

UNITED REFINING COMPANY -vs- SHERRY BURNETT et al

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA
Address: MOUNTAIN VIEW PLAZA
P.O. BOX 210
KYLERTOWN, PA

Telephone: (814) 345-6789

16847-0000

MICHAEL A. RUDELLA
MOUNTAIN VIEW PLAZA
P.O. BOX 210
KYLERTOWN, PA 16847-0000

45674 (pull clear)
NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF:

NAME and ADDRESS
UNITED REFINING COMPANY
PO BOX 356
WEST CHESTER, PA 19381-0356

DEFENDANT:

NAME and ADDRESS
SHERRY BURNETT T/A BURNETT TRUCKING
PO BOX 197
CHURCH STREET
WINBURNE, PA 16879

Docket No.: CV-0000129-01
Date Filed: 6/08/01



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

01-1395-CO

Judgment was entered for: (Name) UNITED REFINING COMPANY

Judgment was entered against: (Name) SHERRY BURNETT T/A BURNETT TRUCKING

in the amount of \$ 4,416.14 on:

(Date of Judgment) 7/05/01

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	\$ 4,318.64
Judgment Costs	\$ 97.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 4,416.14

Post Judgment Credits \$
Post Judgment Costs \$

Certified Judgment Total \$

FILED

Date:

Place:

AUG 27 2001

Time:

William A. Shaw
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.

7-4-01 Date M. A. Rudella, District Justice

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

8/9/01 Date M. A. Rudella, District Justice

My commission expires first Monday of January,

2006

SEAL

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF: ClearfieldMag. Dist. No.:
46-3-03DJ Name: Hon.
Michael A. RudellaAddress: **P.O. Box 210**
Kylertown, PA 16847
Telephone: **814-345-6789**

CIVIL COMPLAINT

PLAINTIFF: **NAME and ADDRESS**
[**UNITED REFINING COMPANY**
c/o Olin Neil & Haltrecht
PO Box 356 West Chester, PA 19381-0356]

VS.

DEFENDANT: **NAME and ADDRESS**
[**SHERRY BURNETT T/A BURNETT TRUCKING**
P.O. Box 197 Church Street
Winburne, PA 16879]Docket No.: **CV-129-01**
Date Filed: **6-8-01**

FILING COSTS	AMOUNT	DATE PAID
SERVING COSTS	\$ <u> </u>	<u> </u> / <u> </u>
TOTAL	\$ 97.50	6 / 8 / 01

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for **\$4,318.64** together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

For past due balance for fuel purchases.

\$4,318.64	Principal
\$.00	Interest
\$.00	Attorneys Fees
\$.00	Credit
<hr/>	
\$4,318.64	Balance

I, Burton Neil, Esquire, Atty for Plaintiff, verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C. S. § 4904) related to unsworn falsification to authorities.

(Signature of Plaintiff or Authorized Agent)

Plaintiff's

Attorney: **Burton Neil**Telephone: **610-696-3030**Address: **PO Box 356****West Chester, PA 19381-0356**

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

OLIN, NEIL & HALTRECHT
By Burton Neil, Esquire
Identification No. 11348
26 South Church Street
West Chester, PA 19382
610-696-3030
Attorney for Plaintiff

UNITED REFINING CO., INC.
213 2nd Avenue
Warren, PA 16365

Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

VS.

: NO.

SHERRY BURNETT T/A BURNETT TRUCKING
P.O. Box 197 Church Street
Winburne, PA 16879

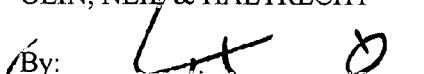
Defendant

: CIVIL ACTION - LAW

Certification of Address and
Affidavit of Non-Military

Understanding that false statements herein are subject to penalty under 18 Pa. C.S. Section 4904
relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment creditor and debtor.
2. The said defendant is not in the Military Service of the United States or its Allies or otherwise
within the coverage of the Soldiers' and Sailors' Relief Act of 1940, as amended, is over 18 years of age and
has a civilian occupation.

OLIN, NEIL & HALTRECHT
(By: 
Burton Neil, Esquire
Attorney for Plaintiff

In making this communication, we advise that our firm is a debt collector.

FILED

AUG 27 2001
3:30 PM
William A. Shaw
Prothonotary
Clerk
Not Dey
Statement of

OLIN, NEIL & HALTRECHT
By Burton Neil, Esquire
Identification No. 11348
26 South Church Street
West Chester, PA 19382
610-696-3030
Attorney for Plaintiff

COPY

UNITED REFINING CO., INC.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

VS.

