

00-734-CD
JOSEPH C. CARLIN -vs- MELISSA A. KOVACIK et al

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 00-734-CD

①

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT	MAG. DIST. NO. OR NAME OF D.J.		
Melissa A. Kovacik and Jeffrey Kovacik	James L Hawkins		
ADDRESS OF APPELLANT	CITY	STATE	ZIP CODE
116 South 4th St. Clearfield		Pa	16830
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff) (Defendant)		
5/25/00	Joseph C. Carlin	vs. Melissa A. Kovacik and Jeffrey Kovacik	
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CV 19 LT 0000092-00	Melissa A. Kovacik		

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Joseph C. Carlin, appellee(s), to file a complaint in this appeal
(Name of appellee(s))

(Common Pleas No. 00-734-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Melissa A. Kovacik
(Signature of appellant or his attorney or agent)

RULE: To Joseph C. Carlin, appellee(s)
(Name of appellee(s))

(814)765-4144

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: JUN 20, 2000

Calla
(Signature of Prothonotary or Deputy)

FILED

JUN 20 2000
1/21/00 (wax)
William A. Shaw PD
Prothonotary SC
PA DEPT.

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 19_____.

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19_____.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-04

DJ Name: Hon.

JAMES L. HAWKINS
Address: **430 SPRING STREET**
P.O. BOX 362
HOUTZDALE, PA

Telephone: **(814) 378-7160** 16651-0362

MELISSA A. KOVACIK
823 ELIZA ST.
HOUTZDALE, PA 16651

**NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE**

PLAINTIFF: **CARLIN, JOSEPH C** NAME and ADDRESS

BOX 67
HOUTZDALE, PA 16651

VS.

DEFENDANT: **KOVACIK, MELISSA A. ET AL.** NAME and ADDRESS
823 ELIZA ST.
HOUTZDALE, PA 16651

Docket No.: **LT-0000092-00**
Date Filed: **5/11/00**



00-734-C0

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: **CARLIN, JOSEPH C**

Judgment was entered against **KOVACIK, MELISSA A** in a

Landlord/Tenant action in the amount of \$ **737.00** on **5/25/00** (Date of Judgment)
The amount of rent per month, as established by the District Justice, is \$ **500.00**.

The total amount of the Security Deposit is \$ **500.00**

	Total Amount Established by DJ	Less Security Deposit Applied	= Adjudicated Amount
Rent in Arrears	\$ 625.00	-\$.00	\$ 625.00
Physical Damages Leasehold Property	\$.00	-\$.00	\$.00
Damages/Unjust Detention	\$.00	-\$.00	\$.00
	Less Amt Due Defendant from Cross Complaint	-\$.00	\$.00
	Interest (if provided by lease)	\$.00	\$.00
	L/T Judgment Amount	\$ 625.00	\$ 625.00
	Judgment Costs	\$ 112.00	\$ 112.00
	Attorney Fees	\$.00	\$.00
<input checked="" type="checkbox"/> Possession granted.	Total Judgment	\$ 737.00	
	Post Judgment Credits	\$.00	
	Post Judgment Costs	\$.00	
	Certified Judgment Total	\$ 737.00	

Possession granted if money judgment is not satisfied by time of eviction.

Possession not granted.

Defendants are jointly and severally liable.

Levy is stayed for _____ days or generally stayed.

Objection to Levy has been filed and hearing will be held:

Date:	Place:
Time:	

IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

IF A PARTY WISHES TO APPEAL ONLY THE MONEY PORTION OF A JUDGMENT INVOLVING A RESIDENTIAL LEASE, THE PARTY HAS 30 DAYS AFTER THE DATE OF ENTRY OF JUDGMENT IN WHICH TO FILE A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION.

THE PARTY FILING AN APPEAL MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THE NOTICE OF APPEAL.

5/25/00 Date *[Signature]*, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date *[Signature]*, District Justice

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-04

DJ Name: Hon.

