

02-442-CD  
AMERICAN EAGLE STEEL CORP. -vs- ROBERT BRYCE CONTAINERS

COURT OF COMMON PLEAS

Clearfield County, PA  
JUDICIAL DISTRICT

46th

FROM

## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 02-442-CO

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.		
Bryce Hathaway		46-3-03/ D.J. Rudella		
ADDRESS OF APPELLANT		CITY	STATE	ZIP CODE
7821 Locust Wood Road		Severn	MD	21144
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff) (Defendant)			
02/26/02	American Eagle Steel Corp. vs. Robert Bryce Containers, et al.			
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT			
CV 0000033-02	<i>Bryce Hathaway</i>			
LT				
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>_____ Signature of Prothonotary or Deputy</p>				
<p>If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p>				

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

## PRAECIPE: To Prothonotary

Enter rule upon American Eagle Steel Corp., appellee(s), to file a complaint in this appeal  
(Name of appellee(s))

(Common Pleas No. 02-442-CO) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

*Wm. A. Shaw*  
Signature of appellant or his attorney or agent

**RULE:** To American Eagle Steel Corp., appellee(s).  
(Name of appellee(s))

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: March 22, 2002

*Wm. A. Shaw*

Signature of Prothonotary or Deputy

**FILED**

*Wm. A. Shaw*  
MAR 22 2002

William A. Shaw  
Prothonotary

**COURT FILE TO BE FILED WITH PROTHONOTARY**

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## PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_; ss

**AFFIDAVIT:** I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on (date of service) \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

My commission expires on \_\_\_\_\_,



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA  
Address: MOUNTAIN VIEW PLAZA  
P.O. BOX 210  
KYLERTOWN, PA  
Telephone: (814) 345-6789

16847-0000

NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE

PLAINTIFF:

NAME AND ADDRESS  
AMERICAN EAGLE STEEL CORP.  
PO BOX 6480  
ANNAPOLIS, MD 21401

DEFENDANT:

NAME AND ADDRESS  
ROBERT BRYCE CONTAINERS/R. DUVALL,  
PO BOX 28  
WOODLAND, PA 16881

VS.

ROBERT BRYCE CONTAINERS/R. DUVALL  
PO BOX 28  
WOODLAND, PA 16881

Docket No.: CV-0000033-02  
Date Filed: 2/01/02



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

02 442 CO

Judgment was entered for: (Name) AMERICAN EAGLE STEEL CORP.

Judgment was entered against: (Name) ROBERT BRYCE CONTAINERS/R. DUVALL

In the amount of \$ 5,680.58 on: (Date of Judgment) 2/26/02

Defendants are jointly and severally liable. (Date & Time) \_\_\_\_\_

Damages will be assessed on: \_\_\_\_\_

This case dismissed without prejudice. \_\_\_\_\_

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ \_\_\_\_\_

Levy is stayed for \_\_\_\_\_ days or  generally stayed. \_\_\_\_\_

Objection to levy has been filed and hearing will be held: \_\_\_\_\_

Amount of Judgment	\$ <u>5,578.08</u>
Judgment Costs	\$ <u>102.50</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>5,680.58</u>

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____

Certified Judgment Total \$ \_\_\_\_\_

Date: _____	Place: _____
Time: _____	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

2-26-02 Date M. Rudell, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date \_\_\_\_\_, District Justice

02-442-CD

## PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD; SS

**AFFIDAVIT:** I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 02-442-CD, upon the District Justice designated therein on  
(date of service) 03/28/02,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) American Eagle Steel Corp., on  
03/28/02,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on \_\_\_\_\_, \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

a copy of the Notice of Appeal, Common Pleas No. 02-442-CD was served upon the District Justice and Appellee via regular U.S. First Class Mail on 03/26/02.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS 1<sup>st</sup> DAY OF April, 2002

Shauna Wisor

Signature of official before whom affidavit was made

Title of official	Notarial Seal
Shauna Wisor, Notary Public	
Clearfield Boro, Clearfield County	
My Commission Expires May 24, 2003	
Member, Pennsylvania Association of Notaries	

Shauna Wisor,  
Signature of affiant

# FILED

APR 05 2002

013301 NO CC  
William A. Shaw  
Prothonotary

E  
KES

2002-11-01

## NOTICE OF APPEAL

FROM

## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.	
ADDRESS OF APPELLANT		CITY	STATE
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)	
CLAIM NO.	VS SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CV _____ LT _____			
This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.		If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.	
Signature of Prothonotary or Deputy			

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

## PRAECIPE: To Prothonotary

Enter rule upon \_\_\_\_\_, appellee(s), to file a complaint in this appeal  
 Name of appellee(s)

(Common Pleas No. \_\_\_\_\_) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

\_\_\_\_\_  
 Signature of appellant or his attorney or agent

RULE: To \_\_\_\_\_, appellee(s).  
 Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Prothonotary or Deputy

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

MAR 22 2002

Attest:

*Willie L. Johnson*  
 Prothonotary/  
 Clerk of Courts

COURT FILE

U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> <i>(Domestic Mail Only; no insurance Coverage Provided)</i>															
<table border="1"> <tr><td colspan="2"></td></tr> <tr><td>7288</td><td></td></tr> <tr><td>7574</td><td></td></tr> <tr><td>0001</td><td></td></tr> <tr><td>0360</td><td></td></tr> <tr><td>0960</td><td></td></tr> <tr><td>2001</td><td></td></tr> </table>				7288		7574		0001		0360		0960		2001	
7288															
7574															
0001															
0360															
0960															
2001															
Postage	\$ 3.11														
Certified Fee	2.10														
Return Receipt Fee (Endorsement Required)	1.50														
Restricted Delivery Fee (Endorsement Required)															
Total Postage & Fees	\$ 3.74														
															
