

01-1096-CD
WILLIAM CHARLES LYONS, II et al -vs- DEBORAH MOHNEY

Settled
Not
USED
😊

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
:
vs. :
:
DEBORAH MOHNEY, :
Defendant :

PRAECIPE FOR WRIT OF SUMMONS

TO WILLIAM A. SHAW, PROTHONOTARY

Sir:

Kindly enter our appearance on behalf of the Plaintiffs and issue a Summons in
Trespass against the Defendant, DEBORAH MOHNEY, whose last known address was 133
East Maloney Road, DuBois, PA 15801.

Respectfully submitted,

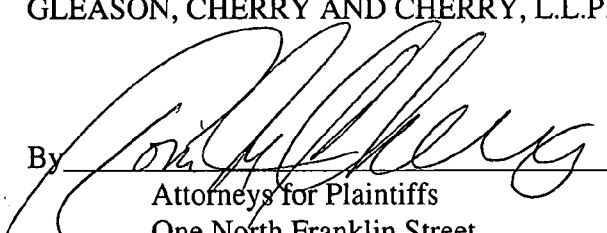
GLEASON, CHERRY AND CHERRY, L.L.P.

FILED

JUL 09 2001

William A. Shaw
Prothonotary

By


Attorneys for Plaintiffs
One North Franklin Street
P. O. Box 505
DuBois, PA 15801
Supreme Court No.: 30205

Dated: July 6, 2001

1..

FILED

JUL 09 2001

ABD *M/8.20/425*
William A. Shaw *PD*
Prothonotary

1 cent to pay 80.-

Writ to Sheriff

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION**

SUMMONS

**William Charles Lyons II, a minor, by
Lisa M. Lyons, his parent and natural
guardian, and Lisa M. Lyons, in her
own right and as parent an natural
guardian of William Charles Lyons,
Plaintiff,**

Vs.

NO.: 2001-01096-CD

**Deborah Mohnney,
Defendant**

TO: DEBORAH MOHNEY

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 07/09/2001

William A. Shaw
Prothonotary

Issuing Attorney:
Toni M. Cherry, Esq.
P. O. Box 505
DuBois, PA 15801

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11210

LYONS, WILLIAM CHARLES II & LISA M.

01-1096-CD

VS.

MOHNEY, DEBORAH

SUMMONS

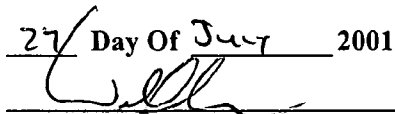
SHERIFF RETURNS

NOW JULY 13, 2001 AT 1:30 PM DST SERVED THE WITHIN SUMMONS ON DEBORAH MOHNEY, DEFENDANT AT EMPLOYMENT, ICT GROUP INC., BEAVER DRIVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DEBORAH MOHNEY A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: McCLEARY/NEVLING

Return Costs


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

Sworn to Before Me This

27 Day Of July 2001


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

So Answers,


Chester A. Hawkins
Sheriff

FILED

JUL 27 2001

6/27/01
William A. Shaw
Prothonotary

WILLIAM CHARLES LYONS II
LISA M. LYONS
Plaintiffs

vs.

DEBORAH MOHNEY,
Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

DOCKET NO. 2001-01096-CD

JURY TRIAL DEMANDED

PRAECIPE FOR RULE TO FILE COMPLAINT

TO The Prothonotary:

Please enter a Rule against Plaintiff to file a Complaint against Defendant with 20 days hereof or suffer the entry of a Judgment of Non Pros.

Respectfully Submitted;

MILLVILLE MUTUAL INSURANCE CO.



Dennis J. Yonkin, Esquire
Attorney ID No. 52674
PO Box 280
Millville, PA 17846
(717) 458-5517

Dated: 12-23-02

FILED

DEC 26 2002

William A. Shaw
Prothonotary

FILED

DEC 28 2002

10091 Rule
to ~~the~~ Millville Mutual Ins. Co.
[Signature]

William A. Shaw
Prothonotary

COPY

WILLIAM CHARLES LYONS II
LISA M. LYONS
Plaintiffs

vs.

DEBORAH MOHNEY,
Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

DOCKET NO. 2001-01096-CD

JURY TRIAL DEMANDED

RULE TO FILE COMPLAINT

AND NOW, this 26th day of December 2002, Rule is hereby granted upon Plaintiffs, to file a Complaint herein against Defendant, within 20 days after service hereof or suffer the entry of a Judgment of Non Pros.

Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, : No. 01 - 1096 C.D.

by LISA M. LYONS, his parent and natural :

guardian, and LISA M. LYONS, in her own : Type of Case: IN TRESPASS

right and as parent and natural guardian of :

WILLIAM CHARLES LYONS, II, : Type of Pleading: COMPLAINT

Plaintiffs :

vs.

DEBORAH MOHNEY,

Defendant

: Filed on Behalf of: WILLIAM CHARLES
: LYONS, II, a minor, by LISA M. LYONS,
: his parent and natural guardian, and LISA M.
: LYONS, in her own right and as parent and
: natural guardian of WILLIAM CHARLES
: LYONS, II, Plaintiffs

: Counsel of Record for these Parties

: TONI M. CHERRY, ESQ.
: Supreme Court No.: 30205

: GLEASON, CHERRY AND
: CHERRY, L.L.P.
: Attorneys at Law
: P.O. Box 505
: One North Franklin Street
: DuBois, PA 15801

: (814) 371-5800

FILED

FEB 10 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
:
vs. :
:
DEBORAH MOHNEY, :
Defendant :

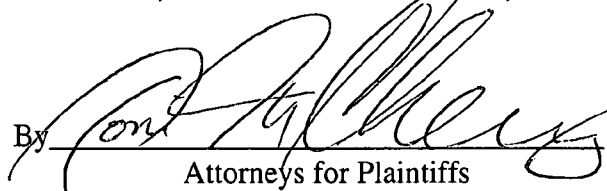
NOTICE

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 Notice and Complaint 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 claims 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, THEN YOU SHOULD GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641 Ext. 88-89

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
:
vs. :
:
DEBORAH MOHNEY, :
Defendant :

COMPLAINT

AND NOW, come the Plaintiffs, WILLIAM CHARLES LYONS, II, a minor, by LISA M. LYONS, his parent and natural guardian, and LISA M. LYONS, in her own right and as parent and natural guardian of WILLIAM CHARLES LYONS, II, by and through their Attorneys, GLEASON, CHERRY AND CHERRY, L.L.P., and brings this action in trespass against DEBORAH MOHNEY, Defendant, to recover damages, upon causes of action whereof the following are statements:

FIRST COUNT

**WILLIAM CHARLES LYONS, II, a minor, by LISA M. LYONS, his parent
and natural guardian vs. DEBORAH MOHNEY**

1. Plaintiff in this action, WILLIAM CHARLES LYONS, II, is a minor who resides with his mother and natural guardian, at 300 South Main Street, DuBois, Clearfield County, Pennsylvania 15801.

2. The Plaintiff, LISA M. LYONS, is an adult individual and is the natural mother of WILLIAM CHARLES LYONS, II, who resides at 300 South Main Street, DuBois, Clearfield County, Pennsylvania 15801.

3. That the Defendant, DEBORAH MOHNEY, is an adult individual who resides at 133 East Maloney Road, DuBois, Clearfield County, Pennsylvania.

4. That on or about July 12, 1999, Defendant owned, possessed and maintained a certain dog which Plaintiffs believe is a Boxer.

5. At all times relevant hereto, Defendant permitted her dog to roam around her property on a chain that was too long and otherwise failed to restrain and control the animal.

6. The Defendant knew or should have known, that the dog was of a dangerous and vicious nature and which by its breeding and training was accustomed to attacking and biting humans.

7. That on July 12 1999, without provocation and while the minor child, WILLIAM CHARLES LYONS, II, had been invited over to the property of the Defendant by Defendant's daughter, the dog ran up to said minor and attacked and bit the minor Plaintiff, greatly injuring him.

8. Solely as a result of the attack by Defendant's dog, the minor Plaintiff suffered various injuries including, but not limited to, wounds to the skin of his right forearm.

9. As a result of said injuries, the minor child became sick, sore and maimed and suffered a severe and permanent shock to his nervous system.

10. As a result of the said injuries, the said minor child suffered deep scarring to his arm which scarring will be permanent.

11. As a result of the said injuries, the said minor child, WILLIAM CHARLES LYONS, II, suffered great physical pain and suffering and mental anguish and inconvenience and will continue to so suffer for an indefinite time in the future.

12. That as a result of the said injuries, the said minor child, WILLIAM CHARLES LYONS, II, has suffered gross disfigurement to his arm and as a result of said disfigurement has or may suffer emotional distress and may be deprived in the future of a normal social life.

13. That as a result of the said injuries, the said minor child, WILLIAM CHARLES LYONS, II, has been and may be deprived in the future of the ordinary pleasures of life.