JAMES L. HAWKINS
Address: **430 SPRING STREET**
P.O. BOX 362
HOUTZDALE, PA
Telephone: **(814) 378-7160**

16651-0362

MELISSA A. KOVACIK
823 ELIZA ST.
HOUTZDALE, PA 16651

**NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE**

PLAINTIFF: NAME and ADDRESS

CARLIN, JOSEPH C
BOX 67
HOUTZDALE, PA 16651

DEFENDANT: NAME and ADDRESS

KOVACIK, MELISSA A, ET AL.
823 ELIZA ST.
HOUTZDALE, PA 16651

Docket No.: **LT-0000092-00**
Date Filed: **5/11/00**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **CARLIN, JOSEPH C**

Judgment was entered against **KOVACIK, JEFFERY** in a

Landlord/Tenant action in the amount of \$ **737.00** on **5/25/00**. (Date of Judgment)
The amount of rent per month, as established by the District Justice, is \$ **500.00**.

The total amount of the Security Deposit is \$ **500.00**

	Total Amount Established by DJ	Less Security Deposit Applied	= Adjudicated Amount
Rent in Arrears	\$ 625.00	-\$.00	= \$ 625.00
Physical Damages Leasehold Property	\$.00	-\$.00	= \$.00
Damages/Unjust Detention	\$.00	-\$.00	= \$.00
	Less Amt Due Defendant from Cross Complaint	-\$.00	
	Interest (if provided by lease)	\$.00	
	L/T Judgment Amount	\$ 625.00	
	Judgment Costs	\$ 112.00	
	Attorney Fees	\$.00	
<input checked="" type="checkbox"/> Possession granted.	Total Judgment	\$ 737.00	
	Post Judgment Credits	\$.00	
	Post Judgment Costs	\$.00	
	Certified Judgment Total	\$.00	

<input type="checkbox"/>	Possession granted if money judgment is not satisfied by time of eviction.
<input type="checkbox"/>	Possession not granted.
<input type="checkbox"/>	Levy is stayed for _____ days or <input type="checkbox"/> generally stayed.
<input type="checkbox"/>	Objection to Levy has been filed and hearing will be held:

Date:	Place:
Time:	

IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

IF A PARTY WISHES TO APPEAL ONLY THE MONEY PORTION OF A JUDGMENT INVOLVING A RESIDENTIAL LEASE, THE PARTY HAS 30 DAYS AFTER THE DATE OF ENTRY OF JUDGMENT IN WHICH TO FILE A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION.

THE PARTY FILING AN APPEAL MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THE NOTICE OF APPEAL.

5/25/00 Date  , District Justice

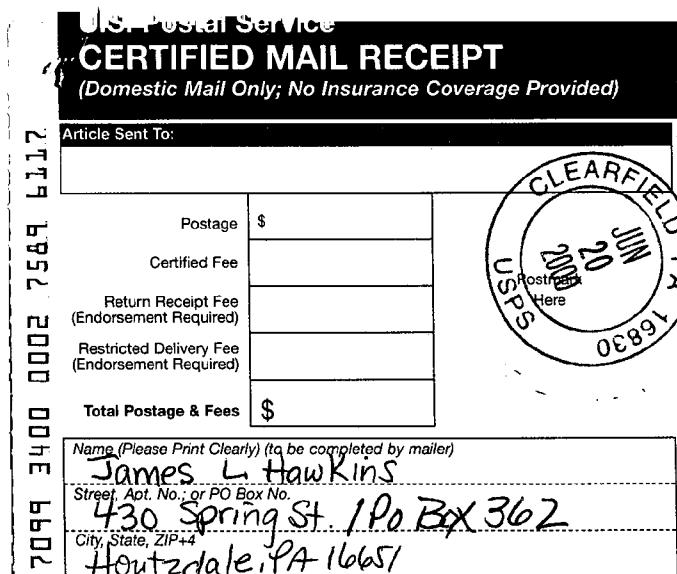
I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date  , District Justice

My commission expires first Monday of January, 2006.

