

02-1709-CD
ROBERT S. COCHRAN vs. PATRICIA AITES

In the Court of Common Pleas of Clearfield County, Pennsylvania

Civil Division

Robert S. Cochran

Plaintiff

vs.

Patricia Ailes

Defendant

No. 2002-1709-CN C.D.

File By Patricia Ailes
224 S. Brady St.
DuBois PA 15801
No phone

AFFIDAVIT IN SUPPORT OF PETITION TO PROCEED IN FORMA PAUPERIS

1. I am the Plaintiff/Defendant in the above matter and because of my financial condition I am unable to pay the fees and costs of prosecuting or defending the action or proceeding.
2. I am unable to obtain funds from anyone, including my family, friends and associates, to pay the costs of litigation.
3. I represent that the information below relating to my ability to pay the costs and fees is true and correct.

FILED

a. Name Patricia Ailes OCT 30 2002 Eme
01:24:45 (m)
 Address 224 S. Brady
DuBois PA 15801
 Social Security Number 192 - 52 - 6481 William A. Shaw
Prothonotary
NO CERT COPY

b. Date of last employment _____
 Employer Interim Health Care
 Address 10. Brady St.
DuBois PA 15801
 Salary/Wages..... \$ 7.85 (35 to 40)
 Type of work Home Health (CNA)

c. Other Income:

Business/Profession..... \$ _____
Self-employment..... \$ _____
Interest..... \$ _____
Dividends..... \$ _____
Pension..... \$ _____
Annuities..... \$ _____
Social Security Benefits..... \$ _____
Support Payments..... \$ _____
Disability payments..... \$ _____
Unemployment Compensation/
Supplements Benefits..... \$ _____
Workmen's Compensation..... \$ _____
Public Assistance..... \$ _____
Food Stamps..... \$ \$297.00
Other..... \$ _____

d. Other contributions to my household support (please circle):

Name of Spouse, Boyfriend/Girlfriend, or Roommate/Housemate

Employer _____
Salary/wages per month..... \$ _____
Type of work _____
Contributions from my child(ren)... \$ _____
Contributions from my parent(s),
family members, or any other
individuals..... \$ _____

e. Property Owned:

Cash..... \$ _____
Checking Account..... \$ \$1500
Savings Account..... \$ \$600
Certificates of Deposit..... \$ _____
Real Estate (including home)..... \$ _____
Motor Vehicle(s) - Make 1998 Dodge Dynasty
Year 89
Cost..... \$ 1000
Amount owed..... \$ NONE

Stocks, bonds..... \$ _____
 Other..... \$ _____
 Other..... \$ _____
 Other..... \$ _____

f. I have the following debts:

Utilities: \$ 50.00, explain Elect.
 \$ _____, explain _____
 \$ _____, explain _____
 \$ _____, explain _____
 Groceries: \$ 300.00
 Rent/Mortgage: \$ 250.00, explain Rent
 Loan(s): \$ _____, explain _____
 Auto Expense: \$ _____, explain _____
 Child Care: \$ 200.00, explain Clothes + personly
 Miscellaneous: \$ 290.00, explain Health ins.

g. Person(s) dependent upon you for support:

Wife/Husband's name _____

Children, if any:

| | | | |
|------|----------------------|-----|-----------|
| Name | <u>Mary Harris</u> | Age | <u>13</u> |
| Name | <u>Michael Aites</u> | Age | <u>7</u> |
| Name | <u>Sierra Aites</u> | Age | <u>5</u> |
| Name | _____ | Age | _____ |
| Name | _____ | Age | _____ |
| Name | _____ | Age | _____ |

Other person(s) dependent upon you:

| | | | |
|------|-------|-----|-------|
| Name | _____ | Age | _____ |
| Name | _____ | Age | _____ |
| Name | _____ | Age | _____ |

4. I understand that I have a continuing obligation to inform the Court of improvements in my financial circumstances which would permit me to pay the costs incurred herein.

VERIFICATION

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to Unsworn Falsification to Authorities.

16-30-02

Date

John A. Ais

Petitioner

CONSENT FOR RELEASE OF CONFIDENTIAL INFORMATION

I, Patricia Ailes, having filed with the Court an Affidavit requesting In Forma Pauperis standing, hereby consent to the release of any information which may be requested by the Judges of the Court of Common Pleas of Clearfield County, or by any employee of the Court Administrator's Office acting on the behalf and at the direction of any said Judge, relating to any employment compensation, Worker's Compensation, Social Security, Department of Public Welfare or Black Lung benefits which I may receive from any county, state or federal agency which administers or handles processing of any of the above described benefits. This consent shall also authorize the release to the said Court or designee of any information as to any compensation I am receiving, or have received in the past twelve (12) months, from any full or part-time employment of any type whatsoever.