SHERRY BURNETT T/A BURNETT TRUCKING

: NO. 01. 1395 CO

Defendant

: CIVIL ACTION - LAW

RULE OF CIVIL PROCEDURE NO. 236 (REVISED)

Notice is given that a JUDGMENT in the above captioned matter has been entered against you on

August 27, 2001

Prothonotary

By: J. Kendrick
Deputy

If you have any questions concerning the above, please contact:

Burton Neil, Esquire
Attorney for Party Filing
26 South Church Street
West Chester, PA 19382
Phone: 610-696-3030

In making this communication, we advise that our firm is a debt collector.

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

United Refining Company
Plaintiff(s)

COPY

No.: 2001-01395-CD

Real Debt: \$4,416.14

Atty's Comm:

Vs.

Costs: \$

Int. From:

Sherry Burnett
Burnett Trucking
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: August 27, 2001

Expires: August 27, 2006

Certified from the record this 27th of August, 2001



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

PRAECIPE FOR WRIT OF EXECUTION (MONEY JUDGMENT)
Pa.R.C.P. § 3103 to 3149

UNITED REFINING COMPANY : IN THE COURT OF COMMON PLEAS
Plaintiff
VS. : CLEARFIELD COUNTY, PENNSYLVANIA

SHERRY BURNETT : NO. 01-1395-CD
T/A BURNETT TRUCKING
Defendant : CIVIL ACTION - LAW

To the Prothonotary: ISSUE A WRIT OF EXECUTION IN THE ABOVE MATTER

1. Directed to the Sheriff of Clearfield County, Pennsylvania
2. against Sherry Burnett t/a Burnett Trucking, Defendant(s)
3. and against _____, Garnishee(s)
4. and index this writ
 - (a) against _____ Defendant(s)
 - (b) against _____ Garnishee(s)

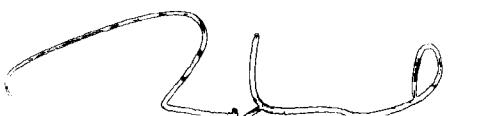
as a lis pendens against the real property of the defendant(s) in the name of the Garnishee(s) as follows: (specifically describe property)

All personal property located at: PO Box 197, Church Street, Winburne, PA 16879

5. Amount Due \$4,416.14
Interest from 7/5/01 50.15
Total \$4,466.29*

*Plus writ costs

Dated: September 12, 2001



Burton Neil, Esquire
Attorney for Plaintiff

NOTE: Under paragraph 1 when the writ is directed to sheriff of another county as authorized by Rule 3103(b), the county should be indicated. Under Rule 3103(c) a writ issued on a transferred judgment may be directed only to the sheriff of the count in which issued. Paragraph 3 above should be completed only if indexing of the execution in the county of issuance is desired as authorized by Rule 3104(a). When the writ issued to another county indexing is required as of course in that county. See Rule 3104(b). Paragraph 4(b) should be completed only if real property in the name of the garnishee is attached and indexing as a lis pendens is desired. See Rule 3104(c).

FILED

OCT 07 2001

Wm. A. Shaw
Prothonotary

UNITED REFINING COMPANY
VS.

SHERRY BURNETT
T/A BURNETT TRUCKING
Defendant

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 01-1395-CD
: CIVIL ACTION - LAW

MONEY JUDGMENT

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CHESTER
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs against Sherry Burnett t/a Burnett Trucking Defendant:

1. You are directed to levy upon the property of the defendant(s) and to sell his, her or their interest therein;
2. You are also directed to attach the property of the defendant not levied upon in the possession of _____ Garnishee per property description attached.

**Levy on all personal property of the defendant located at: PO Box 197, Church Street
Winburne, PA 16879**

and to notify Garnishee(s) that:

- a. an attachment has been issued;
- b. the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(2) and from delivering any property of the defendant(s) or otherwise disposing thereof.

3. If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as stated above.

Amount Due	\$4,416.14
Interest from 7/5/01	50.15
Balance Due:	\$4,466.29*
*Plus writ costs	40.00

SEAL

Dated 10/2/01

Prothonotary:

By: _____

The firm of Olin Neil & Haltrecht is attempting to collect a debt.

FILED

OCT 02 2001
12.50 cents mail PC
\$20.00
William A. Shaw
Prothonotary
buntnote
buntnote

W.A. Shaw

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11598

UNITED REFINING COMPANY

01-1395-CD

VS.