AOPC 315A-99

SEAL



Certified Mail Provides:

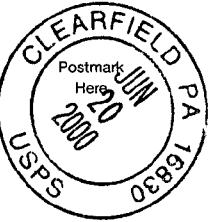
- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:		
Postage	\$	
Certified Fee	\$	
Return Receipt Fee (Endorsement Required)	\$	
Restricted Delivery Fee (Endorsement Required)	\$	
Total Postage & Fees	\$	

Name (Please Print Clearly) (to be completed by mailer)
Joseph C. Carlin

Street, Apt. No.; or P.O. Box No.
Box 67

City, State, ZIP+4
Houtzdale, Pa 16651

PS Form 2800, July 1991

01900 01900 01900 01900 01900 01900 01900 01900 01900

00230 00230 00230 00230 00230 00230 00230 00230 00230

27010 27010 27010 27010 27010 27010 27010 27010 27010

6170 6170 6170 6170 6170 6170 6170 6170 6170

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

HT-2j'

00-734-CD

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Clearfield :ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No 00-734-CD upon the District Justice designated therein on (date of service) June 20, 192000, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) Joseph C. Carlin on June 20, 192000 by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on June 20, 192000, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS 21st DAY OF June, 192000

Melissa A Kovack

Signature of affiant

Signature of official before whom affidavit was made

Title of official

WILLIAM A. SHAW

Prothonotary

My commission expires My Commission Expires, 192002
1st Monday in Jan. 2002
Clearfield Co. Clearfield, PA.

FILED

SEARCHED
INDEXED
SERIALIZED
FILED
JUN 21 2000
192000
William A. Shaw
Prothonotary

JUN 21 2000

192000

William A. Shaw

Prothonotary

NO CERT COPIES

EWS

192000

192000

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-04

DJ Name: Hon.

JAMES L. HAWKINS
Address: **430 SPRING STREET**
P.O. BOX 362
HOUTZDALE, PA

Telephone: (814) 378-7160

16651-0362

JAMES L. HAWKINS
430 SPRING STREET
P.O. BOX 362
HOUTZDALE, PA 16651-0362

3
**NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE**

PLAINTIFF: NAME and ADDRESS

CARLIN, JOSEPH C
BOX 67
HOUTZDALE, PA 16651

VS.
DEFENDANT: NAME and ADDRESS

KOVACIK, MELISSA A, ET AL.
823 ELIZA ST.
HOUTZDALE, PA 16651

Docket No.: **LT-0000092-00**
Date Filed: **5/11/00**



THIS IS TO NOTIFY YOU THAT:

Judgment:

Judgment was entered for: (Name) **CARLIN, JOSEPH C** **00-734 CO**

Judgment was entered against **KOVACIK, MELISSA A** in a

Landlord/Tenant action in the amount of \$ **737.00** on **5/25/00**. (Date of Judgment)
The amount of rent per month, as established by the District Justice, is \$ **500.00**.

The total amount of the Security Deposit is \$ **500.00**

	Total Amount Established by DJ	Less Security Deposit Applied	= Adjudicated Amount
Rent in Arrears	\$ 625.00	-\$.00	\$ 625.00
Physical Damages Leasehold Property	\$.00	-\$.00	\$.00
Damages/Unjust Detention	\$.00	-\$.00	\$.00
	Less Amt Due Defendant from Cross Complaint	-\$.00	\$.00
	Interest (if provided by lease)	\$.00	\$.00
	L/T Judgment Amount	\$ 625.00	\$ 625.00
	Judgment Costs	\$ 112.00	\$ 112.00
	Attorney Fees	\$.00	\$.00
<input checked="" type="checkbox"/> Possession granted.	Total Judgment	\$ 737.00	
	Post Judgment Credits	\$.00	
	Post Judgment Costs	\$.00	
	Certified Judgment Total	\$ 737.00	

Possession granted if money judgment is not satisfied by time of eviction.

Possession not granted.

Levy is stayed for _____ days or generally stayed.

Objection to Levy has been filed and hearing will be held:

Defendants are jointly and severally liable.

FILED

JUN 23 2000

m/10:35 am
William A. Shaw
Prothonotary
283

Date:	Place:
Time:	

IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

IF A PARTY WISHES TO APPEAL ONLY THE MONEY PORTION OF A JUDGMENT INVOLVING A RESIDENTIAL LEASE, THE PARTY HAS 30 DAYS AFTER THE DATE OF ENTRY OF JUDGMENT IN WHICH TO FILE A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION.

THE PARTY FILING AN APPEAL MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THE NOTICE OF APPEAL.

5/25/00 Date _____, District Justice

I certify that this is a true and correct copy of the record or the proceedings containing the judgment.

6-22-00 Date _____, District Justice

My commission expires first Monday of January, 2006.

ADPC 315A-99

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-04

DJ Name: Hon.

