

01-1649-CD  
LAURA MOORE -vs- COMMONWEALTH OF PENNSYLVANIA, DEPT. OF  
TRANSPORTATION

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

LAURA MOORE,  
Petitioner

Vs.

: No. 01-1649 -CD

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, :  
Respondent

**RULE RETURNABLE**

AND NOW, this 11 day of October, 2001, upon  
consideration of the foregoing Petition for Review, a Rule is hereby issued upon the Commonwealth  
of Pennsylvania, Department of Transportation, Respondent, to appear in Court and show cause why  
the prayer of Laura Moore, Petitioner, should not be granted.

Rule Returnable the 16 day of October, 2001, at 2:00 P.M.,  
in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania, 16830.

BY THE COURT,

  
John K. Reilly, Jr.  
JUDGE

**FILED**

OCT 11 2001

William A. Shaw  
Prothonotary

No. 01-  
-CD

Laura Moore,  
Petitioner

vs.

Commonwealth of Pennsylvania,  
Department of Transportation,  
Respondent

Petition for Review

**FILED**

OCT 03 2001

RE 013301365 - Cnty Collins  
By William A. Shaw - Cnty Collins  
Prothonotary

Cnty Collins pd \$80.00

**Shoel, Collins & Knarlsboro**  
ATTORNEYS & COUNSELORS AT LAW  
218 SOUTH SECOND STREET  
C. LEARFIELD, PENNSYLVANIA 16830  
(814) 765-5552 (814) 765-6555

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

LAURA MOORE,  
Petitioner

Vs.

No. 01/649 -CD

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

**PETITION FOR REVIEW**

Filed on behalf of:  
Laura Moore

Counsel for this party:  
Ronald L. Collins, Esquire

Supreme Court No. 36744

Sobel, Collins & Knaresboro  
Attorneys at Law  
218 South Second Street  
Clearfield, PA 16830

(814)765-5552  
(814)765-6210

**FILED**

OCT 03 2001

William A. Shaw  
Prothonotary

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

LAURA MOORE,  
Petitioner

Vs.

: No. 01- -CD

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, :  
Respondent

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AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2001, upon  
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Rule Returnable the \_\_\_\_\_ day of \_\_\_\_\_, 2001, at \_\_\_\_\_ .m.,  
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BY THE COURT,

JUDGE

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

LAURA MOORE,  
Petitioner

Vs. : No. 01- -CD

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, :  
Respondent

**PETITION FOR REVIEW**

AND NOW comes Petitioner, Laura Moore, by and through Ronald L. Collins, Esquire who petitions your Honorable Court as follows:

1. That Petitioner is Laura Moore of 420 North Fourth Street, DuBois, Pennsylvania, 15801 with a Driver's License No. of 25187643.
2. That Respondent is the Commonwealth of Pennsylvania, Department of Transportation.
3. That by Notice dated June 8, 2001, the Respondent imposed a suspension of the operating privileges of Petitioner on the basis that she had been placed on ARD by the Court of Common Pleas of Indiana County on May 15, 2001 for an alleged offense of Underage Drinking occurring on November 22, 2001. A copy of the Notice of Suspension is hereinafter attached as Exhibit "A".
4. That Petitioner had been placed on ARD for said offense by the Court of Common Pleas of Indiana County in error. That is to say, it had been Petitioner's agreement with the District Attorney's Office of Indiana County prior to her Sentencing date of May 15, 2001 that she would be placed on ARD for the offense of Driving Under the Influence with the Underage Drinking charge to be dismissed.

5. That following the placement of Petitioner on ARD for the offense of Underage Drinking, the Clerk of Courts of Indiana County did forward to Respondent a form designated as DL-21C indicating said disposition. A copy of said DL-21C is hereinafter attached as Exhibit "B".

