

01-1332-CD  
BAR, INC. -vs- KEVIN A. BEARDSLEY

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46TH

## NOTICE OF APPEAL

FROM

01-1332-CD

## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 01-1332-CD

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.		
Kevin A. Beardsley		46-3-02		
ADDRESS OF APPELLANT		CITY	STATE	ZIP CODE
113 North Third Street		Clearfield	PA	16830
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)		
08/02/01	BJR, Inc.	vs. Kevin A. Beardsley		
CLAIM NO.		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CV XX 0000289-01				
LT 19				

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

*Signature of Prothonotary or Deputy*

If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon BJR, Inc., Name of appellee(s)

(Common Pleas No. 01-1332-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.



*Signature of appellant or his attorney or agent*

**MARK WEAVEN**

RULE: To BJR, Inc., Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: Aug 17, 2001



*Signature of Prothonotary or Deputy*

**FILED**

*REC'D AUG 17 2001  
10:45 AM  
A. Shaw P.P.  
Prothonotary 80--*

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### PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_ ; ss

**AFFIDAVIT:** I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on  
(date of service) \_\_\_\_\_, 19\_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's  
receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on  
\_\_\_\_\_, 19\_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to  
whom the Rule was addressed on \_\_\_\_\_, 19\_\_\_\_\_,  by personal service  by (certified) (registered)  
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_\_.

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

My commission expires on \_\_\_\_\_, 19\_\_\_\_\_.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

01-1332-CD

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-02**

DJ Name: Hon.

RICHARD A. IRELAND  
Address: **650 LEONARD STREET  
CLEARFIELD, PA**Telephone: **(814) 765-5335** 16830**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**BJR, INC  
PO BOX 1404  
CLEARFIELD, PA 16830**

NAME and ADDRESS

DEFENDANT:

**KEVIN A BEARDSLEY, INC.  
113 N. 3RD STREET  
CLEARFIELD, PA 16830**

VS.

NAME and ADDRESS

Docket No.: **CV-0000289-01**  
Date Filed: **6/15/01**KEVIN A BEARDSLEY. INC.  
113 N. 3RD STREET  
CLEARFIELD, PA 16830**THIS IS TO NOTIFY YOU THAT:**Judgment: FOR PLAINTIFF

Judgment was entered for: (Name) BJR, INC

Judgment was entered against: (Name) KEVIN A BEARDSLEY, INC.

in the amount of \$ 3,859.92 on: (Date of Judgment) 8/02/01

Defendants are jointly and severally liable. (Date & Time) \_\_\_\_\_

Damages will be assessed on: \_\_\_\_\_

This case dismissed without prejudice. \_\_\_\_\_

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ \_\_\_\_\_

Levy is stayed for \_\_\_\_\_ days or  generally stayed. \_\_\_\_\_

Objection to levy has been filed and hearing will be held: \_\_\_\_\_

Amount of Judgment	\$ <u>3,759.42</u>
Judgment Costs	\$ <u>100.50</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
<b>Total</b>	<b>\$ <u>3,859.92</u></b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ _____	

Date:	Place:
Time:	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

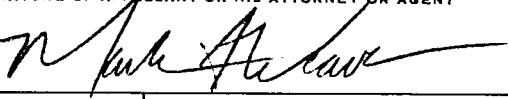
**AUG 02 2001** Date R. A. Ireland, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date \_\_\_\_\_, District Justice

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.		
Kevin A. Beardsley		46-3-02		
ADDRESS OF APPELLANT		CITY	STATE	ZIP CODE
113 North Third Street		Clearfield	PA	16830
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)		
08/02/01	BJR, Inc.	vs. Kevin A. Beardsley		
CLAIM NO.		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CVK# 0000289-01 LT 19				
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>_____ Signature of Prothonotary or Deputy</p>				
<p>If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p>				

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

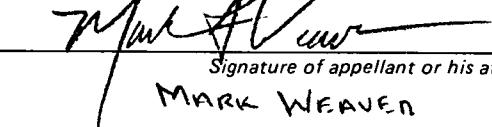
(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

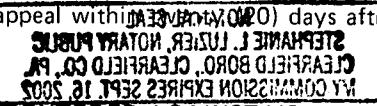
Enter rule upon BJR, Inc., Name of appellee(s), appellee(s), to file a complaint in this appeal

(Common Pleas No. 01-1332-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To BJR, Inc., Name of appellee(s), appellee(s)

  
MARK WEAVEN

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within 20 days after the date of service of this rule upon you by personal service or by certified or registered mail.



