

02-1219-CD
COMM. OF PA. -vs- ONE (1) '95 GMC LT. DUTY SUBURBAN
VIN: 1GKEC16KX SJ750227

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
Plaintiff :
:
V. :
: :
ONE (1) 1995 GMC LIGHT DUTY SUBURBAN, :
VIN: 1GKEC16KXSJ750227 :
Defendant :
:

2002-1219-CB

FILED

AUG 06 2002

PETITION FOR FORFEITURE AND CONDEMNATION

William A. Shaw
Prothonotary

COMES NOW, the Attorney General of the Commonwealth of Pennsylvania, D. Michael Fisher, by and through Doreena Craig Sloan, Deputy Attorney General, pursuant to and under authority of the provisions of the Judicial Code, Chapter 68, Controlled Substances Forfeitures Act, 42 Pennsylvania C.S.A. 6801 et seq. (hereinafter referred to as "Act") and petitions this Honorable Court setting forth a right of possession in and requesting an Order of Forfeiture for One (1) 1995 GMC Light Duty Suburban, VIN: 1GKEC16KXSJ750227, and in support thereof avers as follows:

1. Your Affiant is Trooper Janet O. Formichella of the Pennsylvania State Police.
2. The defendant/property is One (1) 1995 GMC Light Duty Suburban, VIN: 1GKEC16KXSJ750227, seized by the Commonwealth, pursuant to the "Act."
3. The defendant/property was seized at or about 4:40 p.m. on or about Wednesday, January 23, 2002.
4. The defendant/property was seized at Shawn's Towing, Rt. 879, P.O. Box 91, Shawville, Clearfield County, Pennsylvania.

6x

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

COMMONWEALTH OF PENNSYLVANIA :
Plaintiff

v. :
:

**ONE (1) 1995 GMC LIGHT DUTY SUBURBAN,
VIN: 1GKEC16KXSJ750227** :
:

Defendant :
:

02-1219-CO

RULE TO SHOW CAUSE

AND NOW, this 8th day of August, 2002, a rule is issued upon Rosalyn Wade and Robert Copeland Comrie, owners and/or possessors of the within defendant/property, to show cause why the prayer and order of the attached Petition for Forfeiture and Condemnation should not be granted.

Rule returnable, for the purpose of filing an Answer only, within thirty (30) days from the date of service of the attached Petition upon Rosalyn Wade and Robert Copeland Comrie, owners and/or possessors.

Failure to Answer this Petition within 30 days of service hereof will result in an Order of Forfeiture being entered against said property, any law or rule of Court to the contrary notwithstanding.

Notice shall be given in accordance with law.

BY THE COURT:

J.

PLEASE RETURN A COPY OF THE
SIGNED RULE AND PETITION TO
THE OFFICE OF ATTORNEY GENERAL

FILED

Aug 08 2002
01113913ccatty Sloan
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
Plaintiff

v. :
:

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN,
VIN: 1GKEC16KXSJ750227

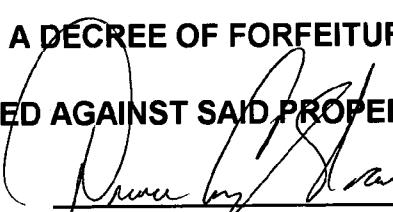
Defendant

To: Robert Copeland Comrie
c/o Clearfield County Jail
410 21st Street
Clearfield, PA 16830
or
3530 Pinoak
Lorain, Ohio 44035

02-1219-CO

NOTICE TO ANSWER PETITION FOR
FORFEITURE AND CONDEMNATION

TO THE CLAIMANT OF WITHIN DESCRIBED PROPERTY: YOU ARE
REQUIRED TO FILE AN ANSWER TO THIS PETITION, SETTING FORTH YOUR
TITLE IN, AND RIGHT TO POSSESSION OF, SAID PROPERTY WITHIN THIRTY (30)
DAYS FROM THE SERVICE HEREOF, AND YOU ARE ALSO NOTIFIED THAT, IF
YOU FAIL TO FILE SAID ANSWER, A DECREE OF FORFEITURE AND
CONDEMNATION WILL BE ENTERED AGAINST SAID PROPERTY.


Doreena Craig Sloan
Deputy Attorney General
Attorney ID #44880
Office of Attorney General
16th Floor Strawberry Square
Harrisburg, PA 17120
(717) 787-9759

FILED

AUG 06 2002

William A. Shaw
Prothonotary


WAS

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
Plaintiff

V.

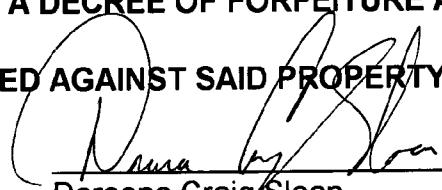
ONE (1) 1995 GMC LIGHT DUTY SUBURBAN,
VIN: 1GKEC16KXSJ750227

Defendant

To: Rosalyn Wade
352 8th Street
Elyria, Ohio 44035

**NOTICE TO ANSWER PETITION FOR
FORFEITURE AND CONDEMNATION**

TO THE CLAIMANT OF WITHIN DESCRIBED PROPERTY: YOU ARE
REQUIRED TO FILE AN ANSWER TO THIS PETITION, SETTING FORTH YOUR
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Doreena Craig Sloan
Deputy Attorney General
Attorney ID #44880
Office of Attorney General
16th Floor Strawberry Square
Harrisburg, PA 17120
(717) 787-9759

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
Plaintiff :
V. : 2002-1219-C0
ONE (1) 1995 GMC LIGHT DUTY SUBURBAN, :
VIN: 1GKEC16KXSJ750227 :
Defendant :

PETITION FOR FORFEITURE AND CONDEMNATION

COMES NOW, the Attorney General of the Commonwealth of Pennsylvania, D. Michael Fisher, by and through Doreena Craig Sloan, Deputy Attorney General, pursuant to and under authority of the provisions of the Judicial Code, Chapter 68, Controlled Substances Forfeitures Act, 42 Pennsylvania C.S.A. 6801 *et seq.* (hereinafter referred to as "Act") and petitions this Honorable Court setting forth a right of possession in and requesting an Order of Forfeiture for One (1) 1995 GMC Light Duty Suburban, VIN: 1GKEC16KXSJ750227, and in support thereof avers as follows:

1. Your Affiant is Trooper Janet O. Formichella of the Pennsylvania State Police.
2. The defendant/property is One (1) 1995 GMC Light Duty Suburban, VIN: 1GKEC16KXSJ750227, seized by the Commonwealth, pursuant to the "Act."
3. The defendant/property was seized at or about 4:40 p.m. on or about Wednesday, January 23, 2002.
4. The defendant/property was seized at Shawn's Towing, Rt. 879, P.O. Box 91, Shawville, Clearfield County, Pennsylvania.

