

01-778-CD
BURTIS W. DIXON et al -vs- ANNISSE J. STRAW

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 01 -
- CD

BURTIS W. DIXON and JUDY A.
DIXON, Parents and Natural
Guardians of KRISTEN H. DIXON,
Plaintiffs

vs.

ANNISSE J. STRAW,
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 & COLAVECCHI**

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

FILED

30 MAY 22 2001
30 William A. Shaw
Prothonotary
POD 5/21/01

1cc atty Colavecchi
1cc Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BURTIS W. DIXON and JUDY A.
DIXON, Parents and Natural
Guardians of KRISTEN H.
DIXON,

Plaintiffs

Vs.

ANNISSE J. STRAW,
Defendant

CIVIL DIVISION

No. 01 - 778 - CD

COMPLAINT

Filed on Behalf of:

Plaintiff, BURTIS W. DIXON and
JUDY A. DIXON

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

MAY 22 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

BURTIS W. DIXON and JUDY A. :
DIXON, Parents and Natural : No. 01 - - CD
Guardians of KRISTEN H. DIXON, :
Plaintiffs: JURY TRIAL DEMANDED
:
VS. :
:
ANNISSE J. STRAW, :
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

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Second and Market Streets
Clearfield, PA 16830
Phone 814/765-2641 Ex. 5982

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

BURTIS W. DIXON and JUDY A. DIXON, :
Parents and Natural Guardians of : No. 01 - - CD
KRISTEN H. DIXON, :
Plaintiffs: JURY TRIAL DEMANDED
:
Vs. :
:
ANNISSE J. STRAW, :
Defendant :

COMPLAINT

1. Plaintiffs are Burtis W. Dixon and Judy A. Dixon, parents and natural guardians of their minor daughter, Kristen H. Dixon, whose mailing address is P.O. Box 331, Bigler, Clearfield County, Pennsylvania 16825.

2. Defendant is Annisse J. Straw an individual residing at 409 Pine Top Road, P.O. Box 452, Bigler, Pennsylvania 16825.

3. On February 27, 2001, at approximately 7:30 a.m., Kristen H. Dixon was operating a 1994 Ford Probe traveling north on SR 970.

4. On that same time and date, Annisse J. Straw was operating a green Ford Explorer traveling south on SR 970.

5. Defendant crossed over the centerline and while going in a southerly direction, traveled into the northbound lane and into the path of the vehicle being operated by Plaintiff who then swerved to her right to avoid a collision.

6. As a result of having to swerve to avoid hitting Defendant's vehicle which had crossed over the centerline and came into Plaintiff's lane, Plaintiff lost control of her vehicle which caused it to cross over the southbound lane and into a ditch along the westside of SR 970 striking the opposite side of the ditch which was the initial impact point and final rest of the vehicle.

7. The injuries and 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 operating the vehicle at a high, dangerous and reckless speed under the circumstances;

b. In failing to have the vehicle under proper control;

c. In continuing to operate the vehicle in a direction toward Plaintiff's vehicle when its operator saw or in the exercise of reasonable diligence should have seen that further operation in that direction would result in a collision;

d. In that the driver was inattentive and failed to maintain a sharp lookout of the road and the surrounding traffic conditions;

e. In violating the various statutes and municipal ordinances pertaining to the operation of motor vehicles on public

thoroughfares under the circumstances, including the violation of the statute on crossing over the centerline into the other lane of traffic;

f. In driving on the wrong side of the highway;

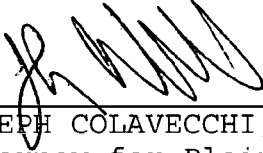
g. In crossing the divider line which marked the center of the road; and,

h. 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 as aforesaid, the said automobile of the Plaintiff owned by Burtis W. Dixon and Judy A. Dixon was damaged as set out in more detail on the estimate prepared by Bigler Boyz Collision Center showing a cost to repair the vehicle in the amount of Ten Thousand Nine Hundred Seventy-one Dollars and Eighty-four Cents (\$10,971.84), plus towing fees to remove the car from the ditch and to tow it to the residence in the amount of One Hundred Twenty Dollars (\$120.00) and storage fees at Ten Dollars (\$10.00) a day. A copy of said estimate is attached hereto marked Exhibit "A".

9. There is a current market value on the 1994 Ford Probe of Six Thousand Nine Hundred Ninety-five Dollars (\$6,995.00) as shown on Exhibit "B" to which would be added the inconvenience for loss of vehicle and interest and costs.

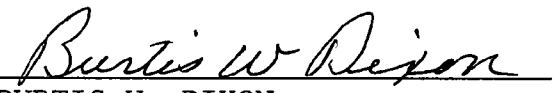
WHEREFORE, Plaintiffs ask for judgment in their favor and against Defendant in the amount of approximately Eleven Thousand One Hundred Dollars (\$11,100.00), plus interest and costs.



