

00-988-CD
APEX HYDRAULIC & MACHINE, INC. -vs- BRYCE SAILOR & SONS, INC.

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 00-988-CJ

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 BRYCE SAYLOR & SONS, INC.	MAG. DIST. NO. OR NAME OF D.J. 46-3-03
ADDRESS OF APPELLANT 4235 SIXTH AVENUE	CITY ALTOONA
DATE OF JUDGMENT 07/18/00	STATE PA
CLAIM NO. CV-0000097-00	ZIP CODE 16602
IN THE CASE OF (Plaintiff) APEX HYDRAULIC & MACHINE, INC.	(Defendant) vs. BRYCE SAYLOR & SONS, INC.
TA 19	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <i>Barry Sayl</i>
LT 19	
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	
<i>The 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.</i>	

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 APEX HYDRAULIC & MACHINE, INC., appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. 00-988-CJ) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Barry Sayl

Signature of appellant or his attorney or agent

RULE: To APEX HYDRAULIC & MACHINE, INC., appellee(s)
Name of appellee(s)

(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: August 14, 2000

William A. Shaw

Signature of Prothonotary or Deputy

FILED
07/13/00
AUG 14 2000
Hyd.
8:00
SAYLOR
William A. Shaw
Prothonotary

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

(This proof of service MUST BE FILED WITHIN FIVE (5) 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_____

CCJS A 100A

WILLIAM A. MILLER
PROSECUTOR

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA
Address: **MOUNTAIN VIEW PLAZA**
P.O. BOX 210
KYLERTOWN, PA
Telephone: **(814) 345-6789**

16847-0000

BRYCE SAYLOR & SONS, INC.
4235 6TH AVE.
ALTOONA, PA 16602

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

APEX HYDRAULIC & MACHINE, INC.
R.R.3 BOX 98
PHILIPSBURG, PA 16866

DEFENDANT:

BRYCE SAYLOR & SONS, INC.
4235 6TH AVE.
ALTOONA, PA 16602

Docket No.: **CV-0000097-00**
Date Filed: **5/09/00**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **APEX HYDRAULIC & MACHINE, INC.**

Judgment was entered against: (Name) **BRYCE SAYLOR & SONS, INC.**

in the amount of \$ **757.83** on: (Date of Judgment) **7/18/00**

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

Levy is stayed for _____ days or generally stayed. _____

Objection to levy has been filed and hearing will be held: _____

Amount of Judgment	\$ 704.83
Judgment Costs	\$ 53.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 757.83
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

Date:	Place:
Time:	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

7/18/00 Date *M. R. S. D. L.*, 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

SEAL

Clearfield Co. Court Hse 765-2641

Pathonetary's office 8:30-4:00

" 80 - Clearfield Co. Pathonetary's

IN THE COURT OF COMMON PLEAS OF CLEARFIELD, PENNSYLVANIA

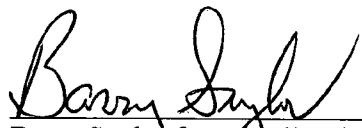
②

APEX HYDRAULIC & MACHINE, INC.,	:	No. 00-988-CD
Plaintiff,	:	CIVIL ACTION - LAW
vs.	:	
BRYCE SAYLOR & SONS, INC.,	:	
Defendant.	:	JURY TRIAL DEMANDED

PROOF OF SERVICE

AND NOW, comes Defendant **BRYCE SAYLOR & SONS, INC.** and files the attached Proof of Service of its Notice of Appeal with Rule to File Complaint upon Appellee Apex Hydraulic & Machine, Inc. and District Justice Michael A. Rudella.

By:


Barry Saylor for Appellant/Defendant
BRYCE SAYLOR & SONS, INC.

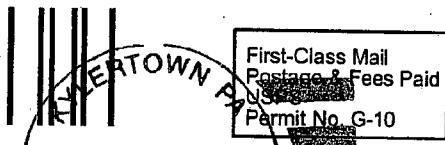
Date: August 22, 2000

FILED

AUG 23 2000

William A. Shaw
Prothonotary

UNITED STATES POSTAL SERVICE



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

Bryce Sayler & Sons, Inc.
4235 6th Avenue
Acton, PA 16602

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:

APEX Hydraulics Machine,
Inc.

