

00-1291-CD  
PURCELL TIRE CO. -vs- PETE SWISTOCK, JR.

(1)

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

PURCELL TIRE CO.,

vs.  
Pete Swistock, Jr.

Plaintiff : No. 00-1291-CJ  
: Type of Pleading: Praeclipe to Enter  
: Judgment  
: File on Behalf of: Plaintiff  
: Counsel of Record:  
: Robert A. Mix, Esquire  
: Lee, Martin, Green & Reiter, Inc.  
: I.D. #16164  
: 115 E. High Street  
: P.O. Box 179  
: Bellefonte, PA 16823  
: 814-355-4769

*Recd*  
**FILED**

OCT 18 2000  
m/11:45 AM  
William A. Shaw  
Prothonotary  
20.-  
BY  
ATTY,  
NOTICE TO DEF.

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

PURCELL TIRE CO.,

Plaintiff :

vs.

: No.

PETE SWISTOCK, JR.,

Defendant :

PRAECIPE

TO THE PROTHONOTARY:

No appeal having been timely filed from the judgment entered by District Justice James Hawkins on August 15, 2000 in favor of Plaintiff and against Defendant in the amount of \$1,700.00, please enter said judgment in the Court of Common Pleas of Clearfield County, Pennsylvania. A certified copy of the record of the proceeding before District Justice James Hawkins is attached hereto.

LEE MARTIN, GREEN & REITER, INC.

By: 

Robert A. Mix, Esquire  
I.D. #16164  
Attorney for Plaintiff  
115 E. High Street  
P.O. Box 179  
Bellefonte, PA 16823  
814-355-4769

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  
CIVIL CASE**

PLAINTIFF:

**PURCELL TIRE CO.**  
**P.O. BOX 179**  
**BELLEFONTE, PA 16823**

NAME and ADDRESS

DEFENDANT:

**SWISTOCK, JR, PETE, ET AL.**  
**822 GRACE ST.**  
**HOUTZDALE, PA 16651**

NAME and ADDRESS

Docket No.: **CV-0000098-00**  
Date Filed: **6/12/00**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR PLAINTIFF**

Judgment was entered for: (Name) **PURCELL TIRE CO.**

Judgment was entered against: (Name) **SWISTOCK, JR, PETE**

in the amount of \$ **1,700.00** 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	\$ <b>1,700.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ 1,700.00</b>

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

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____

Levy is stayed for \_\_\_\_\_ days or  generally stayed.

**Certified Judgment Total** \$ \_\_\_\_\_

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

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.

8-15-00 Date James Hawkins, District Justice

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

10-11-00 Date James Hawkins, District Justice

My commission expires first Monday of January,

2006

SEAL

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

PURCELL TIRE CO.,

Plaintiff :  
vs. : No.  
R., :  
Defendant :  
.

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praeipe was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 16<sup>th</sup> day of October, 2000 addressed to the following:

Pete Swistock, Jr.  
822 Grace Street  
Houtzdale, PA 16651

Robert A. Mix

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

PURCELL TIRE CO.,

vs.

PETE SWISTOCK, JR.

Plaintiff :  
: No.  
:  
: Type of Pleading: Notice of Entry of  
: Judgment  
:  
Defendant : File on Behalf of: Plaintiff  
:  
: Counsel of Record:  
: Robert A. Mix, Esquire  
: Lee, Martin, Green & Reiter, Inc.  
: I.D. #16164  
: 115 E. High Street  
: P.O. Box 179  
: Bellefonte, PA 16823  
: 814-355-4769

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

PURCELL TIRE CO.,

Plaintiff :

vs.

: No.

PETE SWISTOCK, JR.,

Defendant :

NOTICE OF ENTRY OF JUDGMENT

To:

Pursuant to Rule 236, please be advised that the Court has entered an

Order  
 Decree  
 Judgment  
 Opinion

in the above-entitled proceeding, and a copy thereof is enclosed.

\_\_\_\_\_  
Prothonotary

Dated: \_\_\_\_\_

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

PURCELL TIRE CO.

Vs.

No. 00-1291-CD

PETE SWISTOCK, JR.