This consent shall remain in effect for a period of twelve (12) months herefrom. A copy or FAX of this release shall have the same legal effect as the original.

Social Security Number: 192 - 52 - 6481

Board of Assistance Number (food stamps, etc.): 83257

DATE: 10 / 30 / 02 Patricia Ailes
signature

DATE: 10 / 30 / 02

NAME: Patricia Ailes

TELEPHONE NUMBER: () -

ADDRESS: 224 S. Brady St
DuBois PA 15801

OTHER PARTIES INVOLVED: Robert Cochran

REASON FOR FILING THIS PETITION (Write a brief description of your financial problem(s), please be specific. Failure to do so could result in your request being delayed or denied.) (Example: request for filing fee or Mediation Conference fee to be waived due to your inability to submit the required fee because...)

trying to support my kids & keep heat in the
house.

TYPE OF ACTION: (divorce, custody, District Justice appeal, etc. Please specify what type of action you are pursuing through this application.)

District Justice appeal.

In the Court of Common Pleas of Clearfield County, Pennsylvania

Civil Division

Robert S. Cochran

Plaintiff

vs.

Patricia Ailes

Defendant

*
*
*
*
*
*
*
*
*
*

No. 02-1709- C.D.

ORDER

2002 NOW, this 31 day of Oct,
upon consideration of the foregoing Affidavit in Support
of Petition to Proceed in Forma Pauperis, it is the ORDER of this
Court that said Petition is GRANTED / DENIED.

If the Petition is GRANTED, Filing / Mediation Conference
fee is hereby WAIVED.

By the Court,

[Signature]

FILED

OCT 31 2002

William A. Shaw
Prothonotary

FILED 1 cc PJS

~~68~~ 0/1:57SDX
Oct 31 2002

William A. Shaw
Prothonotary

COURT OF COMMON PLEAS

46th

JUDICIAL DISTRICT

CLEARVIEW Co.

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

02-1709-C2

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.

Patricia Aites

NAME OF APPELLANT

224 S. Brady St.

ADDRESS OF APPELLANT

DuBois PA

CITY

MAG. DIST. NO. OR NAME OF D.J.

46-301

STATE

PA

ZIP CODE

15801

DATE OF JUDGMENT

10-21-02

IN THE CASE OF (Plaintiff)

Robert S. Cochran

vs

(Defendant)

Patricia Aites

CLAIM NO.

CV
LT

000562-02

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

+ Peter Aites

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.

Signature of Prothonotary or Deputy

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.

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

Robert Cochran

Name of appellee(s)

, appellee(s), to file a complaint in this appeal

(Common Pleas No.

02-1709-C2

) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

x Peter Aites

Signature of appellant or his attorney or agent

RULE: To

Robert Cochran

Name of appellee(s)

, 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: Oct. 31, 2002.

FILED

012:01 611
OCT 31 2002
Copies to P. Aites

William A. Shaw
Prothonotary

Signature of Prothonotary or Deputy

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.: **46-3-01**
DJ Name: Hon.
PATRICK N. FORD
Address: **309 MAPLE AVENUE**
P.O. BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

PATRICIA AITES
224 S BRADY ST
DUBOIS, PA 15801

NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE

PLAINTIFF: **COCHRAN, ROBERT S.**
NAME and ADDRESS
222 S. BRADY STREET
DUBOIS, PA 15801

VS.
DEFENDANT: **AITES, PATRICIA**
NAME and ADDRESS
224 S BRADY ST
DUBOIS, PA 15801

Docket No.: **LT-0000562-02**
Date Filed: **10/07/02**



THIS IS TO NOTIFY YOU THAT:

Judgment:

☒ Judgment was entered for: (Name) **FOR PLAINTIFF**
COCHRAN, ROBERT S.

☒ Judgment was entered against **AITES, PATRICIA** in a

☒ Landlord/Tenant action in the amount of \$ **579.65** on **10/21/02** (Date of Judgment)

The amount of rent per month, as established by the District Justice, is \$ **250.00**.

