

01-1987-3  
COMMONWEALTH OF PENNSYLVANIA -vs- RANDY S. WILSON

CLEARFIELD, PENNSYLVANIA 16830  
211 1/2 EAST LOCUST ST. P.O. BOX 552  
ATTORNEY AT LAW  
CHRIS A. PENNZ

— Fold Here —

**FILED**

DEC 10 2001

cc C1331 Latte, B. re pd & ec. cc  
William A. Shaw  
Prothonotary

lcc atty  
lcc cl4

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

COMMONWEALTH OF PENNSYLVANIA

vs

\* NO. 2001- 1987 -CD

RANDY S. WILSON  
Defendant

\* Type of Case: Civil

\* Type of Pleading: Appeal From  
Suspension of Operator's License

\* Filed on Behalf of: Defendant,  
Randy S. Wilson

\* Counsel of Record for this Party:  
CHRIS A. PENTZ, Esquire

\* Supreme Court I.D. # 39232  
211 1/2 East Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
814 / 765-4000

**FILED**

DEC 10 2001

William A. Shaw  
Prothonotary

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

COMMONWEALTH OF PENNSYLVANIA

\*

vs

No. 2001-

-C.D.

RANDY S. WILSON,  
Defendant

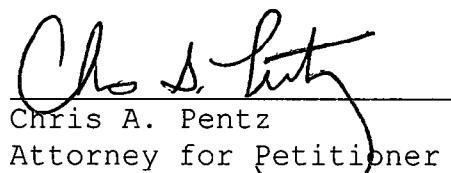
\*

**APPEAL FROM SUSPENSION OF OPERATOR'S LICENSE**

1. The Petitioner is RANDY S. WILSON, who resides at Market Street, PO Box 155, Karthaus, Pennsylvania 16845.
2. The Petitioner has been issued Pennsylvania Driver's License Number 23644723.
3. By letter dated November 12, 2001, the Petitioner was advised that his driving privileges were being suspended for a period of one (1) year as a result of a violation of Section 1547 of the Vehicle Code: CHEMICAL TEST REFUSAL for a violation which occurred on 10/17/2001.
4. The Petitioner believes the suspension is improper due to the fact that Petitioner does not believe that he refused to submit to a chemical test.
5. This Petition is filed pursuant to Section 1550 of the Pennsylvania Motor Vehicle Code.

WHEREFORE, Petitioner respectfully requests Your Honorable Court to enter an Order setting aside the Suspension.

Respectfully submitted this 10 of December, 2001.

  
Chris A. Pentz  
Attorney for Petitioner

VERIFICATION

I, Randy S. Wilson, verify that the statements made in this Appeal From Suspension of Operator's License are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

12/10/01  
Date

Randy S. Wilson  
Randy S. Wilson

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
Bureau of Driver Licensing  
Mail Date: NOVEMBER 12, 2001

RANDY S WILSON  
MARKET ST  
PO BOX 155  
KARTHAUS PA 16845

WID # 013096117517381 001  
PROCESSING DATE 11/05/2001  
DRIVER LICENSE # 23644723  
DATE OF BIRTH 08/21/1974

Dear MR. WILSON:

This is an Official Notice of the Suspension of your Driving Privilege as authorized by Section 1547 of the Pennsylvania Vehicle Code. As a result of your violation of Section 1547 of the Vehicle Code, CHEMICAL TEST REFUSAL, on 10/17/2001:

- Your driving privilege is SUSPENDED for a period of 1 YEAR(S) effective 12/17/2001 at 12:01 a.m.

\*\*\*\*\*  
| WARNING: If you are convicted of driving while your |  
| license is suspended/revoked the penalties will be a |  
| MINIMUM of 90 days imprisonment AND a 1,000 fine AND |  
| your driving privilege will be suspended/revoked for |  
| a MINIMUM 1 year period |  
\*\*\*\*\*

COMPLYING WITH THIS SUSPENSION

You must return all current Pennsylvania driver's licenses, learner's permits, temporary driver's licenses (camera cards) in your possession on or before 12/17/2001. You may surrender these items before, 12/17/2001, for earlier credit; however, you may not drive after these items are surrendered.