<b>Sent To</b> District Justice Rudella Street, Apt. No.; or PO Box No. P.O. Box 210 - City, State, ZIP+ 4 Kylertown, PA 16847															
PS Form 3800, January 2001															
See Reverse for Instructions															

U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> <i>(Domestic Mail Only; no Insurance Coverage Provided)</i>	
Postage	\$ 3.41
Certified Fee	\$ 2.10
Return Receipt Fee (Endorsement Required)	\$ 1.50
Restricted Delivery Fee (Endorsement Required)	\$ 1.50
Total Postage & Fees	\$ 3.94

*101A 163SC*

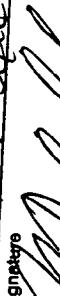
Postmark  
MAR 2002

USPS

**Sent To**  
American Eagle Steel Corp.  
Street, Apt. No.;  
or PO Box No. P. O. Box 6480  
City, State, ZIP+ 4 Annapolis, MD 21401

PS Form 3800, January 2001

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Received by <input checked="" type="checkbox"/> Please Print Clearly      B. Date of Delivery  <i>Mr. Rudella</i>      <i>3/20/92</i></p> <p>C. Signature  </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No      If YES, enter delivery address below:           No</p>	
<p>1. Article Addressed to:</p> <p>District Justice Rudella      P. O. Box 210      Kyierville, PA 16847</p>		<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail      <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered      <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail      <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? <i>(Extra Fee)</i> <input type="checkbox"/> Yes</p>	
<p>Article Number</p> <p>7001 0360 0001 7574 7288</p>		<p>S Form 3811, July 1999      Domestic Return Receipt</p> <p>102595-00-M-0952</p>	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p><b>A. Received by (Please Print Clearly)</b> <i>Sandra Baldwin</i> <b>B. Date of Delivery</b> <i>5/2</i></p> <p><b>C. Signature</b> <i>Sandra Baldwin</i> <b>Agent</b> <input type="checkbox"/> <b>Addressee</b> <input type="checkbox"/></p> <p><b>D. Delivery address different from item 1?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>E. If YES, enter delivery address below:</b></p> <p>1. Article Addressed to:  <b>AMERICAN EAGLE STEEL CORP.</b>          1. O. Box 6480          Annapolis, MD 21401</p> <p><b>3. Service Type</b></p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p><b>4. Restricted Delivery? (Extra Fee)</b> <input type="checkbox"/> Yes</p> <p>2. Article Number <b>7001 0360 0001 7574 7271</b></p> <p>PS Form 3811, July 1999 <b>Domestic Return Receipt</b></p> <p>102595-00-M-0952</p>	

I hereby certify this to be a true and correct copy.

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

American Eagle Steel Corp.,  
Plaintiff

-vs-

Robert Bryce Containers, Inc., Robert  
Duvall and Bryce Hathaway,  
Defendants

\*

\*

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440  
Docket No. 02-440-CD

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**PRAECIPE TO DISCONTINUE**

TO: William A. Shaw, Prothonotary  
OFFICE OF THE PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
230 East Market Street  
Clearfield, PA 16830

Filed on Behalf of:  
Defendants:  
Robert Bryce Containers, Inc., Robert  
Duvall and Bryce Hathaway

Counsel of Record for  
This Party:

Please mark this case as discontinued for lack of action due to bankruptcy.  
Dwight L. Koerber, Jr.,  
Esquire  
Respectfully Submitted  
PAI:D:No:t16332

110 North Second Street  
P.O. Box 1320  
By: *Clearfield, PA 16830*  
Dwight L. Koerber, Jr.  
At attorney for Defendants:  
Robert Bryce Containers, Inc., Robert  
Duvall and Bryce Hathaway

**FILED** 2002-2 Cert. of  
01/30/2002 Disc. to Atty  
JUL 03 2002  
WM A. SHAW  
William A. Shaw  
Prothonotary/Clerk of Courts

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

American Eagle Steel Corp.,  
Plaintiff

\*

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-vs-

\*

Docket No. 02-440-CD

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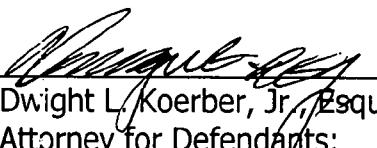
Robert Bryce Containers, Inc., Robert  
Duvall and Bryce Hathaway,  
Defendants

\*

**CERTIFICATE OF SERVICE**

This is to certify that on the 2<sup>nd</sup> day of July 2007, the undersigned served  
the foregoing Praeclipe to Discontinue in the above-captioned matter upon Plaintiff.  
Such documents were served via United States First Class Mail upon the following:

American Eagle Steel Corp.  
P.O. Box 6480  
Annapolis, MD 21401

  
Dwight L. Koerber, Jr., Esquire  
Attorney for Defendants:  
Robert Bryce Containers, Inc., Robert  
Duvall and Bryce Hathaway

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

American Eagle Steel Corp.

Vs.  
Robert Bryce Containers Inc.

442  
No. 2002-00440-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on July 3, 2007, marked:

Discontinued

Record costs in the sum of \$80.00 have been paid in full by Dwight L. Koerber, Jr., Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 3rd day of July A.D. 2007.



\_\_\_\_\_  
William A. Shaw, Prothonotary