6. That in August of 2001, Petitioner advised counsel, Ronald L. Collins, Esquire that there appeared to be a suspension of her driving privileges beyond that for the DUI offense. Upon inquiry by counsel, it was then discovered that Petitioner had erroneously been placed on ARD for the Underage Drinking Offense and the aforesaid DL-21C form had been forwarded to the Respondent.

7. That upon the request of counsel for the Petitioner, the District Attorney's Office of Indiana County did then move for a Nol. Pros. Of said Underage Drinking charge, which Motion was granted by Order of the Court of Common Pleas of Indiana County on August 29, 2001. A copy of said Motion and Order is hereinafter attached as Exhibit "C".

8. That upon the entry of said Order for Nol. Pros., the Clerk of Courts of Indiana County did then forward to Respondent an amended DL-21C indicating that the subject Underage Drinking charge had been dismissed. A copy of said amended report is hereinafter attached as Exhibit "D".

9. That following the passage of a few weeks to allow Respondent to process said amended report, counsel for Petitioner then contacted the Department of Transportation to inquire as to the status of said processing. At that time, Harold Kramer, Esquire of the Office of Chief Counsel for Respondent did then advise counsel for Petitioner that Respondent was refusing to process the amended DL-21C issued to it by the Court of Common Pleas of Indiana County to amend Respondent's suspension status.

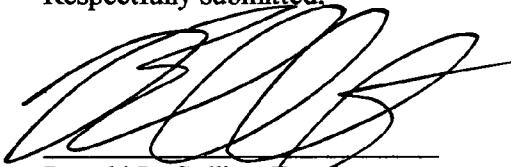
10. That Respondent is aware through correspondence, certified documentation, and telephone conversations with Petitioner's counsel and the Clerk of Court's Office of Indiana County that the Nol. Pros. Motion and Order filed by the District Attorney's Office and the amended DL-21C

submitted to Respondent were intended to reflect that Petitioner was not to have been placed on ARD for the offense of Underage Drinking.

11. That Respondent's refusal to process said amended Order amounts to bad faith entitling Petitioner to an award of attorney's fees.

WHEREFORE, Petitioner respectfully requests your Honorable Court to issue an Order directing Respondent to amend Petitioner's Driving Record, lift the suspension, and award her reasonable attorney's fees in regards to this Petition for Review.

Respectfully submitted,

  
Ronald L. Collins, Esquire

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
Bureau of Driver Licensing  
Mail Date: JUNE 08, 2001

LAURA MOORE  
420 N 4TH ST  
DU BOIS PA 15801

WID # 011526112801998 001  
PROCESSING DATE 06/01/2001  
DRIVER LICENSE # 25167643  
DATE OF BIRTH 04/05/1980



- LICENSE IN BUREAU -

Dear MS. MOORE:

As a result of your violation on 11/22/2000 of violating Section 6308 (offenses related to alcohol), your driving privilege is being SUSPENDED for a period of 90 DAY(S) as mandated by section 1532D of the vehicle code.

The effective date of suspension is 08/15/2001, 12:01 a.m.

This suspension is in addition to any other suspensions already on your record.

PROVIDING PROOF OF INSURANCE

Within the last 30 days of your suspension/revocation, we will send you a letter asking that you provide proof of insurance at that time. This letter will list acceptable documents and what will be needed if you do not own a vehicle registered in Pennsylvania.

**Important:** Please make sure that PennDOT is notified if you move from your current address. You may notify PennDOT of your address change by calling any of the phone numbers listed at the end of this letter.