**YOU MAY NOT RETAIN YOUR DRIVER'S LICENSE FOR IDENTIFICATION PURPOSES.** However, you may apply for and obtain a photo identification card at any Driver License Center for a cost of 9.00. You must present two (2) forms of proper identification (e.g., birth certificate, valid U.S. passport, marriage certificate, etc.) in order to obtain your photo identification card.

You will not receive credit toward serving any suspension until we receive your license(s). Complete the following steps to acknowledge this suspension.

1. Return all current Pennsylvania driver's licenses, learner's permits and/or camera cards to PennDOT. If you do not have any of these items, send a sworn notarized letter stating you are aware of the suspension of your driving privilege. You must specify in your letter why you are unable to return your driver's license. Remember: You may not retain your driver's license for identification purposes. Please send these items to:  
Pennsylvania Department of Transportation  
~~Bureau of Driver Licensing~~  
P.O. Box 68693  
Harrisburg, PA 17106-8693
2. Upon receipt, review and acceptance of your Pennsylvania driver's license(s), learner's permit(s), and/or a sworn notarized letter, PennDOT will send you a receipt confirming the date that credit began. If you do not receive a receipt from us within 3 weeks, please contact our office. Otherwise, you will not be given credit toward serving this suspension. PennDOT phone numbers are listed at the end of this letter.
3. If you do not return all current driver license products, we must refer this matter to the Pennsylvania State Police for prosecution under SECTION 1571(a)(4) of the Pennsylvania Vehicle Code.

**PAYING THE RESTORATION FEE**

You must pay a restoration fee to PennDOT to be restored from a suspension/revocation of your driving privilege. To pay your restoration fee, complete the following steps:

1. Return the enclosed Application for Restoration. The amount due is listed on the application.
2. Write your driver's license number (listed on the first page) on the check or money order to ensure proper credit.
3. Follow the payment and mailing instructions on the back of the application.

013096117517381

APPEAL

You have the right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the mail date, NOVEMBER 12, 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

Remember, this is an OFFICIAL NOTICE OF SUSPENSION. You must return all current Pennsylvania driver license products to PennDOT by 12/17/2001.

Sincerely,

*Rebecca L. Bickley*

Rebecca L. Bickley, Director  
Bureau of Driver Licensing

INFORMATION 7:00 a.m. to 9:00 p.m.

IN STATE	1-800-932-4600	TDD IN STATE	1-800-228-0676
OUT-OF-STATE	717-391-6190	TDD OUT-OF-STATE	717-391-6191
WEB SITE ADDRESS	www.dot.state.pa.us		

CERTIFIED COPY

CHRIS A. PENTZ

ATTORNEY AT LAW

211 1/2 EAST LOCUST ST. P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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

COMMONWEALTH OF PENNSYLVANIA

vs

\* NO. 2001- 1987 -CD

RANDY S. WILSON  
Defendant

\* Type of Case: Civil

\* Type of Pleading: Appeal From  
Suspension of Operator's License

\* Filed on Behalf of: Defendant,  
Randy S. Wilson

\* Counsel of Record for this Party:  
CHRIS A. PENTZ, Esquire

\* Supreme Court I.D. # 39232  
211 1/2 East Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
814 / 765-4000

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

DEC 10 2001

Attest.

*Chris A. Pentz*  
Prothonotary/  
Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA \*

vs \*

No. 2001- -C.D.

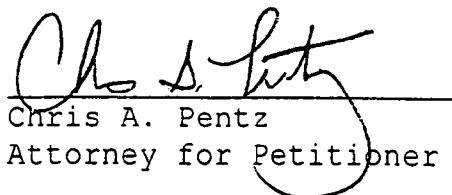
RANDY S. WILSON,  
Defendant \*

APPEAL FROM SUSPENSION OF OPERATOR'S LICENSE

1. The Petitioner is RANDY S. WILSON, who resides at Market Street, PO Box 155, Karthaus, Pennsylvania 16845.
2. The Petitioner has been issued Pennsylvania Driver's License Number 23644723.
3. By letter dated November 12, 2001, the Petitioner was advised that his driving privileges were being suspended for a period of one (1) year as a result of a violation of Section 1547 of the Vehicle Code: CHEMICAL TEST REFUSAL for a violation which occurred on 10/17/2001.
4. The Petitioner believes the suspension is improper due to the fact that Petitioner does not believe that he refused to submit to a chemical test.
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WHEREFORE, Petitioner respectfully requests Your Honorable Court to enter an Order setting aside the Suspension.

