

02-1242 D  
THOMAS E. McCARTNEY, et al. -vs- CONEMAUGH VALLEY  
MEMORIAL HOSPITAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

THOMAS E. McCARTNEY, Personal Representative of the Estate of TROY McCARTNEY, Deceased, ] CIVIL DIVISION  
vs. ] No.: 02-1242-CO  
Plaintiff, ]  
CONEMAUGH VALLEY MEMORIAL HOSPITAL, ] PRAECIPE FOR WRIT OF SUMMONS  
Defendant. ] Filed on behalf of Plaintiff:  
 ] THOMAS E. McCARTNEY, Pro Se  
 ] RR 3, Box 140  
 ] Clearfield, PA 16830  
 ] 814-765-3229

JURY TRIAL DEMANDED

**FILED**

AUG 12 2002

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

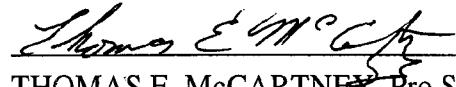
THOMAS E. McCARTNEY, Personal	]	CIVIL DIVISION
Representative of the Estate	]	
of TROY McCARTNEY, Deceased,	]	
	]	No.: 02-1242-CD
Plaintiff,	]	
	]	
vs.	]	
	]	
CONEMAUGH VALLEY MEMORIAL	]	
HOSPITAL,	]	
	]	
Defendant.	]	

**PRAECIPE FOR WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Kindly issue a Writ of Summons in the above-captioned action.

RESPECTFULLY SUBMITTED:

  
THOMAS E. McCARTNEY, Pro Se

**COPY**

**IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY PENNSYLVANIA  
CIVIL ACTION**

**SUMMONS**

**Thomas E McCartney, Personal  
Representative of the Estate of  
Troy McCartney, Deceased**

**Vs.**

**NO.: 2002-01242-CD**

**Conemaugh Valley Memorial Hospital**

**TO: CONEMAUGH VALLEY MEMORIAL HOSPITAL**

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 08/12/2002

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

Issuing Attorney:  
Thomas E. McCartney, Pro Se

**FILED**

*LAW*

AUG 12 2002

01950) P/L T. McCarthy  
William A. Shaw  
Prothonotary

pd \$80.00

I write to P/L.

cc P/L.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

THOMAS E. McCARTNEY,  
Personal Representative of THE  
ESTATE OF TROY McCARTNEY,  
Deceased

Plaintiff  
vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

: No. 2002 - 01242 - CD

: PRAECIPE FOR ENTRY OF APPEARANCE

: Filed on Behalf of Defendant

: McIntyre, Dugas, Hartye & Schmitt  
: Heather A. Harrington, Esquire  
: PA I.D. No. 62977  
: Frank J. Hartye, Esquire  
: PA I.D. No. 25568  
: P.O. Box 533  
: Hollidaysburg, PA 16648  
: PH (814) 696-3581  
: FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 23<sup>rd</sup> day of August, 2002.

Heather A. Harrington  
Attorney for Defendant

**FILED**

AUG 26 2002  
m 19:05 1002

William A. Shaw  
Prothonotary

Copy CA

*E. K. D.*

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff  
vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant : JURY TRIAL DEMANDED

: IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

: No. 2002 - 1242 - CD

**PRAECIPE FOR ENTRY OF APPEARANCE**

TO: PROTHONOTARY

Kindly enter my appearance as counsel of record for the Defendant, **Conemaugh Valley  
Memorial Hospital**, in the above-captioned action.

**McINTYRE, DUGAS, HARTYE & SCHMITT**

*Heather A. Harrington*  
\_\_\_\_\_  
Attorneys for Defendant

**HEATHER A. HARRINGTON, ESQUIRE**  
PA I.D.#: 62977  
**FRANK J. HARTYE, ESQUIRE**  
PA I.D.#: 25568  
P.O. Box 533  
Hollidaysburg, PA 16648-0533  
PH: (814) 696-3581  
FAX: (814) 696-9399

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

THOMAS E. McCARTNEY,  
Personal Representative of THE  
ESTATE OF TROY McCARTNEY,  
Deceased

: No. 2002 - 01242 - CD

Plaintiff  
vs.  
CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

: PRAECIPE FOR RULE TO FILE COMPLAINT

Defendant

: McIntyre, Dugas, Hartye & Schmitt  
: Heather A. Harrington, Esquire  
: PA I.D. No. 62977  
: Frank J. Hartye, Esquire  
: PA I.D. No. 25568  
: P.O. Box 533  
: Hollidaysburg, PA 16648  
: PH (814) 696-3581  
: FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 23<sup>rd</sup> day of August, 2002.