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiffs

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.


BURTIS W. DIXON

BIGLER BOYZ COLLISION CENTER
 . . . BOX 381, BIGLER, PA 16825 . . .
 PHONE 814-857-7871 FAX 814-857-7098

CD LOG NO 58-2 DATE 03/26/01

SHOP: BIGLER BOYZ COLLISION CENTER	INSP DATE: 03/24/01
ADDRESS: BOX 381	CONTACT: RICHARD HEBERLING
GRAHAMPTON ROAD	PHONE 1: (814)857-7871
CITY STATE: BIGLER, PA	FAX: (814)857-7098
ZIP: 16825-	

OWNER: DIXON, BURTIS
 CITY STATE: BIGLER, PA
 ZIP: 16825-

POINT OF IMPACT: 4

SUPPLEMENT

LIC#:	STATE:	VIN: 1ZVLT22B5R5139147
BODY COLOR: BLUE		MILEAGE:
CONDITION:		ACCTNG CTL#:

*=USER-ENTERED VALUE	E=NEW PART	EC=ECONOMY PART
EU=SALVAGE PART	EP=SEE PX REPORT	ET=LABOR PARTIAL REPLACE
IT=LABOR PARTIAL REPAIR	I=REPAIR/ALIGN/SUBLET	L=REFINISH
N=ADDNL LABOR OPERATION	P=CHECK	TE=PART/PARTIAL REPLACE
AA=APPEARANCE ALLOWANCE	RP=RELATED PRIOR DAMAGE	UP=UNRELATED PRIOR DAMAGE
RI=R&I ASSEMBLY		

1994 FORD PROBE GT 2DR HATCHBACK P1272B/B OPTNS B/24G

OPTIONS: TWO-STAGE - EXTERIOR SURFACES TWO-STAGE - INTERIOR SURFACES
 TINTED GLASS

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	HOURS	R
---	---	---	-----	-----	-----	---	-----	---
E	0005		BUMPER, FRONT	F32Z17757B	216.13		1.3	1
E	0006		COVER, FRONT BUMPER	F32Z17D957A	247.50			1
L	0006	09	COVER, FRONT BUMPER	REFINISH			4.0	4
E	0017		REINF, FRONT BUMPER	F42Z17E814A	32.24			1
E	0019		REINF, FRONT BUMPER	F32Z17E814B	69.74			1
E	0031	01	RET, FRT BUMPER COVER	LT F32Z17C756C	1.77			1
E	0012		SUPT, FRT BUMPER COVER	LT F32Z17E814D	21.39			1
E	0021	01	SUPT, FRT BUMPER COVER	LT F42Z13B159D	6.77			1
E	0024		SUPT, FRT BMPR CVR UPR	F42Z17C947F	23.07			1
E	0020		PANEL, FRONT VALANCE	F42Z17626A	56.68			1
L	0020		PANEL, FRONT VALANCE	REFINISH			0.2	4
E	0014		BRKT, AIR DAM	LT F32Z17C787A	30.06			1
E	0023		ABSORBER, FRONT BUMPER	F32Z17C947B	40.65			1
E	0041		HEADLAMP ASSY, HALOGEN	LT F32Z13008B	107.80		0.3	1
E	0046		RING, BEAM MOUNTING	LT F32Z13119C	INC			1
E	0060		RING, BEAM RET	LT F32Z13015A	INC			1

Exhibit

"A"