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$1,700.00 on the 18th day of October, 2000.

William A. Shaw  
Prothonotary

---

William A. Shaw

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

PURCELL TIRE CO.  
Plaintiffs (s)

Docket: 282

No.: 00-1291-CD

Real Debt: \$1,700.00

Atty's Comm:

Vs.

Costs: \$

Int. From:

PETE SWISTOCK, JR.  
Defendant (s)

Entry: \$20.00

Instrument: DISTRICT JUSTICE

Date of Entry: OCTOBER 18, 2000

Expires: OCTOBER 18, 2005

Certified from the record this 18th day of October, 2000.

---

William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

---

Plaintiff/Attorney

WILLIAM A. SHAW  
PROTHONOTARY/CLERK OF COURTS  
CLEARFIELD COUNTY COURTHOUSE  
P.O. BOX 549  
CLEARFIELD, PA 16830  
(814) 765-2641, EXT. 1330

No 39670

DATE Oct. 18 2000

RECEIVED OF Lee, Martin, Green & Rutter

ATTORNEY \_\_\_\_\_

CASE # 00-1291-LD

Purcell Tira Co. vs. Pete Swistock, Jr.

QUANTITY	DESCRIPTION	AMOUNT
1	D.J. Judgment	20.-
<div style="text-align: center;"><b>PAID</b> OCT 18 2000 WILLIAM A. SHAW PROTHONOTARY</div>		

TOTAL \$ 20--

CASH \_\_\_\_\_ M/O \_\_\_\_\_

CHECK # 11421

THE ABOVE MENTIONED INSTRUMENTS ARE RECEIVED SUBJECT TO THE PROVISIONS OF ACT OF ASSEMBLY  
REQUIRING PAYMENT OF FEES IN ADVANCE. NO REFUNDS ON OVERPAYMENT OF \$5.00 OR LESS.

(2)

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

PURCELL TIRE CO.,

vs.

PETE SWISTOCK, JR.

Plaintiff :  
: No. DO - 1291-CO  
:  
: Type of Pleading: Notice of Service .  
: of Interrogatories in Aid of Execution  
:  
Defendant : File on Behalf of: Plaintiff  
:  
: Counsel of Record:  
: Robert A. Mix, Esquire  
: Lee, Martin, Green & Reiter, Inc.  
: I.D. #16164  
: 115 E. High Street  
: P.O. Box 179  
: Bellefonte, PA 16823  
: 814-355-4769

**FILED**

OCT 18 2000  
11:45 AM  
William A. Shaw  
Prothonotary  
no copies

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

PURCELL TIRE CO.,

Plaintiff :

vs.

: No.

PETE SWISTOCK, JR.,

Defendant :

NOTICE OF SERVICE OF INTERROGATORIES

TO THE PROTHONOTARY:

You are hereby notified that on October 16, 2003, original  
Interrogatories in Aid of Execution were mailed by First Class Mail, Postage Prepaid, upon the  
following Defendant.

Pete Swistock, Jr.  
822 Grace Street  
Houtzdale, PA 16651

LEE, MARTIN, GREEN & REITER, INC.

By:

  
Robert A. Mx, Esquire

I.D. #16164

Attorney for Plaintiff  
115 E. High Street

P.O. Box 179  
Bellefonte, PA 16823  
814-355-4769

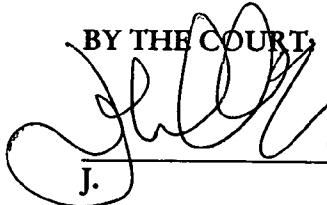
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

PURCELL TIRE CO.,

Plaintiff :  
:  
:  
vs. : No. 00-1291-CD  
:  
:  
Pete Swistock, Jr.,  
Defendant :  
:

ORDER

AND NOW, this 1 day of Dec, 2000, after  
consideration of Plaintiff's Motion to Compel Discovery, Defendant is hereby Ordered  
to serve Answers to Interrogatories in Aid of Execution on Plaintiff within 20  
days of the date of this Order.

BY THE COURT,  
  
J.

