

02-723-CD

LAWRENCE TOWNSHIP -vs- CLEARFIELD COUNTY BOARD OF APPEALS etal

This is going
to be discontinued.
he -

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

LAWRENCE TOWNSHIP,
Plaintiff,

v.

CLEARFIELD COUNTY BOARD OF
APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD
COUNTY COMMISSIONERS,
CLEARFIELD AREA SCHOOL
DISTRICT
Defendants.

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* No. 02 - - CD
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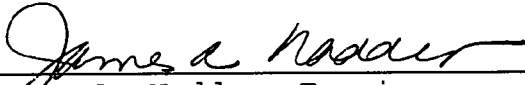
CERTIFICATE OF SERVICE

I certify that a certified copy of Plaintiff's Appeal from the Decision of the Clearfield County Board of Assessment Appeals was served by first class mail, postage prepaid, the 6th day of May, 2002, upon the following:

Clearfield County Board of Appeal
Property Assessment
230 East Market Street
Clearfield, PA 16830

Clearfield County Commissioners
Clearfield County Court House
230 East Market Street, Suite 101
Clearfield, PA 16830

Clearfield Area School District
438 River Road
Clearfield, PA 16830


James A. Naddeo, Esquire
Attorney for Appellants

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

A

FILED

May 06 2002

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P44

WILLIAM A. SHAW
Prothonotary

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

LAWRENCE TOWNSHIP,
Plaintiff,

v.

CLEARFIELD COUNTY BOARD OF
APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD
COUNTY COMMISSIONERS,
CLEARFIELD AREA SCHOOL
DISTRICT

Defendants.

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No. 02 - 723 - CD

Type of Pleading:

Praecipe to Discontinue

Filed on behalf of:
Plaintiff

Counsel of Record for
this party:

James A. Naddeo, Esq.
Pa I.D. 06820

211 1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

FILED

OCT 18 2002

William A. Shaw
Prothonotary

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

LAWRENCE TOWNSHIP,
Plaintiff,

v.

CLEARFIELD COUNTY BOARD OF
APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD
COUNTY COMMISSIONERS,
CLEARFIELD AREA SCHOOL
DISTRICT

Defendants.

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* No. 02 - 723 - CD
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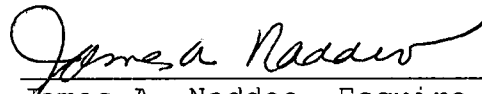
CERTIFICATE OF SERVICE

I certify that a certified copy of Praeceptum to
Discontinue was served by first class mail, postage prepaid, the
18th day of October, 2002, upon the following:

Clearfield County Board of Appeal
Property Assessment
230 East Market Street
Clearfield, PA 16830

Clearfield County Commissioners
Clearfield County Court House
230 East Market Street, Suite 101
Clearfield, PA 16830

Clearfield Area School District
438 River Road
Clearfield, PA 16830



James A. Naddeo, Esquire
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

FILED

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013:38-81
OCT 18 2002

Att. M. Resell

[Handwritten signature]

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

Lawrence Township

Vs.

No. 2002-00723-CD

Clearfield County Board of Appeals
Clearfield County Commissioners
Clearfield Area School District

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 October 18, 2002 marked:

Discontinued

Record costs in the sum of \$80.00 have been paid in full by James A. Naddeo, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 18th day of October A.D. 2002.

William A. Shaw, Prothonotary

CA

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

LAWRENCE TOWNSHIP

Plaintiff

vs

CLEARFIELD COUNTY BOARD
OF ASSESSMENT APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD COUNTY
COMMISSIONERS, CLEARFIELD AREA
SCHOOL DISTRICT

Defendants

:
: No. 02-723-CD
:
: Type of Case: Civil Action
:
: Type of Pleading: Petition for Judgment of
: Non Pros
:
: Filed on Behalf of: Clearfield County and
: the Clearfield County Board of Assessment
: Appeals
:
: Counsel of Record for this Party:
:
: Kim C. Kesner, Esquire
: Supreme Ct. I.D. No. 28307
: 23 North Second Street
: Clearfield, PA 16830
: 814-765-1706

GK FILED 3CC
0111-28307
MAY 27 2005 Amy Kesner

William A. Shaw
Prothonotary/Clerk of Courts

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

LAWRENCE TOWNSHIP	:	
Plaintiff	:	No. 02-723-CD
	:	
vs	:	
	:	
CLEARFIELD COUNTY BOARD	:	
OF ASSESSMENT APPEALS, PROPERTY	:	
ASSESSMENT, CLEARFIELD COUNTY	:	
COMMISSIONERS, CLEARFIELD AREA	:	
SCHOOL DISTRICT	:	
Defendants	:	