1994 FORD PROBE GT 2DR HATCHBACK . . .
 CD LOG NO 58-2 . . .

E	0064	SEALED BEAM, HALOGEN	LT F32Z13007A	INC		1
E	0056	COVER, HEADLAMP	LT F32Z13A137B	49.72		1
L	0056	COVER, HEADLAMP	LT REFINISH		0.8	4
E	0062	DOOR, HEADLAMP	LT F32Z13048B	35.82		1
E	0058	HINGE, HEADLAMP COVER	LT F32Z13A155A	268.82		1
E	0069	MOTOR, HEADLAMP COVER	LT F32Z13A167B	395.02	0.3	1
E	0039	SHAFT, LAMP COVER	LT F32Z13B014A	14.68	0.5	1
E	0096 01	SHIELD, LAMP SPLASH	LT F32Z13B159B	16.66		1
E	0048	PARKLAMP ASSEMBLY	LT F32Z13201B	71.71		1
E	0050	LAMP ASSEMBLY, FOG	LT F32Z15200D	140.76		1
E	0052	LENS, FOG LAMP	LT F42Z15L203E	INC		1
E	0083	PANEL, HOOD	F42Z16612B	434.46	1.2	1
L	0083	PANEL, HOOD	REFINISH		4.9	4
E	0073 07	PANEL ASSEMBLY, RAD SUPT	F32Z16138B	286.47	12.6	1
L	0073	PANEL ASSEMBLY, RAD SUPT	REFINISH		1.4	4
E	0094	AIRBAG SENSOR, FRONT	F32Z14B006A	173.17		2
E	0089	AIRBAG SNSR BRKT, FRONT	F42Z16747B	14.72		2
E	0092 02	AIRBAG SNSR BRKT, FRONT	F32Z14B045C	13.25		2
E	0121 07	PLATE, INNER FENDER	LT F32Z16A298B	21.86		1
L	0121	PLATE, INNER FENDER	LT REFINISH		0.5	4
E	0103	FENDER, FRONT	LT F32Z16006B	246.67	1.0	1
L	0103	FENDER, FRONT	LT REFINISH		3.5	4
E	0104	FENDER, FRONT	RT F32Z16005B	246.67	1.0	1
L	0104	FENDER, FRONT	RT REFINISH		3.5	4
E	0111	DEFLECTOR, FRT FENDER	LT F32Z16004AA	90.41		1
L	0111	DEFLECTOR, FRT FENDER	LT REFINISH		0.4	4
E	0112	DEFLECTOR, FRT FENDER	RT F32Z16003AA	90.41		1
L	0112	DEFLECTOR, FRT FENDER	RT REFINISH		0.4	4
E	G0143	WINDSHIELD, SHADED	F42Z6103100A	530.29	3.0	1
E	0865	AIRBAG SENSOR, INTERIOR	F32Z14B007A	189.07	0.4	2
E	0866	MODULE, AIRBAG CONTROL	F32Z14B056A	225.73	0.2	2
E	0946	AIRBAG, STEERING WHEEL	F62Z61043B13A	800.10	0.3	2
E	0947 01	AIRBAG, INSTRUMENT PNL	F62Z61044A74AAB	750.44	0.3	2
E	0174	DEFLECTOR, ROCKER PANEL	LT F32Z6110177AA	335.97	0.5	1
L	0174	DEFLECTOR, ROCKER PANEL	LT REFINISH		0.8	4
E	0175	DEFLECTOR, ROCKER PANEL	RT F32Z6110176AA	335.97	0.5	1
L	0175	DEFLECTOR, ROCKER PANEL	RT REFINISH		0.8	4
L	0207	DOOR SHELL, FRONT	LT REFINISH		1.9	4
E	0208	DOOR SHELL, FRONT	RT F72Z6120124AB	614.49	4.7	1
L	0208	DOOR SHELL, FRONT	RT REFINISH		3.1	4
PRELIMINARY REVIEW LIMITED BY INABILITY TO OPEN HOOD						
E	0253	DEFLECTOR, FRONT DOOR	LT F32Z6120939AA	281.63	0.4	1
L	0253	DEFLECTOR, FRONT DOOR	LT REFINISH		0.4	4
E	0254	DEFLECTOR, FRONT DOOR	RT F42Z6120938AA	281.63		1
L	0254	DEFLECTOR, FRONT DOOR	RT REFINISH		0.4	4

60 ITEMS

MC MESSAGE(S)

01 CALL DEALER FOR EXACT PART NUMBER / PRICE

02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO

07 STRUCTURAL PART AS IDENTIFIED BY I-CAR

1994 FORD PROBE GT 2DR HATCHBACK . . .
CD LOG NO 58-2 . . .

09 INCLUDES 0.6 HOURS MAJOR PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				7,810.40
PAINT MATERIAL				540.00
PARTS TOTAL				8,350.40
TAX ON PARTS & MATERIAL @			6.000%	501.02
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	36.00	27.3		982.80
2-MECH/ELEC	38.00	1.2		45.60
3-FRAME	41.00			
4-REFINISH	36.00	27.0		972.00
5-PAINT MATERIAL	20.00			
LABOR TOTAL				2,000.40
TAX ON LABOR		@	6.000%	120.02
SUBLET REPAIRS				
TOWING				
STORAGE				
GROSS TOTAL				10,971.84
NET TOTAL				10,971.84
LESS: PREVIOUS NET TOTAL				10,971.84-
NET SUPPLEMENT TOTAL				0.00

ADP SHOPLINK UD002 S1 CD LOG 58-2 DATE 03/26/01 12:46:21AM R6.1 CD 03/01
PXN:N/00/00/00/00 CUM:/// HOST LOG
COPYRIGHT 1999, AUTOMATIC DATA PROCESSING, INC.

4.0 HOURS WERE ADDED TO THIS ESTIMATE BASED ON ADP'S TWO-STAGE REFINISH FORMULA:
OF REFINISH HOURS, AFTER OVERLAP, PLUS 0.6 HOURS FOR THE FIRST MAJOR PANEL,
WHERE NOTED.

