

01-1191-CD
Comm of PA vs Jason Dixon

10

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

UP

COMMONWEALTH OF PENNSYLVANIA : NO. 01-1191 -CD
DEPARTMENT OF TRANSPORTATION, :
Appellee : Type of Case:
VS. : Civil Division
: Type of Pleading:
JASON GRANT DIXON, : Petition for Appeal From
Appellant : Orders of Department of
: Transportation Suspending
: Driver's License
: Filed on Behalf of:
: Jason Grant Dixon,
: Appellant
: Counsel of Record for This
: Party:
: F. Cortez Bell, III, Esq.
: I.D. #30183
: BELL, SILBERBLATT & WOOD
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA. 16830
: Telephone: (814) 765-5537
:

FILED

JUL 23 2001

William A. Shaw
Prothonotary

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

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF TRANSPORTATION, :
Appellee :
: VS. : NO. 01- -CD
: :
JASON GRANT DIXON, :
Appellant :
:

PETITION FOR APPEAL FROM ORDERS OF DEPARTMENT
OF TRANSPORTATION SUSPENDING DRIVER'S LICENSE

TO THE HONORABLE JUDGES OF THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY:

The Petition of Jason Grant Dixon, respectfully
represents as follows:

1. That your Petitioner, Jason Grant Dixon, currently resides at R.D. #1, Box 383, Houtzdale, Clearfield County, Pennsylvania.
2. That your Petitioner's Drivers License Number is 25974257 and his date of birth is October 10, 1979.
3. That by Notice dated June 25, 2001, your Petitioner received notification that his driving privileges were to be suspended on July 30, 2001.
4. Petitioner was placed on the ARD Program in Clearfield County by Order of the Court of Common Pleas to term and number 00-854-CRA dated January 16, 2001 whereby it was directed

that the Petitioner would lose his driving privileges for a period of three (3) months.

5. That Petitioner was removed from the ARD Program by the provisions of the Court Order of the Court of Common Pleas of Clearfield County on April 12, 2001 for a violation of the terms of the Program that the Petitioner had committed an additional offense while on the ARD Program.

6. That there is no basis for the suspension as set forth within the Department of Transportation's letter dated June 25, 2001 as the Petitioner has been removed from the ARD Program.

7. That your Petitioner would assert that he is in need of his drivers license for purpose of employment and that any loss of his license would place him in a position that his employment would suffer.

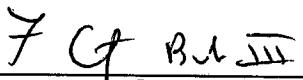
8. That the suspension of the Petitioner's driving privileges at this point in time, for any period, would deprive the Petitioner of his ability to travel which is necessary in order to maintain his employment as well as to carry out his day to day activities.

9. That the Petitioner would assert that the taking of his license by the Department of Transportation violates the Petitioner's due process rights and right to pursue his employment

as well as that as the ARD Order has been removed there is no basis for the license suspension.

WHEREFORE, it is respectfully requested that your Honorable Court sustain the License Suspension Appeal filed by the Petitioner and issue a Supersedeas Order suspending the effect of the Suspension Notices that have been received.

Respectfully submitted,


F. Cortez Bell, III, Esquire
Attorney for Petitioner

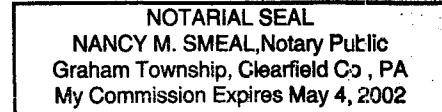
COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF CLEARFIELD :
:

Before me, the undersigned officer, personally appeared F. Cortez Bell, III, Esquire, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition for Appeal from Order of Department of Transportation Suspending Driver's License are true and correct to the best of his knowledge, information and belief.

F G BL III

SWORN and SUBSCRIBED
before me this 23rd day
of July, 2001.

Nancy Smeal



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Mail Date: JUNE 25, 2001

JASON GRANT DIXON
R.D. 1 BOX 383
HOUTZDALE PA 16651

WID # 011696170279842 001
PROCESSING DATE 06/18/2001
DRIVER LICENSE # 25974257
DATE OF BIRTH 10/10/1979

Dear MR. DIXON:

This is an Official Notice of the Suspension of your Driving Privilege as authorized by Section 3731E6II of the Pennsylvania Vehicle Code. As a result of your violation on 10/12/2000:

- Your driving privilege is SUSPENDED for a period of 3 MONTH(S), effective 07/30/2001 at 12:01 a.m. as a result of your acceptance into the CLEARFIELD CTY Accelerated Rehabilitative Disposition (ARD) Program.

| WARNING: If you are convicted of driving while your |
| license is suspended/revoked the penalties will be a |
| MINIMUM of 90 days imprisonment AND a 1,000 fine AND |
| your driving privilege will be suspended/revoked for |
| a MINIMUM 1 year period |

Before PennDOT can restore your driving privilege, you must follow the instructions in this letter for COMPLYING WITH THIS SUSPENSION and PAYING THE RESTORATION FEE. You should follow ALL instructions very carefully.—Even if you have served all the time on the suspension/revocation, we cannot restore your driving privilege until all the requirements are satisfied.

COMPLYING WITH THIS SUSPENSION

You must return all current Pennsylvania driver's licenses, learner's permits, temporary driver's licenses (camera cards) in your possession on or before 07/30/2001. You may surrender these items before, 07/30/2001, for earlier credit; however, you may not drive after these items are surrendered.