5a. The registered owner of the defendant/property based upon all information currently available is Rosalyn Wade, 352 8th Street, Elyria, Ohio.

5b. The actual owner of the defendant/property based upon all information currently available is Robert Copeland Comrie, 3530 Pinoak, Loraine, Ohio.

6. At the time of seizure, on the date and at the place of seizure, hereinbefore mentioned, the defendant/property was in the possession of Robert Copeland Comrie, 3530 Pinoak, Lorain, Ohio.

7. The defendant/property is subject to forfeiture and condemnation and no legal right, title or interest exists in it by any owners or possessors of it pursuant to Section 6801(a) of the "Act," 42 Pennsylvania C.S.A. Section 6801, (Relating to loss of property rights to the Commonwealth), based upon the following averment of material facts:

A. On January 19, 2002, at approximately 10:46, Robert Copeland Comrie and his sister, Donna Marie Comrie, were traveling on SR 80 when they were involved in a single car collision of his red 1995 GMC Light Duty Suburban, bearing Ohio registration AB78BT. The accident occurred at mile marker 110 1/2 westbound on SR 80, Pine Township, Clearfield County, Pennsylvania. The vehicle's registered owner is one Rosalyn Wade, 351 8th Street, Elyria, Ohio.

B. A short time later, Trooper Jeffrey Fenton arrived to investigate the collision. Shawn Owens, owner of "Shawn's Towing" was notified to assist with towing service. Owens arrived and determined that

the vehicle had two flat tires and advised Comrie that the vehicle would not be repaired until Monday, January 21, 2002.

- C. Owens informed them that the most inexpensive place to stay for a day or two was the Super 8 Motel and offered to transport them to the motel. After transporting Comrie and his sister to the motel, he proceeded to tow the vehicle back to his garage.
- D. A check with NCIC revealed that Robert Copeland Comrie was wanted by The Bureau of Alcohol, Tobacco and Firearms in Ohio for firearms violations. Troopers proceeded to the Super 8 Motel to arrest Comrie.
- E. Upon their arrival at the Super 8 Motel, officers learned that the Comrie's were checked into room #205. The officers went to Room #205 and observed a white towel rolled and placed under the bottom edge of the door.
- F. Trooper Fenton knocked on the door which was answered by Donna Marie Comrie. He informed her that they were there for her brother, Robert Copeland Comrie who was then placed under arrest.
- G. Trooper Fenton informed Trooper Leigh Barrows of the events. Once they entered the room, they Noticed that the Comrie's had at least four (4) bags of luggage in their room and that Comrie had left the shower running in the bathroom.
- H. In an interview after being Mirandized, Comrie informed officers

that he and his sister, Donna Marie Comrie, were in the Pocono's visiting a friend for a baby shower for one day. Comrie stated that they were returning to Ohio.

- I. In an interview with Donna Marie Comrie, she related that her brother was visiting her family in New York for a week or two and that she was going to Ohio with him. She stated that she was approved for "Section 8 housing" and her brother was going to help her find a place to live in Ohio. She denied knowing that Robert Comrie was wanted by the ATF.
- J. Trooper Barrows then asked Donna Comrie for consent to search the room and her possessions. Donna Comrie consented and signed a Waiver of Rights and Consent to Search Form.
- K. During the search of Room 205, Super 8 Motel and the Comrie's belongings, Pennsylvania State Police K-9 "Brenda" gave a positive indication that an odor of a controlled substance emitted from a black suitcase that was inside the room. During the search of the room, officers found and seized a small plastic bag of suspected marijuana and a metal pipe packed with suspected marijuana inside a shaving bag inside the black suitcase. Donna Comrie stated that the substance belonged to her brother, Robert Comrie.
- L. During the course of the investigation, Trooper Barrows interviewed Shawn Owens, who had towed the vehicle to his

garage in Shawville, Pennsylvania. Owens stated that he had received phone calls from Donna Marie Comrie and another anonymous caller regarding the accident.

- M. Owens stated that the Comries did not ask where the vehicle was being stored. Owens stated that after Trooper Fenton had departed the scene Donna Marie Comrie and Robert Comrie entered the tow truck.
- N. Owens said that he observed fresh footprints in the snow leading into the woods along SR 80. He had not observed any other person(s) in the surrounding area at that time.
- O. Later that night, Trooper Barrows and other officers accompanied Owens to the collision scene. They observed footprints in the snow, as Owens had described, which were still visible from the scene of the collision leading into the wooded area approximately 100 yards north of SR 80.
- P. Officers followed the footprints into the wooded area and located a blue suitcase. K-9 "Brenda" was brought to the scene and gave a positive indication that an odor of a controlled substance was emitting from the suitcase.
- Q. Officers opened the suitcase and observed two (2) large bundles wrapped with clear plastic inside along with clothes and other items. The bags contained a total of approximately fifty (50) pounds of suspected marijuana. Field tests yielded positive results

for the presence of marijuana.

R. Trooper Brett Hanlon then cut open one of the bundles and observed a green leafy substance suspected to be marijuana.

S. Officers then proceeded to the Super 8 Motel where Donna Marie Comrie was waiting for a ride to Ohio. She was placed under arrest, advised of her Miranda Rights, and transported to the Pennsylvania State Police Barracks, Clearfield Station.

T. At Pennsylvania State Police Clearfield Station, Donna was again advised of her Miranda Rights and she signed a Waiver of Rights form. She then related that her brother, Robert Copeland Comrie, had taken the blue suitcase from the rear of the GMC Suburban and placed it in the wooded area immediately after the collision.

U. On January 21, 2002, Trooper Barrows interviewed Robert Comrie at the Clearfield County jail. Trooper Barrows asked Comrie about the ownership of the vehicle. Comrie said that the vehicle belonged to his father's cousin's wife. He stated that the cousin's name was Kevin Wade but he did not know the telephone number for his father or the owner of the vehicle. Comrie stated that his father lives in Washington state and that he was on his way home from his cousin's funeral in New York.