(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: Aug. 17, 2001

  
Signature of Prothonotary or Deputy

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

AUG 17 2001

Attest.

  
William L. Shaw  
Prothonotary

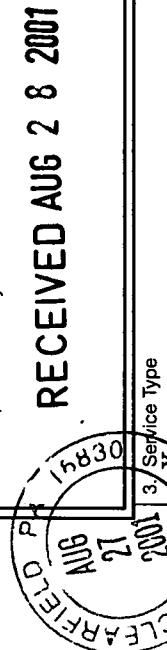


**SENDER: COMPLETE THIS SECTION****COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

BJR, Inc.  
P.O. Box 1404  
Clearfield, PA 16830

**D. Is delivery address different from item 1?  Yes  
 No****RECEIVED AUG 28 2001****A. Received by (Please Print Clearly)****KANE****B. Date of Delivery****8-27-01****C. Signature****D. Is delivery address different from item 1?  Yes  
 No****If YES, enter delivery address below:****E. Address****F. Address****G. Address****H. Address****I. Address****J. Address****K. Address****L. Address****M. Address****N. Address****O. Address****P. Address****Q. Address****R. Address****S. Address****T. Address****U. Address****V. Address****W. Address****X. Address****Y. Address****Z. Address****2. Article Number (Copy from service label)**

7000 0600 0023 2701 6057  
PS Form 3811, July 1999  
Domestic Return Receipt

**3. Service Type****4. Restricted Delivery? (Extra Fee)** **Yes****5. Address****6. Address****7. Address****8. Address****9. Address****10. Address****11. Address****12. Address****13. Address****14. Address****15. Address****16. Address****17. Address****18. Address****19. Address****20. Address****21. Address****22. Address****23. Address****24. Address****25. Address****26. Address****27. Address****28. Address****29. Address****30. Address****31. Address****32. Address****33. Address****34. Address****35. Address****36. Address****37. Address****38. Address****39. Address****40. Address****41. Address****42. Address****43. Address****44. Address****45. Address****46. Address****47. Address****48. Address****49. Address****50. Address****51. Address****52. Address****53. Address****54. Address****55. Address****56. Address****57. Address****58. Address****59. Address****60. Address****61. Address****62. Address****63. Address****64. Address****65. Address****66. Address****67. Address****68. Address****69. Address****70. Address****71. Address****72. Address****73. Address****74. Address****75. Address****76. Address****77. Address****78. Address****79. Address****80. Address****81. Address****82. Address****83. Address****84. Address****85. Address****86. Address****87. Address****88. Address****89. Address****90. Address****91. Address****92. Address****93. Address****94. Address****95. Address****96. Address****97. Address****98. Address****99. Address****100. Address****101. Address****102. Address****103. Address****104. Address****105. Address****106. Address****107. Address****108. Address****109. Address****110. Address****111. Address****112. Address****113. Address****114. Address****115. Address****116. Address****117. Address****118. Address****119. Address****120. Address****121. Address****122. Address****123. Address****124. Address****125. Address****126. Address****127. Address****128. Address****129. Address****130. Address****131. Address****132. Address****133. Address****134. Address****135. Address****136. Address****137. Address****138. Address****139. Address****140. Address****141. Address****142. Address****143. Address****144. Address****145. Address****146. Address****147. Address****148. Address****149. Address****150. Address****151. Address****152. Address****153. Address****154. Address****155. Address****156. Address****157. Address****158. Address****159. Address****160. Address****161. Address****162. Address****163. Address****164. Address****165. Address****166. Address****167. Address****168. Address****169. Address****170. Address****171. Address****172. Address****173. Address****174. Address****175. Address****176. Address****177. Address****178. Address****179. Address****180. Address****181. Address****182. Address****183. Address****184. Address****185. Address****186. Address****187. Address****188. Address****189. Address****190. Address****191. Address****192. Address****193. Address****194. Address****195. Address****196. Address****197. Address****198. Address****199. Address****200. Address****201. Address****202. Address****203. Address****204. Address****205. Address****206. Address****207. Address****208. Address****209. Address****210. Address****211. Address****212. Address****213. Address****214. Address****215. Address****216. Address****217. Address****218. Address****219. Address****220. Address****221. Address****222. Address****223. Address****224. Address****225. Address****226. Address****227. Address****228. Address****229. Address****230. Address****231. Address**