FILED

DFC 01 2000

William A. Shaw  
Prothonotary

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

PURCELL TIRE CO.,

vs.

PETE SWISTOCK, JR.

Plaintiff :  
: No. 00-1291-CO  
:  
: Type of Pleading: Motion to Compel  
: Discovery  
:  
Defendant : File on Behalf of: Plaintiff  
:  
: Counsel of Record:  
: Robert A. Mix, Esquire  
: Lee, Martin, Green & Reiter, Inc.  
: I.D. #16164  
: 115 E. High Street  
: P.O. Box 179  
: Bellefonte, PA 16823  
: 814-355-4769

**FILED**

NOV 28 2000

William A. Shaw  
Prothonotary

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

PURCELL TIRE CO., :  
Plaintiff :  
vs. : No. 00-1291-CD  
PETE SWISTOCK, JR., :  
Defendant :

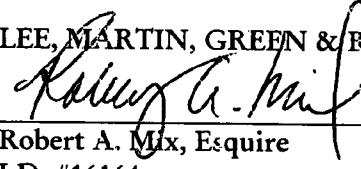
**MOTION TO COMPEL DISCOVERY**

NOW COMES Plaintiff Purcell Tire Co. by its attorneys, Lee, Martin, Green & Reiter, Inc., and respectfully represents:

1. On October 18, 2000, a judgment in the amount of \$1,700.00 in favor of Plaintiff and against Defendant was entered in the Court of Common Pleas of Clearfield County, Pennsylvania.
2. On October 16, 2000, Plaintiff filed and served Interrogatories in Aid of Execution on Defendant. True and correct copies of said Interrogatories in Aid of Execution are attached hereto, incorporated herein and marked Exhibit "A".
3. To date of filing of this Motion to Compel Discovery, Defendant has not filed and served Answers to said Interrogatories in Aid of Execution, nor has he filed objections thereto.
4. To date of filing this Motion to Compel Discovery, Defendant has not requested an extension of time for the filing and service of said Answers to Interrogatories in Aid of Execution, nor has an extension otherwise been granted.
5. Defendant has failed to file and serve Answers to said Interrogatories in Aid of Execution in compliance with the Pennsylvania Rules of Civil Procedure.

WHEREFORE, Plaintiff respectfully requests Your Honorable Court to issue an Order compelling Defendant to file and serve Answers to said Interrogatories in Aid of Execution within twenty days or such other period of time as the Court may deem appropriate.

LEE, MARTIN, GREEN & REITER, INC.

By: 

Robert A. Mix, Esquire

I.D. #16164

Attorney for Plaintiff

115 E. High Street

Lock Drawer 179

Bellefonte, PA 16823

814-355-4769

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

PURCELL TIRE CO.,

Plaintiff

vs.

: No.

PETE SWISTOCK, JR.,

Defendant

INTERROGATORIES IN AID OF EXECUTION

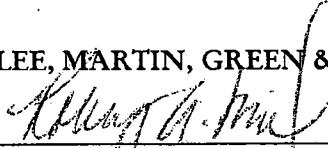
To: Pete Swistock, Jr.

Pursuant to Pennsylvania Rules of Civil Procedure 4006, et seq., the Plaintiff by its attorneys, Lee, Martin, Green & Reiter, Inc., files upon Defendant Interrogatories and demands that he file full, complete and verified written answers thereto within thirty (30) days after the date of service hereof, pursuant to the Pennsylvania Rules of Civil Procedure No. 4006. In accordance with said rule, any objections shall be signed by the attorney making them.

These Interrogatories are continuing and require supplemental answers under oath if the Defendant, his attorney or representative, obtain any additional information requested in these Interrogatories prior to the time of trial.

LEE, MARTIN, GREEN & REITER, INC.