V. When Trooper Barrows interviewed Donna Comrie that same day, she stated that she did not know of any funeral occurring within the family, and provided Trooper Barrows with the telephone number

for her father. She also stated that her father, Copeland Comrie, lives in Georgia.

- W. Trooper Barrows called the telephone number of Copeland Comrie and was informed that he was the father of Robert and Donna Comrie, and that he resided in Limburn, Georgia.
- X. Trooper Barrows then asked him if he knew the registered owner of the vehicle, Rosalyn Wade. Copeland Comrie stated that he does not know anyone by that name. When asked if he has a cousin named Kevin Wade, Mr. Comrie replied that he did not recall any relative by that name.
- Y. During this investigation, Trooper Hanlon provided a recorded video tape of a traffic stop made on December 11, 2001. Trooper Hanlon advised that the stop was made on the same vehicle traveling west on SR 80 at mile marker 45, Richland Township, Clarion County, Pennsylvania, for a traffic violation. He stated that in that incident, the operator of the vehicle was Rohan Stevens and that Robert Copeland Comrie was a passenger. Trooper Hanlon also stated that at that time Comrie was sweating excessively. Trooper Hanlon had been told that Stevens and Comrie were returning to Ohio from New York where they had purchased clothing for their business. Trooper Hanlon observed several air fresheners inside the vehicle along with cell phones and beepers. When asked for consent to search the vehicle, Comrie gave

consent.

- Z. During that vehicle search, K-9 "Brenda" gave a positive indication of an odor of a controlled substance emitting from a black suitcase owned by Comrie. Upon opening the suitcase, officers observed five (5) dryer sheets, a loaded shotgun shell and \$950.00 U.S. Currency in a bag, which he admitted belonged to him.
- AA. On January 23, 2002, a search warrant was obtained and executed on the 1995 GMC Suburban, at the garage at Pennsylvania State Police Clearfield Station. Discovered and seized from the back seat was marijuana residue consisting of a couple of seeds and small stems. The rear cargo area contained scattered marijuana debris on the carpet, consisting of a large marijuana stem approximately 4 inches long and a couple of seeds.
- BB. Also during the search, officers discovered that the head rest on the rear passenger seat had been modified. The foam had been hollowed out in a manner to conceal contraband or a small handgun. Nothing belonging to the registered owner was found in the car.
- CC. Contact was made with the Elyria, Ohio Narcotics Unit who advised that Robert Copeland Comrie is known as "Wicked" on the streets in Elyria and the surrounding area and is a well known drug dealer and one of the biggest suppliers within that area. Additionally, Comrie was known to always have a firearm in his possession.

8. The defendant/property, One (1) 1995 GMC Light Duty Suburban, VIN: 1GKEC16KXSJ750227, is a conveyance which was used, or was intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession or concealment of drug paraphernalia, controlled substances, or other drugs which have been manufactured, distributed, dispensed or acquired in violation of the Controlled Substance, Drug, Device and Cosmetic Act.

WHEREFORE, the Commonwealth through the Attorney General prays this Honorable Court to issue an Order that the One (1) 1995 GMC Light Duty Suburban, VIN: 1GKEC16KXSJ750227, defendant/property be condemned and adjudged forfeited to the Commonwealth and that all right, title or interest in the defendant/property, except that vested in the Office of Attorney General, Commonwealth of Pennsylvania, be declared null and void and that the property be used or disposed of in accordance with law.

Respectfully submitted,

D. Michael Fisher
Attorney General of the
Commonwealth of Pennsylvania

BY:



Doreena Craig Sloan
Deputy Attorney General
Attorney ID# 44880

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF

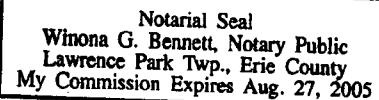
AFFIDAVIT

Personally appeared before me a Notary Public in and for the said Commonwealth and County, Trooper Janet O. Formichella, who being duly sworn according to law, deposes and says that she is a trooper with the Pennsylvania State Police, and states that the facts averred in the foregoing petition are true and correct to the best of her personal knowledge or information and belief.

Trooper Janet O. Formichella
Trooper Janet O. Formichella

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 11th
DAY OF July, 2002.

Winona G. Bennett
NOTARY PUBLIC

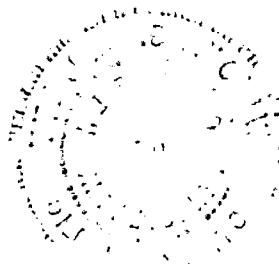


FILED

AUG 06 2002

171352) Atty Sloan pd. \$80.00
William A. Shaw
Prothonotary

3cc Atty Sloan



IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
Plaintiff :
:
V. : _____
:
ONE (1) 1995 GMC LIGHT DUTY SUBURBAN, :
VIN: 1GKEC16KXSJ750227 :
Defendant :
:

ORDER

AND NOW, this _____ day of _____, 2001, upon consideration of
the foregoing petition and after hearing, it is ORDERED and DECREED as follows:

The prayer of the Petition is granted.

All claims of right, title or interest of Rosalyn Wade and Robert C. Comrie, and any
other claimant in the defendant/property are hereby declared to be terminated, revoked and
rendered null and void. The One (1) 1995 GMC Light Duty Suburban, VIN:
1GKEC16KXSJ750227, is hereby condemned and forfeited to the Commonwealth of
Pennsylvania, Office of Attorney General, pursuant to the Judicial Code, Chapter 68,
Controlled Substances Forfeitures Act, 42 Pennsylvania C.S.A. Section 6801 et seq., for use
or disposition in accordance with law.

The registration heretofore issued by the State of Ohio for said vehicle is hereby
declared to be terminated and revoked and the Pennsylvania Department of Transportation is
directed to reissue said registration in the name of the Pennsylvania Department of General
Services for official use, sale or disposition by the Office of Attorney General.

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,

v.

