

01-1494-C
COMMONWEALTH OF PENNSYLVANIA -vs- DAVID DALE WARNER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Appellee

vs.

DAVID DALE WARNER,

Appellant

No. 01-1494-CD

Type of Case: CIVIL ACTION

Type of Pleading: Appeal of Suspension of Operating Privileges

Filed on Behalf of:
David Dale Warner
Appellant

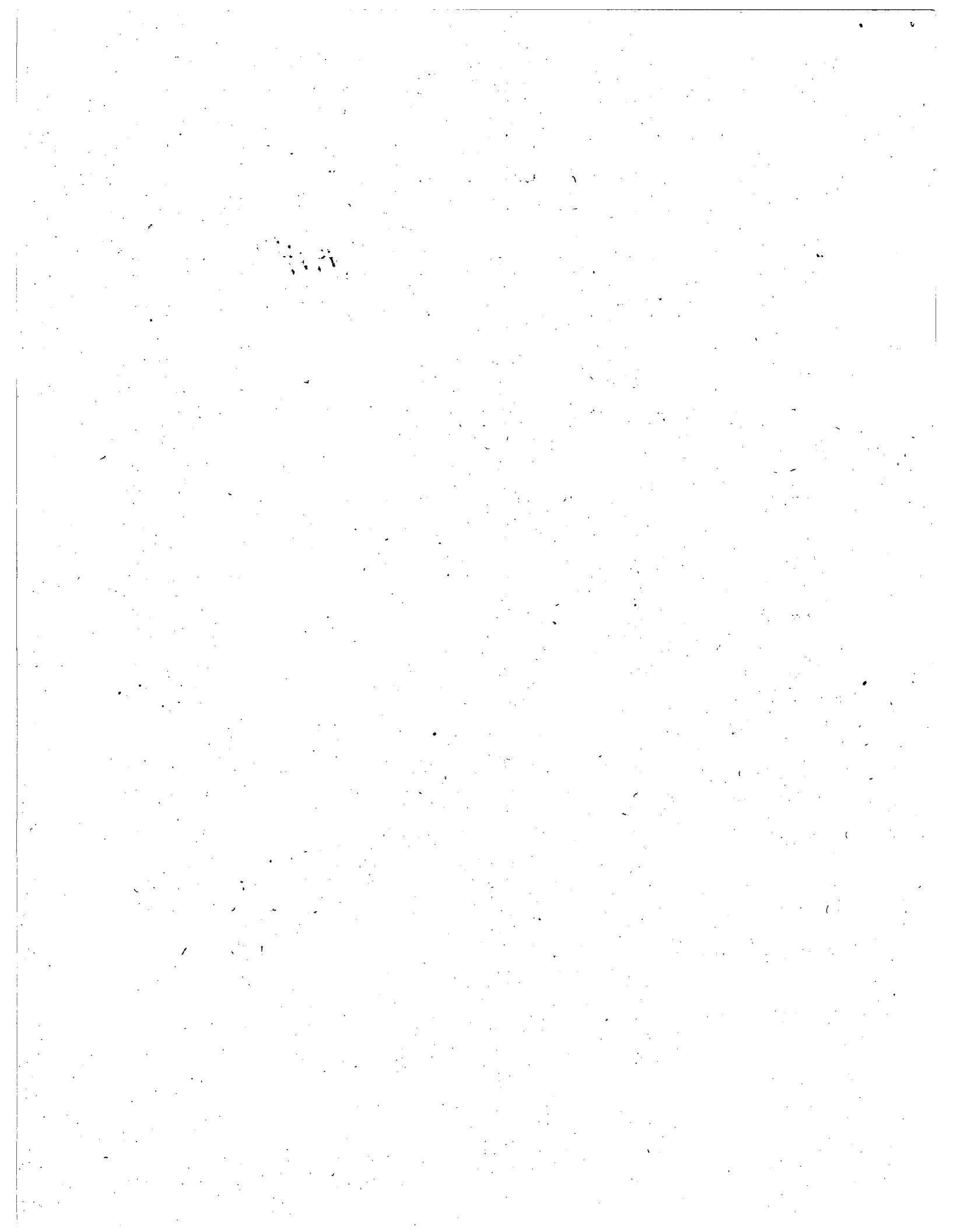
Counsel of Record for
This Party:

DAVID C. MASON LAW OFFICE
David C. Mason, Esquire
P.O. Box 28
Philipsburg, PA 16866
(814) 342-2240
I. D. No. 39180

FILED

SEP 10 2001

William A. Shaw
Prothonotary



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

*
* No. 01-
* -CD

Appellee

vs.

