

00-290-CD
COMMONWEALTH OF PENNSYLVANIA -vs- DANIEL L. HUBLER

①
CLEARFIELD, PENNSYLVANIA 16830
211 1/2 EAST LOCUST ST. P.O. BOX 552
ATTORNEY AT LAW
CHRIS A. PENNZ
Fold Here

FILED
CIRCUIT COURT
MAR 07 2000
William A. Shaw
Prothonotary
8:00 a.m. 5/4
SAC/CD/PAT

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

(12) COMMONWEALTH OF PENNSYLVANIA

vs.

No. 00-290-CD

(21) DANIEL L. HUBLER,
Defendant

Type of Case: Civil

Type of Pleading: Appeal From Suspension of Operator's License

Filed on Behalf of: Defendant

Counsel of Record for This Party: Chris A. Pentz, Esquire
211½ East Locust Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-4000
Supreme Court #39232

FILED

MAR 07 2000

William A. Shaw
Prothonotary

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

COMMONWEALTH OF PENNSYLVANIA *

vs *

No.

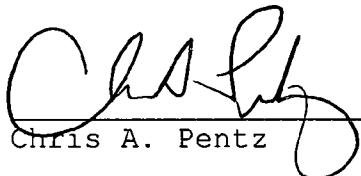
DANIEL L. HUBLER,
Defendant *

APPEAL FROM SUSPENSION OF OPERATOR'S LICENSE

1. The Petitioner is DANIEL L. HUBLER, who resides at R. D. # 1 Box 73-A, Olanta, Pennsylvania 16863.
2. The Petitioner has been issued Pennsylvania Driver's License Number 24573485 .
3. By letter dated February 22, 2000, the Petitioner was advised that his driving privileges were being suspended for a period of ninety (90) days as a result of a violation of Section 6308 of the Crimes Code: OFFENSES RELATED TO ALCOHOL for a violation which occurred on 03/07/94.
4. The Petitioner believes the suspension is improper due to the length of time from the underlying offense.
5. This Petition is filed pursuant to Section 1550 of the Pennsylvania Motor Vehicle Code.

WHEREFORE, Petitioner respectfully requests Your Honorable Court to enter an Order setting aside the Suspension.

Respectfully submitted this 6 day of Mar., 2000.


Chris A. Pentz

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

COMMONWEALTH OF PENNSYLVANIA *

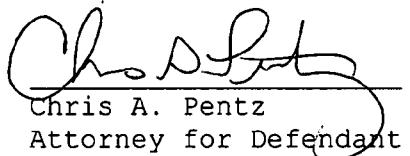
vs

No.

DANIEL L. HUBLER,
Defendant

AFFIDAVIT

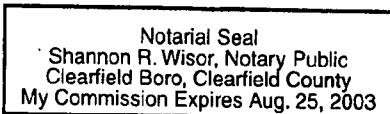
CHRIS A. PENTZ, ESQUIRE, being duly sworn (affirmed) according to law, deposes and says that he is the agent of the Defendant, that said DANIEL L. HUBLER cannot make the verification to the foregoing Appeal from License Suspension because he is outside the court's jurisdiction and his verification cannot be obtained within the time allowed for filing, and that the facts set forth in the foregoing Appeal are true and correct upon his personal knowledge, information and belief.


Chris A. Pentz
Attorney for Defendant

IN WITNESS THEREOF, I herein set my hand and
official seal.



My commission expires:



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Harrisburg, PA 17123
FEBRUARY 22, 2000

DANIEL LUTHER HUBLER
RD 1 BOX 73-A
OLANTA PA 16863

000466114825422 001
02/15/2000
24573485
10/17/1975

Dear MR. HUBLER:

As a result of your violation on 03/07/1994 of violating Section 6308 (offenses related to alcohol), your driving privilege is being SUSPENDED for a period of 90 DAY(S) as mandated by section 63104 of the crimes code.

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.

The effective date of suspension is 03/28/2000, 12:01 a.m.

Please see the enclosed application for restoration fee information.

000466114825422

You have the right to appeal the Department's action to the Court of Common Pleas (Civil Division) within 30 days of the mail date (FEBRUARY 22, 2000) of this notice. PLEASE NOTE that this Civil Appeal is in addition to any appeal you have to file from the criminal conviction.

THE APPEAL MUST BE SENT BY CERTIFIED MAIL TO:

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

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

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

CHRIS A. BENTZ
ATTORNEY AT LAW
211 1/2 EAST LOCUST ST. P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

Fold Here

013341 NOCC
CHRIS A. BENTZ

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

COMMONWEALTH OF PENNSYLVANIA *

VS *

* No. 00-290-CD

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* Type of Case: Civil

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DANIEL L. HUBLER,
Defendant

* Type of Pleading: Certificate of

* Service

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* Filed on behalf of: Defendant

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* Counsel of Record for this Party:

* CHRIS A. PENTZ, ESQUIRE

*

* Supreme Court I.D. # 39232

* 211 1/2 East Locust Street

* P. O. Box 552

* Clearfield PA 16830

* 814 765-4000

FILED

(MAR 17 2000

William A. Shaw
Prothonotary

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ice of Chief Counsel

sylvania Dept. of Transportation

rd Floor, Riverfront Office Cent

risburg PA 17104

2. Article Number (Copy from service label)

P 463 862 502

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature


Jeff Q. Klause

Agent

D. Is delivery address different from item 1?
If YES, enter delivery address below:

Yes

No

3. Service Type

Certified Mail

Express Mail

Return Receipt for Merchandise

Registered Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

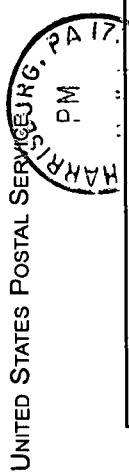
Yes

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

Hubler



• Sender: Please print your name, address, and ZIP+4 in this box.

Chris A. Pentz, Esquire

P. O. Box 552
Clearfield PA 16830

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

COMMONWEALTH OF PENNSYLVANIA

vs

No. 00-290-CD

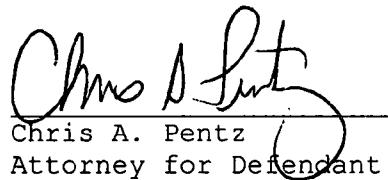
DANIEL L. HUBLER,
Defendant

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Appeal
from Suspension of Operator's License was served upon the
following:

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

Service was made the 13th day of March, 2000 by certified mail,
postage prepaid, with Article P 463 862 502 attached hereto.


Chris A. Pentz
Attorney for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

12
COMMONWEALTH OF PENNSYLVANIA:

21
-vs- : No. 00-290-CD

DANIEL L. HUBLER :
1

ORDER

NOW, this 5th day of September, 2000, following hearing into the above-captioned appeal from suspension of operator's license, it is the ORDER of this Court that said appeal be and is hereby dismissed.

By the Court,

President Judge

FILED

SEP 05 2000

613-451-145
William A. Shaw
Prothonotary

LENT TO PERIOD

2 LENT PER PERIOD OF TIME

CKS

(3)