NO. 02-1219-CD

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN:
VIN: 1GKEC16KXSJ750227

FILED

JAN 21 2003

MOTION FOR ORDER OF FORFEITURE

William A. Shaw
Prothonotary

AND NOW, this 14th day of JANUARY, 2003, comes the Petitioner to the instant action, the Commonwealth of Pennsylvania, Office of Attorney General, by and through Heather L. Adams, Deputy Attorney General, and moves the Court for an Order of Forfeiture and Condemnation of One (1) 1995 GMC Suburban, VIN: 1GKEC16KXSJ750227, (hereinafter "defendant/property"), and in support thereof avers the following:

1. On or about January 23, 2002, the Commonwealth seized the defendant/property, through the Office of Attorney General as property subject to forfeiture under 42 Pa. C.S.A. Section 6801.
2. On or about August 8, 2002, the Commonwealth filed a Petition to Forfeit and Condemn the defendant/property.
3. All parties with an interest in the defendant/property were served pursuant to 42 Pa. C.S.A. Section 6802 as set forth in the appended Affidavits of Heather L. Adams, Deputy Attorney General, which Affidavits are appended hereto as Exhibit A and Exhibit B, and incorporated herein by reference.

4. The time for answering the Notice and Rule to Show Cause has expired with no answer to the Petition having been made by any claimant.

WHEREFORE, the Commonwealth asserts the truth of the averments in the petition filed in this matter and moves for an Order of Forfeiture to be entered condemning the defendant/property and forfeiting it to the Commonwealth of Pennsylvania, Office of Attorney General, for use as prescribed by law, 42 Pa. C.S.A.

Section 6801.

Respectfully submitted,



Heather L. Adams
Deputy Attorney General
Attorney ID# 80604
Office of Attorney General
16th Floor Strawberry Square
Harrisburg, PA 17120
(717) 787-9579

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,

v.

NO. 02-1219-CD

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN:
VIN: 1GKEC16KXSJ750227

AFFIDAVIT

Heather L. Adams, Deputy Attorney General, being duly sworn according to law, deposes and says that she has caused to be served upon the following individual a Petition for Forfeiture and Condemnation, a copy of the Rule to Show Cause, docketed at No. 02-1219-CD, and a Notice to Answer Petition for Forfeiture:

Robert Copeland Comrie, by personal service, at the Clearfield County Prison, Clearfield, Pennsylvania, on October 8, 2002. (Exhibit A-1).



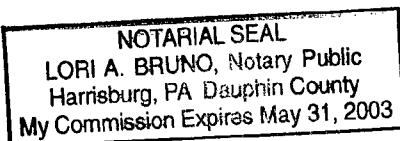
Heather L. Adams

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 14th
DAY OF January 2003



Lori A. Bruno
NOTARY PUBLIC

EXHIBIT A



IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,

Plaintiff

v.

NO. 02-1219-CD

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN

Defendant

PERSONAL SERVICE CERTIFICATION

***** (If you were able to serve the claimant, please complete No. 1 below)

1. The undersigned certifies that (s)he personally served ROBERT COPELAND COMRIE with a true and correct copy of the above-captioned Petition for Forfeiture and Condemnation at CLEARFIELD COUNTY PRISON on 08 November, 2002 at 1142 a.m. p.m.

(Address where served)

----- OR -----

***** (If you were NOT able to serve the claimant, please complete No. 2 below)

2. The undersigned certifies that (s)he DID NOT personally serve ROBERT COPELAND COMRIE with a true and correct copy of the above-captioned Petition for Forfeiture and Condemnation that claimant was not at this address at the time of attempted personal service, and that a copy of the Petition for Forfeiture and Condemnation was left at claimant's last known address at _____

(Address where Petition was left)

on _____, 2002, at _____ a.m./p.m.

Signature of Person Served

Indicate if Claimant refused to sign

Jpr Leigh A. Barrus

NAME OF SERVER

V.O. BOLLING, Punxsutawney, PA 15767

ADDRESS

08 October 2002

DATE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 9th DAY OF October, 2002.

Jeanne Scully
NOTARY PUBLIC

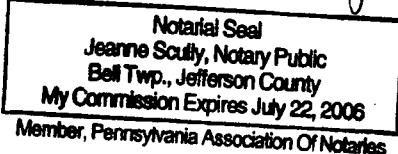


EXHIBIT A-1

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,

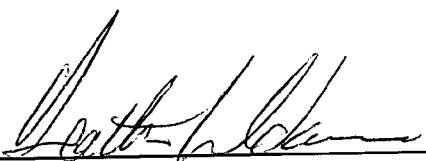
v.

NO. 02-1219-CD

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN:
VIN: 1GKEC16KXSJ750227

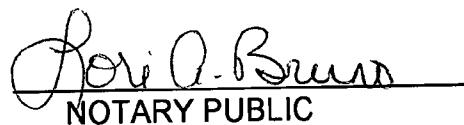
AFFIDAVIT

Heather L. Adams, Deputy Attorney General, deposes and says that because notification by certified mail (Exhibit B-1) and personal service (Exhibit B-2) were unsuccessful, notification of the Petition for Forfeiture of the defendant/property and Notice to file a claim for the said defendant/property was made by publication in The Progress, a newspaper of general circulation in the County of Clearfield, on December 2, 2002, and December 9, 2002, as shown on the copy of said publication (Exhibit B-3), and that said notification properly conforms to 42 Pa. C.S.A. Section 6802.



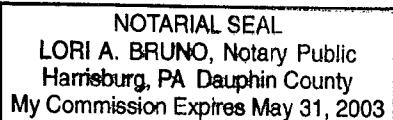
Heather L. Adams

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 14th
DAY OF January,
2003.



