

00-841-3D
FRANKLIN L. CHIMESTER et al -vs- GARY L. KLEBACHA et al

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

② FRANKLIN L. CHITTESTER and NO. 00-841-CO
② EILEEN R. CHITTESTER,
Plaintiffs Type of Case: Civil

vs. Type of Pleading: Complaint

① GARY L. KLEBACHA and Filed on behalf of: Plaintiffs
② DEBRA A. KLEBACHA,
Defendants Counsel of Record for this Party:
David P. King, Esquire
23 Beaver Drive
P. O. Box 1016
DuBois, PA 15801
(814) 371-3760

Supreme Court No. 22980

FILED

JUL 20 2000

William A. Shaw
Prothonotary

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

FRANKLIN L. CHITTESTER and :
EILEEN R. CHITTESTER, :
Plaintiffs :
vs. : NO. _____ C.D.
: :
GARY L. KLEBACHA and :
DEBRA A. KLEBACHA, :
Defendants :
:

NOTICE

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 or for any other claim 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
1 North Second Street
Clearfield, PA 16830
(814) 765-2641 Ext. 50-51

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

FRANKLIN L. CHITTESTER and :
EILEEN R. CHITTESTER, :
Plaintiffs :
:
vs. : NO. _____ C.D.
:
GARY L. KLEBACHA and :
DEBRA A. KLEBACHA, :
Defendants :
:

COMPLAINT

AND NOW, come the Plaintiffs, through their Attorney,
David P. King, and for their cause of action respectfully
represents as follows:

1. The Plaintiffs are FRANKLIN L. CHITTESTER and
EILEEN R. CHITTESTER, who reside at 5 East Maloney Road, DuBois,
PA 15801.

2. The Defendants are GARY L. KLEBACHA and DEBRA A.
KLEBACHA, with their last residence being either 283 Treasure
Lake, DuBois, PA 15801, or 2 East Maloney Road, DuBois, PA
15801.

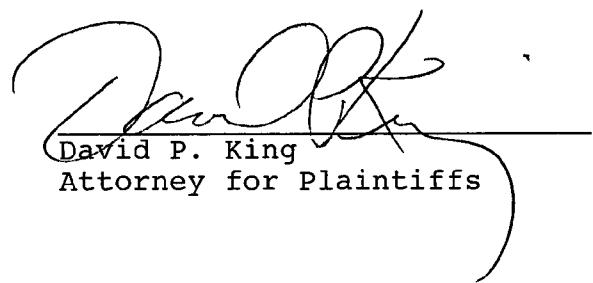
3. From time to time, the Plaintiffs did lend certain
monies to the Defendants which were used for business and
personal purposes.

4. The total amount loaned to the Defendants was
\$10,811.00.

5. Although the Defendants have acknowledged such
obligation to pay back such monies loaned, no monies have been
paid to the Plaintiffs to date.

6. The Plaintiffs are entitled to such repayment, together with applicable interest as well as the costs for these proceedings.

WHEREFORE, Plaintiffs pray your Honorable Court to enter judgment against the Defendants in the amount of \$10,811.00, together with legal interest, and record costs, and they will so ever pray.



David P. King
Attorney for Plaintiffs

We verify that the statements made in this Complaint are true and correct. We understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: July 20, 2000

Franklin L. Chittester
Franklin L. Chittester

Eileen R. Chittester
Eileen R. Chittester

FILED

JUL 20 2000

0/12:40/00

William A. Shaw

Prothonotary Pn

fc

2 CERT TO ATT BY MTR

(2)

DAVID P. KING

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CHITTESTER, FRANKLIN L. & 00-841-CD
VS
KLEBACHA, GARY L.

COMPLAINT

SHERIFF RETURNS

NOW JULY 26, 2000 AT 12:34 PM DST SERVED THE WITHIN
COMPLAINT ON GARY L. KLEBACHA, DEFENDANT AT EMPLOYMENT
SUBURBAN TOYOTA, RT. 322, DUBOIS, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO GARY L. KLEBACHA A TRUE AND
ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO
HIM THE CONTENTS THEREOF.

SERVED BY: NEVLING/MCQUEARY

NOW JULY 27, 2000 AT 1:16 PM DST SERVED THE WITHIN COMPLAINT
ON DEBRA A. KLEBACHA, DEFENDANT AT SHERIFF'S OFFICE, MARKET
ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING
TO DEBRA A. KLEBACHA A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS
THEREOF.

SERVED BY: COUDRIET

35.21 SHFF. HAWKINS PAID BY: ATTY
20.00 SURCHARGE PAID BY: ATTY

SWORN TO BEFORE ME THIS

11th DAY OF August 2000
W.A. Shaw

SO ANSWERS,

Chester A. Hawkins
by Marlyne Farn
CHESTER A. HAWKINS
SHERIFF

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co., Clearfield, PA.

FILED

AUG 11 2000
6/3/05/w
William A. Shaw
Prothonotary

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

FRANKLIN L. CHITTESTER AND
EILEEN R. CHITTESTER
PLAINTIFFS
VS.