Heather Harrington  
Attorney for Defendant

FILED

(A) AUG 26 2002

m 18:53 NOCC

William A. Shaw 2nd to Atty.  
Prothonotary

**COPY**

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff  
vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant : JURY TRIAL DEMANDED

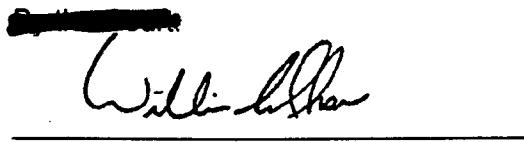
: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PENNSYLVANIA

: No. 2002 - 1242 - CD

**RULE TO FILE COMPLAINT**

AND NOW, this 26th day of August, 2002, Rule is entered on the  
Plaintiff, Thomas E. McCartney, Personal Representative of the Estate of Troy McCartney,  
Deceased, to file a Complaint within twenty (20) days from the date of this ruling.

Dated: August 26, 2002

  
\_\_\_\_\_  
William L. Shanahan

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

THOMAS E. McCARTNEY, : No. 2002 - 01242 - CD  
Personal Representative of THE :  
ESTATE OF TROY McCARTNEY, :  
Deceased :  
Plaintiff :  
vs. :  
CONEMAUGH VALLEY MEMORIAL: :  
HOSPITAL :  
Defendant :  
McIntyre, Dugas, Hartye & Schmitt  
Heather A. Harrington, Esquire  
PA I.D. No. 62977  
Frank J. Hartye, Esquire  
PA I.D. No. 25568  
P.O. Box 533  
Hollidaysburg, PA 16648  
PH (814) 696-3581  
FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 29th day of August, 2002.

Heather A. Harrington  
Attorney for Defendant

FILED

SEP 03 2002  
m/8:30/02  
William A. Shaw  
Prothonotary  
cc

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff  
vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant : JURY TRIAL DEMANDED

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

: No. 2002 - 1242 - CD

**CERTIFICATE OF SERVICE OF RULE TO FILE COMPLAINT**

TO: PROTHONOTARY

You are hereby notified that on the 29<sup>th</sup> day of August, 2002, Defendant, CONEMAUGH  
VALLEY MEMORIAL HOSPITAL, served a Rule upon the Plaintiff, by mailing the original of  
same via First Class Mail, postage prepaid, addressed to the Plaintiff's counsel:

Thomas D. McCartney  
RR #3, Box 140  
Clearfield, PA 16830

McINTYRE, DUGAS, HARTYE & SCHMITT

*Heather Harrington*  
\_\_\_\_\_  
Attorneys for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA. I.D. No. 62977  
P.O. Box 533  
Hollidaysburg, PA 16648-0533  
(814) 696-3581

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Plaintiff  
vs.

No. 2002 - 1242 - CD

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

JURY TRIAL DEMANDED

**RULE TO FILE COMPLAINT**

AND NOW, this 26th day of August, 2002, Rule is entered on the  
Plaintiff, Thomas E. McCartney, Personal Representative of the Estate of Troy McCartney,  
Deceased, to file a Complaint within twenty (20) days from the date of this ruling.



Dated: August 26, 2002

FILED

SEP 03 2002

William A. Shaw  
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12917

MCCARTNEY, THOMAS E., Personal Rep. Of Estate of Troy McCartney, de 02-1242-CD

VS.

CONEMAUGH VALLEY MEMORIAL HOSPITAL

**SUMMONS & PRAECIPE**

**SHERIFF RETURNS**

NOW AUGUST 13, 2002 BOB KOLAR, SHERIFF OF CAMBRIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS & PRAECIPE ON CONEMAUGH VALLEY MEMORIAL HOSPITAL, DEFENDANT.

NOW AUGUST 21, 2002 SERVED THE WITHIN SUMMONS & PRAECIPE ON CONEMAUGH VALLEY MEMORIAL HOSPITAL, DEFENDANT BY DEPUTIZING THE SHERIFF OF CAMBRIA COUNTY. THE RETURN OF SHERIFF KOLAR IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED KAREN LOEFFLER, RISK MANAGEMENT.