Lori A. Bruno
NOTARY PUBLIC

EXHIBIT B



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:

ROSALYN WADE
352 8TH STREET
ELYRIA, OHIO 44035

PLEASE HAVE ROSALYN
WADE SIGN THIS CARD

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

X

 Agent
 AddresseeD. Is delivery address different from item 1? Yes
 No

If YES, enter delivery address below:

RECEIVED

AUG 30 2002

Office of Attorney General
Asset Forfeiture and
Money Laundering Section

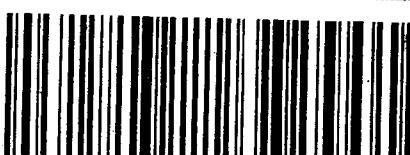
3. Service Type
 Certified Mail Express
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

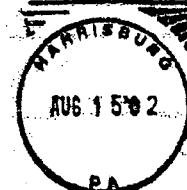
7001 0360 0002 7699 4284

PS Form 3811, July 1999

102595-00-M-0952

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE**CERTIFIED MAIL**

7001 0360 0002 7699 4284



OFFICE OF ATTORNEY GENERAL
COMMONWEALTH OF PENNSYLVANIA
STRAWBERRY SQUARE
ARRISBURG, PA 17120

Office of Attorney General
Asset Forfeiture and
Money Laundering Section

AUG 30 2002

RESTRICTED DELIVERY

RT
unk

ROSALYN W
352 8TH STRI
ELYRIA, OH

A INSUFFICIENT ADDRESS
C ATTEMPTED NOT KNOWN
S NO SUCH NUMBER/ STREET
 NOT DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD
 OTHER

RT
RETURN TO SENDER

EXHIBIT B-1

RECEIVED

NOV 25 2002

Office of Attorney General
Asset Forfeiture and
Money Laundering Section

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :
Plaintiff :
v. : NO. 02-1219-CD

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN :
Defendant :
STATE OF OHIO
COUNTY OF COLUMBUS SS PERSONAL SERVICE CERTIFICATION

COUNTY OF LORAIN SS **PERSONAL SERVICE CERTIFICATION**

***** (If you were able to serve the claimant, please complete No. 1 below)

1. The undersigned certifies that (s)he personally served ROSALYN WADE with a true and correct copy of the above-captioned Petition for Forfeiture and Condemnation at

on _____, 2002 at _____ a.m./p.m.

(Address where served)

----- OR -----

***** (If you were NOT able to serve the claimant, please complete No. 2 below)

2. The undersigned certifies that (s)he DID NOT personally serve ROSALYN WADE with a true and correct copy of the above-captioned Petition for Forfeiture and Condemnation that claimant was not at this address at the time of attempted personal service, and that a copy of the Petition for Forfeiture and Condemnation was left at claimant's last known address at 3540 PINOAK, LORAIN, OH. on NOVEMBER 14 2002 at 10:30 a.m. (www)

THERE IS NO ~~XXXXXX~~ ONE LIVING THERE BY THAT NAME. WHEREABOUTS UNKNOWN

Signature of Person Served
Indicate if Claimant refused to sign

John M. Miller
NAME OF SERVER **X** DEPUTY
308 SECOND STREET, ELYRIA, OHIO
ADDRESS

DATE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 15TH DAY OF NOVEMBER 2002.

Mary Margaret Ochenas
NOTARY PUBLIC
MARY MARGARET OCHENAS,
MY COMMISSION EXPIRES: APRIL 24, 2006

EXHIBIT B-2

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :

v. :

NO. 02-1219-CD

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN:
VIN: 1GKEC16KXSJ750227

CERTIFICATE OF SERVICE

I hereby certify that this day I have served a copy of the foregoing Motion for
Order of Forfeiture upon the following individual by first-class mail, postage prepaid, at
the following address:

Rosalyn Wade
3540 Pinoak
Lorain, Ohio 44035

Robert Copeland Comrie
c/o Clearfield County Prison
410 21st Street
Clearfield, PA 16830

1/14/03

DATE


Heather L. Adams
Deputy Attorney General
Attorney ID# 80604
Office of Attorney General
16th Floor Strawberry Square
Harrisburg, PA 17120
(717) 787-9579

FILED

2cc

11:35 AM
JAN 2 2003
Atty H. Adams

William A. Shaw
Prothonotary

C. A. H.

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

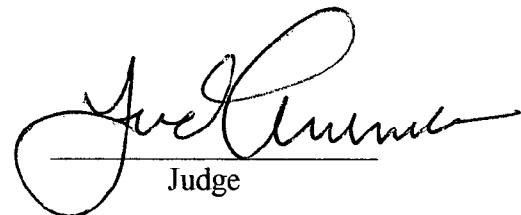
COMMONWEALTH :
VS. : No. 02-1219-CD
ONE (1) 1995 GMC LIGHT DUTY :
SUBURBAN :
VIN: 1GKEC16KXSJ750227

RULE RETURNABLE

AND NOW, this 10 day of April, 2003, upon
consideration of the foregoing Petition filed by the Commonwealth, a rule is
hereby issued on the Defendant to show cause, if any exists, why said Petition
should not be granted.

Rule Returnable for answer and argument thereon to be held on the
22nd day of April, 2003, at 2:00 o'clock P. M. in
Court Room No. 2 of the Clearfield County Courthouse, Clearfield, PA.

BY THE COURT,



Sue Anna
Judge

FILED

APR 16 2003

William A. Shaw
Prothonotary

FILED

3cc Atty Adams

019:00-054
APR 16 2003

1cc Robert C. Connie
et al Western Diagnostic & Classification
Center

William A. Shaw
Secretary

PO Box 9901
Pittsburgh, PA 15233

- and -

1cc Robert C. Connie
3530 Pinhook
Lorain, OH 44035

1cc Rosalyn Wade
352 8th Street
Elyria, OH 44035

WILLIAM A. SHAW
PROTHONOTARY
and CLERK of COURTS
P.O. BOX 549
CLEARFIELD, PENNSYLVANIA 16830

FILED

APR 21 2003

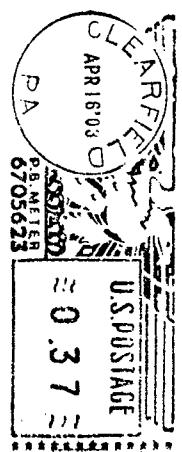
Not
remained
per CIA - CIA
Prothonotary office working
on case.

William A. Shaw
Prothonotary

Rosalyn Wade
352 8th Street
Elyria, OH 44035

A INSUFFICIENT ADDRESS
 C ATTEMPTED NOT KNOWN
 NO SUCH NUMBER/STREET
 S NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD

RTS
REURN TO SENDER



16830/05243

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

COMMONWEALTH
VS.
ONE (1) 1995 GMC LIGHT DUTY
SUBURBAN
VIN: 1GKEC16KXSJ750227

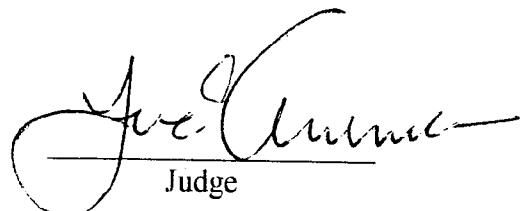
No. 02-1219-CD

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22nd day of April, 2003, at 2:00 o'clock P. M. in
Court Room No. 2 of the Clearfield County Courthouse, Clearfield, PA.