WHEREFORE, the Plaintiff, WILLIAM CHARLES LYONS, II, by LISA M. LYONS, parent and natural guardian of the said WILLIAM CHARLES LYONS, II, claims damages of the Defendant, DEBORAH MOHNEY, on behalf of the minor, WILLIAM CHARLES LYONS, II, in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), together with delay damages and costs of suit.

SECOND COUNT

LISA M. LYONS, minor's parent vs. DEBORAH MOHNEY, Defendant

14. Paragraphs 1 through 13 inclusive are incorporated herein by reference.

15. As a result of the Defendant's negligence in failing to properly control and restrain her dog and allowing it to attack and maim the said WILLIAM CHARLES LYONS, II, the said LISA M. LYONS has been obliged to expend and/or incur various sums of money in medicine and medical attention in and about endeavoring to treat and cure her minor child of the injuries he sustained, and will in the future be compelled to expend vast sums of money in endeavoring

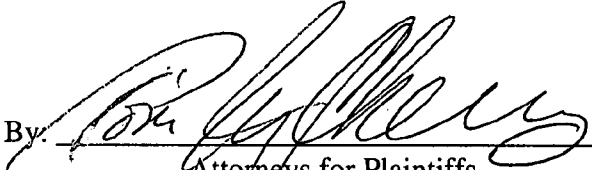
to treat and cure the injuries suffered by her minor child as a result of being attacked and maimed by Defendant's dog.

16. By reason of her minor child's injuries, the earnings of the said minor child will be impaired during the age of his minority, to which earnings Plaintiff is legally entitled, all of which has been and probably will be to her financial damage and loss.

WHEREFORE, the Plaintiff claims damages from the Defendant in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), together with delay damages and costs of suit.

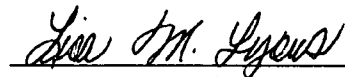
Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By: 
Attorneys for Plaintiffs

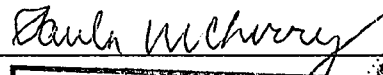
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before me, a Notary Public in and for the County and State
aforesaid, LISA M. LYONS, parent and natural guardian of WILLIAM CHARLES LYONS, II,
and LISA M. LYONS, in her own right and as parent and natural guardian of WILLIAM
CHARLES LYONS, II, a minor, who, being duly sworn according to law, deposes and says
that the facts set forth in the foregoing Complaint are true and correct to the best of her
knowledge, information and belief.



Lisa M. Lyons

Sworn to and subscribed before me this 10th day of February, 2003.



NOTARIAL SEAL
PAULA M. CHERRY, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES SEPTEMBER 16, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs. :

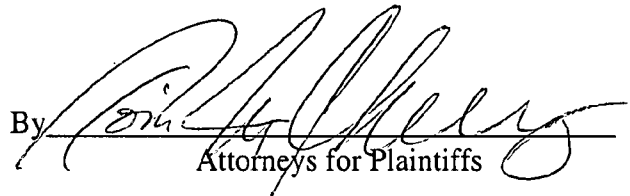
DEBORAH MOHNEY, :
Defendant :

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of February, 2003, a true and correct copy of the Complaint filed by Plaintiffs was served upon counsel for Defendant by mailing the same to him by United States First Class Mail, Postage Prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

DENNIS J. YONKIN, ESQ.
Corporate Counsel
Millville Mutual Insurance Company
P. O. Box 280
Millville, PA 17846-0280

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Plaintiffs

Dated: February 10, 2003

FILED

3cc

01/21/30
FEB 10 2003

AnyT. Cheng

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KAB

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
vs. :
DEBORAH MOHNEY, :
Defendant :

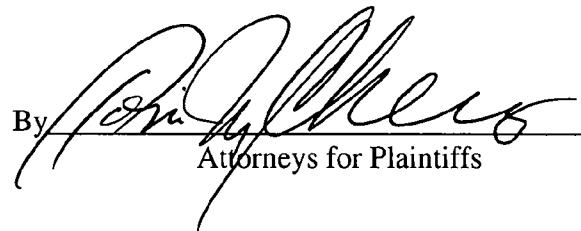
STATEMENT OF INTENTION TO PROCEED

To The Court:

Plaintiffs intend to proceed with the above-captioned matter.

GLEASON, CHERRY AND CHERRY, L.L.P.

By


Attorneys for Plaintiffs

Date: July 18, 2007

FILED

012:57/01
JUL 19 2007

William A. Shaw
Prothonotary/Clerk of Courts

Att. T. Cherry

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, : No. 01 - 1096 C.D.

by LISA M. LYONS, his parent and natural :

guardian, and LISA M. LYONS, in her own : Type of Case: IN TRESPASS

right and as parent and natural guardian of :

WILLIAM CHARLES LYONS, II, : Type of Pleading: STATEMENT OF

Plaintiffs : INTENTION TO PROCEED

vs.

DEBORAH MOHNEY,

Defendant

: Filed on Behalf of: WILLIAM CHARLES
: LYONS, II, a minor, by LISA M. LYONS,
: his parent and natural guardian, and LISA M.
: LYONS, in her own right and as parent and
: natural guardian of WILLIAM CHARLES
: LYONS, II, Plaintiffs

: Counsel of Record for these Parties:

: TONI M. CHERRY, ESQ.
: Supreme Court No.: 30205

: GLEASON, CHERRY AND
: CHERRY, L.L.P.

: Attorneys at Law
: P. O. Box 505
: One North Franklin Street
: DuBois, PA 15801

: (814) 371-5800

FILED cc
01/10/36/01 Atty
MAR 24 2010 J. Cherry
William A. Shaw
Prothonotary/Clerk of Courts

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

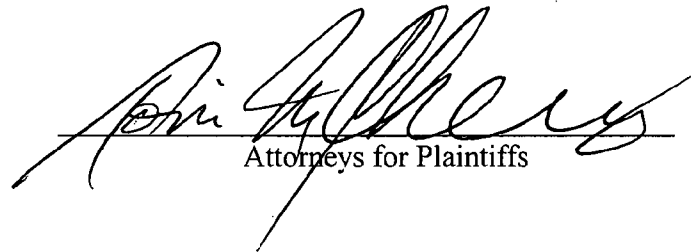
WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
:
vs. :
:
DEBORAH MOHNEY, :
Defendant :

STATEMENT OF INTENTION TO PROCEED

To the Court:

Plaintiffs intend to proceed with the above-captioned matter. The parties will attempt to negotiate a settlement in this case, failing which, they will list the same for arbitration.

Date: March 19, 2010


Attorneys for Plaintiffs

CA

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

WILLIAM CHARLES LYONS, II
LISA M. LYONS,
Plaintiffs
vs.
DEBORAH MOHNEY

* NO. 2001-1096-CD
*
*
*

ORDER

NOW, this 27th day of March, 2013, it is the ORDER of this Court that a **status conference** in the above-captioned case be and is hereby scheduled for the **8th day of May, 2013 at 1:30 p.m.** in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED

018:33cm
APR 01 2013

ICC Atty T. Cherry

ICC delat

William A. Shaw
Prothonotary/Clerk of Courts

64

DATE: 4-1-13

☐ You are responsible for serving all appropriate parties.

☒ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☒ Plaintiff(s) Attorney ☐ Other

☒ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

FILED

APR 01 2013

William A. Shaw
Prothonotary/Clerk of Courts

deft @
133 E. Maloney Rd
Dubois 15801

CH

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

WILLIAM CHARLES LYONS, II, a minor, : No. 01 - 1096 C.D.
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own : Type of Case: IN TRESPASS
right and as parent and natural guardian of :
WILLIAM CHARLES LYONS, II, : Type of Pleading: MOTION FOR
Plaintiffs : CONTINUANCE
:
:
vs. : Filed on Behalf of: WILLIAM CHARLES
:
DEBORAH MOHNEY, : LYONS, II, a minor, by LISA M. LYONS,
Defendant : his parent and natural guardian, and LISA M.
:
LYONS, in her own right and as parent and
:
natural guardian of WILLIAM CHARLES
:
LYONS, II, Plaintiffs
:
:
Counsel of Record for these Parties
:
:
TONI M. CHERRY, ESQ.
:
Supreme Court No.: 30205
:
:
GLEASON, CHERRY AND CHERRY, L.L.P.
:
Attorneys at Law
:
P.O. Box 505
:
One North Franklin Street
:
DuBois, PA 15801
:
:
(814) 371-5800

FILED 2CC Atty
01/2:55pm T. Cherry
APR 12 2013 GK
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
vs. :
DEBORAH MOHNEY, :
Defendant :

MOTION FOR CONTINUANCE

TO THE HONORABLE FREDRIC J. AMMERMAN, PRESIDENT JUDGE OF SAID
COURT:

AND NOW, come the Plaintiffs, WILLIAM CHARLES LYONS, II, a minor, by LISA M. LYONS, his parent and natural guardian, and LISA M. LYONS, in her own right and as parent and natural guardian of WILLIAM CHARLES LYONS, II, by and through their attorneys, GLEASON, CHERRY AND CHERRY, L.L.P. and move Your Honorable Court for a continuance of the status conference scheduled for May 8, 2013, at 1:30 p.m. and, in support of which, avers the following:

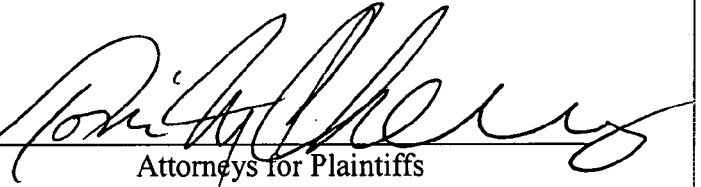
1. The undersigned represents the Plaintiffs in the above-captioned action.
2. That on April 1, 2013, Your Honorable Court entered an Order scheduling a status conference in this case for May 8, 2013, at 1:30 p.m.
3. That the undersigned has a conflict on that date as she is scheduled to appear before the Court of Common Pleas of Jefferson County, Pennsylvania, for a two-day custody hearing

on May 7 and 8, 2013, before the Honorable John B. Leete, Specially Presiding, that has been scheduled for quite some time and will not be able to attend the status conference on May 8, 2013, at 1:30 p.m.