R.R. #3, Box 98

Phillipsburg, PA 16866

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Paula M. Morris B. Date of Delivery 8-16-00

C. Signature X Paula M. Morris

Agent
 Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number (Copy from service label)

7099 3220 0006 6965 7849

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

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

Bryce Sayw & Son, Inc.
4235 6th Avenue
Autone, PA 16602

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:

District Justice Michael A.
Rundella
Mountain View Plaza
P.O. Box 210
Kutztown, PA 16847-0000

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery
8/10/00

C. Signature

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

Agent

Addressee

Yes

No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number (Copy from service label)
70993220 0006 6965 7832

102595-99-M-1789

PS Form 3811, July 1999

Domestic Return Receipt

FILED

AUG 23 2000
OF 11(23)NOC
William A. Shaw
Prothonotary

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA
Address: MOUNTAIN VIEW PLAZA
P.O. BOX 210
KYLERTOWN, PA

Telephone: (814) 345-6789

16847-0000

MICHAEL A. RUDELLA
MOUNTAIN VIEW PLAZA
P.O. BOX 210
KYLERTOWN, PA 16847-0000

3
NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF:

NAME and ADDRESS
APEX HYDRAULIC & MACHINE, INC.
R.R.3 BOX 98
PHILIPSBURG, PA 16866

NAME and ADDRESS

DEFENDANT:

NAME and ADDRESS
BRYCE SAYLOR & SONS, INC.
4235 6TH AVE.
ALTOONA, PA 16602

NAME and ADDRESS

Docket No.: CV-0000097-00
Date Filed: 5/09/00



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

00-988-CO

Judgment was entered for: (Name) APEX HYDRAULIC & MACHINE, INC.

Judgment was entered against: (Name) BRYCE SAYLOR & SONS, INC.

in the amount of \$ 757.83 on: (Date of Judgment) 7/18/00

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

Levy is stayed for _____ days or generally stayed. _____

Objection to levy has been filed and hearing will be held: _____

Amount of Judgment	\$ 704.83
Judgment Costs	\$ 53.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 757.83
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

FILED

AUG 23 2000
m/1154 am
William A. Shaw
Prothonotary

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

7/18/00 Date M. Rudella, District Justice

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

8/17/00 Date M. Rudella, District Justice

My commission expires first Monday of January,

2006

SEAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

APEX HYDRAULIC & MACHINE, INC., : No. 00-988-CD
Plaintiff, :
vs. : CIVIL ACTION - LAW
BRYCE SAYLOR & SONS, INC., :
Defendant. : Type of Filing:
: Notice of Default
: Filed By:
: Barry Baylor, Pro Se
: BRYCE SAYLOR & SONS, INC.
: 4235 Sixth Avenue
: Altoona, Pennsylvania 16602
: (814) 942-2288

FILED

SEP 08 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

APEX HYDRAULIC & MACHINE, INC., : No. 00-988-CD
Plaintiff, :
vs. : CIVIL ACTION - LAW
BRYCE SAYLOR & SONS, INC., :
Defendant. : JURY TRIAL DEMANDED

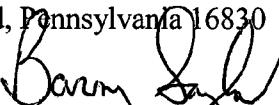
NOTICE OF PRAECIPE FOR ENTRY OF JUDGMENT OF NON PROS

To: Apex Hydraulic & Machine, Inc.
Route 322 West
Philipsburg, Pennsylvania 16866

Date of Notice: **September 7, 2000**

IMPORTANT NOTICE

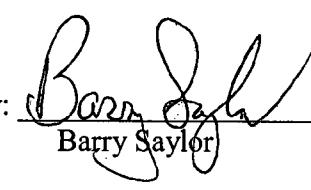
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Clearfield County Courthouse
Clearfield, Pennsylvania 16830
BY: 
Barry Saylor, Pro Se
**BRYCE SAYLOR
& SONS, INC.**
4235 Sixth Avenue
Altoona, Pennsylvania 16602
(814) 942-2288

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served a true and correct copy of the foregoing **Notice of Praecept for Entry of Judgment of Non Pros** on all counsel of record and/or parties of interest by depositing same in the United States Mail, postage prepaid at Altoona, Pennsylvania on this 7th day of September, 2000, and addressed as follows:

Apex Hydraulic & Machine, Inc.
Route 322
Philipsburg, Pennsylvania 16866

By: 
Barry Saylor

FILED

SEP 08 2000
SIN 1451 NO CC
William A. Shaw
Prothonotary

KA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

APEX HYDRAULIC & MACHINE, INC., : No. 00-988-CD

Plaintiff, : CIVIL ACTION - LAW

vs. :

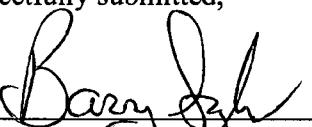
BRYCE SAYLOR & SONS, INC., :
Defendant. : JURY TRIAL DEMANDED

PRAECIPE FOR ENTRY OF JUDGMENT OF NON PROS

TO THE PROTHONOTRY:

Please enter judgment of non-pros against the Plaintiff and in favor of the Defendant Bryce Saylor & Sons, Inc. for Plaintiff's failure to file a complaint within twenty (20) days from the date of service of the rule to file complaint.

Respectfully submitted,

BY: 

Barry Saylor, Pro Se

BRYCE SAYLOR

& SONS, INC.

4235 Sixth Avenue

Altoona, Pennsylvania 16602

(814) 942-2288

DATE: September 9, 2000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

APEX HYDRAULIC & MACHINE, INC.,	:	No. 00-988-CD
Plaintiff,	:	
vs.	:	CIVIL ACTION - LAW
BRYCE SAYLOR & SONS, INC.,	:	
Defendant.	:	Type of Filing: Notice of Default
	:	Filed By:
	:	Barry Baylor, Pro Se
	:	BRYCE SAYLOR & SONS, INC.
	:	4235 Sixth Avenue
	:	Altoona, Pennsylvania 16602
	:	(814) 942-2288

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

APEX HYDRAULIC & MACHINE, INC., : No. 00-988-CD

Plaintiff, : CIVIL ACTION - LAW
vs. :
:

BRYCE SAYLOR & SONS, INC., :
Defendant. : JURY TRIAL DEMANDED

NOTICE OF PRAECIPE FOR ENTRY OF JUDGMENT OF NON PROS

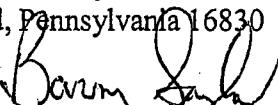
To: Apex Hydraulic & Machine, Inc.
Route 322 West
Philipsburg, Pennsylvania 16866

Date of Notice: September 7, 2000

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

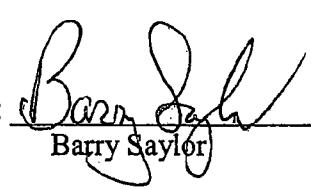
Court Administrator
Clearfield County Courthouse
Clearfield, Pennsylvania 16830

BY: 
Barry Saylor, Pro Se
BRYCE SAYLOR
& SONS, INC.
4235 Sixth Avenue
Altoona, Pennsylvania 16602
(814) 942-2288

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served a true and correct copy of the foregoing **Notice of Praeclipe for Entry of Judgment of Non Pros** on all counsel of record and/or parties of interest by depositing same in the United States Mail, postage prepaid at Altoona, Pennsylvania on this 7th day of September, 2000, and addressed as follows:

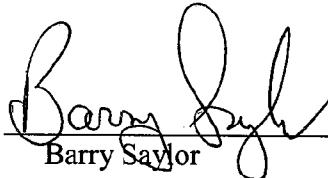
Apex Hydraulic & Machine, Inc.
Route 322
Philipsburg, Pennsylvania 16866

By: 
Barry Saylor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served a true and correct copy of the foregoing **Praeclipe for Judgment of Non Pros** on all counsel of record and/or parties of interest by depositing same in the United States Mail, postage prepaid at Altoona, Pennsylvania on this 19th day of September, 2000, and addressed as follows:

Apex Hydraulic & Machine, Inc.
Route 322
Philipsburg, Pennsylvania 16866

By: 
Barry Saylor

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

APEX HYDRAULIC & MACHINE, INC.

vs.

No. 00-988-CD

BRYCE SAYLOR & SONS, INC.

TO: APEX HYDRAULIC & MACHINE, INC.

Notice is hereby given that a judgment of non-pros has been entered in the above captioned matter pursuant to Order/Praecipe dated SEPTEMBER 19 2000. A copy of said document is hereby attached.

Judgment entered of record SEPTEMBER 19, 2000.

Sincerely,

William A. Shaw
Prothonotary