YOU MAY NOT RETAIN YOUR DRIVER'S LICENSE FOR IDENTIFICATION PURPOSES. However, you may apply for and obtain a photo identification card at any Driver License Center for a cost

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of 9.00. You must present two (2) forms of proper identification (e.g., birth certificate, valid U.S. passport, marriage certificate, etc.) in order to obtain your photo identification card.

You will not receive credit toward serving any suspension until we receive your license(s). Complete the following steps to acknowledge this suspension.

1. Return all current Pennsylvania driver's licenses, learner's permits and/or camera cards to PennDOT. If you do not have any of these items, send a sworn notarized letter stating you are aware of the suspension of your driving privilege. You must specify in your letter why you are unable to return your driver's license. Remember: You may not retain your driver's license for identification purposes. Please send these items to:

Pennsylvania Department of Transportation
Bureau of Driver Licensing
P.O. Box 68693
Harrisburg, PA 17106-8693

2. Upon receipt, review and acceptance of your Pennsylvania driver's license(s), learner's permit(s), and/or a sworn notarized letter, PennDOT will send you a receipt confirming the date that credit began. If you do not receive a receipt from us within 3 weeks, please contact our office. Otherwise, you will not be given credit toward serving this suspension. PennDOT phone numbers are listed at the end of this letter.
3. If you do not return all current driver license products, we must refer this matter to the Pennsylvania State Police for prosecution under SECTION 1571(a)(4) of the Pennsylvania Vehicle Code.

PAYING THE RESTORATION FEE

You must pay a restoration fee to PennDOT to be restored from a suspension/revocation of your driving privilege. To pay your restoration fee, complete the following steps:

1. Return the enclosed Application for Restoration. The amount due is listed on the application.
2. Write your driver's license number (listed on the first page) on the check or money order to ensure proper credit.
3. Follow the payment and mailing instructions on the back of the application.

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APPEAL

You have the right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the mail date, JUNE 25, 2001, of this letter. If you file an appeal in the County Court, the Court will give you a time-stamped certified copy of the appeal. In order for your appeal to be valid, you must send this time-stamped certified copy of the appeal by certified mail to:

Pennsylvania Department of Transportation
Office of Chief Counsel
Third Floor, Riverfront Office Center
Harrisburg, PA 17104-2516

Remember, this is an OFFICIAL NOTICE OF SUSPENSION. You must return all current Pennsylvania driver license products to PennDOT by 07/30/2001.

INFORMATION 7:00 a.m. to 9:00 p.m.

IN STATE	1-800-932-4600	TDD IN STATE	1-800-228-0676
OUT-OF-STATE	717-391-6190	TDD OUT-OF-STATE	717-391-6191
WEB SITE ADDRESS	www.dot.state.pa.us		

000-00 25974257101079 25.00



PAY THIS AMOUNT
BY CHECK OR MONEY ORDER
PAYABLE TO: "PA. DEPT. OF TRANSPORTATION"

12597425710002500

JASON GRANT DIXON
R.D. 1, BOX 383
HOUTZDALE PA 16651

DO NOT SEND CASH

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION NO. 01-
-CD

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION,
Appellee

VS.

JASON GRANT DIXON,
Appellant

PETITION FOR APPEAL FROM ORDERS OF
DEPARTMENT OF TRANSPORTATION
SUSPENDING DRIVER'S LICENSE

FILED

JUL 23 2001
O/143/Cathy Bell pd \$80.00
William A. Shaw
Prothonotary
5C L
Cathy Bell

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
COMMONWEALTH OF PENNSYLVANIA, :
DEPARTMENT OF TRANSPORTATION, :
Appellee :
VS. :
JASON GRANT DIXON, :
Appellant :
: NO. 01-1191-CD

AND NOW, this 2 day of July, 2001, upon
ORDER
consideration of the foregoing Petition for Appeal From Order of
Department of Transportation Suspending Driver's License, it is the
Order of this Court that a Supercedes with regard to suspension of
Petitioner's driving privileges be and is hereby granted until such
time as a hearing and decision may be had on the merits of said
Appeal.

BY THE COURT,

FILED

AUG 03 2001
0113014CC Atty
William A. Shaw
Prothonotary F.C. Beck, III

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION NO. 01- CD

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION,
Appellee

vs.

JASON GRANT DIXON,
Appellant

ORDER

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

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

COMMONWEALTH OF PENNSYLVANIA : :

VS.

JASON GRANT DIXON

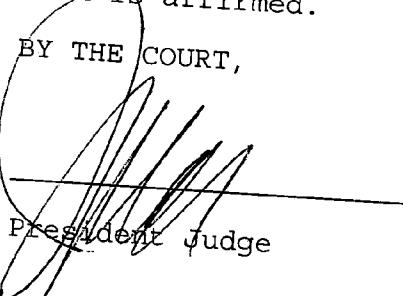
: NO. 01-1191-CD

: License Suspension Appeal

O R D E R

NOW, this 19th day of December, 2003, this being the day and date set for hearing into the above-captioned Appeal from License Suspension; and upon request to withdraw the same, it is the ORDER of this Court that said appeal be and is hereby withdrawn and the license suspension is affirmed.

BY THE COURT,


President Judge

FILED

JAN 02 2004

William A. Shaw
Prothonotary

FILED
FEB 10 2004
CLERK, U.S. DISTRICT COURT
PAUL R. BROWN
100 E. MARKET ST.
HARRISBURG, PA 16651
DRAFTED BY
JAN 02 2004
William A. Shaw
Prothonotary
WAS