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**Return Costs**

Cost	Description
27.74	SHFF. HAWKINS PAID BY: PLFF.
75.75	SHFF. KOLAR PAID BY: PLFF.
10.00	SURCHARGE PAID BY: PLFF.
113.49	

Sworn to Before Me This

20 Day Of Sept 2002  
*Chester A. Hawkins*

So Answers,

*Chester A. Hawkins*  
Chester A. Hawkins  
Sheriff

**FILED**

SEP 20 2002

2:46

William A. Shaw  
Prothonotary

*fin*

CASE # PLAINTIFF  
90253-02 MCCARTNEY, THOMAS  
DATE 8/21/02

DEFENDANT  
CONEMAUGH VALLEY MEM 02-1242

AT 14:50 HRS. SERVED THE WITHIN WRIT OF SUMMONS UPON CONEMAUGH VALLEY MEMORIAL HOSPITAL BY HANDING A TRUE AND ATTESTED COPY THEREOF TO KAREN LOEFFLER, RISK MANAGEMENT, AT 1086 FRANKLIN ST. JOHNSTOWN, PA. AND MAKING CONTENTS THEREOF KNOWN TO HER. MY COSTS PAID BY SHERIFF OF CLEARFIELD CO.

SHERIFF COSTS 72.75  
PROTHONATARY 3.00  
TOTAL COSTS 75.75

SO ANSWERS,

*Bob Kolar*

BOB KOLAR, SHERIFF

SWORN AND SUBSCRIBED TO BEFORE ME THIS 28TH DAY OF AUG. 02.

PROTHONATARY

*Hatty Berhebil*

DEFENDANT  
CONGEMAUAGH AULFEY MEM NO 1245

CASE # PLATINUM  
00223-02 MCGARTNEY, THOMAS  
DATE 8/21/02

AT 14:30 HRS. SERVED THE WITNESS WRIT OR SUMMONS UPON  
CONGEMAUAGH AULFEY MEMORIAL HOSPITAL BY HANDING A TRUST AND  
ATTESTED COPY THEREFOR TO KAREN LOEFFLER, RISK MANAGEMENT,  
AT 1088 FRANKLIN ST. CHINSTOWN, PA. AND MAKING CONTENTS  
HEREOF KNOWN TO HER. MY COSTS PAID BY SHERIFF OH CLEARYTELE  
CO.

PROTHONOTARY	3.00
TOTAL COSTS	42.42
SHRIFTB CHTS	42.42
SO ANSWERS	

SWORN AND SUBSCRIBED TO BEFORE ME THIS 28TH DAY OF AUG. 02.  
\_\_\_\_\_  
BOB KOLAR, SHERIFF

PROTHONOTARY

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW**

**THOMAS E. McCARTNEY,  
Personal Representative of THE  
ESTATE OF TROY McCARTNEY,  
Deceased**

Plaintiff

## **CONEMAUGH VALLEY MEMORIAL HOSPITAL**

**Defendant**

No. 2002 - 01242 - CD

**Praeclipe to Enter Judgment of Non Pros**

Filed on Behalf of Defendant

**McIntyre, Dugas, Hartye & Schmitt**

Heather A. Harrington, Esquire  
PA I.D. No. 62977

Frank J. Hartye, Esquire  
PA I.D. No. 25568

P.O. Box 533  
Hollidaysburg, PA 16648

PH (814) 696-3581  
FAX (814) 696-9399

I hereby certify that a true and correct copy of the within has been forwarded to all parties/counsel of record this 25th day of October, 2002.

Martin O'Brien  
Attorney for Defendant

FILED

OCT 29 2002

William A. Shaw  
Prothonotary

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased : IN THE COURT OF COMMON PLEAS  
vs. Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
CONEMAUGH VALLEY MEMORIAL  
HOSPITAL : No. 2002 - 1242 - CD  
Defendant : JURY TRIAL DEMANDED

**PRAECIPE TO ENTER JUDGMENT OF NON PROS**

**TO: PROTHONOTARY**

Kindly enter Judgment of Non Pros in favor of Defendant, CONEMAUGH VALLEY  
MEMORIAL HOSPITAL, for failure to file a Complaint in the above-captioned matter as per Rule  
to do so.