Respectfully submitted this 10 of December, 2001.

  
Chris A. Pentz  
Attorney for Petitioner

VERIFICATION

I, Randy S. Wilson, verify that the statements made in this Appeal From Suspension of Operator's License are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

12/10/01  
Date

Randy S. Wilson  
Randy S. Wilson

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
Bureau of Driver Licensing  
Mail Date: NOVEMBER 12, 2001

RANDY S WILSON  
MARKET ST  
PO BOX 155  
KARTHAUS PA 16845

WID # 013096117517381 001  
PROCESSING DATE 11/05/2001  
DRIVER LICENSE # 23644723  
DATE OF BIRTH 08/21/1974

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| WARNING: If you are convicted of driving while your |  
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| MINIMUM of 90 days imprisonment AND a 1,000 fine AND |  
| your driving privilege will be suspended/revoked for |  
| a MINIMUM 1 year period |  
\*\*\*\*\*

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Pennsylvania Department of Transportation  
Bureau of Driver Licensing  
P.O. Box 68693  
Harrisburg, PA 17106-8693

2. Upon receipt, review and acceptance of your Pennsylvania driver's license(s), learner's permit(s), and/or a sworn notarized letter, PennDOT will send you a receipt confirming the date that credit began. If you do not receive a receipt from us within 3 weeks, please contact our office. Otherwise, you will not be given credit toward serving this suspension. PennDOT phone numbers are listed at the end of this letter.
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2. Write your driver's license number (listed on the first page) on the check or money order to ensure proper credit.
3. Follow the payment and mailing instructions on the back of the application.

013096117517381

APPEAL

You have the right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the mail date, NOVEMBER 12, 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

Remember, this is an OFFICIAL NOTICE OF SUSPENSION. You must return all current Pennsylvania driver license products to PennDOT by 12/17/2001.

Sincerely,

*Rebecca L. Bickley*

Rebecca L. Bickley, Director  
Bureau of Driver Licensing

INFORMATION 7:00 a.m. to 9:00 p.m.

IN STATE	1-800-932-4600	TDD IN STATE	1-800-228-0676
OUT-OF-STATE	717-391-6190	TDD OUT-OF-STATE	717-391-6191
WEB SITE ADDRESS	www.dot.state.pa.us		

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

COMMONWEALTH OF PENNSYLVANIA

vs

\* No. 01-1987-C.D.

RANDY S. WILSON,  
Defendant

\* Type of Case: Civil

\* Type of Pleading: Certificate of  
\* Service

\* Filed on Behalf of: Defendant

\* Counsel of Record for this Party:  
\* CHRIS A. PENTZ, Esquire

\* Supreme Court I.D. # 39232  
\* 211 1/2 East Locust Street  
\* P. O. Box 552  
\* Clearfield PA 16830  
\* 814 765-4000

**FILED**

DEC 18 2001

013-291 no/c  
William A. Shaw  
Prothonotary  
JGB

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

COMMONWEALTH OF PENNSYLVANIA

vs

\* No. 2001-1987-C.D.

RANDY S. WILSON,

Defendant

CERTIFICATE OF SERVICE

This is to certify that a certified copy of Appeal

from Suspension of Operator's License was served upon:

Commonwealth of Pennsylvania  
Department of Transportation  
Bureau of Driver Licensing  
P. O. Box 68693  
Harrisburg PA 17106-8693

Service was made by certified mail, postage prepaid, from the  
U.S. Post Office, Clearfield, Pennsylvania 16830 with Form  
3811 Article # 7001 0320 0002 4056 3296 attached hereto.

Service was made the 12th day of December, 2001.

  
Chris A. Pentz

for Plaintiff

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.