BY THE COURT,

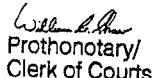


Judge

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

APR 16 2003

Attest.



Prothonotary/
Clerk of Courts

WILLIAM A. SHAW
PROTHONOTARY
and CLERK of COURTS
P.O. BOX 549
CLEARFIELD, PENNSYLVANIA 16830

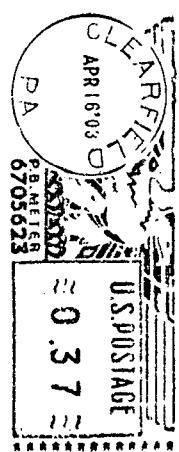
FILED

13:15-81
MAY 09 2003

William A. Shaw Sent to
Prothonotary Separate addresses
on April 16, 2003

Robert Copeland Comrie
3530 Pinhook
Lorain, OH

A INSUFFICIENT ADDRESS
C ATTEMPTED NOT KNOWN
S NO SUCH NUMBER/ STREET
S NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD



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

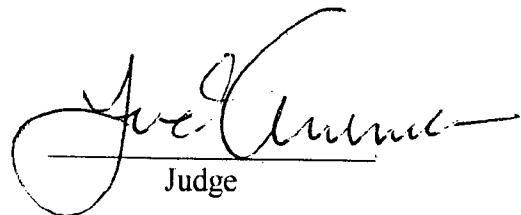
COMMONWEALTH :
VS. : No. 02-1219-CD
ONE (1) 1995 GMC LIGHT DUTY :
SUBURBAN :
VIN: 1GKEC16KXSJ750227

RULE RETURNABLE

AND NOW, this 10 day of April, 2003, upon
consideration of the foregoing Petition filed by the Commonwealth, a rule is
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should not be granted.

Rule Returnable for answer and argument thereon to be held on the
22nd day of April, 2003, at 2:00 o'clock P. M. in
Court Room No. 2 of the Clearfield County Courthouse, Clearfield, PA.

BY THE COURT,



Judge

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

APR 16 2003

Attest,


Prothonotary/
Clerk of Courts

WILLIAM A. SHAW
PROTHONOTARY
and CLERK of COURTS
P.O. BOX 549
CLEARFIELD, PENNSYLVANIA 16830

RECEIVED
FILED
C11041-BH
MAY 12 2003
SOL

William A. Shaw
Prothonotary

Robert Copeland Comrie
C/o Western Diagnostic and Classification
Center



Unknown

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

COMMONWEALTH
VS.
ONE (1) 1995 GMC LIGHT DUTY
SUBURBAN
VIN: 1GKEC16KXSJ750227

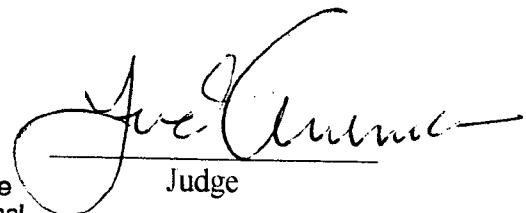
No. 02-1219-CD

RULE RETURNABLE

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consideration of the foregoing Petition filed by the Commonwealth, a rule is
hereby issued on the Defendant to show cause, if any exists, why said Petition
should not be granted.

Rule Returnable for answer and argument thereon to be held on the
22nd day of April, 2003, at 2:00 o'clock P. M. in
Court Room No. 2 of the Clearfield County Courthouse, Clearfield, PA.

BY THE COURT,

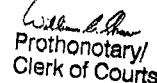


Judge

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

APR 16 2003

Attest.



Prothonotary/
Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA :

-VS- : No. 02-1219-CD

1995 GMC SUBURBAN :

O R D E R

NOW, this 27th day of May, 2003, this being the date set for argument on the Commonwealth's Motion for Forfeiture and Condemnation, it is the ORDER of this Court that counsel for the Respondents supply the Court with letter brief within no more than fifteen (15) days from this date. Counsel for the Commonwealth shall have no more than ten (10) days thereafter to respond in kind, if so desired.

BY THE COURT,



Judge

FILED

JUN 02 2003

William A. Shaw
Prothonotary

FILED 1cc Aug 5 Dubois
9:30 AM 100 Aug 5
02/03
Rosalyn Wade has no current
address on file and was last
served by publication -
William A. Shaw
Prothonotary
Served by publication - Motion for Forfeiture filed 1/21/03

On 1/21/03 called John T. Paris, Esq., 211-575-7500,
former counsel for Robert Connie -
he does not have a current address
but will call with one
On 1/21/03 Judge Ammerman said S. Cassey Bowers
appeared in the civil case for Connie
and service to Jeff Dubois is sufficient

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

COMMONWEALTH OF PENNSYLVANIA,
Plaintiff

vs.

ONE (1) 1995 GMC LIGHT DUTY
SUBURBAN
VIN: 1GKEC16KXSJ750227,
Defendant

*
*
*
*
*
*
*

No. 2002-1219-C.D.

FILED

JUN 30 2003

OPINION

William A. Shaw
Prothonotary

On August 6, 2002, the Commonwealth of Pennsylvania through the Attorney General's Office filed a Petition for Forfeiture against a 1995 GMC Suburban. The GMC Suburban had been used to transport a large amount of marijuana by Respondent Robert C. Comrie and his sister Donna M. Comrie, as described in paragraph 7 of the Petition for Forfeiture.¹ President Judge John K. Reilly, Jr. executed a Rule to Show Cause on August 8, 2002 providing Mr. Comrie and Rosalyn Wade thirty days from the date of service to answer the Petition or suffer forfeiture of the vehicle. Rosalyn Wade was determined to be the registered owner of the vehicle.