JAMES L. HAWKINS
Address: **430 SPRING STREET**
P.O. BOX 362
HOUTZDALE, PA
Telephone: **(814) 378-7160**

16651-0362

JAMES L. HAWKINS
430 SPRING STREET
P.O. BOX 362
HOUTZDALE, PA 16651-0362

**NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE**

PLAINTIFF: **CARLIN, JOSEPH C** NAME and ADDRESS

BOX 67
HOUTZDALE, PA 16651

VS.

DEFENDANT: **KOVACIK, MELISSA A, ET AL.** NAME and ADDRESS
823 ELIZA ST.
HOUTZDALE, PA 16651

Docket No.: **LT-0000092-00**
Date Filed: **5/11/00**



THIS IS TO NOTIFY YOU THAT:

Judgment:

Judgment was entered for: (Name) **CARLIN, JOSEPH C**

Judgment was entered against **KOVACIK, JEFFERY** in a

Landlord/Tenant action in the amount of \$ **737.00** on **5/25/00**. (Date of Judgment)
The amount of rent per month, as established by the District Justice, is \$ **500.00**.

The total amount of the Security Deposit is \$ **500.00**

Rent in Arrears	Total Amount Established by DJ	Less Security Deposit Applied	= Adjudicated Amount
Physical Damages Leasehold Property	\$ 625.00	\$.00	\$ 625.00
Damages/Unjust Detention	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
Less Amt Due Defendant from Cross Complaint			
Interest (if provided by lease)			\$.00
L/T Judgment Amount			\$ 625.00
Judgment Costs			\$ 112.00
Attorney Fees			\$.00
Total Judgment			\$ 737.00
Post Judgment Credits			
Post Judgment Costs			
Certified Judgment Total			\$ 737.00

Attachment Prohibited/
Victim of Abuse (Act 5, 1996)

This case dismissed without prejudice.

Possession granted.

Possession granted if money judgment is not satisfied by time of eviction.

Possession not granted.

Levy is stayed for _____ days or generally stayed.

Objection to Levy has been filed and hearing will be held:

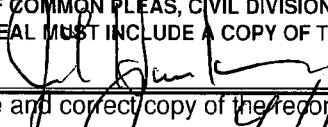
Defendants are jointly and severally liable.

Date:	Place:
Time:	

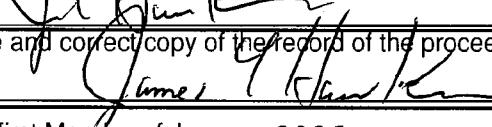
IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

IF A PARTY WISHES TO APPEAL ONLY THE MONEY PORTION OF A JUDGMENT INVOLVING A RESIDENTIAL LEASE, THE PARTY HAS 30 DAYS AFTER THE DATE OF ENTRY OF JUDGMENT IN WHICH TO FILE A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION.

THE PARTY FILING AN APPEAL MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THE NOTICE OF APPEAL.

5/25/00 Date  , District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

6-22-00 Date  , District Justice

My commission expires first Monday of January, 2006.

AOPC 315A-99

SEAL

#00-734-CD

(4)

00734CD

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ 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. 		<p>A. Received by (Please Print Clearly) <u>James L. Hawkins</u> B. Date of Delivery <u>6-21-00</u></p> <p>C. Signature <u>James L. Hawkins</u> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
1. Article Addressed to:		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
2. Article Number (Copy from service label)			

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

104 James L. Hawkins
430 Spring St.
P.O. Box 362
Houtzdale, PA 16651

Domestic Returns

Melissa A. Kovacek
6/26/00

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ 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. 		<p>A. Received by (Please Print Clearly) <u>6-22-00</u> B. Date of Delivery <u>6-22-00</u></p> <p>C. Signature <u>Joseph C. Carlin</u> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
1. Article Addressed to:		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
2. Article Number (Copy from service label)			

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

FILED

JUN 26 2000
9/1/2000
William A. Shaw
Prothonotary
W.C.

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

JOSEPH C. CARLIN
Plaintiff

*
* NO. 00-734-CD

vs.