BURNETT, SHERRY T/A BURNETT TRUCKING

WRIT OF EXECUTION PERSONAL PROPERTY

SHERIFF RETURNS

NOW, MAY 2, 2002, CALLED ATTORNEY'S OFFICE ABOUT COSTS DUE THIS OFFICE. CHECK WILL BE SENT.

NOW, MAY 13, 2002, RECEIVED ATTORNEY CHECK #018812 IN THE AMOUNT OF NINETY-FIVE DOLLARS AND SIXTY-EIGHT CENTS (\$95.68)FOR COSTS DUE.

NOW, MAY 17, 2002, RETURN WRIT AS NO SALE HELD, DEFENDANT PAID DEBT AND COSTS. PAID OUR COSTS FROM ADVANCE WITH ATTORNEY PAYING REMAINING COSTS.

**SHERIFF HAWKINS \$295.98
SURCHARGE \$ 20.00
PAID BY ATTORNEY**

FILED

MAY 17 2002

**01334pm
William A. Shaw
Prothonotary**

Sworn to Before Me This

17th Day Of May 2002

**WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA**

So Answers,

***Chester Hawkins*
by Murray and W. Pitt
Chester A. Hawkins
Sheriff**

UNITED REFINING COMPANY : IN THE COURT OF COMMON PLEAS
Plaintiff
VS. : CLEARFIELD COUNTY, PENNSYLVANIA

SHERRY BURNETT : NO. 01-1395-CD
T/A BURNETT TRUCKING : CIVIL ACTION - LAW
Defendant : MONEY JUDGMENT

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CHESTER
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs against Sherry Burnett t/a Burnett Trucking Defendant:

1. You are directed to levy upon the property of the defendant(s) and to sell his, her or their interest therein;
2. You are also directed to attach the property of the defendant not levied upon in the possession of _____ Garnishee per property description attached.

**Levy on all personal property of the defendant located at: PO Box 197, Church Street
Winburne, PA 16879**

and to notify Garnishee(s) that:

a. an attachment has been issued;
b. the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(2) and from delivering any property of the defendant(s) or otherwise disposing thereof.

3. If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as stated above.

Amount Due	\$4,416.14
Interest from 7/5/01	50.15
Balance Due:	\$4,466.29*
*Plus writ costs	40.00

_____, Prothonotary:

By: 

SEAL

Dated: 10/21/01

The firm of Olin Neil & Haltrecht is attempting to collect a debt.

RECEIVED OCT 2 2001

@ 3:29 PM

*Wester R. Haltrecht
by Margaret M. Haltrecht*

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11598

UNITED REFINING COMPANY

01-1395-CD

VS.

BURNETT, SHERRY T/A BURNETT TRUCKING

WRIT OF EXECUTION PERSONAL PROPERTY

SHERIFF RETURNS

NOW, OCTOBER 8, 2001, AT 9:22 AM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT.

NOW, OCTOBER 15, 2001, AT 10:03 AM O'CLOCK SERVED WRIT OF EXECUTION AND COPY OF LEVY ON SHERRY BURNETT, DEFENDANT, AT HER PLACE OF RESIDENCE, PO BOX 197, CHURCH STREET, WINBURNE, CLEARFIELD COUNTY, PENNSYLVANIA, 16879, BY HANDING TO SHERRY BURNETT, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND COPY OF LEVY AND MADE KNOWN TO HER THE CONTENTS THEREOF.

A SALE IS SET FOR FRIDAY, NOVEMBER 30, 2001, AT 10:00 AM O'CLOCK.

NOW, NOVEMBER 1, 2001, AT 10:45 AM O'CLOCK PROPERTY OF THE DEFENDANT WAS POSTED WITH NOTICE OF SALE.

NOW, NOVEMBER 1, 2001, AT 10:45 AM O'CLOCK SERVED A COPY OF THE NOTICE OF SALE ON SHERRY BURNETT, DEFENDANT, AT HER PLACE OF RESIDENCE, PO BOX 197, CHURCH STREET, WINBURNE, CLEARFIELD COUNTY, PENNSYLVANIA, 16879, BY HANDING TO SHERRY BURNETT, DEFENDANT, A COPY OF THE NOTICE OF SALE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11598

UNITED REFINING COMPANY

01-1395-CD

VS.

BURNETT, SHERRY T/A BURNETT TRUCKING

WRIT OF EXECUTION PERSONAL PROPERTY

SHERIFF RETURNS

NOW, NOVEMBER 29, 2001, RECEIVED A PHONE CALL FROM BURTON NEIL, ATTORNEY FOR THE PLAINTIFF, THAT SALE IS TO BE POSTPONED. LETTER TO FOLLOW.