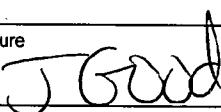
1. Article Addressed to:  
Commonwealth of Pennsylvania  
Department of Transportation  
Bureau of Driver Licensing  
Box 68693  
Harrisburg, PA 17106-8693

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

  
J. Good

Agent  
 Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

Yes  
 No

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number (Copy from service label)

7001 0320 0002 4056 3296

211 1/2 EAST LOCUST ST. P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830  
ATTORNEY AT LAW  
CHRIS A. PENNZ

— Fold Here —

**FILED**

DEC 26 2001  
111030AM  
William A. Shaw  
Prothonotary

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

COMMONWEALTH OF PENNSYLVANIA

vs

\* **No. 01-1987-CD**

RANDY S. WILSON  
Defendant

\* **Type of Case:** Civil

\* **Type of Pleading:** Certificate of  
Service

\* **Filed on Behalf of:** Defendant,  
Randy S. Wilson

\* **Counsel of Record for this Party:**

\* CHRIS A. PENTZ, Esquire

\* Supreme Court I.D. 39232  
\* 211 1/2 East Locust Street  
\* PO Box 552  
\* Clearfield, PA 16830  
\* 814 / 765 - 4000

**FILED**

DEC 20 2001

William A. Shaw  
Prothonotary

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

CERTIFICATE OF SERVICE

This is to certify that a certified copy of Appeal  
from Suspension of Operator's License was served upon:

Pennsylvania Department of Transportation  
Office of Chief Counsel  
Third Floor, Riverfront Office Center  
Harrisburg, Pennsylvania 17104-2516

Service was made by certified mail, restricted delivery, postage prepaid, from the U.S. Post Office, Clearfield, Pennsylvania 16830 with Form 3811, Article # 7001 0320 0002 4056 3289 attached hereto.

Service was made the 12<sup>th</sup> day of December, 2001.

  
Chris A. Pentz,  
Attorney for Defendant

**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:**

Pennsylvania Dept. of Transportation  
Office of Chief Counsel  
4th Flr, Riverfront Office Center  
Pittsburgh, PA 15222-2516

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

7001 0320 0002 4056 3289

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)	B. Date of Delivery
---------------------------------------	---------------------

**C. Signature**

X  Agent  
 Addressee

D. Is delivery address different from Item 1?  Yes

*Commonwealth of Pennsylvania*

*Department of Transportation*

*Is delivery address different from above?  No*

*DEC 14 2001*

**3. SERVICE OF CHIEF COUNSEL**

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

**4. Restricted Delivery? (Extra Fee)**

Yes

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

COMMONWEALTH OF PENNSYLVANIA )  
vs. ) No. 01-1987-C.D.  
RANDY S. WILSON, )  
Petitioner )

ENTRY OF APPEARANCE

## TO THE PROTHONOTARY:

Please enter my appearance as attorney of record for Petitioner in the above-captioned matter.

Joseph L. Amendola  
Joseph L. Amendola, Esquire  
110 Regent Court, Suite 202  
State College, PA 16801  
(814) 234-6821  
I.D. No. 17667

Date: Dec. 3, 2003

FILED

DFC 04 2003

William A. Shaw  
Prothonotary/Clerk of Courts

211 1/2 EAST LOCUST ST. P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830  
ATTORNEY AT LAW  
CHRIS A. PENTZ

Fold Here

**FILED**  
Q13408  
DEC 05 2003  
cc: Atty Pentz

William A. Sennig  
Prothonotary Clerk  
Commonwealth of Pennsylvania

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

Civil

\*

\*

COMMONWEALTH OF PENNSYLVANIA \*

\*

\*

\*

\*

vs

\* No. 2001- 1987 -C.D.

\*

\*

\*

RANDY S. WILSON,  
Defendant

\*

\*

\*

\* Type of Case: Criminal

\*

\*

\*

\* Type of Pleading: Withdrawal of  
\* Appearance/Entry of Appearance

\*

\*

\*

\* Filed on Behalf of: Defendant

\*

\*

\*

\* Counsel of Record for this Party:  
\* CHRIS A. PENTZ, Esquire

\*

\* Supreme Court I.D. # 39232

\* 211 1/2 East Locust Street

\* P. O. Box 552

\* Clearfield PA 16830

\* 814 765-4000

\*

\*

FILED

DEC 05 2003

William A Shaw  
Prothonotary/Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA )  
vs. ) No. 01-1987-C.D.  
RANDY S. WILSON, )  
Petitioner )

WITHDRAWAL OF APPEARANCE

## TO THE PROTHONOTARY:

Please withdraw my appearance on behalf of Petitioner in the above-captioned matter.