WHEREFORE, the undersigned respectfully requests Your Honorable Court to continue the status to another date and time convenient for the Court and all parties in this case.

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
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WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs. :

DEBORAH MOHNEY, :
Defendant :

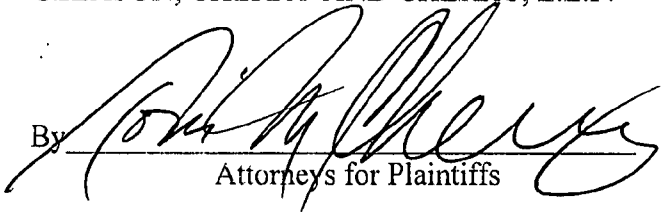
CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of April, 2013, a true and correct copy of the Motion for Continuance filed by Plaintiffs was served upon counsel for Defendant by mailing the same to him by United States First Class Mail, Postage Prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

DENNIS J. YONKIN, ESQ.
Corporate Counsel
Millville Mutual Insurance Company
P. O. Box 280
Millville, PA 17846-0280

GLEASON, CHERRY AND CHERRY, L.L.P.

By


Attorneys for Plaintiffs

Dated: April 12, 2013

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

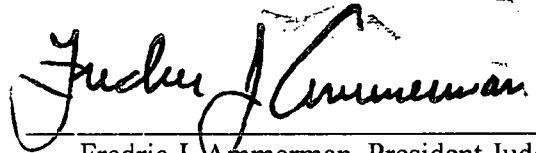
WILLIAM CHARLES LYONS, II, a minor, :
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guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
:
vs. :
:
DEBORAH MOHNEY, :
Defendant :

ORDER

AND NOW, this 15th day of April, 2013, upon consideration of Plaintiffs' request for a continuance in the above-captioned matter, it is the Order of this Court that the status conference scheduled for May 8, 2013 at 1:30 p.m. is hereby continued.

Said status shall be rescheduled for the 27th day of June, 2013, at 1:30 o'clock P.M. in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:



Fredric J. Ammerman, President Judge

FILED

2cc Atty
013:05cm
APR 15 2013
T. Cherry

William A. Shaw
Prothonotary/Clerk of Courts

FILED
APR 17 2013
MAY 16 2 16 PM
William A. Shaw
Prothonotary/Clerk of Courts
1 Court Te
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8. Since 2007 Plaintiff has not shown any intent to proceed and in fact no action has been taken.

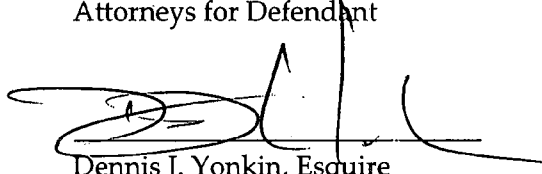
FPI -
Judge A will
not take further
action on this
until the June 27
status conf
(82u)

7

9. Defendant feels the status conference is necessary to inform the court and have this case purged from the court's docket with prejudice.

Respectfully Submitted;

MILLVILLE MUTUAL INSURANCE CO.
Attorneys for Defendant

A handwritten signature in black ink, appearing to read "D. Yonkin", is written over a horizontal line.

Dennis J. Yonkin, Esquire

Attorney ID No. 52674

PO Box 280

Millville, PA 17846

(570) 458-5517

Dated: April 15, 2013

WILLIAM CHARLES LYONS, II, a minor
by LISA M. LYONS, his parent and natural
guardian, and LISA M. LYONS, in her own
right and as parent and natural guardian of
WILLIAM CHARLES LYONS, II,
Plaintiffs

vs.

DEBRA MOHNEY,
Defendant

: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PA
:
:
:
:
: DOCKET NO. 1-1996 C.D.
:
:
: JURY TRIAL DEMANDED
:

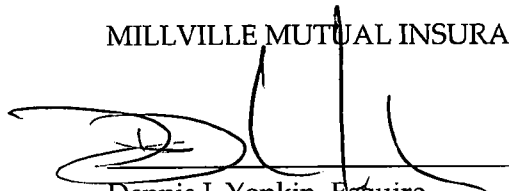
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Objection to Continuance was served on the counsel listed below by placing a copy of the same in the United States Mail, Postage Prepaid, on this the 15th day of April 2013.

Toni M. Cherry, Esquire
Gleason, Cherry and Cherry LLP
PO Box 505
DuBois, PA 15801

Respectfully Submitted;

MILLVILLE MUTUAL INSURANCE CO.

A handwritten signature in black ink, appearing to read 'Dennis J. Yonkin', is written over a horizontal line.

Dennis J. Yonkin, Esquire
Attorney ID No. 52674
PO Box 280
Millville, PA 17846
(570) 458-5517

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, : No. 01 - 1096 C.D.

by LISA M. LYONS, his parent and natural :

guardian, and LISA M. LYONS, in her own : Type of Case: IN TRESPASS

right and as parent and natural guardian of :

WILLIAM CHARLES LYONS, II, : Type of Pleading: MOTION FOR

Plaintiffs : CONTINUANCE

vs.

DEBORAH MOHNEY,

Defendant

: Filed on Behalf of: WILLIAM CHARLES
: LYONS, II, a minor, by LISA M. LYONS,
: his parent and natural guardian, and LISA M.
: LYONS, in her own right and as parent and
: natural guardian of WILLIAM CHARLES
: LYONS, II, Plaintiffs

: Counsel of Record for these Parties

: TONI M. CHERRY, ESQ.

: Supreme Court No.: 30205

: GLEASON, CHERRY AND CHERRY, L.L.P.

: Attorneys at Law

: P.O. Box 505

: One North Franklin Street

: DuBois, PA 15801

: (814) 371-5800

FILED
m 11:42 am
JUN 25 2013
S
2cc AH
T. Cherry
OK

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
vs. :
DEBORAH MOHNEY, :
Defendant :

MOTION FOR CONTINUANCE

TO THE HONORABLE FREDRIC J. AMMERMAN, PRESIDENT JUDGE OF SAID
COURT:

AND NOW, come the Plaintiffs, WILLIAM CHARLES LYONS, II, a minor, by LISA M. LYONS, his parent and natural guardian, and LISA M. LYONS, in her own right and as parent and natural guardian of WILLIAM CHARLES LYONS, II, by and through their attorneys, GLEASON, CHERRY AND CHERRY, L.L.P. and move Your Honorable Court for a continuance of the status conference scheduled for June 27, 2013, at 1:30 p.m. and, in support of which, avers the following:

1. The undersigned represents the Plaintiffs in the above-captioned action.
2. That a status conference in this case has been scheduled for June 27, 2013, at 1:30 p.m.

3. That due to an emergency in the family of Defendant's counsel, Defendant has orally requested and received a continuance of the status conference to August 29, 2013, at 1:30 p.m.

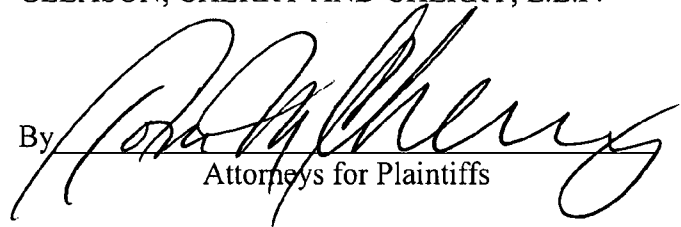
4. That because Defendant's counsel is not in the office, the undersigned has agreed to file the formal Motion for a Continuance required by the Court and her filing of this Motion also constitutes Plaintiffs' consent to the granting of a continuance of the status conference to August 29, 2013, at 1:30 p.m.

WHEREFORE, the undersigned respectfully requests Your Honorable Court to continue the status conference to August 29, 2013, at 1:30 p.m.

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By

A large, stylized handwritten signature in black ink, likely belonging to a member of the law firm Gleason, Cherry and Cherry, L.L.P.

Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
vs. :
DEBORAH MOHNEY, :
Defendant :

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of June, 2013, a true and correct copy of the Motion for Continuance filed by Plaintiffs on behalf of counsel for Defendant was served upon Defendant by mailing the same by United States First Class Mail, Postage Prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

ROBERT J. VOGEL, Claims Manager
Millville Mutual Insurance Company
P. O. Box 280
215 State Street
Millville, PA 17846-0280

GLEASON, CHERRY AND CHERRY, L.L.P.

By


Attorneys for Plaintiffs

Dated: June 24, 2013

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

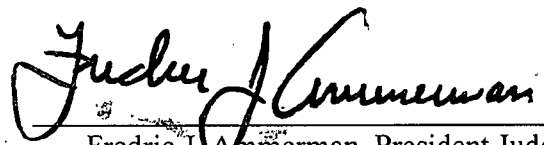
WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
vs. :
DEBORAH MOHNEY, :
Defendant :

ORDER

AND NOW, this 26th day of June, 2013, the Court hereby continues the status
conference scheduled for June 27, 2013.

Said status conference shall be rescheduled for the **29th day of August, 2013, at 1:30
o'clock p.m.** in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield,
Pennsylvania.

BY THE COURT:



Fredric J. Ammerman, President Judge

FILED 2 cc Atty
9/8.30 am T. Cherry
JUN 27 2013
William A. Shaw
Prothonotary/Clerk of Courts

FILED

AUG 14 2013

William A. Shaw
Prothonotary/Clerk of Courts

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

WILLIAM CHARLES LYONS, II, a
minor, by LISA M. LYONS, his parent and
natural guardian, and LISA M. LYONS, in
her own right and as parent and natural
guardian of WILLIAM CHARLES
LYONS, II,

Plaintiffs,

vs.

DEBORAH MOHNEY,

Defendant.

No. 2001-01096-CD

TYPE OF PLEADING:
Praeipe for Entry of Appearance

TYPE OF CASE: **Civil/In Trespass**

FILED ON BEHALF OF:
Defendant Deborah Mohney

COUNSEL OF RECORD FOR
FOR THIS PARTY:

James M. Horne, Esquire

Pa. I.D. #26908

jmhorne@mqblaw.com

Jaime S. Bumbarger, Esquire

Pa. I.D. #308708

jsbumbarger@mqblaw.com

McQuaide Blasko, Inc.

811 University Drive

State College, PA 16801

Ph#(814) 238-4926

Fax#(814) 238-9624

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

WILLIAM CHARLES LYONS, II, a	:	
minor, by LISA M. LYONS, his parent and	:	No. 2001-01096-CD
natural guardian, and LISA M. LYONS, in	:	
her own right and as parent and natural	:	
guardian of WILLIAM CHARLES	:	
LYONS, II,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
DEBORAH MOHNEY,	:	
Defendant.	:	

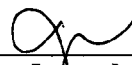
PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Please enter our appearance as counsel on behalf of Defendant, Deborah Mohney, in the
above-captioned matter.

McQUAIDE BLASKO, INC.

Dated: August 13, 2013

By: 
James M. Horne, Esquire
Pa. I.D. #26908
jmhorne@mqblaw.com
Jaime S. Bumbarger, Esquire
Pa. I.D. #308708
jsbumbarger@mqblaw.com
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant
Deborah Mohney

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


WILLIAM CHARLES LYONS, II, a	:	
minor, by LISA M. LYONS, his parent and	:	No. 2001-01096-CD
natural guardian, and LISA M. LYONS, in	:	
her own right and as parent and natural	:	
guardian of WILLIAM CHARLES	:	
LYONS, II,	:	
	:	
Plaintiffs,	:	
vs.	:	
	:	
DEBORAH MOHNEY,	:	
Defendant.	:	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant Deborah Mohney's Praecipe for Entry of Appearance, in the above-captioned matter was served via U.S. 1st Class Mail, postage prepaid, on this 13th day of August, 2013, to the attorneys/parties of record:

Toni M. Cherry, Esquire
Gleason, Cherry and Cherry, LLP
P.O. Box 505
One North Franklin Street
DuBois, PA 15801
(814) 371-5800

McQUAIDE BLASKO, INC.

By: 
James M. Horne, Esquire
Pa. I.D. #26908
jmhorne@mqblaw.com
Jaime S. Bumbarger, Esquire
Pa. I.D. #308708
jsbumbarger@mqblaw.com
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant
Deborah Mohney

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

WILLIAM CHARLES LYONS, II; LISA M. LYONS

Plaintiffs

vs.

DEBORAH MOHNEY

Defendant

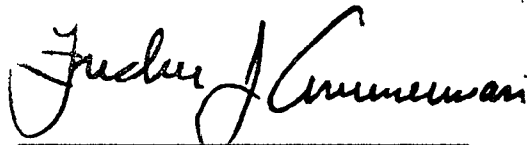
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*
*
*

NO. 2001-1096-CD

ORDER

NOW, this 29th day of August, 2013, following status conference among counsel and the Court; it is the ORDER of this Court pre-trial conference be and is hereby scheduled for the 4th day of October, 2013 at 11:00 a.m. in **Chambers**, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED

SEP 04 2013

William A. Shaw
Prothonotary/Clerk of Courts

ICC Attys:

T. Cherry

D. Vonkin

J. Haire

OK

DATE: 9-4-13

☐ You are responsible for serving all appropriate parties.

☒ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☒ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☒ Defendant(s) Attorney

☐ Special Instructions:

FILED

SEP 04 2013

William A. Shaw
Prothonotary/Clerk of Courts

FILED NoCC
m 10:47am
SEP 05 2013
William A. Shaw
Prothonotary/Clerk of Courts
GK

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

WILLIAM CHARLES LYONS, II, a
minor, by LISA M. LYONS, his parent and
natural guardian, and LISA M. LYONS, in
her own right and as parent and natural
guardian of WILLIAM CHARLES
LYONS, II,

Plaintiffs,

vs.

DEBORAH MOHNEY,

Defendant.

No. 2001-01096-CD

TYPE OF PLEADING:
Motion for Judgment of Non Pros

TYPE OF CASE: **Civil/In Trespass**

FILED ON BEHALF OF:
Defendant Deborah Mohney

COUNSEL OF RECORD FOR
FOR THIS PARTY:
James M. Horne, Esquire
Pa. I.D. #26908
jmhorne@mqlaw.com
Jaime S. Bumbarger, Esquire
Pa. I.D. #308708
jsbumbarger@mqlaw.com
McQuaide Blasko, Inc.
811 University Drive
State College, PA 16801
Ph#(814) 238-4926
Fax#(814) 238-9624

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

WILLIAM CHARLES LYONS, II, a	:	
minor, by LISA M. LYONS, his parent and	:	No. 2001-01096-CD
natural guardian, and LISA M. LYONS, in	:	
her own right and as parent and natural	:	
guardian of WILLIAM CHARLES	:	
LYONS, II,	:	
	:	
Plaintiffs,	:	
vs.	:	
	:	
DEBORAH MOHNEY,	:	
Defendant.	:	

MOTION FOR JUDGMENT OF NON PROS

AND NOW, comes Defendant Deborah Mohney, by and through its attorneys, McQuaide Blasko, Inc. and files the instant Motion for Judgment of Non Pros, and, in support thereof, avers as follows:

1. The instant case is a personal injury action filed by Plaintiff Lisa M. Lyons in her own right, as well as parent and guardian of William Charles Lyons, II.
2. Allegedly, William Charles Lyons, II suffered injuries on July 12, 1999, as a result of being bitten by a dog owned by Defendant.
3. Plaintiffs initiated this action just prior to the expiration of the applicable statute of limitations on Lisa Lyons' claim by filing a Writ of Summons on or about July 9, 2001. A copy of said Writ is attached hereto as Exhibit "A."
4. After nearly a year and half passed with no action by Plaintiffs, Defendant filed Praecipe for Rule to File Complaint on or about December 23, 2002. A copy of said Praecipe is attached hereto as Exhibit "B."

5. On or about December 26, 2002, the Prothonotary issued a Rule to File Complaint upon Plaintiffs, ordering them to file a Complaint within 20 days after service thereof or suffer entry of a Judgment of Non Pros. A copy of said Rule is attached hereto as Exhibit "C."

6. After Defendant agreed to an extension, Plaintiffs filed a Complaint on or about February 20, 2003, which was one and a half years after filing the Writ and three and a half years after the alleged incident. A copy of said Complaint is attached hereto as Exhibit "D."

7. Shortly after the filing of the Complaint, counsel for Plaintiffs agreed with former defense counsel to forego the filing of an Answer pending settlement negotiations. See copy of letters dated February 10, 2003, and February 12, 2003, between Attorneys Toni Cherry and Dennis Yonkin, attached hereto as Exhibits "E" and "F," respectively.

8. Plaintiffs' counsel communicated Plaintiffs' first and only settlement demand for \$15,000 on or about October 6, 2003, but further indicated that she needed two weeks to provide documentation in support of the demand.

9. Plaintiffs failed to do so despite repeated communications by individuals on Defendant's behalf. See letters from Robert J. Vogel, claims manager, to Attorney Cherry, dated March 19, 2003, April 23, 2003, May 23, 2003, and August 8, 2003, attached hereto as Exhibit "G," collectively, and January 21, 2004 letter from Attorney Yonkin to Attorney Cherry, attached hereto as Exhibit "H."

