

00-423-CD
JASON DAVID KOUCHER -vs- COMMONWEALTH OF PA, DEPT OF TRANSPORTATION

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

JASON DAVID KOUGHER
Plaintiff

vs.


COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Defendant

* NO. 2000-423-CD
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ORDER

NOW, this 11th day of March, 2013, upon the Court's review of the record, with the Court noting that on March 7, 2013 a Praecept for Discontinuance was filed by Attorney Matthew B. Taladay, the Court considers this case concluded. The Prothonotary shall code the case in Full Court as Z-TFWDA.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

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MAR 1 2013
William A. Shaw
Prothonotary/Clerk of Courts

①
CA

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

JASON DAVID KOUGHER,
Appellant

Vs.

COMMONWEALTH OF PA,
DEPARTMENT OF TRANSPORTA-
TION,

Appellee

CIVIL DIVISION

No. 00-423-CO

Type of Pleading:
**NOTICE OF APPEAL FROM
OPERATOR'S LICENSE
SUSPENSION**

Filed on Behalf of:
APPELLANT

Counsel of Record for this Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

FILED

APR 10 2000

William A. Shaw
Prothonotary

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

JASON DAVID KOUGHER,
Appellant

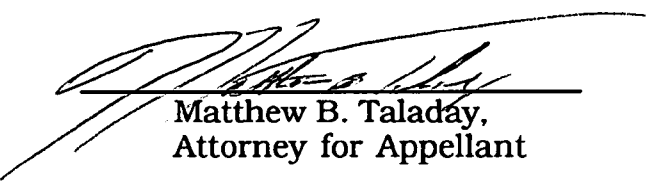
Vs.

No. _____ - 2000 C.D.

COMMONWEALTH OF PA,
DEPARTMENT OF TRANSPORTA-
TION,
Appellee

**NOTICE OF APPEAL FROM OPERATOR'S
LICENSE SUSPENSION**

NOTICE IS HEREBY GIVEN, pursuant to 42 Pa.C.S.
§933(a)(1)(ii), that Jason David Kouger appeals the suspension of his
Pennsylvania operator's privileges, license number 25055659, said
suspension dated March 20, 2000, which is effective May 1, 2000, and
hereby invokes the automatic stay provision of 75 Pa.C.S. §1550.


Matthew B. Taladay,
Attorney for Appellant

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Harrisburg, PA 17123
MARCH 27, 2000

JASON DAVID KOUGHER
113 WASSON AVE
DU BOIS PA 15801

000806117020451 001
03/20/2000
25055659
11/18/1979

Dear MR. KOUGHER:

As a result of your violation on 04/18/1999 of violating Section 6308 (offenses related to alcohol), your driving privilege is being SUSPENDED for a period of 1 YEAR(S) as mandated by section 1532D of the vehicle 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 05/01/2000, 12:01 a.m.

Please see the enclosed application for restoration fee information.

EXHIBIT "A"

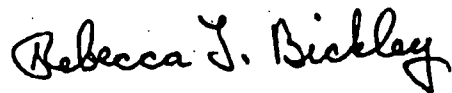
000806117020451

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 (MARCH 27, 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, 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

APPLICATION FOR
RESTORATION

000-00

25055659111879

25.00

PAY THIS AMOUNT

BY CHECK OR MONEY ORDER

PAYABLE TO: "PA. DEPT. OF TRANSPORTATION"

02505565910002500

DO NOT SEND CASH

JASON DAVID KOUGHER
113 WASSON AVE
DU BOIS PA 15801

SEE BACK FOR STATE OF PENNSYLVANIA

FILED

APR 10 2000
m19:251 a114 Taladay
William A. Shaw
Prothonotary

1cc a114 Taladay
1cc GA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

JASON DAVID KOUGHER,
Appellant

vs.

COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT
OF TRANSPORTATION,
Appellee

CIVIL DIVISION

No. 00-423-CD

Type of Pleading:

AFFIDAVIT OF SERVICE

Filed on Behalf of:
APPELLANT

Counsel of Record for this Party:
Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

FILED

APR 24 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

JASON DAVID KOUGHER,
Appellant

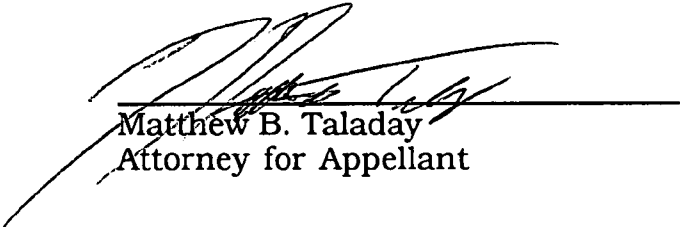
vs.

No. 00-423-CD

COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT
OF TRANSPORTATION,
Appellee

AFFIDAVIT OF SERVICE

I hereby affirm that on April 18, 2000, Notice of Appeal of License Suspension and Order for Hearing were served on the PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, Office of Chief Counsel, Third Floor, Riverfront Office Center, Harrisburg, Pennsylvania, 17104, by Certified Mail No. Z 516 032 028. Return Receipt card is attached hereto as Exhibit "A".


Matthew B. Taladay
Attorney for Appellant

Sworn to and subscribed before
me this 20th day of April,
2000.


Notary Public

Notarial Seal
Eleanor Haky, Notary Public
DuBois, Clearfield County
My Commission Expires Mar. 24, 2004

Member, Pennsylvania Association of Notaries

Is your RETURN ADDRESS completed on the reverse side?	SENDER: <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery	
	3. Article Addressed to: DEPT OF TRANSPORTATION OFFICE OF CHIEF COUNSEL THIRD FLOOR RIVERFRONT OFFICE CENTER HARRISBURG PA 17104 Commonwealth of Pennsylvania Department of Transportation		4a. Article Number Z 516 032 028	
	5. Received By: (Print Name) APR 18 2000		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) APR 18 2000 KONGHEE		7. Date of Delivery APR 17 2000	
	8. Addressee's Address (Only if requested and fee is paid)		Thank you for using Return Receipt Service.	

PS Form 3811, December 1994
 OFFICE OF CHIEF COUNSEL

102595-99-B-0223 Domestic Return Receipt

EXHIBIT "A"

JUNE 02 1992

FILED

for
APR 24 2000
m/s: 30/urs
William A. Shaw
Prothonotary
No c/c

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CA

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers St.
P. O. Box 487
DuBois, PA 15801
(814) 371-7768

FILED

AUG 23 2000
013:10 hrs
William A. Shaw
Prothonotary
1 Court To NYC

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

COMMONWEALTH OF
PENNSYLVANIA,

-vs-

JASON DAVID KOUGHHER,
Defendant

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No. 00-423-CD

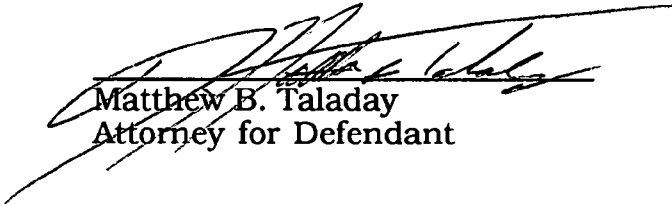
MOTION FOR CONTINUANCE

AND NOW, comes the Petitioner, James David Kougher, by his attorneys, Hanak, Guido and Talday, and hereby moves the Court for continuance as follows:

1. The above referenced matter is an appeal from license suspension appeal order imposed by this Commonwealth, Department of Transportation, arising out of an ARD adjudication which occurred in Potter County.
2. The license suspension is an unintended collateral consequence of the Potter County action.
3. The District Attorney of Potter County has agreed to amendment of the plea and sentence.
4. A continuance of the within appeal is necessary to accommodate the Potter County Court proceedings modifying the plea and sentence.
5. Your undersigned Counsel has spoken with Attorney William Kuhar who represents the Commonwealth of Pennsylvania,

Department of Transportation, in this matter. Attorney Kuhar has no objection to the continuance.

WHEREFORE, it is respectfully requested that this matter be continued until the next available hearing date.