McINTYRE, DUGAS, HARTYE & SCHMITT

By Heather A. Harrington  
Attorneys for Defendant,  
Conemaugh Valley Memorial Hospital

Heather A. Harrington, Esquire  
PA I.D. #62977  
Frank J. Hartye, Esquire  
PA I.D. #25568  
P.O. Box 533  
Hollidaysburg, PA 16648

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff : IN THE COURT OF COMMON PLEAS  
vs. : CLEARFIELD COUNTY, PENNSYLVANIA

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant : No. 2002 - 1242 - CD

Defendant : JURY TRIAL DEMANDED

**10-DAY NOTICE OF INTENT TO TAKE JUDGMENT OF NON PROS**

TO: Thomas E. McCartney, Personal Representative of  
The Estate of Troy McCartney, Deceased  
R.R. #3 Box 140  
Clearfield, PA 16830

DATE OF NOTICE: October 9, 2002

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS OF THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANTS AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

David S. Meholic, Court Administrator  
Clearfield County Courthouse, Clearfield, PA 16830  
814/765-2641 Ext. 5982

**McINTYRE, DUGAS, HARTYE & SCHMITT**

*Heather Harrington*

\_\_\_\_\_  
Attorneys for Defendant

**HEATHER A. HARRINGTON, ESQUIRE**  
PA I.D.#: 62977  
**FRANK J. HARTYE, ESQUIRE**  
PA I.D.#: 25568  
P.O. Box 533  
Hollidaysburg, PA 16648-0533  
PH: (814) 696-3581  
FAX: (814) 696-9399

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

THOMAS E. McCARTNEY,  
Personal Representative of THE  
ESTATE OF TROY McCARTNEY,  
Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL:  
HOSPITAL

Defendant

: No. 2002 - 01242 - CD  
:   
:   
: ISSUE:  
: CERTIFICATE OF SERVICE OF RULE  
: TO FILE COMPLAINT  
:   
: Filed on Behalf of Defendant  
:   
: McIntyre, Dugas, Hartye & Schmitt  
: Heather A. Harrington, Esquire  
: PA I.D. No. 62977  
: Frank J. Hartye, Esquire  
: PA I.D. No. 25568  
: P.O. Box 533  
: Hollidaysburg, PA 16648  
: PH (814) 696-3581  
: FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 29th day of August, 2002.

---

Attorney for Defendant

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff  
vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 2002 - 1242 - CD

JURY TRIAL DEMANDED

**CERTIFICATE OF SERVICE OF RULE TO FILE COMPLAINT**

TO: PROTHONOTARY

You are hereby notified that on the 29<sup>th</sup> day of August, 2002, Defendant, CONEMAUGH  
VALLEY MEMORIAL HOSPITAL, served a Rule upon the Plaintiff, by mailing the original of  
same via First Class Mail, postage prepaid, addressed to the Plaintiff's counsel:

Thomas D. McCartney  
RR #3, Box 140  
Clearfield, PA 16830

McINTYRE, DUGAS, HARTYE & SCHMITT

---

Attorneys for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA. I.D. No. 62977  
P.O. Box 533  
Hollidaysburg, PA 16648-0533  
(814) 696-3581

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Plaintiff  
vs.

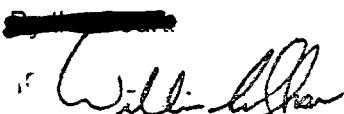
No. 2002 - 1242 - CD

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant JURY TRIAL DEMANDED

**RULE TO FILE COMPLAINT**

AND NOW, this 26th day of August, 2002, Rule is entered on the  
Plaintiff, Thomas E. McCartney, Personal Representative of the Estate of Troy McCartney,  
Deceased, to file a Complaint within twenty (20) days from the date of this ruling.



Dated: August 26, 2002

FILED

Atty pd.  
20.00

10:35 AM  
OCT 29 2002

Notice to Def  
w/ copy of Preceipe

William A. Shaw  
Prothonotary

E  
R23

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
NON PROS

**COPY**

Thomas E. McCartney, Personal Representative  
of the Estate of Troy McCartney, Deceased  
Plaintiff

Vs.

No. 2002-01242-CD

Conemaugh Valley Memorial Hospital  
Defendant

TO: Thomas E. McCartney, Personal Representative of the Estate of Troy McCartney,  
Deceased :

Notice is hereby given that a judgment of non-pros has been entered in the above  
captioned matter pursuant to Praecipe dated October 29, 2002. A copy of said document  
is hereto attached.

Judgment entered of record October 29, 2002.

Sincerely,

William A. Shaw  
Prothonotary

Enclosures