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 08, 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





**DL-21C (8-95) REPORT OF THE CLERK OF COURTS SHOWING THE CONVICTION/ADJUDICATION OF DELINQUENCY OR PREADJUDICATION DISPOSITION AS A RESULT OF A VIOLATION OF CHAPTER 63 OF TITLE 18**

AMENDED REPORT

**DEFENDANT INFORMATION (TYPE OR PRINT CLEARLY)**

<b>NAME</b>			<b>SEX</b>	<b>DATE OF BIRTH</b>			
FIRST	MIDDLE	LAST	M	MONTH	DAY	YEAR	
MOORE LAURA ELIZABETH				4	5	1980	
<b>ADDRESS</b>							
237 EAST SHERMAN AVENUE							
<b>CITY</b>		<b>STATE</b>	<b>ZIP CODE</b>	<b>SOCIAL SECURITY NUMBER</b>			
DUBOIS		PA	15801-0000	1	8	8	- 6 0 - 5 3 1 1
<b>DRIVER NUMBER</b>		<b>STATE</b>	<b>LICENSE PLATE NUMBER</b>			<b>YEAR</b>	<b>STATE</b>
25107643		PA	YTD739				PA

**VIOLATION INFORMATION**

<b>DATE OF VIOLATION</b>			<b>DATE OF DISPOSITION</b>			<b>DATE OF ACQUITTAL/NOLLE PROSEQUI</b>		
<b>MONTH</b>	<b>DAY</b>	<b>YEAR</b>	<b>MONTH</b>	<b>DAY</b>	<b>YEAR</b>	<b>MONTH</b>	<b>DAY</b>	<b>YEAR</b>
11	22	2000	5	15	2001			

**VIOLATION COMMITTED:**

(Please use a separate form for each charge)

(Check one):

18 PA C.S. §6307  
 18 PA C.S. §6308  
 18 PA C.S. §6910.3

**DISPOSITION:**

(NOTE - If summary appeal, include  
 District Justice Docket # \_\_\_\_\_)

(Check one):

CONVICTION  
 PREADJUDICATION DISPOSITION  
 (Including Consent Decrees)  
 ADJUDICATION OF DELINQUENCY

THE UNDERSIGNED CERTIFIES THAT THE FOREGOING IS A CERTIFIED RECORD.

SEAL

Clerk of Courts, Juvenile Court Judge, District Justice

5/15/2001  
 Date Certified

**COURT INFORMATION**

<b>COURT</b>	COMMON PLEAS
<b>COUNTY</b>	INDIANA
<b>MAG. DIST. NO.</b>	40-3-01
<b>YEAR</b>	2001
	00172

**SEND THIS FORM TO:**

Bureau of Driver Licensing, P.O. Box 60037, Harrisburg, Pennsylvania 17106-0037

ADDITIONAL COPIES OF THIS FORM MAY BE SECURED BY COMPLETING FORM DS-511A.

**EXHIBIT**

"B"

tables

DA  
prosecutor  
PA.D.A.

CT

**MOTION FOR NOL. PROS.**  
**IN THE COURT OF COMMON PLEAS OF INDIANA COUNTY**  
**CRIMINAL DIVISION**

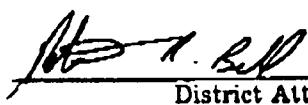
COMMONWEALTH OF PENNSYLVANIA  vs. <u>Laura Elizabeth Moore</u>	No. <u>172</u> Crim. <u>X9 2001</u>  Charge: <u>§ 6308 Underage drinking</u>  _____ _____ _____
-------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------

AND NOW, August 29, 2001, on motion of the District Attorney,  
the Court directs a Nol. Pros. to be entered in the above case.

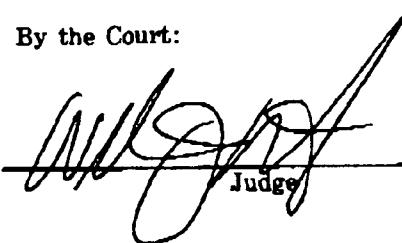
Costs to be paid by:

Actor  Indiana County  Prosecutor

Approved by:

  
\_\_\_\_\_  
District Attorney

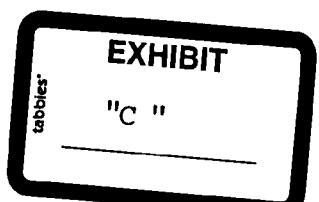
By the Court:

  
\_\_\_\_\_  
Judge

SIGNED AND FILED  
GAIL A. BROWN  
CLERK OF COURT

LAW OFFICES OF SAWYER

(DET)



DL-21C (8-95)



**REPORT OF THE CLERK OF COURTS SHOWING THE  
CONVICTION/ADJUDICATION OF DELINQUENCY OR  
PREADJUDICATION DISPOSITION AS A RESULT OF A  
VIOLATION OF CHAPTER 63 OF TITLE 18**

AMENDED REPORT

**DEFENDANT INFORMATION (TYPE OR PRINT CLEARLY)**

NAME			SEX	DATE OF BIRTH		
FIRST	MIDDLE	LAST	M	MONTH	DAY	YEAR
MOORE LAURA ELIZABETH				4	5	1980
ADDRESS						
420 NORTH FOURTH STREET						
CITY		STATE	ZIP CODE	SOCIAL SECURITY NUMBER		
DUBOIS		PA	15801-0000	1	8	8
DUBOIS		PA	15801-0000	6	0	5
DRIVER NUMBER		STATE	LICENSE PLATE NUMBER	YEAR	STATE	
25187643		PA	YTD739		PA	

**VIOLATION INFORMATION**

DATE OF VIOLATION			DATE OF DISPOSITION			DATE OF ACQUITTAL/NOLLE PROSEQUI		
MONTH	DAY	YEAR	MONTH	DAY	YEAR	MONTH	DAY	YEAR
11	22	2000				8	29	2001
VIOLATION COMMITTED: (Please use a separate form for each charge)			DISPOSITION: (NOTE - If summary appeal, include District Justice Docket # _____)					
(Check one):			(Check one):					
<input type="checkbox"/> 18 PA C.S. §6307			<input type="checkbox"/> CONVICTION					
<input checked="" type="checkbox"/> 18 PA C.S. §6308			<input type="checkbox"/> PREADJUDICATION DISPOSITION (Including Consent Decrees)					
<input type="checkbox"/> 18 PA C.S. §6310.3			<input type="checkbox"/> ADJUDICATION OF DELINQUENCY					

THE UNDERSIGNED CERTIFIES THAT THE FOREGOING IS A CERTIFIED  
RECORD.

SEAL

Clerk of Courts, Juvenile Court Judge, District Justice

8/30/2001

Date Certified

**COURT INFORMATION**

COURT	COMMON PLEAS
COUNTY	INDIANA
MAG. DIST. NO.	40-3-01
YEAR	2001
	00172

**SEND THIS FORM TO:**

Bureau of Driver Licensing, P.O. Box 60037, Harrisburg, Pennsylvania 17106-0037

ADDITIONAL SUPPLIES OF THIS FORM MAY BE SECURED BY COMPLETING FORM OS 511A.

EXHIBIT

"D"

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

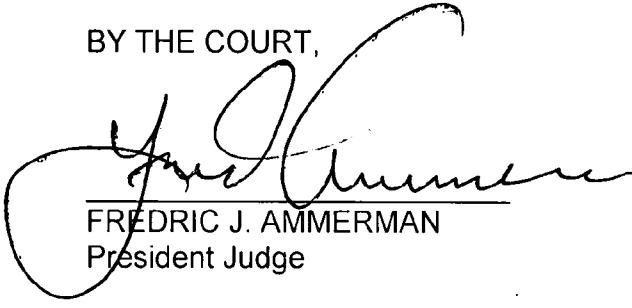
Laura Moore  
Plaintiff  
vs.  
Commonwealth of Pennsylvania, Dept. of Transportation  
Defendant

\*  
\*  
\* NO.01-1649-CD  
\*  
\*

ORDER

NOW, this 24<sup>th</sup> 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  
01/12/2007  
JUL 25 2007  
cc  
Attns: Kuhar  
Collins  
GK

William A. Shaw  
Prothonotary/Clerk of Courts