10. Until March of 2013, when the Court entered an Order scheduling a status conference on this matter, there was no docketed activity.

11. Under the former Local Rule, the matter came up to be purged from the trial list for inactivity on at least two occasions – first in July 2007 and again in March 2010.

12. Both times, Plaintiffs filed a Statement of Intention to Proceed with the Court, thus keeping the matter active. The July 19, 2007 and March 24, 2010 Notices are attached hereto as Exhibit "I" and "J," respectively.

13. Despite filing a Notice of Intent to Proceed twice, which indicated a good faith intent on Plaintiffs' behalf to move the case forward, Plaintiffs have taken absolutely no steps to do so.

14. Plaintiffs have not attempted to engage in any discovery in this matter.

15. Plaintiff have not made any settlement demand since the October 2003 verbal demand, which was supposed to be followed up with written documentation and support, but was not.

16. Plaintiffs have made absolutely no effort to move this matter forward toward resolution.

17. On or about March 27, 2013, the Court scheduled a status conference in this matter for May 8, 2013.

18. Plaintiffs' counsel filed a motion seeking to have the status conference continued on April 12, 2013. See Plaintiffs' Motion for Continuance, attached hereto as Exhibit "K."

19. Defendant filed an Objection to Plaintiffs' Motion for Continuance, pointing out the lack of activity in the action, and seeking to have the case purged from the docket with prejudice due to said inactivity. A copy of said Objection is attached hereto as Exhibit "L."

20. The Court never ruled on the Objection, having already issued an Order rescheduling the status conference for June 27, 2013, prior to receipt of said Objection. See Order dated April 15, 2003, attached hereto as Exhibit "M."

21. Although the June 27, 2013, status conference was also continued, this time at Defendant's request, Plaintiffs have been on notice of Defendant's intent to have this action terminated for inactivity as of the filing of the Objection to Plaintiffs' Motion for Continuance on April 17, 2013, but have still taken no steps to proceed.

22. Moreover, at the status conference held on August 29, 2013, where defense counsel requested the Objection to be treated as a Motion for Judgment of Non Pros, which the Court declined to do, Plaintiffs were again notified of Defendant's intent to have this action terminated for failure to prosecute.

23. Plaintiffs have exercised no due diligence in moving this matter toward trial, despite filing two Notices of Intent to Proceed.

24. Plaintiffs have offered no compelling reason for their failure to move this matter ahead.

25. As a result of Plaintiffs' lack of due diligence, Defendant has suffered prejudice in defending the action.

26. More than 14 years has passed since the incident and witnesses' memories have faded.

27. Additionally, key witnesses have moved and may not be able to be located.

28. Evidence that may limit or completely bar Defendant's liability may have been lost.

WHEREFORE, Defendant Deborah Mohny respectfully requests this Court grant her Motion for Judgment of Non Pros and dismiss the Complaint with prejudice.

Respectfully submitted,

McQUAIDE BLASKO, INC.

Dated: September 4, 2013

By: 

James M. Horne, Esquire

Pa. I.D. #26908

jmhorne@mqblaw.com

Jaime S. Bumbarger, Esquire

Pa. I.D. #308708

jsbumbarger@mqblaw.com

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

Deborah Mohny

EXHIBIT - A

EXHIBIT - A

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION**

SUMMONS

**William Charles Lyons II
Lisa M. Lyons**

Vs.


NO.: 2001-01096-CD

Deborah Mohnney

TO: DEBORAH MOHNEY

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 07/09/2001


William A. Shaw
Prothonotary

Issuing Attorney:

EXHIBIT - B

EXHIBIT - B

Mohney
9992075

WILLIAM CHARLES LYONS II
LISA M. LYONS
Plaintiffs

vs.

DEBORAH MOHNEY,
Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

DOCKET NO. 2001-01096-CD

JURY TRIAL DEMANDED


PRAECIPE FOR RULE TO FILE COMPLAINT

TO The Prothonotary:

Please enter a Rule against Plaintiff to file a Complaint against Defendant with 20 days hereof or suffer the entry of a Judgment of Non Pros.

Respectfully Submitted;

MILLVILLE MUTUAL INSURANCE CO.


Dennis J. Yonkin, Esquire
Attorney ID No. 52674
PO Box 280
Millville, PA 17846
(717) 458-5517

Dated: 12-23-02

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

DEC 26 2002

Attest.



Prothonotary/
Clerk of Courts

EXHIBIT - C

EXHIBIT - C

WILLIAM CHARLES LYONS II
LISA M. LYONS
Plaintiffs

vs.

DEBORAH MOHNEY,
Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

DOCKET NO. 2001-01096-CD

JURY TRIAL DEMANDED

RULE TO FILE COMPLAINT

AND NOW, this 21st day of December 2002, Rule is hereby granted upon Plaintiffs, to file a Complaint herein against Defendant, within 20 days after service hereof or suffer the entry of a Judgment of Non Pros.

Prothonotary

William L. L. L.

EXHIBIT - D

EXHIBIT - D

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, : No. 01 - 1096 C.D.

by LISA M. LYONS, his parent and natural :

guardian, and LISA M. LYONS, in her own : Type of Case: IN TRESPASS

right and as parent and natural guardian of :

WILLIAM CHARLES LYONS, II, : Type of Pleading: COMPLAINT

Plaintiffs :

vs.

DEBORAH MOHNEY,

Defendant :

: Filed on Behalf of: WILLIAM CHARLES
: LYONS, II, a minor, by LISA M. LYONS,
: his parent and natural guardian, and LISA M.
: LYONS, in her own right and as parent and
: natural guardian of WILLIAM CHARLES
: LYONS, II, Plaintiffs

: Counsel of Record for these Parties

: TONI M. CHERRY, ESQ.
: Supreme Court No.: 30205

: GLEASON, CHERRY AND
: CHERRY, L.L.P.

: Attorneys at Law
: P.O. Box 505
: One North Franklin Street
: DuBois, PA 15801

: (814) 371-5800

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

FEB 10 2003

Attest.

William D. R.
Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs. :

DEBORAH MOHNEY, :
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 Notice and Complaint 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 claims 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, THEN YOU SHOULD GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641 Ext. 88-89

GLEASON, CHERRY AND CHERRY, L.L.P.

By 

Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs.

DEBORAH MOHNEY,
Defendant

COMPLAINT

AND NOW, come the Plaintiffs, WILLIAM CHARLES LYONS, II, a minor, by LISA M. LYONS, his parent and natural guardian, and LISA M. LYONS, in her own right and as parent and natural guardian of WILLIAM CHARLES LYONS, II, by and through their Attorneys, GLEASON, CHERRY AND CHERRY, L.L.P., and brings this action in trespass against DEBORAH MOHNEY, Defendant, to recover damages, upon causes of action whereof the following are statements:

FIRST COUNT

**WILLIAM CHARLES LYONS, II, a minor, by LISA M. LYONS, his parent
and natural guardian vs. DEBORAH MOHNEY**

1. Plaintiff in this action, WILLIAM CHARLES LYONS, II, is a minor who resides with his mother and natural guardian, at 300 South Main Street, DuBois, Clearfield County, Pennsylvania 15801.

2. The Plaintiff, LISA M. LYONS, is an adult individual and is the natural mother of WILLIAM CHARLES LYONS, II, who resides at 300 South Main Street, DuBois, Clearfield County, Pennsylvania 15801.

3. That the Defendant, DEBORAH MOHNEY, is an adult individual who resides at 133 East Maloney Road, DuBois, Clearfield County, Pennsylvania.

4. That on or about July 12, 1999, Defendant owned, possessed and maintained a certain dog which Plaintiffs believe is a Boxer.

5. At all times relevant hereto, Defendant permitted her dog to roam around her property on a chain that was too long and otherwise failed to restrain and control the animal.

6. The Defendant knew or should have known, that the dog was of a dangerous and vicious nature and which by its breeding and training was accustomed to attacking and biting humans.

7. That on July 12 1999, without provocation and while the minor child, WILLIAM CHARLES LYONS, II, had been invited over to the property of the Defendant by Defendant's daughter, the dog ran up to said minor and attacked and bit the minor Plaintiff, greatly injuring him.

8. Solely as a result of the attack by Defendant's dog, the minor Plaintiff suffered various injuries including, but not limited to, wounds to the skin of his right forearm.

9. As a result of said injuries, the minor child became sick, sore and maimed and suffered a severe and permanent shock to his nervous system.

10. As a result of the said injuries, the said minor child suffered deep scarring to his arm which scarring will be permanent.

11. As a result of the said injuries, the said minor child, WILLIAM CHARLES LYONS, II, suffered great physical pain and suffering and mental anguish and inconvenience and will continue to so suffer for an indefinite time in the future.

12. That as a result of the said injuries, the said minor child, WILLIAM CHARLES LYONS, II, has suffered gross disfigurement to his arm and as a result of said disfigurement has or may suffer emotional distress and may be deprived in the future of a normal social life.