Mr. Comrie received a certified copy of the Petition by personal service at the Clearfield County prison on October 8, 2002. Following attempts to serve Rosalyn Wade by certified mail and personal service, the Attorney General's Office ultimately served her through publication as set forth in Exhibits 'B' through 'B-3', which are attached to the

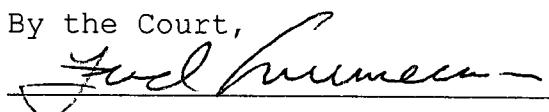
¹ Robert C. Comrie and Donna M. Comrie both pleaded guilty to Possession with Intent to Deliver Marijuana in Clearfield County Courts to Criminal Docket Nos. 2002-133-CRA and 2002-134-CRA

Commonwealth's Motion for Order of Forfeiture filed January 21, 2003. No answer was ever filed by either respondent to the Petition for Forfeiture. Hearing on the Commonwealth's Rule Returnable was ultimately held before the Court on April 22, 2003. Neither Rosalyn Wade or anyone purporting to act on her behalf appeared. Mr. Comrie is serving a sentence in Federal Prison and did not appear. However, Attorney Casey Bowers appeared on his behalf to argue against the Petition for Forfeiture. At no time did counsel indicate that he was appearing on behalf of anyone other than Mr. Comrie.

The Court issued an Order requiring Briefs which were ultimately received. The letter brief received on behalf of Mr. Comrie denied ownership and instead stated that the vehicle belonged to his aunt (Rosalyn Wade) and that she had no knowledge of the illegal activities. This argument is disingenuous, as counsel appears representing Mr. Comrie only and attempts to make an argument against forfeiture based upon a position that has nothing to do with his client. If Ms. Wade wished to defend the Petition for Forfeiture obviously she and/or her attorney need to appear before the Court and comply with the rules of procedure relative this action.

The Commonwealth has complied with the provisions of the relevant Statute, 42 Pa.C.S.A., Section 6801 and Section 6802. Personal service was made on Mr. Comrie and the Commonwealth complied with the provisions of Section 6802(c) to serve Ms. Wade by publication. The law provides that if no answers or claims are filed within thirty days of service or publication the property forfeits to the Commonwealth.

By the Court,



JUDGE FREDRIC J. AMMERMAN

June 30, 2003

FILED

013:13 BOL
JUN 30 2003

William A. Shaw
Prothonotary

2 copies to Judge Ammerman
1 copy to Law Library
1 copy to Court Administrator
1 copy to Don Mikesell, Esquire

1 CC - Atty Adams 928

2 CC - Atty Bowers

1 CC - DIA

1 CC - C/A - Dave

HANAK, GUIDO and TALADAY
Attorneys at Law

Robert M. Hanak
Anthony S. Guido
Matthew B. Taladay

Nicole Hanak Bankovich
Jeffrey S. DuBois
S. Casey Bowers

Telephone: (814) 371-7768
Fax: (814) 371-1974

498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

June 11, 2003

Honorable Fredric J. Ammerman
230 E. Market Street
Clearfield, PA 16830

Re: Commonwealth vs. Robert Copeland Comrie
No. 02-134-CRA

Dear Judge Ammerman:

This letter brief is pursuant to the Argument held before you on May 27, 2003.

The subject matter involves the Commonwealth's Petition to seize the vehicle used by Robert Comrie while traveling across Interstate 80 in Clearfield County. It has been established and not disputed by the Commonwealth that the Defendant, Robert Comrie, is not the registered owner of the vehicle, but said vehicle is owned by his aunt.

With respect to forfeitures, because of the fact that forfeitures are not favored in the law, the forfeiture act must be strictly construed. Commonwealth vs. One (1) 1993 Pontiac Trans Am, 809 A.2d 444 (2002).

In addition, as set forth under the forfeiture law, there exists what is known as "innocent owner defense"; under said law, the innocent owner defense is expressly available in forfeiture proceedings under the Crimes Code. Commonwealth vs. One (1) Mack Dump Truck, 743 A.2d 542 (1999).

The facts of this case were the exact contemplated by the legislatures in drafting the statute with the innocent owner defense. In the instant case, the Defendant, Robert Comrie, was using a vehicle not his own and was using it to transport himself and his sister from New York to Ohio. The vehicle used was his aunt's and she had absolutely no knowledge of any activity going on other than the two parties needing the vehicle to get to the state of Ohio. The

Honorable Fredric J. Ammerman
June 11, 2003
Page 2

Defendant's aunt has absolutely no criminal record and is not mentioned at all with respect to any wrong doing in the criminal complaint by the police or their investigation.

Consequently, you have in this situation an innocent owner who did not know of any other possible illegal activities which were going on or that her vehicle was being used to facilitate it. As such, the innocent owner defense should be applied in this case and the vehicle released to the owner.

If you should need additional information, please feel free to contact me.

Sincerely,


Jeffrey S. DuBois

JSD:kam

cc: District Attorney's Office
Copeland Comrie
Robert Comrie
John Paris, Esq.



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

MIKE FISHER
ATTORNEY GENERAL

Asset Forfeiture and Money Laundering Section
106 Lowther Street
Lemoyne, Pennsylvania 17043
(717) 712-1299

June 23, 2003

Honorable Fredric J. Ammerman
230 E. Market Street
Clearfield, PA 16830

RE: Commonwealth v. One (1) 1995 GMC Light Duty Suburban
No. 02-1219-CD

Dear Judge Ammerman:

This letter brief is in response to the claimant's letter brief dated June 11, 2003 and in response to the argument held before you on May 27, 2003.

The Commonwealth filed a Petition for Forfeiture and Condemnation in the above matter on or about August 8, 2002. On the same date, the Court issued a Rule to Show Cause why the Petition should not be granted and indicated that failure to answer the Petition within thirty days of service would result in an Order of Forfeiture being entered against said property. (Exhibit 1).

The Commonwealth served Robert Copeland Comrie via personal service on October 8, 2002. To date, no formal answer has been filed by Mr. Comrie. Additionally, it is clear from the letter brief submitted by Attorney DuBois that Mr. Comrie has no valid ownership interest in the vehicle.

The Commonwealth attempted to serve Rosylan Wade, the registered owner of the vehicle, via first class mail and by personal service but was not able to locate Rosylan Wade. Therefore, the Commonwealth served Ms. Wade by publication. (See Commonwealth's Motion for Forfeiture).

