

02-336-CD
COMMONWEALTH OF PENNSYLVANIA -vs- JOHN B. WILSON

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

COMMONWEALTH OF PENNSYLVANIA : NO. 02-336-cs
DEPARTMENT OF TRANSPORTATION, :
Appellee : Type of Case:
VS. : Civil Division
: Type of Pleading:
JOHN B. WILSON, : Petition for Appeal From
Appellant : Order of Department of
: Transportation Suspending
: Driver's License
: Filed on Behalf of:
: John B. Wilson,
: Appellant
: Counsel of Record for This
: Party:
: F. Cortez Bell, III, Esq.
: I.D. #30183
: BELL, SILBERBLATT & WOOD
: 318 East Locust Street
: P.O. Box 670
: Clearfield, PA. 16830
: Telephone: (814) 765-5537
:

FILED

MAR 05 2002

William A. Shaw
Prothonotary

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

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF TRANSPORTATION, :
Appellee :
:
VS. : NO.
:
JOHN B. WILSON, :
Appellant :
:

PETITION FOR APPEAL FROM ORDER OF DEPARTMENT
OF TRANSPORTATION SUSPENDING DRIVER'S LICENSE

TO THE HONORABLE JUDGE OF THE COURT OF COMMON PLEAS OF CLEARFIELD
COUNTY:

The Petition of John B. Wilson, respectfully represents
as follows:

1. That your Petitioner, John B. Wilson, currently
resides at RD 2, Box 284, Mahaffey, Clearfield County,
Pennsylvania.

2. That your Petitioner's Drivers License Number is
23254567 and his date of birth is May 14, 1973.

3. That by Notice dated February 4, 2002, your
Petitioner received notification that his driving privileges were
to be suspended on December 26, 2004 for a period of two (2) years
as a result of his conviction for the offense of Section 1543A
of the Pennsylvania Vehicle Code. Attached hereto and incorporated
herein by reference is a complete copy of said notification.

4. That your Petitioner would assert that he is in need
of his drivers license for purpose of employment and that any loss
of his license would place him in a position that his employment

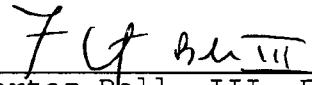
would suffer.

5. That the suspension of the Petitioner's driving privileges at this point in time, for any period, would deprive the Petitioner of his ability to travel which is necessary in order to maintain his employment as well as to carry out his day to day activities.

5. That the Petitioner would assert that the taking of his license by the Department of Transportation violates the Petitioner's due process rights and right to pursue his employment.

WHEREFORE, it is respectfully requested that your Honorable Court sustain the License Suspension Appeal filed by the Petitioner and issue a Supersedeas Order suspending the effect of the Suspension Notice that has been received.

Respectfully submitted,


F. Cortez Bell, III, Esquire
Attorney for Petitioner

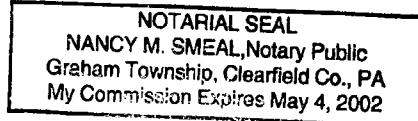
COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF CLEARFIELD :
:

Before me, the undersigned officer, personally appeared F. Cortez Bell, III, Esquire, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition for Appeal from Order of Department of Transportation Suspending Driver's License are true and correct to the best of his knowledge, information and belief.

F. C. Bell III

SWORN and SUBSCRIBED
before me this 5th day
of March, 2002.

Nancy M. Smeal



RECEIVED FEB 20 2002

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Mail Date: FEBRUARY 04, 2002

JOHN B WILSON
R D 2 BOX 284
MAHAFFEY PA 15757

WID # 020286117600778 001
PROCESSING DATE 01/28/2002
DRIVER LICENSE # 23254567
DATE OF BIRTH 05/14/1973

LICENSE IN BUREAU

Dear MR. WILSON:

This is an Official Notice of the Revocation of your Driving Privilege as authorized by Section 1543 of the Pennsylvania Vehicle Code. As a result of your 01/07/2002 conviction of violating Section 1543A of the Vehicle Code DRIVING WHILE SUSP/REVOKE on 11/19/2000:

- Your driving privilege is REVOKED for a period of 2 YEAR(S) effective 12/26/2004 at 12:01 a.m.

This revocation 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.

020286117600778

APPEAL

You have the right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the mail date, FEBRUARY 04, 2002, 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 REVOCATION**.

Sincerely,

Rebecca L. Bickley

Rebecca L. Bickley, Director
Bureau of Driver Licensing

SEND FEE/LICENSE/DL-16LC/T0:
Department of Transportation
Bureau of Driver Licensing
P.O. Box 68693
Harrisburg, PA 17106-8693

INFORMATION (7:00 AM TO 9:00 PM)
IN STATE 1-800-932-4600
OUT-OF-STATE 717-391-6190
TDD IN STATE 1-800-228-0676
TDD OUT-OF-STATE 717-391-6191

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

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF TRANSPORTATION, :
Appellee :
: NO.
V. :
: :
JOHN B. WILSON, :
Appellant :
:

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Petition for Appeal of Order of Department of Transportation Suspending Driver's License upon the following person by certified mail, postage prepaid addressed to:

William A. Kuhar, Esquire
Office of Chief Counsel
Pennsylvania Department of Transportation
1209 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

Respectfully submitted,
BELL, SILBERBLATT & WOOD
By,

F C Bell III
F. Cortez Bell, III
Attorney for Appellant

DATED: 3-5-202

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION,
Appellee

vs.

JOHN B. WILSON,
Appellant

PETITION FOR APPEAL FROM ORDER OF
DEPARTMENT OF TRANSPORTATION
SUSPENDING DRIVER'S LICENSE

FILED

013-40-761
S&G MAR 05 2002
on
cc
Amy Bell
Amy Pa. 8000

William A. Shaw
Prothonotary

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

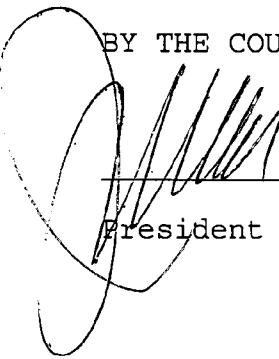
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA : *02*
VS. : NO. *01-336-CD*
JOHN B. WILSON : License Suspension Appeal

O R D E R

NOW, this 10th day of December, 2003, this being the day and date set for hearing into the above-captioned Appeal from License Suspension; following argument and upon consideration thereof, it is the ORDER of this Court that said Appeal be and is hereby sustained to the extent that the suspension is reduced from two (2) years to one (1) year.

BY THE COURT,


President Judge

FILED

JAN 02 2004

William A. Shaw
Prothonotary

RECEIVED
0 12:20 PM 2002 City Clerk
JAN 02 2004 rec'd to Off ~~1400~~ Refectory Room
Massasoit Pk 15457
GOT

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA : :

VS. : NO. 01-336-CD

JOHN B. WILSON : License Suspension Appeal

O R D E R

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BY THE COURT,

/s/ JOHN K. REILLY, JR.

President Judge

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

JAN 02 2004

Attest.

William B. Reilly
Prothonotary/
Clerk of Courts