  
Chris A. Pentz, Esquire  
I.D. No. 39232

**ENTRY OF APPEARANCE**

## TO THE PROTHONOTARY:

Please enter my appearance as attorney of record for Petitioner in the above-captioned matter.

Joseph L. Amendola, Esquire  
Joseph L. Amendola, Esquire  
110 Regent Court, Suite 202  
State College, PA 16801  
(814) 234-6821  
I.D. No. 17667

Date: 12-4-03

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

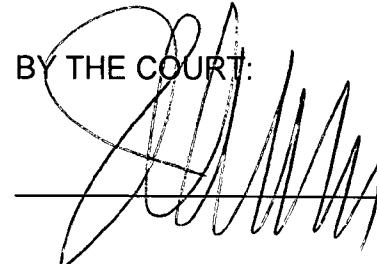
COMMONWEALTH OF PENNSYLVANIA :  
vs. :  
RANDY S. WILSON, :  
Petitioner

Commonwealth Attorney: William A. Kuhar, Jr., Esquire  
Defense Attorney: Joseph L. Amendola, Esquire

**ORDER**

AND NOW, this 8<sup>th</sup> day of December, 2003, upon motion of Petitioner in this matter, the above-captioned case is continued from December 10, 2003 to a date and time to be scheduled by the office of Court Administrator of Clearfield County, Pennsylvania. *No further extension* J.C.11

BY THE COURT:



J.

FILED

DEC 08 2003

William A. Shaw  
Prothonotary/Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA

**FILED**

vs.

No. 01-1987-CD

RANDY S. WILSON,

DEC 04 2003

Petitioner

William A. Shaw  
Prothonotary/Clerk of Courts

Commonwealth Attorney: William A. Kuhar, Jr., Esquire  
Defense Attorney: Joseph L. Amendola, Esquire

**MOTION FOR CONTINUANCE**

TO THE HONORABLE JUDGES OF THE SAID COURT:

AND NOW, comes Petitioner, through his attorney, Joseph L. Amendola, Esquire, who requests the following relief:

1. Petitioner is RANDY S. WILSON, who resides at Market Street, P.O. Box 155, Karthaus, Pennsylvania 16845.

2. Petitioner has been issued Pennsylvania Driver's License Number 23644723.

3. By letter dated November 12, 2001, Petitioner was advised that his driving privileges were being suspended for a period of one (1) year as a result of a violation of Section 1547 of the Vehicle Code: CHEMICAL TEST REFUSAL for a violation which occurred on October 17, 2001.

4. Petitioner believes the suspension is improper due to the fact that Petitioner does not believe that he refused to submit to a chemical test.

5. Petitioner received notification on Wednesday afternoon, November 26, 2003 that his hearing in this matter was scheduled to be heard by this Honorable

Court on Wednesday, December 10, 2003 at 9:00 a.m. at the Clearfield County Courthouse.

6. Petitioner has maintained from the time of his arrest on the charge of driving under the influence that his refusal to submit to a blood test in this matter was related to his medical condition and that he did not knowingly, intelligently and voluntarily refuse to submit to a blood test at Clearfield Hospital on October 18, 2001.

7. Petitioner has been examined by several medical and psychological experts since his arrest on October 18, 2001 beginning on October 21, 2001 and all have determined Petitioner suffered a concussion at the time of his accident on October 17, 2001, and, thereafter, suffered from post-concussion syndrome which prevented him from cooperating with police at Clearfield Hospital and making a knowing, intelligent and voluntary decision to refuse to submit to a blood test on October 18, 2001.

8. Because of the late notice of the hearing date in this matter, the experts whom Petitioner needs to testify on his behalf at his license suspension appeal hearing are unavailable on December 10, 2003.

9. Specifically, Petitioner contacted Dr. Mitchell Felder, a board certified medical expert in Neurology and Diplomate of the American Board of Psychiatry and Neurology, whom Petitioner had previously retained as an expert witness in his case, at his first opportunity on Monday, December 1, 2003 following the four-day Thanksgiving Day holiday and was advised by Dr. Felder he is unavailable to appear as a witness until, at the earliest, late January or February of next year.

