

00-1485-CD
PRESTON JOHN RAYMOND -vs- EUGENE DUBOIS

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.

CIVIL DIVISION
No. 00 - - CD

PRESTON JOHN RAYMOND,
Plaintiff

vs.

EUGENE DUBOIS,
Defendant

COMPLAINT

NOTICE TO DEFENDANT:

YOU are hereby notified
that you are required to file
an Answer to the within Complaint
within twenty (20) days after
service upon you or judgment
may be entered against you.

Joseph Colavecchi
JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

COLAVECCHI & RYAN
ATTORNEYS AT LAW
221 E. MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PRESTON JOHN RAYMOND,
Plaintiff

Vs.

EUGENE DUBOIS,
Defendant

CIVIL DIVISION

No. 00 - 1485 - CD

COMPLAINT

Filed on Behalf of:

Plaintiff, PRESTON JOHN RAYMOND

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

NOV 29 2000
10:09 AM
William A. Shaw
Prothonotary

3 cent ATT7

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

PRESTON JOHN RAYMOND, :
Plaintiff : No. 00 - - CD
VS. :
EUGENE DUBOIS, :
Defendant :

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.

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PA

DAVID MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Clearfield, PA 16830
814/765-2641 Ext. 5982

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

PRESTON JOHN RAYMOND, :
Plaintiff : No. 00 - - CD
Vs. : JURY TRIAL DEMANDED
EUGENE DUBOIS, :
Defendant :

COMPLAINT

1. Plaintiff is Preston John Raymond an individual residing at R.R. #1, Box 433AA, West Decatur, Pennsylvania 16878.

2. Defendant is Eugene M. DuBois, an individual residing at Old Tram Old, P.O. Box 80, West Decatur, Pennsylvania 16878.

3. On February 3, 2000, Preston John Raymond was operating a 1991 Buick Regal in a southerly direction on South Centre Street in Philipsburg, Pennsylvania, at 10:00 a.m.

4. On that same day, time and place, Eugene M. DuBois was operating a 1990 Chevy Lumina and was parked on Spruce Street which intersects with South Centre Street.

5. Defendant pulled from his parked position on Spruce and traveled west past the stop sign at the intersection of Spruce Street and South Centre Street and drove directly into the path of the motor vehicle being operated by Plaintiff.

6. There was an impact that occurred in the southbound lane of South Centre Street between the right side of the vehicle being

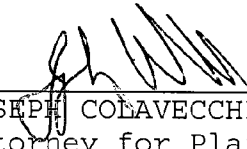
operated by Defendant and the front of the vehicle being operated by Plaintiff. After the impact, the Defendant's vehicle spun clockwise approximately 165 degrees and came to a final rest on Spruce Street facing in an easterly direction.

7. The damages hereinafter set forth were caused solely by and were the direct and proximate result of the negligence of the Defendant in any or all of the following respects:

- a. In failing to have the vehicle under proper control;
- b. In continuing to operate the vehicle in a direction into the path of Plaintiff's vehicle when Defendant saw or in the exercise of reasonable diligence should have seen that further operation in that direction would result in a collision;
- c. In that the driver was inattentive and failed to maintain a sharp lookout of the road and the surrounding traffic conditions;
- d. In failing to operate the brakes in such a manner so that the vehicle could be stopped in time to avoid the collision;
- e. In failing to stop at the stop sign located at the intersection of South Centre Street and Spruce Street;
- f. In failing to yield the right-of-way to Plaintiff at the intersection; and,
- g. In failing to maintain a reasonable lookout for the presence of other motor vehicles on the road.

8. Solely as a result of the negligence of the Defendant, the said automobile of Plaintiff was damaged so that it will cost the amount of Three Thousand Five Hundred Eighty-two Dollars and Eleven Cents (\$3,582.11) to repair it. The details are set forth in the appraisal by Wilson's Appraisal Service, a copy of which is attached hereto and marked Exhibit "A". Said Plaintiff was obliged to have said motor vehicle repaired, was deprived of its use for some time and said motor vehicle has depreciated in value.

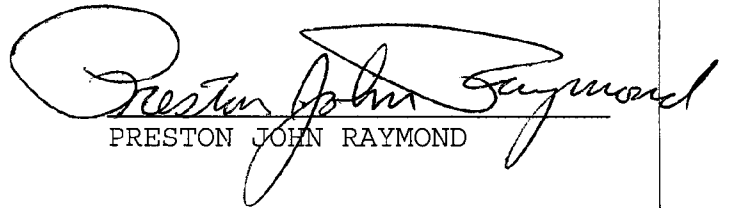
WHEREFORE, Plaintiff brings this action against Defendant to recover damages in the amount of Three Thousand Five Hundred Eighty-two Dollars and Eleven Cents (\$3,582.11), plus interest and costs.



