
/cc atty Thompson

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

112
COMMONWEALTH OF PENNSYLVANIA:

144
-vs- : No. 00-165-CD

GARY JOHN CROYLE :

ORDER

NOW, this 8th day of September, 2000, following hearing into the above-captioned appeal from license suspension, it is the ORDER of this Court that said appeal be and is hereby sustained to the extent that said license suspension shall be effective as of November 11, 1999. In all other respects, said appeal shall be and is hereby dismissed.

By the Court,

President Judge

FILED

SFP 08 2000

William A. Shaw
Prothonotary

FILED

SEP 08 2000
O/A 48/1CC
William A. Shaw
Prothonotary

D. Thompson, Esquire
~~Prothonotary~~
1CC Atty Kuhar - Com. & Pa.