During the investigation, Mr. Comrie informed the Pennsylvania State Police that the vehicle belonged to his father's cousin's wife. Mr. Comrie indicated his father's cousin's name is Kevin Wade. The Pennsylvania State Police contacted Mr. Comrie's father and inquired as to whether his father knew of the registered owner Rosylan Wade. Mr. Comrie's father indicated he did not know of any such person. Mr. Comrie's father also did not know of an individual by the name of Kevin Wade.

received
6/26/03

To date no formal answer has been filed by Rosylan Wade and the Commonwealth questions whether Ms. Wade actually exists. It is still unclear as to whether Mr. DuBois has been retained by Ms. Wade to represent her in this action. The Commonwealth notes that the letter brief was not distributed to Rosyln Wade but rather to Robert Comrie. The vehicle in this case may not be returned to the claimant without her coming forward and then only after a hearing in the matter. (See 42 Pa.C.S. § 6802(i)). In order to make a valid claim to the car Ms. Wade would have to file a formal answer to the Commonwealth's Petition.

Whereas both potential claimants have been served in the above matter and no answer having been filed, the Commonwealth respectfully requests that its Motion for Forfeiture be granted.

Sincerely,



Heather L. Graybill
Deputy Attorney General

cc: Jeffrey S. DuBois, Esquire

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
Plaintiff :

v. :

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN, :
VIN: 1GKEC16KXSJ750227 :

Defendant :

02-1219-CO

RULE TO SHOW CAUSE

AND NOW, this 8th day of August, 2002, a rule is issued upon Rosalyn Wade and Robert Copeland Comrie, owners and/or possessors of the within defendant/property, to show cause why the prayer and order of the attached Petition for Forfeiture and Condemnation should not be granted.

Rule returnable, for the purpose of filing an Answer only, within thirty (30) days from the date of service of the attached Petition upon Rosalyn Wade and Robert Copeland Comrie, owners and/or possessors.

Failure to Answer this Petition within 30 days of service hereof will result in an Order of Forfeiture being entered against said property, any law or rule of Court to the contrary notwithstanding.

Notice shall be given in accordance with law.

BY THE COURT:

/s/ JOHN K. REILLY, JR.

J.

PLEASE RETURN A COPY OF THE
SIGNED RULE AND PETITION TO
THE OFFICE OF ATTORNEY GENERAL

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

AUG 08 2002

EXHIBIT 1

Attest:

W. K. Reilly
Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,

v.

: NO. 02-1219-CD

FILED

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN:
VIN: 1GKEC16KXSJ750227

JUN 30 2003

ORDER

William A. Shaw
Prothonotary

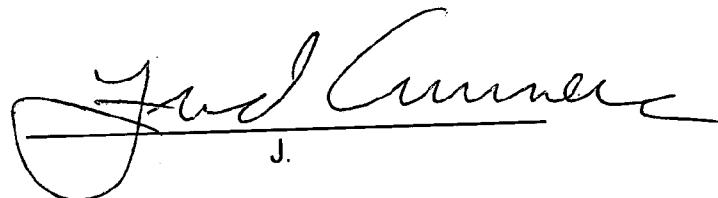
Petition for Forfeiture having been filed by the Commonwealth of Pennsylvania, Office of Attorney General, by and through Heather L. Adams, Deputy Attorney General, and there appearing that no challenge to this action having been made by any party, said Petition being supported by the Affidavit of Trooper Janet Formichella of the Pennsylvania State Police, and upon Motion for Order of Forfeiture in default of an Answer, made by the Commonwealth, the Court Orders as follows:

All claims of right, title and interest of Rosalyn Wade and Robert Copeland Comrie, and any other claimants are hereby declared to be terminated, revoked and rendered null and void. The One (1) 1995 GMC Suburban, VIN: 1GKEC16KXSJ750227, is hereby declared to be forfeited to the Commonwealth of Pennsylvania, Office of Attorney General, pursuant to the Controlled Substances Forfeitures Act, an Act of June 30, 1988, Act No. 1988-79, 42 Pa. C.S.A. Section 6801 et seq., for use in accordance with law.

The registration heretofore issued by the State of Ohio for said vehicle is hereby declared to be terminated and revoked and the Pennsylvania Department of

Transportation is directed to reissue said registration in the name of the Department of
General Services for official use, sale or disposition by the Office of Attorney General.

So ORDERED this 30 day of June, 2003.



Jud Turner
J.

**PLEASE RETURN A COPY OF THE
SIGNED AND CERTIFIED ORDER TO THE
OFFICE OF ATTORNEY GENERAL**

FILED

1cc Atty Adams

3:26-cv-200 Atty Bowers
cl JUN 30 2003 1cc DGA

William A. Shaw
Prothonotary
1cc CJA-Dave
RA

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :
V. : NO. 02-1219-CD
ONE (1) 1995 GMC LIGHT DUTY SUBURBAN:
VIN: 1GKEC16KXSJ750227 :
:

CERTIFICATE OF SERVICE

I hereby certify that this day I have served a copy of the foregoing Order of Forfeiture upon the following individual by first-class mail, postage prepaid, at the following address:

Rosalyn Wade
3540 Pinoak
Lorain, Ohio 44035

Robert Copeland Comrie
c/o Clearfield County Prison
410 21st Street
Clearfield, PA 16830

7-2-03

DATE

Heather Graybill
Heather L. Graybill
Deputy Attorney General
Attorney ID# 80604
Office of Attorney General
106 Lowther Street
Lemoyne, PA 17043
(717) 712-1206

FILED

JUL 07 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :

V. : NO. 02-1219-CD

ONE (1) 1995 GMC LIGHT DUTY SUBURBAN:
VIN: 1GKEC16KXSJ750227

ORDER

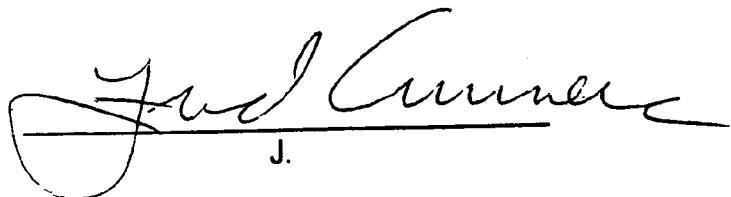
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So ORDERED this 30 day of June, 2003.



J.

**PLEASE RETURN A COPY OF THE
SIGNED AND CERTIFIED ORDER TO THE
OFFICE OF ATTORNEY GENERAL**

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

JUN 30 2003

Attest.



William A. Ritter
Prothonotary/
Clerk of Courts