

00-1309-CD
GELSINGER MEDICAL CENTER -vs- RALPH ANDERSON etux

113

GEISINGER MEDICAL CENTER
Plaintiff

:IN THE COURT OF COMMON PLEAS
:OF CLEARFIELD COUNTY

v.

:CIVIL ACTION - LAW

RALPH ANDERSON and
KATHLEEN ANDERSON, his wife
Defendants

: NO.: 00-1309-00

PRAECIPE TO ENTER JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment upon default in the above-captioned matter against Ralph Anderson and Kathleen Anderson, his wife, of P.O. Box 132, Frenchville, Pennsylvania, 16836, in the amount of Two Thousand Nine Hundred Sixty-Two Dollars and Two Cents (\$2,962.08) in favor of Plaintiff, Geisinger Medical Center.

FILED

OCT 23 2000

William A. Shaw
Prothonotary

Cory D. Piontek

Cory D. Piontek, Esquire
Attorney for Plaintiff

ORDER

AND NOW, to wit, this 23rd day of October, 2000, Judgment is entered against Defendants, Ralph Anderson and Kathleen Anderson, his wife, in favor of Plaintiff, Geisinger Medical Center in the amount of \$2,962.02.

William A. Shaw

William Shaw, Prothonotary
Clearfield County



OCT 23 2000
M1330 City
William A. Smith
Prothonotary

Not. to Def. K. Anderson
\$20.00

Not. to Def. K. Anderson
Statement City of Portland

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **MONTOUR**

Mag. Dist. No.:	26-3-04
DJ Name: Hon.	MARVIN K. SHRAWDER
Address:	MONTOUR COUNTY COURTHOUSE 29 MILL STREET DANVILLE, PA
Telephone:	(570) 271-3022 17821

**GEISINGER MEDICAL CENTER
100 N. ACADEMY AVE.
DANVILLE, PA 17822**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: NAME and ADDRESS
**GEISINGER MEDICAL CENTER
100 N. ACADEMY AVE.
DANVILLE, PA 17822**

VS.
DEFENDANT: NAME and ADDRESS
**ANDERSON, RALPH, ET AL.
PO BOX 132
FRENCHVILLE, PA 16836**

Docket No.: **CV-0000186-00**
Date Filed: **7/31/00**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** **00-1309-00**

☒ Judgment was entered for: (Name) **GEISINGER MEDICAL CENTER**

☒ Judgment was entered against: (Name) **ANDERSON, RALPH**

in the amount of \$ **2,962.02** on: (Date of Judgment) **8/21/00**

☐ 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	\$ 2,885.02
Judgment Costs	\$ 77.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 2,962.02
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.

8/21/00 Date **Marvin K. Shrawder**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
10/16/00 Date **Marvin K. Shrawder**, District Justice

My commission expires first Monday of January,

2004

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **MONTOUR**

Mag. Dist. No.: **26-3-04**
DJ Name: Hon.
MARVIN K. SHRAWDER
Address: **MONTOUR COUNTY COURTHOUSE**
29 MILL STREET
DANVILLE, PA
Telephone: **(570) 271-3022** **17821**

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: NAME and ADDRESS
GEISINGER MEDICAL CENTER
100 N. ACADEMY AVE.
DANVILLE, PA 17822

VS.
DEFENDANT: NAME and ADDRESS
ANDERSON, RALPH, ET AL.
PO BOX 132
FRENCHVILLE, PA 16836

GEISINGER MEDICAL CENTER
100 N. ACADEMY AVE.
DANVILLE, PA 17822

Docket No.: **CV-0000186-00**
Date Filed: **7/31/00**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

CD-1309-00

☒ Judgment was entered for: (Name) **GEISINGER MEDICAL CENTER**

☒ Judgment was entered against: (Name) **ANDERSON, KATHLEEN**

in the amount of \$ **2,962.02** on: (Date of Judgment) **8/21/00**

☐ 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:

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Judgment Costs	\$ 77.00
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Post Judgment Credits	\$ _____
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	=====
Certified Judgment Total	\$ _____

Date:	Place:
Time:	

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My commission expires first Monday of January,

2004

SEAL

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

GEISINGER MEDICAL CENTER

Plaintiff(s)

No. 00-1309-CD

Real Debt \$2,962.02

vs.

Atty's Comm _____

RALPH ANDERSON and

KATHLEEN ANDERSON

Defendant(s)

Atty's Comm _____

Costs \$

Int. From _____

Entry \$20.00

Instrument DJ Judgment

Date of Entry October 23, 2000

Expires October 23, 2005

Certified from the record this 23rd day of October, 2000

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, 20 ____, of defendant full
satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary
is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DIVISION OF PENNSYLVANIA
PITTSBURGH DIVISION

RALPH A. ANDERSON and
KATHLEEN S. ANDERSON,
Husband and Wife,
Movants

vs.

