

00-1084-CD
W&W Equip. vs R. Raspatello

00

00-1034-CU
W & W EQUIPMENT, INC. -vs-
ARD RASPATELLO et al

46th

NOTICE OF APPEAL

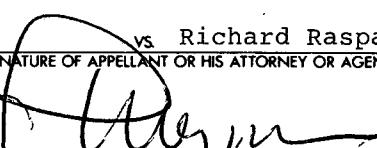
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS NO. 00-1084-CO

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	13	MAG. DIST. NO. OR NAME OF D.J.
Richard Raspattello & Craig Konopko, t/d/b/a Konello Enterprises		46-3-01
ADDRESS OF APPELLANT	CITY	STATE
1418 Million Dollar Highway, Kersey, Pa. 15846		ZIP CODE
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff) (Defendant)	
8/15/00	W&W Equipment, Inc. vs. Richard Raspattello, et al	
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT	
CV	478-00	
LT		
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>_____ Signature of Prothonotary or Deputy</p>		
<p>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.</p>		

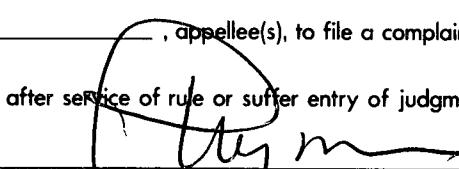
PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(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 W&W Equipment, Inc., appellee(s), to file a complaint in this appeal
 Name of appellee(s)

(Common Pleas No. 00-1084-CO) within twenty (20) days after service of rule or suffer entry of judgment of non pros.


 Signature of appellant or his attorney or agent

RULE: To W&W Equipment, 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: Sept 1, 2000


 Signature of Prothonotary or Deputy

FILED

SEP 01 2000

William A. Shaw
 Prothonotary

COURT FILE TO BE FILED WITH PROTHONOTARY

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) _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 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 _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____

SEP 01 2000
09/03/00
William A. Shaw
Prothonotary

FILED

cc to attorney
DJD 380-00

COURT OF COMMON PLEAS
46th.
JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 00-1084-CO

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.

Richard Raspatello & Craig Konopko, t/d/b/a Konello Enterprises

46-3-01

ADDRESS OF APPELLANT

CITY

STATE

ZIP CODE

1418 Million Dollar Highway, Kersey, Pa. 15846

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

(Defendant)

8/15/00

W&W Equipment, Inc.

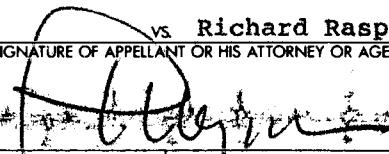
vs. Richard Raspatello, et al

CLAIM NO.

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

CV
LT

478-00



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 W&W Equipment, Inc., appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. 00-1084) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To W&W Equipment, 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: Sept 1, 2000

Signature of Prothonotary or Deputy

I hereby certify this to be a true and attested copy of the original statement filed in this case.



SEP 01 2000

Attest.



Prothonotary

FILED

SEP 08 2000

William A. Shaw
Prothonotary

COURT FILE

FILED

SEP 08 2000

11:43PM. E27
William A. Shaw
Prothonotary

00-1084-00

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. 00-1084, upon the District Justice designated therein on
(date of service) Sept. 6, 2000 by personal service by (certified) (registered) mail, sender's
receipt attached hereto, and upon the appellee, (name) W&W Equipment, Inc., on
Sept. 6, 2000 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 Sept. 6, 2000 by personal service by (certified) (registered)
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS 6th DAY OF September 2000

[Signature]

[Signature] Signature of affiant

[Signature] Signature of official before whom affidavit was made

Notary Public

Title of official

My commission expired on

NOTARIAL SEAL
GENERAL NOTARY PUBLIC
[Redacted]

8/2001

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

Article Sent To: Patrick N. Ford, DJ

Postage	<u>33</u>
Certified Fee	<u>1.40</u>
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	<u>\$.73</u>

Name (Please Print Clearly) (to be completed by mailer)
Patrick N. Ford, DJ
1103 An. Brandywine, P.O. Box 452
DUBLIN, Pa. 15801

PS Form 17800-10/95

2959 5486 5000 004E 6602

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD

Address: **109 NORTH BRADY STREET
P.O. BOX 452
DUBOIS, PA**

Telephone: **(814) 371-5321 15801**

**PATRICK N. FORD
109 NORTH BRADY STREET
P.O. BOX 452
DUBOIS, PA 15801**

FILED

SEP 14 2000

11153am

William A. Shaw

Prothonotary

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

00-1084-CO

Judgment was entered for: (Name) **W & W EQUIPMENT INC**

Judgment was entered against: (Name) **RASPATELLO, RICHARD I/T/D/B/A Konello Enterprises**
in the amount of \$ **8,104.00** on: (Date of Judgment) **8/15/00**

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	\$ <u>8,000.00</u>
Judgment Costs	\$ <u>104.00</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	<u>\$ 8,104.00</u>
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.

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 _____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

CIVIL COMPLAINT

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD

Address: 109 NORTH BRADY STREET
P.O. BOX 452
DUBOIS, PA 15801
Telephone: (814) 371-5321

PLAINTIFF:

NAME and ADDRESS

W & W EQUIPMENT, INC.
P.O. Box 295
DuBois, PA 15801

DEFENDANT:

VS.

NAME and ADDRESS

Richard Raspatello and Craig Konopko,
Individually and t/d/b/a Konello Enterprises
1418 Million Dollar Highway
Kersey, PA 15846

Docket No.: CV 478-00
Date Filed:



	AMOUNT	DATE PAID
FILING COSTS	\$ 104-	/ /
SERVING COSTS	\$ _____	/ /
TOTAL	\$ _____	/ /

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 8,000.00 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Defendants did rent a certain Dynapac Vibratory Roller and failed or refused to pay the rentals when due.