Matthew B. Taladay
Attorney for Defendant

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

COMMONWEALTH OF
PENNSYLVANIA,

-vs-

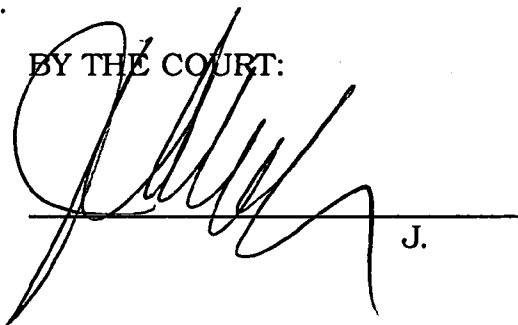
JASON DAVID KOUGHAR,
Defendant

No. 00-423-CD

ORDER

AND NOW, this 23rd day of August, 2000,
upon request of the Defendant, the above referenced License
Suspension Appeal Hearing is hereby continued. The Court
Administrator will schedule hearing in this matter for the next
available appropriate hearing date.

BY THE COURT:



J.

FILED

AUG 23 2000

William A. Shaw
Prothonotary

FILED

AUG 23 2000

William A. Shaw
Prothonotary

CA

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

COMMONWEALTH OF
PENNSYLVANIA,

-vs-

JASON DAVID KOUGHER,
Defendant

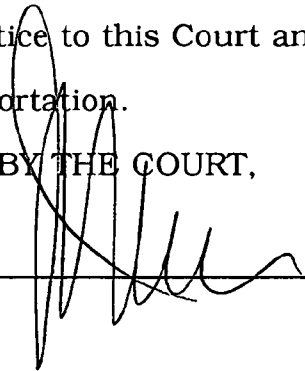
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No. 00-423-CD

ORDER OF COURT

AND NOW, this 3rd of ~~June~~^{July}, 2001, it is the order of this Court that the license suspension imposed following hearing of June 26, 2001, shall be delayed for a period of sixty (60) days. The order of this Court imposing license suspension upon the Appellant, Jason David Kougher, shall be rescinded upon withdrawal of the underlying charge of violation of 18 Pa. C.S.A. §6308 in the Potter County Court of Common Pleas upon satisfactory notice to this Court and to the Pennsylvania Department of Transportation.

BY THE COURT,




P.J.

FILED

JUL 03 2001

07/11/35/2cc atty
William A. Shaw
Prothonotary

Taladay


IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON DAVID KOUGHER,
Petitioner

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION,
Respondent

CIVIL DIVISION

No. 2000-00423-CD

Type of Pleading:

**Praecipe for
Discontinuance**

Filed on behalf of:

PETITIONER,
JASON DAVID KOUGHER

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
I.D. No. 49663
Hanak, Guido and
Taladay
528 Liberty Boulevard
P. O. Box 487
DuBois, PA 15801

814-371-7768

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FILED No
010:2481 CC
MAR 07 2013
William A. Shaw
Prothonotary/Clerk of Courts

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

JASON DAVID KOUGHER,
Petitioner

vs.

No. 2000-00423-CD

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION,
Respondent

PRAECIPE FOR DISCONTINUANCE

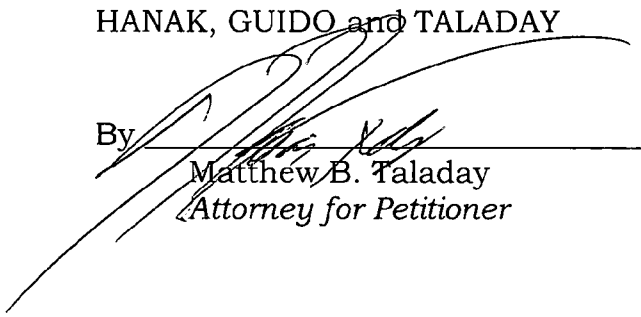
TO THE PROTHONOTARY:

Kindly mark the above referenced case settled, ended and
discontinued.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By


Matthew B. Taladay
Attorney for Petitioner

FILED

MAR 07 2013

William A. Shaw
Prothonotary/Clerk of Courts