* CIVIL ACTION

MELISSA A. KOVACIK and
JEFFREY A. KOVACIK
Defendants

*
* COMPLAINT FOR RENT,
* COSTS AND ATTORNEYS FEES

Code: Civil

Filed on behalf of:
Plaintiff

JOSEPH C. CARLIN

Counsel of Record for this
party:

TIMOTHY E. DURANT, ESQ.
Pa. I. D. No. 21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

FILED

JUL - 7 2000

William A. Shaw
Prothonotary

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

JOSEPH C. CARLIN
Plaintiff

*
*
*
*
*
*
*
*

vs.

No. 00-734-CD

MELISSA A. KOVACIK and
JEFFREY A. KOVACIK
Defendants

*
*
*
*

NOTICE TO DEFEND

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 and for any other claims 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 Courthouse
Second and Market Streets
Clearfield, PA 16830
(814) 765-2641, Ext. 5982

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

JOSEPH C. CARLIN

Plaintiff

*

*

*

*

VS.

No. 00-734-CD

*

*

MELISSA A. KOVACIK and
JEFFREY A. KOVACIK

Defendants

*

*

COMPLAINT FOR RENT, COSTS AND ATTORNEYS FEES

1. The Plaintiff, JOSEPH C. CARLIN, is an adult individual - whose mailing address is P.O. Box 67, Houtzdale, PA 16651.

2. The Defendants, MELISSA A. KOVACIK and JEFFREY A. KOVACIK, are husband and wife, adult individuals, who presently reside at 116 South 4th Street, Clearfield, PA 16830.

3. Plaintiff owns the premises situate in the borough of Houtzdale known as 823 Eliza Street. Said premises is more fully described as "First" in a deed from Stephanna Carlin, dated December 10, 1996 and recorded in the Clearfield Recorder's Office in Deeds and Records Book Volume 1809 at page 390 on December 13, 1996, which deed is incorporated herein by reference as if set out in full.

4. On September 1, 1999, Plaintiff, entered into a written 19 month residential Lease (hereinafter "Lease") with Defendants for the premises situate at 823 Eliza Street, Houtzdale, PA. A

(5)

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1711

copy of the "Lease" is attached hereto as Exhibit "A" and incorporated herewith as if set out in full.

5. The relevant provisions of the lease were as follows:

- a. Rent \$500.00 each month, payable in advance;
- b. Tenants responsible to pay for cable, electricity, water, sewer, refuse collection, weekly lawn maintenance and snow and leaf removal;
- c. The term of the lease was from September 1, 1999 through and including March 31, 2001;
- d. Tenants paid a security deposit of \$500.00;
- e. Rent not timely paid incurred a late charge of \$5.00 per day;

6. The Lease was signed by Joseph C. Carlin and also by Defendant, Melissa A. Kovacik acting then and there, expressly, impliedly or by operation of law, on behalf of both herself and her husband, Defendant Jeffrey A. Kovacik both of whom lived in the premises and obtained the benefit of the lease.

7. All payments due between September 1, 1999 and April 1, 2000 were paid.

8. On April 28, 2000 Plaintiff informed Defendants that he would be inspecting the premises, as allowed under the terms of the Lease. The inspection for purposes of determining what repairs or maintenance may be necessary was scheduled for April 30, 2000.

9. On or about April 30, 2000 defendants refused plaintiff and his agents entry into the subject premises and informed him that they would be vacating the premises by May 30, 2000.

10. On May 1, 2000 defendants failed to pay the rent reserved and due and no further payment has been made by Defendants or by anyone on their behalf since that time.

11. On May 11, 2000 plaintiff filed an action against the defendants before District Justice James L. Hawkins for rent in arrears and possession of the premises.

12. At hearing before District Justice Hawkins on May 25, 2000 defendants failed to appear or defend and a judgment was awarded against them for;

- A. possession of the premises,
- B. \$500.00 for rent due and payable,
- C. \$125.00 for late fees, and
- D. \$112.00 for court costs.

13. On or about May 30, 2000 defendants vacated the subject premises.

14. Failing to pay rent on May 1, 2000 and on the following months constitutes a breach of the terms of the lease.

15. The fair rental value of the premises is not less than \$500.00 per month, payable in advance.

16. Defendants agreed in the subject lease to pay reasonable attorneys fees as part of any court judgment in any lawsuit against them for violations of the agreements of the lease. Plaintiff avers and believes that his reasonable attorneys fees for representation at the District Justice hearing and in the preparation and arbitration of this case will be \$1,500.00.