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

VERIFICATION

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


PRESTON JOHN RAYMOND

WI N'S APPRAISAL SERV

Estimate

2/15/00

Registration #: 131705
200 N. BOILINGS SPRINGS AVE.
Yeagertown, Pa, PA 17099
Phone : (717) 248-2117
Fax # : (717) 248-7235

Customer No: 332
Report No: 322
Assign No:

Vehicle Information

1991 Buick Regal
Style: 4D SEDAN CUSTOM
Color: White
Color Code:
Production Date: / 0
License: BKB-7262 State: PA
VIN: 2G4WB54T5M1856454
Miles In: 170384
Miles Out: 0
Condition:
Estimator: GERALD GWEN WILSON

Insurance Company

HORACE MANN COMPANIES
105 LEADER HEIGHTS RD. SUITE 150
York., PA 17403
Phone #:
Fax #:
Date Assigned: 2/8/00

Owner - PRESTON RAYMOND

R.R. # 1 BOX 433AA
West Decatur, PA 16878
Home Phone: (814) 342-1281
Work Phone: (717) -
Fax #: (717) -

Insured - PRESTON RAYMOND

R.R. # 1 BOX 433AA
West Decatur, PA 16878
Home Phone: (814) 342-1281
Work Phone: (717) -
Fax #: (717) -

Insurance Information

Adjuster:
Policy #:
Claim #: J11433
Deductible: \$0.00
Claim Rep:
Date of Loss: 2/3/00

Accident Location

Phone #1:
Phone #2:

Claimant -

Home Phone: (717) -
Work Phone: (717) -
Fax #: (717) -

Repair Shop

DIXON'S AUTO BODY
SOUTH CENTER ST
Philipsburg,, PA 17044
Phone #: (814) 342-0162
Fax #: (814) 342-3036
Date of Inspection:

Description of Work	Part Number	Price	Labor	Paint	Other
* Replace USED WALK-WAY		\$1,875.00 *	8.5* body*	9.8*	
* Replace USED SHORT INTER STRUCTURE			7.0* body*	2.5*	
* RECHARGE A/C.					\$115.00* taxed
* ANTRIFREEZE					\$6.50* taxed
* Replace STREEING COLUMN USED		\$187.50 *	1.7* mech*		
* ALIGN FT SUSPENSION					\$39.95* taxed
COVER CAR			0.3* body*		\$5.00* taxed
Sub Totals		\$2,062.50	17.5	12.3	

Gerald Wilson

GERALD WILSON
GWEN WILSON

131705
142405

	Hours	Rate	Total
Body Labor	15.8hrs	\$32.00/hr	\$505.60 †
Paint Labor	12.3hrs	\$32.00/hr	\$393.60 †
Mech Labor	1.7hrs	\$32.00/hr	\$54.40 †
OEM Parts			\$2,062.50 †
Paint Supplies	12.3hrs	\$16.00/hr	\$196.80 †
Misc Taxed			\$166.45 †
Tax	\$3,379.35 @	6.000%	\$202.76
Grand Total			\$3,582.11

Estimate based on MOTOR CRASH GUIDE (DR1AH88). 11/99
* Indicates Estimator's Judgement
† Indicates Taxed Item

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10447

RAYMOND, PRESTON JOHN

00-1485-CD

VS.

DUBOIS, EUGENE

COMPLAINT

SHERIFF RETURNS

NOW DECEMBER 5, 2000 AT 1:20 PM EST SERVED THE WITHIN COMPLAINT ON
EUGENE DUBOIS, DEFENDANT AT RESIDENCE, SHADY GROVE TRAILER CT., LOT 7
HYDE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO
AMANDA WILLIAMS, DEFENDANT'S GIRLFRIEND, A TRUE AND ATTESTED COPY OF
THE ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: NEVLING/MARSHALL

FILED

DEC 15 2000

W.A. Shaw
William A. Shaw
Prothonotary

Return Costs

Cost Description

25.35 SHFF. HAWKINS PAID BY: ATTY.

10.00 SURCHARGE PD. BY: ATTY.

Sworn to Before Me This

15 Day Of Dec 2000

William A. Shaw

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

So Answers,

Chester A. Hawkins
by Maury Ham

Chester A. Hawkins
Sheriff

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

No. 00 - 1485 - CD

PRESTON JOHN RAYMOND, Plaintiff

vs.