DAVID DALE WARNER,

Appellant

PETITION FOR APPEAL
FROM SUSPENSION OF OPERATING PRIVILEGES

ORDER

AND NOW, this _____ day of _____, 2001, upon consideration of the within PETITION FOR APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES and on motion by the Petitioner above named, the _____ day of _____, 2001 at _____ M. In Court Room No. _____ of the Clearfield County Courthouse, Clearfield PA, is hereby fixed as the time for the hearing on the said Petition.

Written notice no later than sixty (60) days prior to the hearing shall be given to the Director of the Bureau of Driver Licensing, Department of Transportation, Commonwealth of Pennsylvania, of the date, time and location of the said hearing.

Supercedeas of the suspension of the operating privileges of the Petitioner, as set forth in the official notice of the Director of the Bureau of Driver Licensing, Department of Transportation, mail date August 10, 2001, is hereby granted.

Supercedeas Approved:

BY THE COURT:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

* * * No. 01- -CD

Appellee

vs.

DAVID DALE WARNER,

Appellant

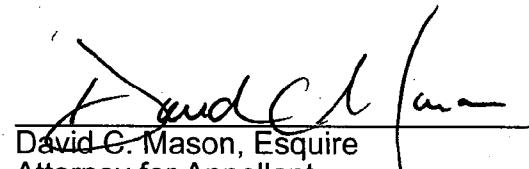
PETITION FOR APPEAL
FROM SUSPENSION OF OPERATING PRIVILEGES

1. Appellant is DAVID DALE WARNER, an individual who resides at German Road, P. O. Box 191, Moshannon, Cooper Township, Clearfield County, Pennsylvania.
2. Appellee is Commonwealth of Pennsylvania, Department of Transportation, Bureau of Driver Licensing, Citation Processing Division, Room 302, Transportation and Safety Building, Harrisburg, Pennsylvania, 17120.
3. Appellant has been notified of the suspension of his driving privileges as a result of his conviction on February 27, 2001, of a violation of Title 35 Pa.C.S. §13 (a)16 of the Controlled Substance, Drug, Device, and Cosmetic Act, on or about December 31, 1999, said Notice being attached hereto and made a part hereof.
4. The mailing date of said Notice is August 10, 2001.
5. The effective date of the suspension is September 14, 2001.
6. This Court has venue of the instant proceeding as the County of residence of the Appellant.

7. Appellant's operating privileges have been suspended for a period of six (6) months.
8. Appellant has appealed the suspension of his operator's license and represents to the Court that:
 - a. The Defendant is a professional driver. At the time of his entry of a guilty plea to the charge of Possession of Drug Paraphernalia, the Defendant was not advised that his operating privilege would be suspended. Had Defendant known that a guilty plea to the charge would result in a suspension of his operator's license, Defendant would not have pled guilty to the charge.
 - b. The guilty plea colloquy form has a passage related to the suspension of operating privileges for certain offenses, but was not completed, leading Defendant to believe that no suspension of his operating privileges would occur.
 - c. The imposition of a suspension of the Defendant's operating privileges, causing a loss of Defendant's employment, would be unfair and oppressive.

WHEREFORE, the Appellant prays your Honorable Court for an Order sustaining the Appeal and Dismissing the Suspension of operating privileges.

MASON LAW OFFICE



David C. Mason, Esquire
Attorney for Appellant

VERIFICATION

I, DAVID DALE WARNER, hereby verify that the facts set forth in the foregoing Appeal of Suspension of Operating Privileges are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

DATED: 9. 10 - 01

David D. Warner
DAVID DALE WARNER

FILED

SEP 10 2001

William A. Shaw
Fictional

One (1) w/o return to
att. Mason

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

Commonwealth of Pennsylvania, Dept. of Transportation

Plaintiff

vs.

David Dale Warner

Defendant

*

*

* NO. 01-1494-CD

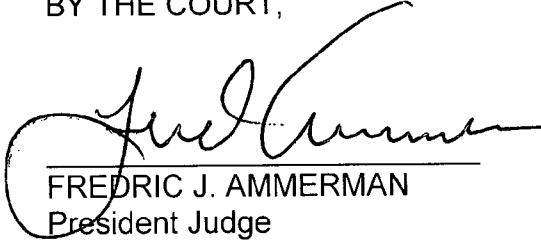
*

*

ORDER

NOW, this 24th day of July, 2007, it is the ORDER of this Court that the above-captioned case be and is hereby dismissed due to inactivity.

BY THE COURT,


FREDRIC J. AMMERMAN

President Judge

FILED
JUL 24 2007

cc: Atty's:
Kuhar
Mason

William A. Shaw
Prothonotary/Clerk of Courts

(6K)