17. Plaintiff has incurred or will incur the following

damages in this matter due to the breach of the lease by defendants from May 1, 2000 through March 31, 2001:

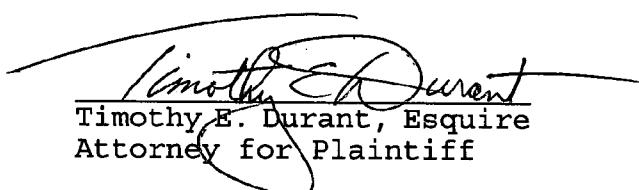
- A. \$5,500.00 for rent due from May 1, 2000 through and including March 31, 2001.
- B. \$500.00 for lawn care for 20 weeks @ \$25.00 per week;
- C. \$300.00 for sewer & water @\$75.00 per quarter;
- D. \$176.00 for electricity @\$16.00 per month.
- E. \$112.00 for court costs before the District Justice
- F. \$1,775.00 for late fees @\$5.00 per day
- G. \$1,500.00 for reasonable attorneys fees

18. Defendants paid a security deposit of \$500.00 when the lease was signed and are entitled to an adjustment for such amount when computing the total amount due from them to plaintiff.

19. On June 20, 2000, Defendants filed a Notice of Appeal with District Justice James L. Hawkins.

WHEREFORE, Plaintiff requests that this Court enter judgment in his favor and against Defendants MELISSA A. KOVACIK and JEFFREY A. KOVACIK in the amount of \$9,863.00, less the \$500.00 security deposit, plus interest at the maximum legal rate and also record costs of this suit.

Date: July 7, 2000



Timothy E. Durant, Esquire
Attorney for Plaintiff

VERIFICATION

I, JOSEPH C. CARLIN, verify that the statements made in this Complaint are true and correct to the best of my knowledge, information and belief. Plaintiff understands that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.



JOSEPH C. CARLIN

Dated: 7/7/00

FILED
JUL 3 2000

- 7 2000
cc to *Att.*

William A. Shaw
Prothonotary
KCS

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1711

[REDACTED]

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

JOSEPH C. CARLIN
Plaintiff

vs.

MELISSA A. KOVACIK and
JEFFREY A. KOVACIK
Defendants

*
*
*
*
*
*
*
*
*

NO. 00-734-CD

CERTIFICATE OF SERVICE

I, Shirley A. Miller, verify that on July 10, 2000, I did deposit in the United States mail two (2) true and correct copies of the Complaint for Rent, Costs and Attorneys Fees by certified mail, return receipt requested, and with a certified mail number of 7000 0600 0023 1117 2936. The Complaints were sent to defendants, MELISSA A. KOVACIK and JEFFREY A. KOVACIK, at their last known address which is 116 South 4th Street, Clearfield, PA 16830. Said return receipt was signed by Defendant MELISSA A. KOVACIK on July 11, 2000. The original receipt is attached hereto.

I understand that false statements herein are made subject to the penalties of 18 PA. C.S. §4904, relating to unsworn falsification to authorities.


Shirley A. Miller
FILED

Dated: July 12, 2000

JUL 13 2000

William A. Shaw
Prothonotary

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Melissa A. Kovack & Jeffrey A. Kovack

Postage	\$ 1.21
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$3.86

7000 0600 0023 11172936

CLEARFIELD PA
JUL 10 Postmark Here 2000 03891
USPS

Name (Please Print Clearly) (to be completed by mailer)
 Melissa A. Kovack & Jeffrey A. Kovack
 Street, Apt. No., or PO Box No.
 116 South 4th Street
 City, State, ZIP+4
 Clearfield, PA 16830

PS Form 3800, July 1999

See Reverse for Instructions

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- 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.

3. Article Addressed to:

Melissa A. Kovack &
 Jeffrey A. Kovack
 116 S. 4th Street
 Clearfield, PA 16830

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

4a. Article Number

7000 0600 0023 11172936

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery

7-11

5. Received By: (Print Name)

Melissa Kovack

6. Signature: (Addressee or Agent)

X Melissa Kovack

8. Addressee's Address (Only if requested and fee is paid)

FILED

JUL 13 2000
Ola, OS REC C
William A. Shaw
Prothonotary
ms

TIMOTHY E. DURANT
ATTORNEY AT LAW
201 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1711

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

JOSEPH C. CARLIN
Plaintiff

*
*
*
*
*
*
*
*

vs.