EUGENE DUBOIS, Defendant

PRAECIPE FOR JUDGMENT

FILED

Att'y pd.

20.00

Notice to Defendant

JAN 17 13 2001

Statement to Plaintiff (Att'y)

William A. Shaw

Prothonotary

WAS

**COLAVECCHI
RYAN & COLAVECCHI**

ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PRESTON JOHN RAYMOND,
Plaintiff

Vs.

EUGENE DUBOIS,
Defendant

CIVIL DIVISION

No. 00 - 1485 - CD

PRAECIPE FOR JUDGMENT

Filed on Behalf of:

Plaintiff, PRESTON JOHN RAYMOND

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

JAN 15 2001

William A. Shaw
Prothonotary

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

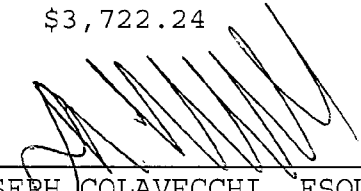
PRESTON JOHN RAYMOND, :
Plaintiff : No. 00 - 1485 - CD
: :
vs. : :
: :
EUGENE DUBOIS :
Defendant :

PRAECIPE FOR JUDGMENT

TO: PROTHONOTARY OF CLEARFIELD COUNTY

The Defendant, EUGENE DUBOIS, having been served on December 5, 2000, and no answer having been filed, a further ten (10) day notice was then served on EUGENE DUBOIS on December 27, 2000, being attached to this Praecipe. No answer still having been filed to the Complaint, please assess damages as follows:

1. Amount of Debt:	\$3,582.11
2. Interest from 11/28/00 to 1/9/01:	\$ 24.78
3. Costs:	<u>\$ 115.35</u>
TOTAL AMOUNT OF JUDGMENT:	\$3,722.24




JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

AFFIDAVIT

JOSEPH COLAVECCHI, ESQUIRE, being duly sworn according to law,
deposes and states as follows:

The last known address of judgment creditor is R.R. #1, Box
433AA, West Decatur, Pennsylvania 16878.

The last known address of judgment debtor is Shady Grove
Trailer Court, Lot 7, Hyde, Pennsylvania 16843.



JOSEPH COLAVECCHI, ESQUIRE

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

PRESTON JOHN RAYMOND, :
Plaintiff : No. 00 - 1485 - CD
Vs. :
EUGENE DUBOIS, :
Defendant :

TO: EUGENE DUBOIS
Shady Grove Trailer Court
Lot #7
Hyde, PA 16843


DATE OF NOTICE: December 27, 2000

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION
REQUIRED OF YOU 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 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
Second & Market Streets
Clearfield, PA 16830
814/765-2641 Ex. 5982

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA


JOSEPH COLAVECCHI, ESQUIRE
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

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

2

—

VS.

: NO. 00 - 1485 - CD

•

:

Defendants

William A. Shaw
PROTHONOTARY

~~BY~~

DEPUTY

COPY

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

Preston John Raymond
Plaintiff(s)

No.: 2000-01485-CD

Real Debt: \$3,722.24

Atty's Comm:

Vs.

Costs: \$

Int. From:

Eugene Dubois
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: January 15, 2001

Expires: January 15, 2006

Certified from the record this 15th day of January, 2001

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

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

No. 00 - 1485 - CD

PRESTON JOHN RAYMOND,

Plaintiff

vs.

EUGENE DUBOIS,

Defendant

PRAECIPE FOR CERTIFICATION
OF JUDGMENT

FILED

28 2001

09/25/01 to Dept. Licensing

A. Shaw
Notary

Att, Colavecchi pd

9/25 \$3.00

**COLAVECCHI
RYAN & COLAVECCHI**

ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PRESTON JOHN RAYMOND,
Plaintiff

Vs.