13. That as a result of the said injuries, the said minor child, WILLIAM CHARLES LYONS, II, has been and may be deprived in the future of the ordinary pleasures of life.

WHEREFORE, the Plaintiff, WILLIAM CHARLES LYONS, II, by LISA M. LYONS, parent and natural guardian of the said WILLIAM CHARLES LYONS, II, claims damages of the Defendant, DEBORAH MOHNEY, on behalf of the minor, WILLIAM CHARLES LYONS, II, in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), together with delay damages and costs of suit.

SECOND COUNT

LISA M. LYONS, minor's parent vs. DEBORAH MOHNEY, Defendant

14. Paragraphs 1 through 13 inclusive are incorporated herein by reference.

15. As a result of the Defendant's negligence in failing to properly control and restrain her dog and allowing it to attack and maim the said WILLIAM CHARLES LYONS, II, the said LISA M. LYONS has been obliged to expend and/or incur various sums of money in medicine and medical attention in and about endeavoring to treat and cure her minor child of the injuries he sustained, and will in the future be compelled to expend vast sums of money in endeavoring

COMMONWEALTH OF PENNSYLVANIA

:
: SS.

COUNTY OF CLEARFIELD

:

Personally appeared before me, a Notary Public in and for the County and State
aforesaid, LISA M. LYONS, parent and natural guardian of WILLIAM CHARLES LYONS, II,
and LISA M. LYONS, in her own right and as parent and natural guardian of WILLIAM
CHARLES LYONS, II, a minor, who, being duly sworn according to law, deposes and says
that the facts set forth in the foregoing Complaint are true and correct to the best of her
knowledge, information and belief.

Lisa M. Lyons

Lisa M. Lyons

Sworn to and subscribed before me this 10th day of February, 2003.

Paula M. Cherry

NOTARIAL SEAL
PAULA M. CHERRY, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES SEPTEMBER 16, 2005

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

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs. :

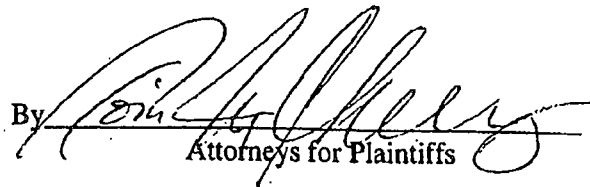
DEBORAH MOHNEY, :
Defendant :

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of February, 2003, a true and correct copy of the Complaint filed by Plaintiffs was served upon counsel for Defendant by mailing the same to him by United States First Class Mail, Postage Prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

DENNIS J. YONKIN, ESQ.
Corporate Counsel
Millville Mutual Insurance Company
P. O. Box 280
Millville, PA 17846-0280

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Plaintiffs

Dated: February 10, 2003

EXHIBIT - E

EXHIBIT - E

LAW OFFICES
GLEASON, CHERRY AND CHERRY, L.L.P.
P. O. Box 505
DuBois, Pennsylvania 15801-0505

TONI M. CHERRY
PAULA M. CHERRY
EDWARD V. CHERRY
1950-1990
JAMES A. GLEASON
1946-1975

ONE NORTH FRANKLIN STREET

AREA CODE 814
371-5800
FAX NUMBER
(814) 371-0936

February 10, 2003

DENNIS J. YONKIN, ESQ.
Corporate Counsel
Millville Mutual Insurance Company
P. O. Box 280
Millville, PA 17846-0280

RE: **LYONS vs. MOHNEY**
No. 01 - 1096 C.D.

Dear Mr. Yonkin:

We are enclosing herewith a certified copy of the Complaint we have this day filed with the Office of the Prothonotary of Clearfield County, Pennsylvania, with regard to the above-captioned case. We thank you for your kind consideration in allowing us an extension of time in which to file the same.

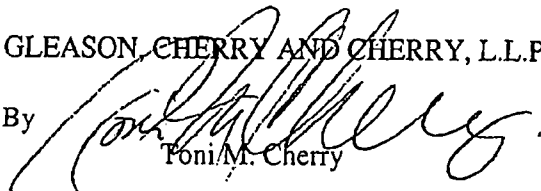
We have requested an updated medical report on the child. His scar is healed and it does not appear to me that there will be any changes in its physical appearance from this point. Consequently, we will be in a position to make you a demand for settlement within the next few weeks and we are agreeable to you not filing your Answer until we have had an opportunity to discuss settlement if you would like.

Kindly advise.

Very truly yours,

GLEASON, CHERRY AND CHERRY, L.L.P.

By



Toni M. Cherry

TMC:mls

Enclosure

cc/w.enc.: Mrs. Lisa M. Lyons

EXHIBIT - F

EXHIBIT - F



COPY

February 12, 2003

Toni M. Cherry
Gleason, Cherry & Cherry
PO BOX 505
DuBois PA 15801

Re: MMI Insured: Mohny
Claimant: Lyons
Claim No: 9992075

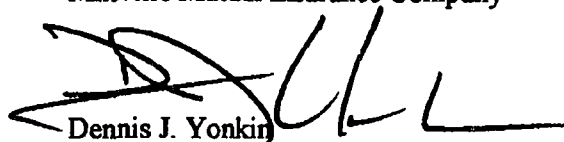
Dear Ms. Cherry:

We are in receipt of your client's complaint in the above matter. We will accept your offer to forego filing an Answer pending the outcome of settlement negotiations.

I look forward to hearing from you.

Sincerely,

Millville Mutual Insurance Company


Dennis J. Yonkin
Corporate Counsel

DJY:eap

EXHIBIT - G

EXHIBIT - G

March 19, 2003

ATTORNEY TONI M. CHERRY
GLEASON, CHERRY & CHERRY
PO BOX 505
DUBOIS PA 15801

RE: MMI Insured: Mohney
Claimant: Lyons
MMI #: 9992075

Dear Attorney Toni M. Cherry:

I have pulled and reviewed this file to find we are waiting your client's demand in this case.

The last communication in our file was our corporate attorney's letter of February 12, 2003 to you. It was agreed that filing of an Answer to the complaint would not be necessary pending the outcome of the settlement negotiations. I have enclosed a copy of the letter Attorney Dennis Yonkin's wrote you. We continue to hold this claim pending receipt of a demand.

If you have any questions, please feel free to contact Attorney Dennis Yonkin or myself.

Sincerely,

Robert J. Vogel
Claims Manager

enclosure

CC: Dennis Yonkin, MMI Corporate Counsel

April 23, 2003

ATTORNEY TONI CHERRY
GLEASON, CHERRY & CHERRY
PO BOX 505
DUBOIS PA 15801

RE: Your Client: Billy Lyons, a minor
Our Insured: Deborah Mohny
MMI#: 9992075

Dear Attorney Cherry:

Our file has come up on our diary system for review. We are hold our file pending receipt of the final medical records and bills you stated you were obtaining in your February 10, 2003 letter to our office. Once that material was obtained you thought you would be in a position to begin settlement discussions.

We will continue to hold our file pending contact from you. If you have any questions, please contact our office.

Sincerely,

Robert J. Vogel
Claims Manager

Cc: Dennis Yonkin, Corporate Attorney

May 23, 2003

ATTORNEY TONI CHERRY
GLEASON, CHERRY & CHERRY
PO BOX 505
DUBOIS PA 15801

RE: Your Client: Billy Lyons, a minor
Our Insured: Deborah Mohny
MMI #: 9992075

Dear Attorney Toni Cherry:

We continue to hold our file pending receipt of final medical bills and medical records you were to provide our office as documentation and support your client's claim. Once the material was obtained you felt you would then be able to begin settlement discussions.

I will again diary our file ahead pending any future contact from you. If you have any questions, please call our office.

Sincerely,

Robert J. Vogel
Claims Manager

Cc: Dennis Yonkin, Esquire
Deborah Mohny

August 8, 2003

TONI CHERRY, ESQUIRE
GLEASON, CHERRY & CHERRY
PO BOX 505
DUBOIS PA 15801

RE: MMI#: 9992075
Insured: Deborah Mohny
Your Client: Billy Lyons, a minor

Dear Attorney Toni Cherry:

I have pulled and reviewed this file to find you have filed suit on behalf of your clients in this matter. Per an agreement between you and Attorney Dennis Yonkin, we were forgoing the response to the complaint pending the outcome of settlement attempts in this matter.

Millville Mutual Insurance Company now waits medical bills and medical records from you to document and support your client's claim. This material will help with our evaluation of any demand your clients may ultimately present in this case.

If you have any questions concerning this matter, please feel free to contact Attorney Dennis Yonkin or myself.

Sincerely,

Robert J. Vogel
Claims Manager

Cc: Deborah Mohny
Dennis Yonkin, Esquire

EXHIBIT - H

EXHIBIT - H



January 21, 2004

Toni M. Cherry, Esq.
Gleason, Cherry & Cherry, L.L.P.
PO Box 505
DuBois, PA 15801

Re: Insured: Mohny, Deborah
Claim No: 9992075
Claimant: Lyons, William (minor)

Dear Attorney Cherry:

Currently we are holding this claim open pending the receipt of medical records from your office documenting the injury claimed.