I, Daniel A. Adams verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read "D. Adams".

(Signature of Plaintiff or Authorized Agent)

Plaintiff's
Attorney:

Daniel A. Adams, Esquire

Address: P.O. Box 295

Telephone: (814) 375-9606

DuBois, PA 15801

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

UNITED STATES BANKRUPTCY COURT

Western District of Pennsylvania (Erie)

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 6/9/00.

You may be a creditor of the debtor. This notice lists important deadlines. You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) and address):

Craig Wayne Konopko

68 West Cardott St
Ridgway, PA 15853

Shawna Renee Konopko

68 West Cardott St
Ridgway, PA 15853
USACase Number:
00-10994-wwbSocial Security/Taxpayer ID Nos.:
161-54-8130
190-60-9476

Attorney for Debtor(s) (name and address):

Mark G. Claypool
120 West Tenth Street
Erie, PA 16501-6498

Telephone number: 459-2800

Bankruptcy Trustee (name and address):
Gary V. Skiba
345 West Sixth Street
Erie, PA 16507
Telephone number: (814) 454-6345

Meeting of Creditors

Date: 08/02/00 Time: 11:40 am

Location: Basement Jury Rm, Warren Co Court House, 204 Fourth Avenue, Warren, PA 16365

Important Deadlines

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:
10/02/00

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Please Do Not File A Proof of Claim Unless You Receive a Notice To Do So.

Address of the Bankruptcy Clerk's Office:

717 State Street
Suite 501
Erie, PA 16501

Telephone number: (814) 453-7580

For the Court:

Clerk of the Bankruptcy Court:
Theodore S. Hopkins

Hours Open:

3:00am-5:00pm Mon-Fri

Date:

07/07/00

IN THE COURT OF COMMON PLEAS OF THE FORTY SIXTH
JUDICIAL DISTRICT, PENNSYLVANIA

W&W EQUIPMENT, INC., Plaintiff : NO. 00-1084-CD

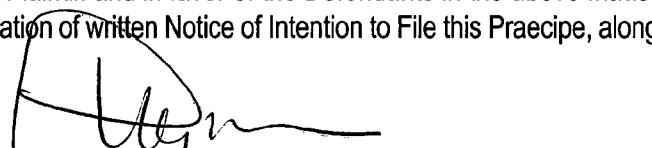
VS. :

RICHARD RASPATELLO and CRAIG KONOPKO, t/d/b/a :
KONELLO ENTERPRISES, Defendants :

PRAECIPE FOR JUDGMENT OF NON PROS

TO THE PROTHONOTARY:

Please enter a Judgment of Non Pros against the Plaintiff and in favor of the Defendants in the above matter for failure of the Plaintiff to file a Complaint. Certification of written Notice of Intention to File this Praecipe, along with the copy of the Notice, is attached.



Thomas G. Wagner, Attorney for Defendants

FILED

NOV 07 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF THE FORTY SIXTH
JUDICIAL DISTRICT, PENNSYLVANIA

W&W EQUIPMENT, INC., Plaintiff : NO. 00-1084-CD

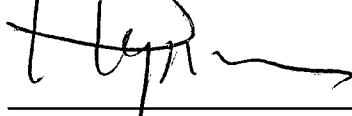
vs. :

RICHARD RASPATELLO and CRAIG KONOPKO, t/d/b/a :
KONELLO ENTERPRISES, Defendants :

CERTIFICATION OF WRITTEN NOTICE

I certify that on October 10, 2000, I mailed a true and correct copy of the attached Notice of Intention to Enter Judgment of Non Pros by first class United States mail, postage prepaid, deposited at St. Marys, Pa., to the following:

W&W Equipment, Inc.
PO Box 295
DuBois, Pa. 15801



Thomas G. Wagner, Attorney for Defendants

IN THE COURT OF COMMON PLEAS OF THE FORTY SIXTH
JUDICIAL DISTRICT, PENNSYLVANIA

W&W EQUIPMENT, INC., Plaintiff : NO. 00-1084 C.D.
: :
vs. : :
: :
RICHARD RASPATELLO and CRAIG KONOPKO, t/d/b/a :
KONELLO ENTERPRISES, Defendants : :

NOTICE OF INTENTION TO ENTER JUDGMENT OF NON PROS

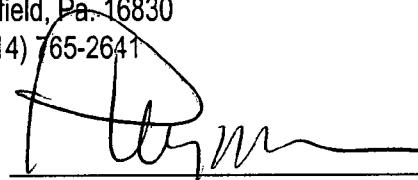
TO: W&W EQUIPMENT, INC.
PO Box 295
DuBois, Pa. 15801

DATE OF NOTICE: 10/10/00

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CAN NOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

David S. Meholick, Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, Pa. 16830
(814) 765-2641



Thomas G. Wagner, Attorney for Defendant
115 Lafayette Street
St. Marys, Pa. 15857
(814) 781-3445

FILED

NOV 07 2000
12:32 P.M.
William A. Shaw, Clerk, Wagner
Prothonotary

pd & 20.00

Not. to Dif.

*Automated
Filing System*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NON PROS

W&W Equipment, Inc.

Plaintiff

Vs.

No. 2000-01084-CD

Richard Raspatello
Craig Konopko

Defendant

TO: W&W EQUIPMENT, INC. :

Notice is hereby given that a judgment of non-pros has been entered in the above captioned matter pursuant to Praeclipe dated 11/7/00. A copy of said document is hereto attached.

Judgment entered of record 11/7/00.

Sincerely,

William A. Shaw
Prothonotary

Enclosures

COPY