EUGENE DUBOIS,
Defendant

CIVIL DIVISION

No. 00 - 1485 - CD

PRAECIPE FOR CERTIFICATION
OF JUDGMENT

Filed on Behalf of:

Plaintiff, PRESTON JOHN RAYMOND

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

MAR 28 2001

William A. Shaw
Prothonotary

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

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

PRESTON JOHN RAYMOND, :
Plaintiff : No. 00 - 1485 - CD
Vs. :
EUGENE DUBOIS, :
Defendant :


PRAECIPE FOR CERTIFICATION
OF JUDGMENT

TO: WILLIAM SHAW, PROTHONOTARY

I, Joseph Colavecchi, Esquire, attorney for the Plaintiff, Preston John Raymond, submit the following information in connection with the eventual removal of the operating privileges of the Defendant in that the judgment entered in said action has not been paid within 60 days from the date of its entry:

1. Operator's Name: Eugene Dubois
2. Operator's Address: Old Tram Road
P.O. Box 80
West Decatur, PA 16878
3. Operator's Date of Birth: 12/18/75
4. Driver License No.: 23831995
5. Date of Accident: 2/3/00
6. Plaintiff's Name: Preston John Raymond
7. Plaintiff's Address: R.R. #1, Box 433AA
West Decatur, PA 16878

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

3/26/01
DATE

DL-201 (12-93)

Bureau of Driver Licensing
P.O. Box 60037
Harrisburg, PA 17106-0037**CERTIFICATION OF
MOTOR VEHICLE JUDGMENT**

COURT INFORMATION			
COURT	COPY		
COUNTY			
NUMBER			
YEAR			

TO THE SECRETARY OF TRANSPORTATION

This is to certify that on January 15, 2001 a judgment for \$ 3,722.24 plus \$ 20.00
 was entered against the following: (AMOUNT) (COST)

(Please use a separate form for each)

JUDGMENT DEBTOR

(Please Print or Type)

NAME			SEX	DATE OF BIRTH		
FIRST	MIDDLE	LAST		MONTH	DAY	YEAR
EUGENE	MICHAEL	DUBOIS	M	12	18	75
ADDRESS						
Old Tram Road, P.O. Box 80						
CITY	STATE	ZIP CODE	SOCIAL SECURITY NUMBER			
West Decatur	PA	16878	- - - - -			
DRIVER NUMBER	STATE	DATE OF ACCIDENT	CLAIM NUMBER			
43161427607	PA	2/3/00				

☐ Check this block if defendant is a resident of another state**JUDGMENT CREDITOR**

PRESTON JOHN RAYMOND

(NAME)

R.R. #1, Box 433 AA

(STREET ADDRESS)

West Decatur, PA

16878

(CITY & STATE)

(ZIP)

814/342-1281

(TELEPHONE NUMBER)

**ATTORNEY FOR THE JUDGMENT
CREDITOR (If applicable)**

JOSEPH COLAVECCHI, ESQUIRE

(NAME)

221 East Market Street

(STREET ADDRESS)

Clearfield, PA

16830

(CITY & STATE)

(ZIP)

814/765-1566

(TELEPHONE NUMBER)

THE ABOVE MENTIONED JUDGMENT AROSE FROM A MOTOR VEHICLE ACCIDENT. SIXTY DAYS HAVE ELAPSED SINCE THE ENTRY OF SAID JUDGMENT, AND THE SAME HAS NOT BEEN SATISFIED OF RECORD AND NO APPEAL HAS BEEN TAKEN THEREFROM.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal
 of the court this Day of March 28 2001

(SIGNATURE OF CLERK OR JUDGE OF THE
 COURT IN WHICH THE JUDGMENT WAS RENDERED)

WILLIAM A. SHAW
 Prothonotary

My Commission Expires
 1st Monday in Jan. 2002
 Clearfield Co. Clearfield, PA.

SEAL

SEND THIS Bureau of Driver Licensing, P.O. Box 60037,
 FORM TO: Harrisburg, Pennsylvania 17106-0037

Law Offices
COLAVECCHI RYAN & COLAVECCHI

*221 East Market Street
(across from Courthouse)*

*P.O. Box 131
Clearfield, Pennsylvania 16830
(814) 765-1566*

*Joseph Colavecchi
John R. Ryan
Paul Colavecchi*

COPY
FAX
(814) 765-4570

March 26, 2001

Pennsylvania Department of
Transportation
Bureau of Driver Licensing
P.O. Box 60037
Harrisburg, PA 17106-0037

In Re: John Preston Raymond vs. Eugene Dubois; No. 00-1485-CD
Date of Accident: 2/3/00

Dear Sirs:

I am enclosing, herein, a copy of the Certification of Motor Vehicle Judgment filed in the Court of Common Pleas of Clearfield County, Pennsylvania with regard to the above-captioned action.

I would ask that you proceed with suspension of driving privileges of Eugene Dubois in accordance with the Financial Responsibility Law.

Thank you for your kind cooperation.

Sincerely yours,


Joseph Colavecchi

JC:llh

Enclosure