By:

  
Robert A. Mix, Esquire

I.D. #16164

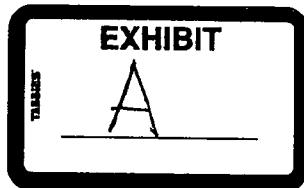
Attorney for Plaintiff

115 E. High Street

P.O. Box 179

Bellefonte, PA 16823

814-355-4769



**INSTRUCTIONS FOR ANSWERING INTERROGATORIES**

- A. In accordance with Pa. R.C.P. No. 4005, original written Interrogatories have been served upon you to be answered by the party served or, if the party served is a public or private corporation or similar entity or a partnership or association, by any officer or agent, who shall furnish such information as is available to the party.
- B. In accordance with Pa. R.C.P. No. 4006, written answers shall be inserted in the spaces provided in the Interrogatories. If there is insufficient space to answer an Interrogatory, the remainder of the answer shall follow on a supplemental sheet.
- C. In accordance with Pa. R.C.P. No. 4006(b), a sufficient answer to such an Interrogatory shall be to specify the records from which the answer may be derived or ascertained.
- D. Please return these original Interrogatories to our office with inserted answers.
- E. For purposes of these Interrogatories, the following definitions shall apply:
  1. "Document" means any written, recorded or graphic matter, however produced or reproduced.
  2. "Identify" or "identification" when used in reference to an individual person means to state his name, present or last known address, present or last known position and business affiliation and his position and business affiliations at all times during the period covered by the Complaint.
  3. "Describe" or "identify" when used in reference to a document means to state the type of document (for example, letter, memorandum, telegram, chart, etc.), the date, author, addresses, title file and identifying number and symbol, and the name and address of its custodian. If any such documents are no longer in your possession or subject to your control, state what disposition was made of it and the date thereof.

1. **REAL ESTATE:** Do you have an ownership or interest in any real estate anywhere in the United States?

If so, set forth a brief description thereof, include the structure and lot size and type of construction; the volume and page number of the official record thereof; and whether you own it solely or together with any other person or persons and give their full names and addresses. If any of the above properties are mortgaged, supply the names and addresses of lenders, the date and amount of the mortgage, where it is recorded, the monthly payments and the balance now due.

**ANSWER:**

2. **AGREEMENTS:** State whether you have any agreements involving the purchase of any real estate anywhere in the United States. If so, state with whom this agreement is made, and state whether or not any persons are joined with you in the agreement. Supply full names and addresses of all parties concerned. If the said agreement is recorded, provide the state and county of recordation, volume and page numbers.

**ANSWER:**

3. MORTGAGES: State whether you own any mortgages against any real estate owned by another person in the United States. If so, state whether or not you own this mortgage with any other person or persons and, if so, supply their full name and address. State further the names and addresses of all borrowers and the state and county where said mortgage is recorded together with the number of the volume and the page number.

ANSWER:

4. **DEBTS, NOTES & JUDGMENTS:** State the names and addresses of any and all persons whom you believe owes you money and set forth in detail the amount of money owed, the terms of payment and whether or not you have written evidence of this indebtedness and, if so, give full details. If you hold a judgment or judgments as security for any of these debts, state where and when the judgment was recorded; and the county, number and term where the judgment is recorded. If you hold this judgment or judgments jointly with any other person or persons, give their name and address.

**ANSWER:**

5. **GOVERNMENT, MUNICIPAL OR CORPORATE BONDS:** State whether you own individually or jointly any corporate or governmental bonds. If so, include the face amount, serial numbers and maturity date and state the present location thereof. If you own any of these bonds jointly with any other person or persons, give their full name and address.

**ANSWER:**

6. **STOCKS, SHARES OR INTEREST:** State whether you own any stocks, shares or interest in any corporation or unincorporated association or partnership interest, limited or general, and state the location thereof. Include the names and addresses of the organizations and the serial numbers of the shares or stocks. If you own any of the stocks, shares or interest jointly with any other person or persons, give their name and address.

**ANSWER:**

7. **ACCOUNTS:** State whether you maintain any checking or savings accounts. If so, state the name and location of the banks or savings and loan association or building and loan association or credit union and the branch or branches thereof, the identification numbers of those accounts and the amount of assets you have in each account. If you maintain any of these jointly with any person, give their name and address.

**ANSWER:**

8. **SAFETY DEPOSIT BOXES:** State whether you maintain any safety deposit box or boxes. If so, include the name of the bank or banks, branch or branches and the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If you maintain any of these jointly with another person, give their full name and address.