NOW, FEBRUARY 11, 2002, RECEIVED A LETTER FROM JAY PRESSMAN, ATTORNEY FOR THE PLAINTIFF, THAT SALE IS TO BE RESCHEDULED.

A SALE IS FOR FRIDAY, APRIL 1, 2002, AT 10:00 AM O'CLOCK.

NOW, FEBRUARY 13, 2002, AT 1:44 PM O'CLOCK PROPERTY OF THE DEFENDANT WAS POSTED WITH NOTICE OF SALE.

NOW, FEBRUARY 13, 2002, AT 1:44 PM O'CLOCK SERVED NOTICE OF SALE ON SHERRY BURNETT, DEFENDANT, AT HER PLACE OF RESIDENCE, PO BOX 197, CHURCH STREET, WINBURNE, CLEARFIELD COUNTY, PENNSYLVANIA, 16879, BY HANDING TO SHERRY BURNETT, DEFENDANT, A COPY OF THE ORIGINAL NOTICE OF SALE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

NOW, FEBRUARY 28, 2002, RECEIVED A FAX FROM JAY PRESSMAN, ATTORNEY FOR THE PLAINTIFF, THAT SALE IS TO BE POSTPONED, AN AGREEMENT HAS BEEN REACHED WITH THE DEFENDANT THAT IF JUDGMENT AND COSTS ARE PAID BY MAY 1, 2002, NO FURTHER ACTION WILL BE TAKEN.

Burton Neil & Associates, P.C.

26 South Church Street
West Chester, PA 19382

FIRST NATIONAL BANK OF WEST CHESTER
WEST CHESTER, PENNSYLVANIA

60-439
319

018812

Void after 90 days

DATE

CHECK #

AMOUNT

05/09/02

\$95.68

PAY

**TO THE
ORDER
OF**

Ninety-Five and 68/100 Dollars

Sheriff of Clearfield County
1 North Second Street
Clearfield, PA 16830

2t
Burton Neil & Associates, P.C.
Trust Account

018812 0319043950 42808550

Attn: Peggy

01-1395-CD

018812

Re:

No. 18812

OUR
FILE NO.

Re: United Refining Company

Vs: Burnett Trucking

Your File #: 01-1395-CD

INVOICE_COST

INTEREST RECOVERED	COST RECOVERED	STAT FEE	NET TO CLIENT	DEBTOR BALANCE	AMT RECEIVED
00	00	.00	00	00	00

COLLECTION			COSTS AND EXPENSES			SUIT FEE	COMMISSION
PRINCIPAL +	INTEREST +	CUMULATIVE COLL	REFUND	INCURRED	RECEIVED	EARNED	EARNED
00	00	00	00	95.68	00	00	00

COPY

Personal Property Sale

PERSONAL PROPERTY

Personal Property Sale

SCHEDULE OF DISTRIBUTION

01-1395-CD BURNETT

NOW, _____, by virtue of the writ hereunto attached, after having given due and legal Notice of the time and place of sale, by handbills posted on the premises, setting forth the time and place of sale, I sold on the day of _____ 2001, the defendant's personal property for and made the following appropriations.

SHERIFF COSTS:

RDR	\$ 9.00
SERVICE	9.00
MILEAGE	13.00
LEVY	20.00
MILEAGE	13.00
POSTING	9.00
HANDBILLS	10.00
COMMISSION	89.32
UNABLE TO LEVY (\$9.00)	
POSTAGE	1.36
ADD'L SERVICE	18.00
ADD'L MILEAGE	65.00
ADD'L POSTING	9.00
COPIES	10.00
BID	
RETURN OF INTERROGATORIES	
PHONE CALLS	20.00
TOTAL SHERIFF COSTS	\$ 295.68

DEBT & INTEREST:

DEBT	\$ 4,416.14
INTEREST FROM 7-5-01	50.15
TOTAL DEBT & INTEREST	\$ 4,466.29
COSTS:	
ATTORNEY PAID	\$
ATTORNEY FEES	
COSTS TO PROTHONOTARY	\$ 40.00
SHERIFF'S COSTS	295.68
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
COSTS	\$
TOTAL COSTS	\$ 355.68
TOTAL DEBT AND COSTS	\$ 4,821.97

Commission 2% on the first \$100,000.00 and 1/2% on all over that. Distribution will be made in accordance with the above schedule unless exceptions are filed with this office within ten (10) days from this date.

Chester A. Hawkins, Sheriff

COPY

5-2-02 Called Mr. Bell,
Office - Please send \$95.68
(to pay)
6-2-03

5-13-02 need Atty sk# 446612
\$95.68