Please advise on the status.

I look forward to your response.

Sincerely,

Millville Mutual Insurance Company

A handwritten signature in black ink, appearing to read "Dennis J. Yonkin", is written over the printed name and title.

Dennis J. Yonkin
Corporate Counsel

DJY:eap

EXHIBIT - I

EXHIBIT - I

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs. :

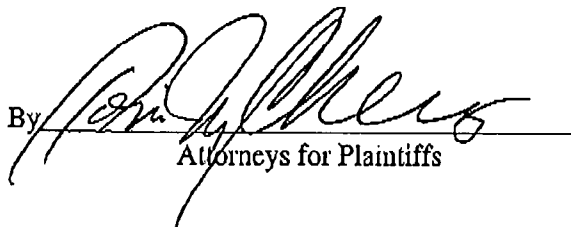
DEBORAH MOHNEY, :
Defendant :

STATEMENT OF INTENTION TO PROCEED

To The Court:

Plaintiffs intend to proceed with the above-captioned matter.

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Plaintiffs

Date: July 12, 2007

FILED ¹⁰⁰
012:57/41 Aug T. Cherry
JUL 19 2007
William A. Shaw
Prothonotary/Clerk of Courts

EXHIBIT - J

EXHIBIT - J

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

WILLIAM CHARLES LYONS, II, a minor, : No. 01 - 1096 C.D.
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own : Type of Case: IN TRESPASS
right and as parent and natural guardian of :
WILLIAM CHARLES LYONS, II, : Type of Pleading: STATEMENT OF
Plaintiffs : INTENTION TO PROCEED
:
vs. : Filed on Behalf of: WILLIAM CHARLES
DEBORAH MOHNEY, : LYONS, II, a minor, by LISA M. LYONS,
Defendant : his parent and natural guardian, and LISA M.
LYONS, in her own right and as parent and
: natural guardian of WILLIAM CHARLES
LYONS, II, Plaintiffs
:
: Counsel of Record for these Parties:
:
: TONI M. CHERRY, ESQ.
: Supreme Court No.: 30205
:
: GLEASON, CHERRY AND
: CHERRY, L.L.P.
: Attorneys at Law
: P. O. Box 505
: One North Franklin Street
: DuBois, PA 15801
:
: (814) 371-5800

FILED
0103601
MAR 24 2013
J. Cherry
William A. Slaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.

WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs. :

DEBORAH MOHNEY, :

Defendant :

STATEMENT OF INTENTION TO PROCEED

To the Court:

Plaintiffs intend to proceed with the above-captioned matter. The parties will attempt to negotiate a settlement in this case, failing which, they will list the same for arbitration.

Date: March 19, 2010

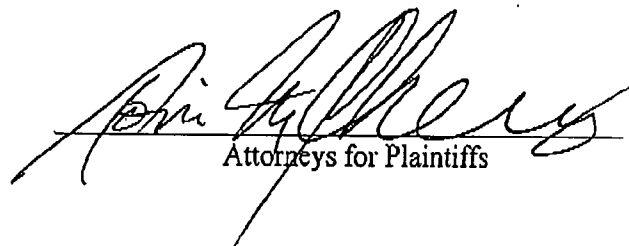

Attorneys for Plaintiffs

EXHIBIT - K

EXHIBIT - K

9992075

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

WILLIAM CHARLES LYONS, II, a minor, : No. 01 - 1096 C.D.
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own : Type of Case: IN TRESPASS
right and as parent and natural guardian of :
WILLIAM CHARLES LYONS, II, : Type of Pleading: MOTION FOR
Plaintiffs : CONTINUANCE

vs.

DEBORAH MOHNEY,
Defendant

: Filed on Behalf of: WILLIAM CHARLES
: LYONS, II, a minor, by LISA M. LYONS,
: his parent and natural guardian, and LISA M.
: LYONS, in her own right and as parent and
: natural guardian of WILLIAM CHARLES
: LYONS, II, Plaintiffs

: Counsel of Record for these Parties

: TONI M. CHERRY, ESQ.
: Supreme Court No.: 30205

: GLEASON, CHERRY AND CHERRY, L.L.P.
: Attorneys at Law
: P.O. Box 505
: One North Franklin Street
: DuBois, PA 15801
: (814) 371-5800

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

APR 12 2013

Attest.

[Signature]
Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
vs. :
DEBORAH MOHNEY, :
Defendant :

MOTION FOR CONTINUANCE

TO THE HONORABLE FREDRIC J. AMMERMAN, PRESIDENT JUDGE OF SAID
COURT:

AND NOW, come the Plaintiffs, WILLIAM CHARLES LYONS, II, a minor, by LISA M. LYONS, his parent and natural guardian, and LISA M. LYONS, in her own right and as parent and natural guardian of WILLIAM CHARLES LYONS, II, by and through their attorneys, GLEASON, CHERRY AND CHERRY, L.L.P. and move Your Honorable Court for a continuance of the status conference scheduled for May 8, 2013, at 1:30 p.m. and, in support of which, avers the following:

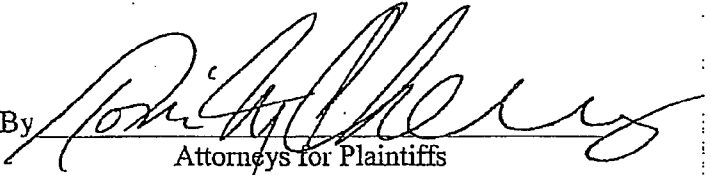
1. The undersigned represents the Plaintiffs in the above-captioned action.
2. That on April 1, 2013, Your Honorable Court entered an Order scheduling a status conference in this case for May 8, 2013, at 1:30 p.m.
3. That the undersigned has a conflict on that date as she is scheduled to appear before the Court of Common Pleas of Jefferson County, Pennsylvania, for a two-day custody hearing

on May 7 and 8, 2013, before the Honorable John B. Leete, Specially Presiding, that has been scheduled for quite some time and will not be able to attend the status conference on May 8, 2013, at 1:30 p.m.

WHEREFORE, the undersigned respectfully requests Your Honorable Court to continue the status to another date and time convenient for the Court and all parties in this case.

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Plaintiffs

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

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs. :

DEBORAH MOHNEY, :
Defendant :

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of April, 2013, a true and correct copy of the Motion for Continuance filed by Plaintiffs was served upon counsel for Defendant by mailing the same to him by United States First Class Mail, Postage Prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

DENNIS J. YONKIN, ESQ.
Corporate Counsel
Millville Mutual Insurance Company
P. O. Box 280
Millville, PA 17846-0280

GLEASON, CHERRY AND CHERRY, L.L.P.

By 

Attorneys for Plaintiffs

Dated: April 12, 2013

EXHIBIT - L

EXHIBIT - L

WILLIAM CHARLES LYONS, II, a minor	:	IN THE COURT OF COMMON PLEAS
by LISA M. LYONS, his parent and natural	:	OF CLEARFIELD COUNTY, PA
guardian, and LISA M. LYONS, in her own	:	
right and as parent and natural guardian of	:	
WILLIAM CHARLES LYONS, II,	:	
Plaintiffs	:	
	:	
vs.	:	DOCKET NO. 2001-1096 C.D.
	:	
DEBORAH MOHNEY,	:	
Defendant	:	JURY TRIAL DEMANDED
	:	

OBJECTION TO MOTION TO CONTINUE

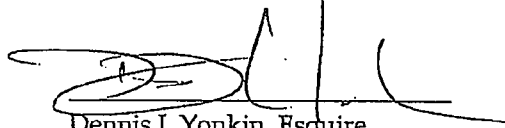
AND NOW comes Defendant, by and through counsel, and files this Objection to Plaintiffs' Motion to Continue the Status Conference, a statement of which is as follows:

1. The underlying incident which is the based on this claim occurred on July 12, 1999, over 12 years ago.
2. On or about July 9, 2001, Plaintiff filed a Writ of Summons.
3. On or about December 23, 2002, Defendant filed a Rule to File Complaint.
4. On or about February 10, 2003, Plaintiff filed a Complaint.
5. On February 12, 2003 Plaintiff agreed that Defendant would forego filing an Answer pending the outcome of settlement negotiations.
6. Since that time, there have be no action on this claim by Plaintiff
7. In or about 2007, the case appeared on the purge list, but Plaintiff filed intent to proceed.
8. Since 2007 Plaintiff has not shown any intent to proceed and in fact no action has been taken.

9. Defendant feels the status conference is necessary to inform the court and have this case purged from the court's docket with prejudice.

Respectfully Submitted;

MILLVILLE MUTUAL INSURANCE CO.
Attorneys for Defendant

A handwritten signature in black ink, appearing to read 'D. Yonkin', with a long horizontal line extending to the right.