**ANSWER:**

9. **TRANSFERRED ASSETS AND GIFTS:** If, since the date upon which the debt herein was first incurred to the Plaintiff herein, you have transferred any assets (real property, personal property, chose in action) to any person and/or if you have given any gift of any asset, including money, to any person, set forth in detail a description of the property, the type of transaction and the name and address of the transferee or recipient.

**ANSWER:**

10. **PERSONAL PROPERTY:** State whether you own any personal property. Include a full description of all furnishings and other items of personal property (including jewelry) with full description, value and present location. State also whether or not there are any encumbrances on that property and if so, the name and address of the encumbrance holder, the date of the encumbrance, the original amount of that encumbrance, the present balance of that encumbrance and the transaction which gave rise to the existence of the encumbrance. If you own any personal property jointly with any other person or persons, give their name and address.

**ANSWER:**

11. **MOTOR VEHICLES:** State whether you own any motor vehicles. Include a full description of such motor vehicles including color, model, title number, serial number and registration plate number. Also, show the exact name or names in which the motor vehicles are registered, the present value of those motor vehicles and their present location and place of regular storage, garaging or parking. State also whether there are any encumbrances on those motor vehicles and if so, the name and address of the encumbrance holder, the date of the encumbrance, the original amount of the encumbrance, the present balance of the encumbrance and the transaction which gave rise to the existence of the encumbrance.

**ANSWER:**

12. **OTHER ASSETS:** If you have any asset or assets which are not disclosed in the preceding Interrogatories, please set forth all details concerning those assets.

**ANSWER:**

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

PURCELL TIRE CO.,

Plaintiff :

vs.

: No.

PETE SWISTOCK, JR.,

Defendant :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Interrogatories in Aid of Execution was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 16<sup>th</sup> day of October, 2000 addressed to the following:

Pete Swistock, Jr.  
822 Grace Street  
Houtzdale, PA 16651



Robert A. Mix, Esq.

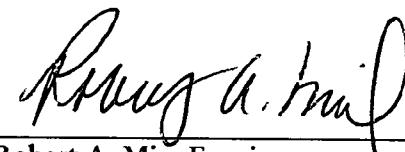
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

PURCELL TIRE CO.,

Plaintiff :  
:  
:  
vs. : No. 00-1291-CD  
:  
:  
PETE SWISTOCK, JR.,  
Defendant :  
:

VERIFICATION

Robert A. Mix, Esquire, being duly sworn according to law deposes and says that he is the attorney for Plaintiff herein; that he is authorized to make this verification on its behalf; and that the facts set forth in the Motion to Compel Discovery are true and correct to the best of his knowledge, information and belief. This verification is executed in accordance with Pa. R.C.P. 1024(c) and this statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.



\_\_\_\_\_  
Robert A. Mix, Esquire

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

## PURCELL TIRE CO.,

Plaintiff :  
vs. : No.  
R., :  
Defendant :  
:

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion to Compel  
Discovery was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania,  
on the 27th day of November, 2000 addressed to the following:

Pete Swistock, Jr.  
822 Grace Street  
Houtzdale, PA 16651

Robert A. Mifflin

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA  
CIVIL ACTION - LAW

PURCELL TIRE CO., )  
Plaintiff ) No.2000-1291-CD  
vs. )  
PETE SWISTOCK, JR., )  
Defendant )

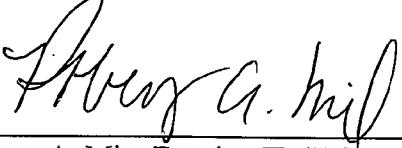
PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Kindly mark the above-captioned matter discontinued of record.

LEE, GREEN & REITER, INC.:

Date: May 5th, 2010

By: 

Robert A. Mix, Esquire, ID #16164  
Attorney for Plaintiff  
115 E. High St., P.O. Box 179  
Bellefonte, PA 16823  
(814) 355-4769

FILED NO  
MAY 07 2010 (60)  
S  
William A. Shaw  
Prothonotary/Clerk of Courts