PETITION FOR JUDGMENT
OF NON PROS

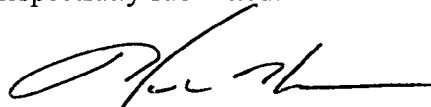
To: The Honorable Judges of Said Court:

AND NOW comes Clearfield County and the Clearfield County Board of Assessment Appeals who through their counsel, Kim C. Kesner, Esquire, Solicitor of Clearfield County and files this Petition for Judgment of Non Pros and in support hereof avers:

1. Plaintiff, Lawrence Township commenced this action by filing an Assessment Appeal on May 6, 2002 to a decision of the Clearfield County Board of Assessment Appeals dated April 26, 2002 under the Fourth to Eighth Class County Assessment Law.
2. This proceeding is a statutory appeal governed by 72 P.S. §5453.704.
3. In excess of three (3) years has elapsed from the filing of the appeal and/or any docket activity in this case.
4. No effort to prosecute this matter has been made by the Plaintiff within a reasonable time.

WHEREFORE, Clearfield County and the Clearfield County Board of Assessment Appeals respectfully request this Honorable Court to enter a Judgment of Non Pros in this case and/or an Order dismissing this appeal.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Kim C. Kesner', is written over a horizontal line.

Kim C. Kesner, Esquire
Solicitor for Clearfield County and the
Clearfield County Board of Assessment
Appeals

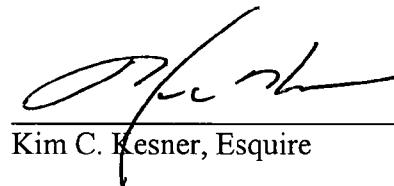
23 North Second Street
Clearfield, PA 16830

(814) 765-1706

VERIFICATION

The undersigned verifies that he is the attorney for Clearfield County and the Clearfield County Board of Assessment Appeals, Petitioners, in the within action, that as such attorney he is authorized to make this verification, and that the statements made in the foregoing Petition are true and correct to the best of his knowledge information and belief. The undersigned understands that false statements made herein are subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsification to authorities.

Date: 5/26/05



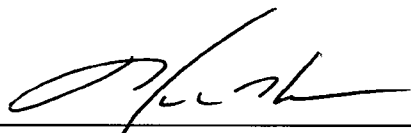
Kim C. Kesner, Esquire

CERTIFICATE OF SERVICE

AND NOW, I do hereby certify that on the 27th day of May, 2005, I caused to be served a true and correct copy of the Petition for Judgment Non Pros by U.S. First Class Mail, Postage Prepaid on the following:

James A. Naddeo, Esquire
207 East Market Street
P.O. Box 552
Clearfield, PA 16830
Attorney for Plaintiff

Date: 5-27-2005



Kim C. Kesner, Esquire

JK

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

LAWRENCE TOWNSHIP

Plaintiff

vs

CLEARFIELD COUNTY BOARD
OF ASSESSMENT APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD COUNTY
COMMISSIONERS, CLEARFIELD AREA
SCHOOL DISTRICT

Defendants

No. 02-723-CD

Type of Case: Civil Action

Type of Pleading: Order

Filed on Behalf of: Clearfield County and
the Clearfield County Board of Assessment
Appeals

Counsel of Record for this Party:

Kim C. Kesner, Esquire
Supreme Ct. I.D. No. 28307
23 North Second Street
Clearfield, PA 16830
814-765-1706

FILED @
6/1/14 BY 3cc
JUN 01 2005 Atty Kesner
CLERK OF COURT

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE MATTERS SET FORTH IN THE FOLLOWING PETITION, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE AN ANSWER IN WRITING WITH THE PROTHONOTARY SETTING FORTH YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU AND SERVE A COPY ON THE ATTORNEY OR PERSON FILING THE PETITION. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PETITIONER. YOU MAY LOSE RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641, Ext. 5982

BY THE COURT:

A handwritten signature in black ink, reading "Frederick J. Gammelman", is written over a horizontal line.

William A. Shaw
Prothonotary Clerk of Courts

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

LAWRENCE TOWNSHIP	:	
Plaintiff	:	No. 02-723-CD
	:	
vs	:	
	:	
CLEARFIELD COUNTY BOARD	:	
OF ASSESSMENT APPEALS, PROPERTY	:	
ASSESSMENT, CLEARFIELD COUNTY	:	
COMMISSIONERS, CLEARFIELD AREA	:	
SCHOOL DISTRICT	:	
Defendants	:	

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA:

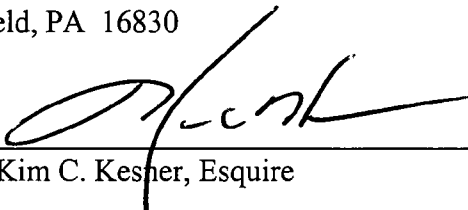
: ss.