Dennis J. Yonkin, Esquire
Attorney ID No. 52674
PO Box 280
Millville, PA 17846
(570) 458-5517

Dated: April 15, 2013

WILLIAM CHARLES LYONS, II, a minor	:	IN THE COURT OF COMMON PLEAS
by LISA M. LYONS, his parent and natural	:	OF CLEARFIELD COUNTY, PA
guardian, and LISA M. LYONS, in her own	:	
right and as parent and natural guardian of	:	
WILLIAM CHARLES LYONS, II,	:	
Plaintiffs	:	
	:	
vs.	:	DOCKET NO. 1-1996 C.D.
	:	
DEBRA MOHNEY,	:	
Defendant	:	JURY TRIAL DEMANDED
	:	

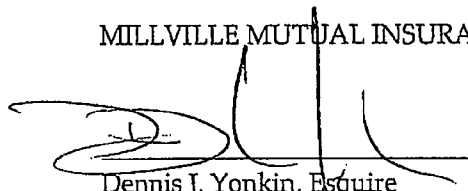
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Objection to Continuance was served on the counsel listed below by placing a copy of the same in the United States Mail, Postage Prepaid, on this the 15th day of April 2013.

Toni M. Cherry, Esquire
 Gleason, Cherry and Cherry LLP
 PO Box 505
 DuBois, PA 15801

Respectfully Submitted;

MILLVILLE MUTUAL INSURANCE CO.



Dennis J. Yonkin, Esquire
 Attorney ID No. 52674
 PO Box 280
 Millville, PA 17846
 (570) 458-5517

EXHIBIT - M

EXHIBIT - M

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs. :

DEBORAH MOHNEY,

Defendant :

I hereby certify that the above is a true
and attested copy of the original
statement filed in this case.

APR 15 2013

ORDER

Attest.

Lowell R.
Prothonotary/
Clerk of Courts

AND NOW, this 15th day of April, 2013, upon consideration of Plaintiffs' request

for a continuance in the above-captioned matter, it is the Order of this Court that the status
conference scheduled for May 8, 2013 at 1:30 p.m. is hereby continued.

Said status shall be rescheduled for the 27th day of June
2013, at 1:30 o'clock P.M. in Courtroom No. 1 of the Clearfield County
Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

/S/ Fredric J Ammerman

Fredric J. Ammerman, President Judge

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

WILLIAM CHARLES LYONS, II, a :
minor, by LISA M. LYONS, his parent and : No. 2001-01096-CD
natural guardian, and LISA M. LYONS, in :
her own right and as parent and natural :
guardian of WILLIAM CHARLES :
LYONS, II, :
Plaintiffs, :
vs. :
DEBORAH MOHNEY, :
Defendant. :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant Deborah Mohney's Motion for Judgment of Non Pros, in the above-captioned matter was served via U.S. 1st Class Mail, postage prepaid, on this 4th day of September, 2013, to the attorneys/parties of record:

Toni M. Cherry, Esquire
Gleason, Cherry and Cherry, LLP
P.O. Box 505
One North Franklin Street
DuBois, PA 15801
(814) 371-5800

McQUAIDE BLASKO, INC.

By: 

James M. Horne, Esquire
Pa. I.D. #26908

jmhorne@mqblaw.com

Jaime S. Bumbarger, Esquire
Pa. I.D. #308708

jsbumbarger@mqblaw.com

811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant
Deborah Mohney

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

WILLIAM CHARLES LYONS, II, a	:	
minor, by LISA M. LYONS, his parent and	:	No. 2001-01096-CD
natural guardian, and LISA M. LYONS, in	:	
her own right and as parent and natural	:	
guardian of WILLIAM CHARLES	:	
LYONS, II,	:	
	:	
Plaintiffs,	:	
vs.	:	
	:	
DEBORAH MOHNEY,	:	
Defendant.	:	

PROPOSED ORDER

AND NOW, this _____ day of _____, 2013, upon consideration of
Defendant Deborah Mohney's Motion for Judgment of Non Pros, it is hereby ORDERED that
said Motion is GRANTED. Plaintiffs' Complaint shall be DISMISSED WITH PREJUDICE.

BY THE COURT:

J.

CA

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

WILLIAM CHARLES LYONS, II, a :
minor, by LISA M. LYONS, his parent and : No. 2001-01096-CD
natural guardian, and LISA M. LYONS, in :
her own right and as parent and natural :
guardian of WILLIAM CHARLES :
LYONS, II, :
Plaintiffs, :
vs. :
DEBORAH MOHNEY, :
Defendant. :

FILED

SEP 10 2013

014:00/4

William A. Shaw
Prothonotary/Clerk of Courts

cc: to Aggy

Honors

RULE TO SHOW CAUSE

AND NOW, this 10th day of September, 2013, Plaintiffs Williams Charles
Lyons II and Lisa M. Lyons are requested to show cause why Defendant Deborah Mohney's
Motion for Judgment of Non Pros should not be granted.

Rule Returnable the 4th day of October, 2013, at 11:00 a.m./p.m. in
Courtroom 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

Frederick J. Ammann

J.

FILED

SEP 10 2013

Prothonotary/Clerk of Courts
William A. Shaw

Prothonotary/Clerk of Courts

You are responsible for serving all appropriate parties.

Other

Attorney

Plaintiff(s) Attorney

Defendant(s) Attorney

Special Instructions:

DATE:

(LG) S
FILED NoC
m/12:13cm
SEP 13 2013

William A. Shaw
Prothonotary/Clerk of Courts

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

WILLIAM CHARLES LYONS, II, a
minor, by LISA M. LYONS, his parent and
natural guardian, and LISA M. LYONS, in
her own right and as parent and natural
guardian of WILLIAM CHARLES
LYONS, II,

Plaintiffs,

vs.

DEBORAH MOHNEY,

Defendant.

:
: No. 2001-01096-CD

:
: TYPE OF PLEADING:
: **Certificate of Service**

:
: TYPE OF CASE: **Civil/In Trespass**

:
: FILED ON BEHALF OF:
: **Defendant Deborah Mohney**

:
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:

: James M. Horne, Esquire

: Pa. I.D. #26908

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: 811 University Drive

: State College, PA 16801

: Ph#(814) 238-4926

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

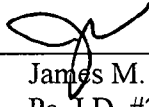
WILLIAM CHARLES LYONS, II, a :
minor, by LISA M. LYONS, his parent and : No. 2001-01096-CD
natural guardian, and LISA M. LYONS, in :
her own right and as parent and natural :
guardian of WILLIAM CHARLES :
LYONS, II, :
Plaintiffs, :
vs. :
DEBORAH MOHNEY, :
Defendant. :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Court's issued Rule to Show Cause setting argument/hearing regarding Defendant's Motion for Judgment of *Non Pros* to October 4, 2013 at 11:00 a.m., in the above-captioned matter was served via U.S. 1st Class Mail, postage prepaid, on this 12th day of September, 2013, to the attorneys/parties of record:

Toni M. Cherry, Esquire
Gleason, Cherry and Cherry, LLP
P.O. Box 505
One North Franklin Street
DuBois, PA 15801
(814) 371-5800

McQUAIDE BLASKO, INC.

By: 
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Pa. I.D. #26908
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Attorneys for Defendant
Deborah Mohney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS

vs.

DEBORAH MOHNEY,

Defendant :

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William A. Shaw

Prothonotary/Clerk of Courts

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PRAECIPE

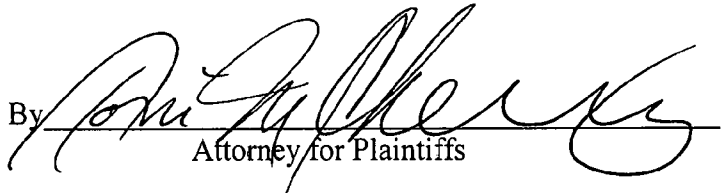
TO WILLIAM A. SHAW, PROTHONOTARY

Sir:

Please mark the above-captioned case discontinued and ended.

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorney for Plaintiffs

Dated: September 30, 2013

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM CHARLES LYONS, II, a minor, :
by LISA M. LYONS, his parent and natural :
guardian, and LISA M. LYONS, in her own :
right and as parent and natural guardian of : No. 01 - 1096 C.D.
WILLIAM CHARLES LYONS, II, :
Plaintiffs : IN TRESPASS
vs. :
DEBORAH MOHNEY, :
Defendant :

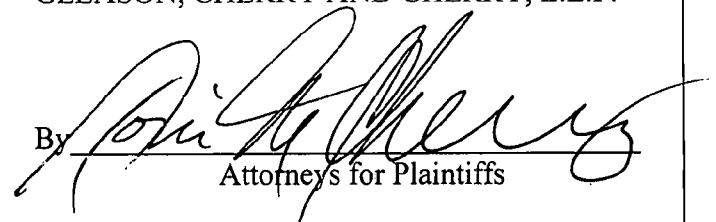
CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September, 2013, a true and correct copy of the Praecipe filed by Plaintiffs was served upon counsel for Defendant by mailing the same to him by United States First Class Mail, Postage Prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

JAMES M. HORNE, ESQ.
McQuaide Blasko, Inc.
Attorneys at Law
811 University Drive
State College, PA 16801-6624

GLEASON, CHERRY AND CHERRY, L.L.P.

By


Attorneys for Plaintiffs

Dated: September 30, 2013