GEISINGER MEDICAL CENTER,
Respondent

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CHAPTER
CASE NO. 03-2590-BM
MOTION NO. 1

00-1309-CD
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Any
William A. Shaw
Prothonotary
In The United States Bankruptcy Court For The Western District
of Pennsylvania I, the undersigned Deputy Clerk, U.S. Bankruptcy
Court in and for said District, DO HEREBY CERTIFY that this
copy has been compared with the original thereof and that it is
a complete and correct copy of such original as it appears of
record and enters in my office. 3-4-11

IN TESTIMONY WHEREOF I have hereunto set my hand at
Pittsburgh in said District, this 26 day of April, 20 02

Deputy Clerk, U.S. Bankruptcy Court

MOTION TO AVOID JUDICIAL LIEN
PURSUANT TO BANKRUPTCY RULE 4003(d) AND 11 U.S.C. 522(f)(1)(A)

1. Ralph A. Anderson and Kathleen S. Anderson, husband and wife, (hereinafter collectively referred to as "Movants") commenced this action on May 15, 2001 by filing a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code.

2. The jurisdiction of this Court to hear this motion is provided for under 28 U.S.C. § 1471.

3. Sylverius Hugney and Iola Hugney, husband and wife, granted and conveyed certain realty in Covington Township, Clearfield County, Pennsylvania (hereinafter referred to as the "Subject Premises") to Movants under a deed dated October 11, 1988, which is recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deeds and Records Book 1248, Page 10.

4. On or about June 21, 1999, the Subject Premises was appraised as having a fair market value of \$80,000.00 by Clearfield Bank & Trust Company in connection with a refinancing of mortgage debt which was occurring at that time. Such appraisal is

incorporated herein by reference.

5. At the time this case was commenced and continuing to the date of the filing of this Motion, the Subject Premises was and is encumbered by the following liens:

(a) the lien of an open-end mortgage dated November 25, 1996 from Movants to Clearfield Bank & Trust Company securing the payment of advances against a home equity line of credit having a credit limit of \$6,600.00, which is recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deeds and Records Book 1806, Page 492;

(b) the lien of a mortgage dated June 21, 1999 from Movants to Clearfield Bank & Trust Company securing the payment of \$54,600.00, which is recorded in the above mentioned Office at Instrument No. 199910537;

(c) the lien of a judgment in the amount of \$2,962.02 which was entered in the case of Geisinger Medical Center, Plaintiff vs. Ralph A. Anderson and Kathleen S. Anderson, Defendants, which is filed to No. 00-1309-CD in the Court of Common Pleas of Clearfield County, Pennsylvania, Civil Division; and

(d) the lien of a judgment in the amount of \$4,051.00 which was entered in the case of Geisinger Clinic, Plaintiff vs. Ralph A. Anderson and Kathleen S. Anderson, Defendants, which is filed to No. 00-1310-CD in the Court of Common Pleas of Clearfield County, Pennsylvania, Civil Division.

6. At the time of the filing of the aforesaid petition (hereinafter referred to as the "Petition"), the amount owed to Clearfield Bank & Trust Company in connection with the above

mentioned mortgage dated June 21, 1999 was approximately \$52,542.96.

7. At the time of the filing of the petition, the amount owed to Clearfield Bank & Trust Company in connection with the above mentioned mortgage dated November 25, 1996 was approximately \$5,655.46.

8. Movants are entitled to an exemption in the amount of \$32,300.00 under 11 U.S.C. § 522(d)(1) in connection with their ownership of the Subject Premises because the Subject Premises is Movants' residence as defined and provided for under Chapter 7 of Title 11 of the United States Code.

9. The lien of Respondents' judgment filed to No. 00-1309-CD impairs the aforesaid exemption provided for under 11 U.S.C. §522(d)(1) which Movants would otherwise be entitled to.

WHEREFORE, Movants respectfully request that this Court issue an Order avoiding the aforesaid judicial lien held by Respondent in or to the Subject Premises and for such additional and/or alternative relief as this Court may deem just, proper and appropriate.

RESPECTFULLY SUBMITTED,

John R. Lhota, P.C.

By: 

John R. Lhota, Attorney at Law
Counsel to Ralph A. Anderson
and Kathleen S. Anderson, Movants

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

Supreme Court No. 22491

DATE: August 20, 2001

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DIVISION OF PENNSYLVANIA
PITTSBURGH DIVISION

RALPH A. ANDERSON and
KATHLEEN S. ANDERSON,
Husband and Wife,
Movants

vs.

GEISINGER MEDICAL CENTER,
Respondent

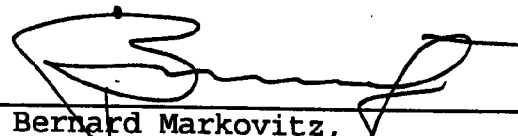
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CHAPTER 7
CASE NO. 01-25190-BM
MOTION NO. 01-1346 M

ORDER

AND NOW, this 10-10-01 day of ~~day of~~, 2001 having reviewed and considered the Motion to Avoid Judicial Lien Pursuant to Bankruptcy Rule 4003(d) and 11 U.S.C. Section 522(f)(1)(A) which has been filed of record in the above captioned on behalf of Movants, it is hereby ORDERED AND DECREED that said Motion is hereby granted and that Respondent's judicial lien, in the amount of \$2,962.02, filed to No. 00-1309-CD in the Court of Common Pleas of Clearfield County, Pennsylvania, Civil Division, is hereby avoided.

BY THE COURT



Bernard Markovitz,
United States Bankruptcy Judge

FILED

OCT 10 2001

CLERK, U.S. BANKRUPTCY COURT
WEST DIST OF PENNSYLVANIA