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Richard Ireland, Dist. Justice  
650 Leonard Street  
Clearfield, PA 16830

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)	B. Date of Delivery
<i>John Leonard</i>	<i>10/15/99</i>
C. Signature	
<i>John Leonard</i>	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

3. Service Type
<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

**2. Article Number (Copy from service label)**

7000 0600 0023 2701 6040

PS Form 3811, July 1999

102595-99-M-1789

Domestic Return Receipt

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

**46-3-02**

DJ Name: Hon.

**RICHARD A. IRELAND**  
Address: **650 LEONARD STREET**  
**CLEARFIELD, PA**

Telephone: **(814) 765-5335**      **16830**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**BJR, INC**  
**PO BOX 1404**  
**CLEARFIELD, PA 16830**

NAME and ADDRESS

DEFENDANT:

**KEVIN A BEARDSLEY, INC.**  
**113 N. 3RD STREET**  
**CLEARFIELD, PA 16830**

NAME and ADDRESS

Docket No.: **CV-0000289-01**  
Date Filed: **6/15/01**



**RICHARD A. IRELAND**  
**650 LEONARD STREET**  
**CLEARFIELD, PA 16830**

**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR PLAINTIFF**

**01-1332-CO**

Judgment was entered for: (Name) **BJR, INC**

Judgment was entered against: (Name) **KEVIN A BEARDSLEY, INC.**

in the amount of \$ **3,859.92** on: (Date of Judgment) **8/02/01**

Defendants are jointly and severally liable. (Date & Time) \_\_\_\_\_

Damages will be assessed on: \_\_\_\_\_

This case dismissed without prejudice. \_\_\_\_\_

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ \_\_\_\_\_

Levy is stayed for \_\_\_\_\_ days or  generally stayed. \_\_\_\_\_

Objection to levy has been filed and hearing will be held: \_\_\_\_\_

Amount of Judgment	\$ <b>3,759.42</b>
Judgment Costs	\$ <b>100.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
Total	\$ <b>3,859.92</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total \$ _____	

Date:	Place:
Time:	

**FILED**

*Not  
m  
A. Shaw*  
**AUG 23 2001**  
*Prothonotary*

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

**AUG 03 2001** Date *Richard Ireland*, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

**8-22-01** Date *Richard Ireland*, District Justice

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

BJR, INC.

v.

No. 01-1332-CD

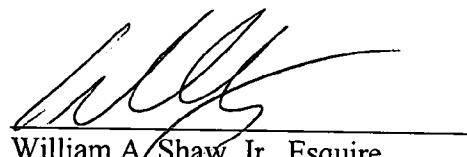
BEARDSLEY

**NOTICE OF DISCONTINUANCE**

TO THE PROTHONOTARY:

Kindly mark the above-captioned matter discontinued.

Respectfully submitted,



William A. Shaw, Jr., Esquire

**FILED**

SEP 27 2001

William A. Shaw  
Prothonotary

WILLIAM A. SHAW, JR.  
ATTORNEY AT LAW  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

**FILED**

SEP 27 2001

Offices of William A. Shaw  
Notary  
Cont'd. to City  
(Copy to  
Clerk)

WILLIAM A. SHAW, JR.  
ATTORNEY AT LAW  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

*Copy*

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

**CIVIL DIVISION**

**BJR, Inc.**

**Vs.**  
**Kevin A. Beardsley** **No. 2001-01332-CD**

**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 September 27, 2001 marked:

Discontinued.

Record costs in the sum of \$80.00 have been paid in full by William A. Shaw, Jr., Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 27th day of September A.D. 2001.

---

William A. Shaw, Prothonotary