No. 00-734-CD

MELISSA A. KOVACIK and
JEFFREY A. KOVACIK
Defendants

*
*
*
*

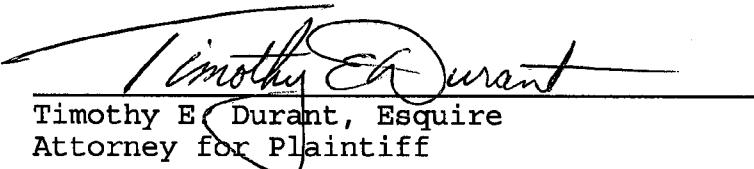
NOTICE OF BANKRUPTCY

TO: William A. Shaw, Prothonotary:

Please take notice of the filing of bankruptcy by Defendants, Jeffrey A. Kovacik and Melissa A. Kovacik, to Case No. 00-25790-BM, in the United States Bankruptcy Court for the Western District of Pennsylvania, Pittsburgh Division.

Attached is a copy of the letter received from their counsel, John R. Lhota, Esquire, with regard to the filing of said bankruptcy.

August 2, 2000



Timothy E. Durant, Esquire
Attorney for Plaintiff

FILED

AUG 02 2000

William A. Shaw
Prothonotary

**John R. Lhota, P.C.
Attorney at Law
110 North Second Street
Clearfield, Pennsylvania 16830**

Telephone (814) 765-9611

July 31, 2000

Fax (814) 765-9503

Via: Fax to 765-9596

Timothy E. Durant,
Attorney at Law
201 North Second Street
Clearfield, PA 16830

**RE: JEFFREY A. KOVACIK AND MELISSA A.
KOVACIK; CASE NO. 00-25790-BM IN THE
UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA,
PITTSBURGH DIVISION**

Dear Tim:

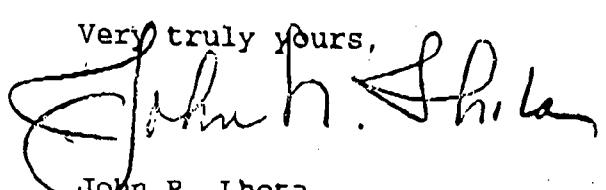
This letter is to advise you that our office represents Jeffrey A. Kovacik and Melissa A. Kovacik, husband and wife, in connection with the above captioned matter.

This letter will further advise you that the above captioned case was commenced on July 26, 2000 and that the Bankruptcy Court issued its automatic stay prohibiting collection activities and certain other actions concerning our client(s) on the above mentioned date.

Please discontinue all collection activity with respect to Jeffrey A. Kovacik and Melissa A. Kovacik upon your receipt and review of this communication.

Should you have any questions whatsoever, regarding any of the above, please feel free to contact the undersigned, at your convenience.

Very truly yours,


John R. Lhota

JRL:gje

CC: Mr. and Mrs. Jeffrey A. Kovacik

Received Time Aug. 1. 11:42AM

FILED

AUG 02 2000
01/03/00
William A. Shaw
Prothonotary
EAS

Notice of Proposed Termination of Court Case

January 22, 2010

RE: 2000-0734-CD

Joseph C. Carlin
Vs.
Melissa A. Kovacik and Jeffrey A. Kovacik

Dear Timothy E. Durant, Esq.

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830**. The Statement of Intention to Proceed must be filed on or before **March 23, 2010**.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,



Daniel J. Nelson
Court Administrator

5 **FILED**
01/22/2010
JAN 22 2010
B&P

William A. Shaw
Prothonotary/Clerk of Courts

Notice of Proposed Termination of Court Case

January 22, 2010

RE: 2000-0734-CD

Joseph C. Carlin
Vs.
Melissa A. Kovacik and Jeffrey A. Kovacik

Dear Melissa A. and Jeffrey A. Kovacik

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830**. The Statement of Intention to Proceed must be filed on or before **March 23, 2010**.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,



Daniel J. Nelson
Court Administrator

FILED

JAN 22 2010

William A. Shaw
Prothonotary/Clerk of Courts