10. Other medical experts, who are involved in this matter, are also unavailable to appear as witnesses on Petitioner's behalf on December 10, 2003.

11. Petitioner cannot prevail at his hearing on his appeal from suspension of operator's license without the testimony of these medical experts, and most importantly, Dr. Felder.

12. Petitioner will be greatly and irreparably prejudiced if he cannot present these experts as witnesses at his hearing.

13. The Commonwealth will not be prejudiced by a continuance in this matter.

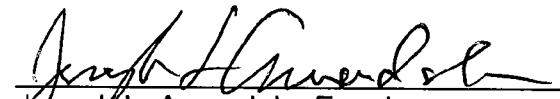
14. Petitioner is an employee of Verizon and requires his license to work at his occupation for Verizon.

15. For all the aforementioned reasons, Petitioner requests that this Honorable Court grant his request for a continuance in this matter.

WHEREFORE, the Petitioner requests that this Court enter an Order granting his request for a continuance in this matter for the aforementioned reasons.

Respectfully Submitted,

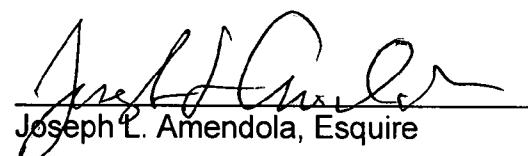
By:

  
Joseph L. Amendola, Esquire  
Attorney for Petitioner  
110 Regent Court, Suite 202  
State College, PA 16801  
(814) 234-6821  
I.D. No. 17667

Date: December 3, 2003

**VERIFICATION**

I verify that the statements made in the foregoing documents are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities.



Joseph L. Amendola  
Joseph L. Amendola, Esquire

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

COMMONWEALTH OF PENNSYLVANIA

vs.

No. 01-1987-CD

RANDY S. WILSON,

Petitioner

Commonwealth Attorney: William A. Kuhar, Jr., Esquire  
Defense Attorney: Joseph L. Amendola, Esquire

**CERTIFICATE OF SERVICE**

AND NOW, this 3rd day of December, 2003, I, Joseph L. Amendola, Esquire, hereby certify that I have this date, served a copy of the foregoing document, by causing same to be mailed by U.S. mail, first class, postage prepaid, to William A. Kuhar, Jr., Esquire, Assistant Counsel, Office of Chief Counsel, Pennsylvania Department of Transportation, 1209 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

  
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Joseph L. Amendola, Esquire  
Attorney for Petitioner  
110 Regent Court, Suite 202  
State College, PA 16801  
(814) 234-6821  
I.D. No. 17667

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

COMMONWEALTH :  
:  
vs. : No. 01-1987-CD  
:  
RANDY S. WILSON :

**ORDER**

AND NOW, this 13 day of January, 2004, it is the ORDER of the Court that the License Suspension Appeal filed in the above matter has been scheduled for Monday, February 23, 2004 at 9:30 A.M. before the Honorable John K. Reilly, Sr. Judge, Specially Presiding, in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge

FILED

JAN 13 2004

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

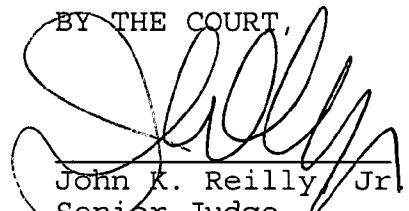
COMMONWEALTH OF PENNSYLVANIA : :

VS. : NO. 01-1987-CD

RANDY S. WILSON : License Suspension Appeal

O R D E R

NOW, this 23rd day of February, 2004, following hearing into the above-captioned Appeal from License Suspension, the Court finds that the testimony of Officers Coudriet and Neeper is absolutely factual and that is exactly what happened on the night of the accident. Based solely on the testimony of Dr. Felder, The Court finds that the appellant was suffering from a physical condition that prevented him from appreciating the circumstances surrounding his refusal. It is the ORDER of this Court that said Appeal be and is hereby sustained.

BY THE COURT,  
  
John K. Reilly, Jr.  
Senior Judge  
Specially Presiding

FILED

FEB 24 2004

William A. Shaw  
Prothonotary/Clerk of Courts