

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

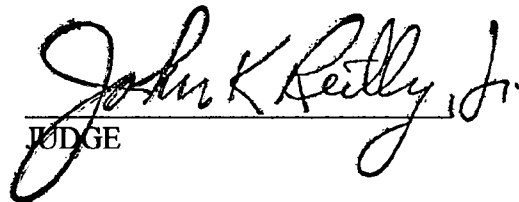
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION, :
Respondent

RULE RETURNABLE

AND NOW, this 11th 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 16th day of October, 2001, at 2:00 p.m.,
in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania, 16830.

BY THE COURT,


JUDGE

FILED

OCT 11 2001

William A. Shaw
Prothonotary

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VS.

Commonwealth of Pennsylvania,
Department of Transportation,
Respondent

Petition for Review

FILED

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 William A. Shaw - City College
 Prothonotary

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cH₃ Column pL 880.00

Soebel, Collins & Knaresburo
ATTORNEYS & COUNSELORS AT LAW
218 SOUTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-5552 (814) 765-6555

XP

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

LAURA MOORE,
Petitioner

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Vs.

:

No. 01-1649 -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,
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Vs.

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No. 01- -CD

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION, :
Respondent

RULE RETURNABLE

AND NOW, this _____ day of _____, 2001, upon
consideration of the foregoing Petition for Review, a Rule is hereby issued upon the Commonwealth
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Rule Returnable the _____ day of _____, 2001, at _____ .m.,
in Courtroom No. _____ of the Clearfield County Courthouse, Clearfield, Pennsylvania, 16830.

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.

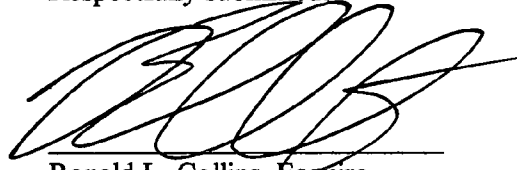
10. That Respondent is aware through correspondence, certified documentation, and telephone conversations with Petitioner's counsel and the Clerk of Court's Office of Indiana County that the Nol. Pros. Motion and Order filed by the District Attorney's Office and the amended DL-21C

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,

A handwritten signature in black ink, appearing to be 'R. Collins', written over a horizontal line.

Ronald L. Collins, Esquire

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

MS
555

LAURA MOORE
420 N 4TH ST
DU BOIS PA 15801

WID # 011526112801998 001
PROCESSING DATE 06/01/2001
DRIVER LICENSE # 25187643
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)

NAME			SEX	DATE OF BIRTH		
FIRST	MIDDLE	LAST		MONTH	DAY	YEAR
MOORE LAURA ELIZABETH			M	4	5	1980
ADDRESS						
237 EAST SHERMAN AVENUE						
CITY		STATE	ZIP CODE	SOCIAL SECURITY NUMBER		
DUBOIS		PA	15801-0000	1	8	8
				6	0	5
				3	1	1
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	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. §6310.3

DISPOSITION:

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

(Check one):

☐ CONVICTION☒ PREADJUDICATION DISPOSITION
(Including Consent Decrees)☐ ADJUDICATION OF DELINQUENCYTHE UNDERSIGNED CERTIFIES THAT THE FOREGOING IS A CERTIFIED
RECORD.

SEAL

Lincoln Moore Mack
Clerk of Courts, Juvenile Court Judge, District Justice

5/15/2001
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

"B"

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DA
Produced in
PA Dot

CT

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

COMMONWEALTH OF PENNSYLVANIA

vs.

Laura Elizabeth Moore

No. 172 Crim. X9 2001Charge: § 6308 Underage drinkingAND NOW, August 29, 2001, X9, on motion of the District Attorney,

the Court directs a Nol. Pros. to be entered in the above case.

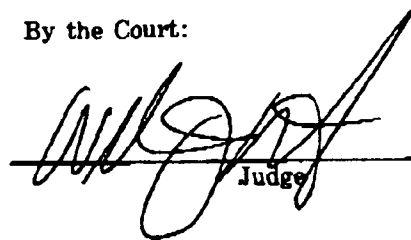
Costs to be paid by:

☐ Actor ☐ Indiana County ☐ Prosecutor

Approved by:


District Attorney

By the Court:


JudgeRECEIVED
CLERK OF COURT
INDIANA COUNTY
AUG 30 2001

2001 AUG 30 A 10:47

FILED



DI-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		MONTH	DAY	YEAR
MOORE LAURA ELIZABETH			M	4	5	1980
ADDRESS						
420 NORTH FOURTH STREET						
CITY		STATE	ZIP CODE		SOCIAL SECURITY NUMBER	
DUBOIS		PA	15801-0000		1 8 8 - 6 0 - 5 3 1 1	
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)

(Check one):

☐ 18 PA C.S. §6307☒ 18 PA C.S. §6308☐ 18 PA C.S. §6310.3**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

Timothy M. Mack
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"

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LA

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

Laura Moore

Plaintiff

vs.

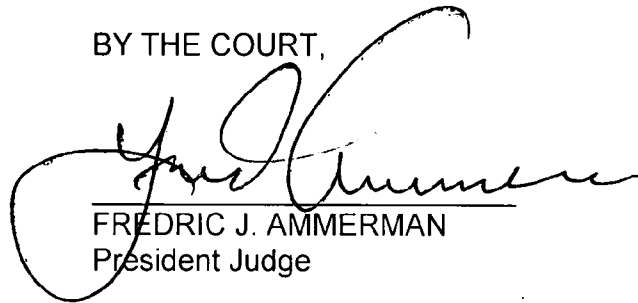
Commonwealth of Pennsylvania, Dept. of Transportation
Defendant

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

ORDER

NOW, this 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^{icc}
01/12:51/64
JUL 25 2007

William A. Shaw
Prothonotary/Clerk of Courts

Atty: Kuchar
Collins

(EK)