GARY L. KLEBACHA AND
DEBRA A. KLEBACHA
DEFENDANTS

NO. 00- 841 - CD

TYPE OF CASE : CIVIL

TYPE OF PLEADING: ANSWER AND NEW MATTER

FILED ON BEHALF OF: DEFENDANTS

COUNSEL OF RECORD FOR THIS PARTY:

PRO-SE

FILED

AUG 21 2000

110:35 AM

William A. Shaw

Prothonotary

NO C/C

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

FRANKLIN L. CHITTESTER
EILEEN R. CHITTESTER

PLAINTIFFS

VS.

NO. 00-841-CD

GARY L. KLEBACHA AND
DEBRA A. KLEBACHA

DEFENDANTS

ANSWER AND NEW MATTER

AND NOW, COME THE PLAINTIFFS, THROUGH THEIR ATTORNEY, DAVID P. KING, AND
FOR THEIR CAUSE OF ACTION RESPECTFULLY REPRESENTS AS FOLLOWS:

1. ADMITTED

2. ADMITTED

3. DENIED: SPECIFIC DATES AND AMOUNTS MUST BE SUBMITTED FOR REVIEW.

4. DENIED: STRICT PROOF OF DATES AND SPECIFIC PROOF OF AMOUNTS MUST BE SUBMITTED.

5. DENIED: THE DEFENDANTS DID NOT SIGN ANY DOCUMENTS OR AGREED TO PAY BACK ANY
MONIES CLAIMED BY THE PLAINTIFFS.

6. DENIED: THE PLAINTIFFS ARE NOT ENTITLED TO ANY MONEY.

NEW MATTER

7. FOR 12 YEARS DEFENDENTS OWNED A NASCAR STORE IN THE DUBOIS MALL. IN
FEBURARY 1999 THE STORE WAS CLOSED. AT THIS TIME A TOTAL INVENTORY WAS
DONE. THE PLAINTIFFS AND DEFENDANTS DID SUCH INVENTORY TOGETHER.

8. TOTAL RETAIL COST OF INVENTORY WAS VALUED AT 80,000.00 DOLLARS.

9. AS PER CONVERSATION TO PLAINTIFF. EILEEN CHITTESTER ON 7-6-00, 3.15 P.M.
STATED THAT SHE WAS HOLDING NASCAR ITEMS AS COLLATERAL. PLAINTIFFS HAVE
NO RIGHT TO HOLD OR SELL ANY ITEMS. ACCORDING TO THE DEFENDENTS THE
ITEMS WERE TO BE STORED AT THE PLAINTIFFS RESIDENCE. DEFENDENTS ARE
DEMANDING THAT ALL ITEMS HELD BY THE PLAINTIFFS IN LIEU OF 80.000.00
BE RETURNED IN THE FULL AMOUNT. IF PLAINTIFFS REFUSE TO RESPOND
TO DEFENDENTS DEMANDS THE DEFENDENTS ARE ENTITLED TO THEIR CLAIM.
IF PLAINTIFFS DO NOT RESPOND THE DEFENDENTS PRAY YOUR HONORABLE
COURT TO ENTER A JUDGEMENT IN THE AMOUNT OF 80.000.00, TOGETHER
WITH LEGAL INTEREST, AND RECORD COSTS, AND THEY WILL SO EVER PRAY.



PRO-SE

Gary Klebacha
2 East Maloney Rd.
Du Bois, Pa. 15801

(814)- 375-4337



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CCP
11/10/05

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

November 10, 2005

FILED

NOV 10 2005

William A. Shaw
Prothonotary/Clerk of Court

RE: 00-841-CD
Franklin L. Chittester and Eileen R. Chittester
Vs.
Gary L. Klebacha and Debra A. Klebacha

Dear Plaintiff/Defendant:

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, 230 East Market Street, Clearfield, Pennsylvania 16830. The Statement of Intention to Proceed must be filed on or before January 17, 2005.

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,

A handwritten signature in black ink that appears to read "David S. Meholic".

David S. Meholic
Court Administrator



**OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA**

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

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November 10, 2005

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Franklin L. Chittester and Eileen R. Chittester
Vs.
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By the Court,

A handwritten signature in black ink, appearing to read "David S. Meholick".

David S. Meholick
Court Administrator

Court of Common Pleas of Clearfield County, Pennsylvania
Civil Division

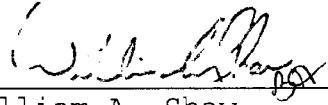
Franklin L. Chittester and Eileen R. Chittester

vs. 00-841-CD

Gary L. Klebacha and Debra A. Klebacha

Termination of Inactive Case

This case is hereby terminated with prejudice
this 17th day of January, 2006, as per Rule 230.2.



William A. Shaw
Prothonotary

FILED
JAN 17 2006
William A. Shaw
Prothonotary/Clerk of Courts
cm