ESTIMATE CALCULATED USING THE 2.5 HOUR MAXIMUM ALLOWANCE FOR TWO-STAGE REFINISH
OF NON-FLEX, EXTERIOR SURFACES.



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Blue Book Retail Report

Pennsylvania • March 27, 2001

1994 Ford Probe GT Hatchback 2D



Engine: V6 2.5 Liter
Trans: Automatic
Drive: Front Wheel Drive
Mileage: 96,000

Equipment

GT Plus Pkg
Air Conditioning
Power Steering
Power Windows
Power Door Locks

Tilt Wheel
Cruise Control
AM/FM Stereo
Compact Disc
Premium Sound

Dual Air Bags
ABS (4-Wheel)
Power Seat
Rear Spoiler
Alloy Wheels

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Retail Value

\$6,995

Suggested retail represents the price a dealership might ask for this make and model vehicle. This represents a fully reconditioned vehicle in excellent condition with a clean title history. This retail price is not a trade-in or private-party value, but rather assumes that a dealer has absorbed the cost of making the vehicle ready for sale, reconditioning, advertising, sales commissions, arranging for financing and insurance and standing behind the vehicle for any mechanical or safety problems. Many late model vehicles at this price have passed an inspection program or carry a warranty. Actual dealer selling price may vary from this price.

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In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11033

DIXON, BURTIS W. & JUDY A. parents & nat. guardian of KRISTEN H. DIXO 01-778-CD

VS.

STRAW, ANNISSE J.

COMPLAINT

SHERIFF RETURNS

NOW MAY 25, 2001 AT 2:05 PM DST SERVED THE WITHIN COMPLAINT ON
ANNISSE J. STRAW, DEFENDANT AT RESIDENCE, BOX 570, R.D.# 2
WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO
ANNISSE J. STRAW A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT
AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: COUDRIET/RYEN


Return Costs

Cost	Description
22.50	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

FILED

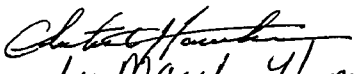
JUN 05 2001
01:23 am
William A. Shaw
Prothonotary

Sworn to Before Me This

5th Day of June 2001


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

So Answers,


by Marilyn Hampe
Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 01 - 778 - CD

BURTIS W. DIXON and JUDY A.
DIXON, Parents and Natural
Guardians of KRISTEN H. DIXON,
Plaintiffs

vs.

ANNISSE J. STRAW,
Defendant

PRAECIPE TO DISCONTINUE

FILED

JUN 22 2001

01:47 PM
William A. Shaw
Prothonotary

*1 cc atty. Colavecchi
Ent. to atty. Colavecchi
[Signature]*

**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

BURTIS W. DIXON and JUDY A.
DIXON, Parents and Natural
Guardians of KRISTEN H.
DIXON,

Plaintiffs

Vs.

ANNISSE J. STRAW,
Defendant

CIVIL DIVISION

No. 01 - 778 - CD

PRAECIPE TO DISCONTINUE

Filed on Behalf of:

Plaintiff, BURTIS W. DIXON and
JUDY A. DIXON

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

JUN 22 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BURTIS W. DIXON and JUDY A.
DIXON, Parents and Natural
Guardians of KRISTEN H.
DIXON,

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Vs.

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Defendant

CIVIL DIVISION

No. 01 - 778 - CD

PRAECIPE TO DISCONTINUE

Filed on Behalf of:

Plaintiff, BURTIS W. DIXON and
JUDY A. DIXON

Counsel of Record for This
Party:

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

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221 East Market Street
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JUN 22 2001

William A. Shaw
Prothonotary

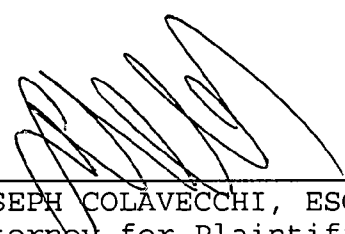
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

BURTIS W. DIXON and JUDY A. :
DIXON, Parents and Natural : No. 01 - 778 - CD
Guardians of KRISTEN H. DIXON, :
Plaintiffs: :
Vs. :
ANNISSE J. STRAW, :
Defendant :

PRAECIPE TO DISCONTINUE

TO: WILLIAM SHAW, PROTHONOTARY

Please mark the record in the above-captioned action settled,
discontinued, and ended.



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

June 21, 2001

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

**Burtis W. Dixon and
Judy A. Dixon, Parents and Natural
Guardians of Kristen H. Dixon**

Vs.

No. 2001-00778-CD

Annisie J. Straw

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 22, 2001 marked:

Settled, discontinued and ended.

Record costs in the sum of \$80.00 have been paid in full by Joseph Colavecchi, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 22nd day of June A.D. 2001.

William A. Shaw, Prothonotary