COUNTY OF CLEARFIELD

:

The undersigned, Kim C. Kesner, Esquire, Solicitor for Clearfield County and the Clearfield County Board of Assessment Appeals, being duly sworn according to law, deposes and says that on June 2, 2005 he caused a certified copy of the Order of Court dated June 1, 2005 to be served on the following, by mailing the same via United States First Class Mail, postage pre-paid. A copy of the transmittal letter and Order are attached hereto as Exhibit A and incorporated herein by reference.

James A. Naddeo, Esquire
207 East Market Street
P.O. Box 552
Clearfield, PA 16830



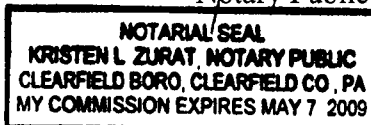
Kim C. Kesner, Esquire

Sworn to and subscribed before me this 2nd day of June, 2005.



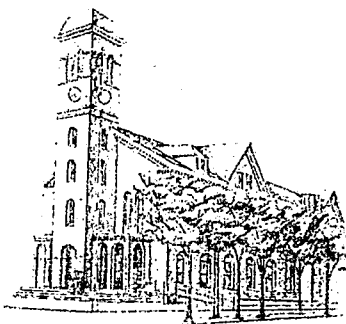
Notary Public

My Commission Expires:



Mark B. McCracken
Rex D. Read
Michael R. Lytle
County Commissioners

Kim C. Kesner
Solicitor
Lisa McFadden
Chief Clerk



Clearfield County
Court House
230 East Market Street
Suite 101
Clearfield, Pennsylvania 16830
PHONE (814) 765-2641
FAX (314) 765-2640

June 2, 2005

James A. Naddeo, Esquire
207 East Market Street
P.O. Box 552
Clearfield, PA 16830

**RE: Lawrence Township vs. Clearfield County Board of Assessment Appeals, Property Assessment,
Clearfield County Commissioner, Clearfield Area School District
No. 02-723-CD**

Dear Mr. Naddeo:

Enclosed please find a certified copy of the Order entered in the above captioned matter.

Should you have any questions, please advise.

Sincerely yours,

Kim C. Kesner

KCK/klz

Enclosure

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

LAWRENCE TOWNSHIP

Plaintiff

vs

CLEARFIELD COUNTY BOARD
OF ASSESSMENT APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD COUNTY
COMMISSIONERS, CLEARFIELD AREA
SCHOOL DISTRICT

Defendants

:
: No. 02-723-CD
:
: Type of Case: Civil Action
:
: Type of Pleading: Order
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:
: Filed on Behalf of: Clearfield County and
: the Clearfield County Board of Assessment
: Appeals
:
: Counsel of Record for this Party:
:
: Kim C. Kesner, Esquire
: Supreme Ct. I.D. No. 28307
: 23 North Second Street
: Clearfield, PA 16830
: 814-765-1706

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

LAWRENCE TOWNSHIP

Plaintiff

vs

CLEARFIELD COUNTY BOARD
OF ASSESSMENT APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD COUNTY
COMMISSIONERS, CLEARFIELD AREA
SCHOOL DISTRICT

Defendants

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: No. 02-723-CD
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ORDER

AND NOW, this 1st day of June, 2005, upon consideration of the foregoing Petition, it is hereby ordered that:

1. A Rule is issued upon the Respondent to show cause why the Petitioner is not entitled to the relief requested;
2. The Respondent shall file an answer to the Petition within twenty (20) days of service upon the Respondent;
3. The Petition shall be decided under Pa.R.C.P. No. 206.7;
4. Notice of the entry of this Order shall be provided to all parties by the Petitioner.

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE MATTERS SET FORTH IN THE FOLLOWING PETITION, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE AN ANSWER IN WRITING WITH THE PROTHONOTARY SETTING FORTH YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU AND SERVE A COPY ON THE ATTORNEY OR PERSON FILING THE PETITION. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PETITIONER. YOU MAY LOSE RIGHTS IMPORTANT TO YOU.

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COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641, Ext. 5982

BY THE COURT:

/s/ Fredric J. Ammerman

I hereby certify this to be a true
and correct copy of the original
submitted for the above case

JUN 01 2005

Attest

[Signature]
Prothonotary/
Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

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

LAWRENCE TOWNSHIP

Plaintiff

v/s

CLEARFIELD COUNTY BOARD
OF ASSESSMENT APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD COUNTY
COMMISSIONERS, CLEARFIELD AREA
SCHOOL DISTRICT

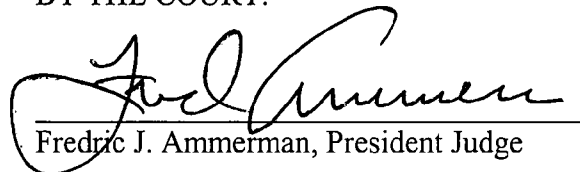
Defendants

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: No. 02-723-CD
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ORDER

AND NOW, this 24 day of August, 2005, upon consideration of the Petition for Judgment of Non Pros filed by Clearfield County and the Clearfield County Board of Assessment Appeals, a Rule having been issued and served upon Lawrence Township to show cause why the relief requested should not be granted and no answer having been filed thereto by Lawrence Township, it is hereby ORDERED and DECREED in accordance with Pa.R.C.P. Rule 206.7 that the Prothonotary shall enter a Judgment of Non Pros in this case.

BY THE COURT:


Fredric J. Ammerman, President Judge

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

LAWRENCE TOWNSHIP

Plaintiff

vs

CLEARFIELD COUNTY BOARD
OF ASSESSMENT APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD COUNTY
COMMISSIONERS, CLEARFIELD AREA
SCHOOL DISTRICT

Defendants

No. 02-723-CD

Type of Case: Civil Action

Type of Pleading: Praecipe for Judgment of
Non Pros

Filed on Behalf of: Clearfield County and
the Clearfield County Board of Assessment
Appeals

Counsel of Record for this Party:

Kim C. Kesner, Esquire
Supreme Ct. I.D. No. 28307
23 North Second Street
Clearfield, PA 16830
814-765-1706

Counsel of Record for Other Party:

James A. Naddeo, Esquire
207 East Market Street
P.O. Box 552
Clearfield, PA 16830

FILED ^{6x} 2cc
08:55 AM Any
AUG 30 2005 Kesner

William A. Shaw (No fee -
Prothonotary/Clerk of Courts County)

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

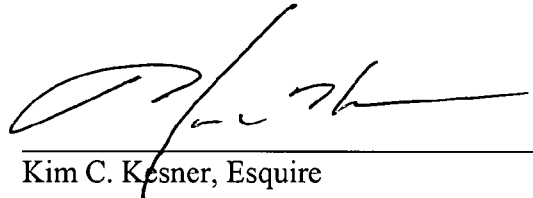
LAWRENCE TOWNSHIP	:	
Plaintiff	:	No. 02-723-CD
	:	
vs	:	
	:	
CLEARFIELD COUNTY BOARD	:	
OF ASSESSMENT APPEALS, PROPERTY	:	
ASSESSMENT, CLEARFIELD COUNTY	:	
COMMISSIONERS, CLEARFIELD AREA	:	
SCHOOL DISTRICT	:	
Defendants	:	

PRAECIPE FOR ENTRY OF
JUDGMENT OF NON PROS

To: William A. Shaw, Prothonotary

Kindly enter judgment in favor of the above named Defendants and against the Plaintiff in accordance with the Order of Court entered in this matter August 24, 2005, a copy of which is attached hereto.

Dated: August 29, 2005



Kim C. Kesner, Esquire

cc: James A. Naddao, Esquire

Kim C. Kesner, Esquire
Supreme Ct. I.D. No. 28307
23 North Second Street
Clearfield, PA 16830
814-765-1706

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

LAWRENCE TOWNSHIP

Plaintiff

vs

CLEARFIELD COUNTY BOARD
OF ASSESSMENT APPEALS, PROPERTY
ASSESSMENT, CLEARFIELD COUNTY
COMMISSIONERS, CLEARFIELD AREA
SCHOOL DISTRICT

Defendants

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: No. 02-723-CD
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ORDER

AND NOW, this 24 day of August, 2005, upon consideration of the Petition for Judgment of Non Pros filed by Clearfield County and the Clearfield County Board of Assessment Appeals, a Rule having been issued and served upon Lawrence Township to show cause why the relief requested should not be granted and no answer having been filed thereto by Lawrence Township, it is hereby ORDERED and DECREED in accordance with Pa.R.C.P. Rule 206.7 that the Prothonotary shall enter a Judgment of Non Pros in this case.

BY THE COURT:

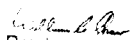
/s/ Fredric J. Ammerman

Fredric J. Ammerman, President Judge

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

AUG 24 2005

Attest.


Prothonotary/
Clerk of Courts