The total amount of the Security Deposit is \$ **.00**

| | Total Amount Established by DJ | Less Security Deposit Applied | = | Adjudicated Amount |
|---|--------------------------------|-------------------------------|---|--------------------|
| Rent in Arrears | \$ 500.00 | \$.00 | = | \$ 500.00 |
| Physical Damages Leasehold Property | \$.00 | \$.00 | = | \$.00 |
| Damages/Unjust Detention | \$.00 | \$.00 | = | \$.00 |
| Less Amt Due Defendant from Cross Complaint | | | | \$.00 |
| Interest (if provided by lease) | | | | \$.00 |
| L/T Judgment Amount | | | | \$ 500.00 |
| Judgment Costs | | | | \$ 79.65 |
| Attorney Fees | | | | \$.00 |
| Total Judgment | | | | \$ 579.65 |
| Post Judgment Credits | | | | \$ |
| Post Judgment Costs | | | | \$ |
| Certified Judgment Total | | | | \$ |

☐ Attachment Prohibited/
Victim of Abuse (Act 5, 1996)

☐ This case dismissed without prejudice.

☒ Possession granted.

☐ Possession granted if money judgment is not satisfied by time of eviction.

☐ Possession not granted.

☐ Defendants are jointly and severally liable.

☐ Levy is stayed for _____ days or ☐ generally stayed.

☐ Objection to Levy has been filed and hearing will be held:

Date: _____ Place: _____
Time: _____

IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

IF A PARTY WISHES TO APPEAL ONLY THE MONEY PORTION OF A JUDGMENT INVOLVING A RESIDENTIAL LEASE, THE PARTY HAS 30 DAYS AFTER THE DATE OF ENTRY OF JUDGMENT IN WHICH TO FILE A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION.

THE PARTY FILING AN APPEAL MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THE NOTICE OF APPEAL.

10-21-02 Date **Patrick N. Ford PNF**, District Justice

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

Date _____, District Justice

My commission expires first Monday of January, **2006**.

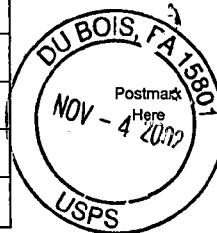
ADPC 315A-99

SEAL

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

| | |
|---|----------------|
| Postage | \$ 3.1 |
| Certified Fee | 1.30 |
| Return Receipt Fee (Endorsement Required) | 2 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.05 |



7001 1940 0000 7712

| | |
|------------------------------------|------------------|
| Sent To | Robert Cochran |
| Street, Apt. No.; or PO Box No. | 222 S. Brady St. |
| City, State, ZIP+4 | DUBOIS PA 15801 |

PS Form 3800, January 2001 See Reverse for Instructions

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

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:

Robert Cochran
222 S. Brady St.
DuBois PA 15801

2. Article Number

(Transfer from service label)


7001 1940 0000 7444 7712

PS Form 3811, August 2001

Domestic Return Receipt

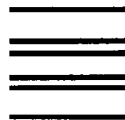
102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

| | | |
|---|--------------------------------|---|
| A. Signature  | | <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee |
| B. Received by (Printed Name) ROBERT COCHRAN | C. Date of Delivery 11/5/02 | |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No | | |

| | | |
|---|--|---|
| 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail | | <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D. |
| 4. Restricted Delivery? (Extra Fee) | | <input type="checkbox"/> Yes |

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box.

Patricia Ayles
224 S. Brady St
DuBois PA 15801



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. 02-1709-CD, upon the District Justice designated therein on (date of service) November 4, 2002, ☒ by personal service ☐ by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) Robert Cochran, on November 4, 2002. ☐ 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 7TH DAY OF November, 2002.

Robert Cochran

Signature of affiant

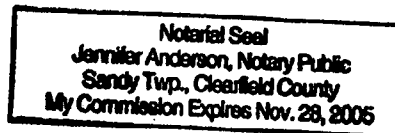
Jennifer Anderson

Signature of official before whom affidavit was made

Notary Public

Title of official

My commission expires on November 28, 2005



FILED

NOV 07 2002
0-11:58 PM
William
Proff

COURT OF COMMON PLEAS

46th
JUDICIAL DISTRICT

CLEARFIRE INC

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

02-1709-CS

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 <u>Dorcia Aites</u> | | MAG. DIST. NO. OR NAME OF D.J. <u>DuBois PA 46301</u> | |
| ADDRESS OF APPELLANT <u>224 S. Brady St.</u> | | CITY <u>PA.</u> | ZIP CODE <u>15801</u> |
| DATE OF JUDGMENT <u>10-21-02</u> | IN THE CASE OF (Plaintiff) <u>Robert S. Cochran</u> vs. (Defendant) <u>Dorcia Aites</u> | | |
| CLAIM NO. <u>CV</u> <u>LT</u> <u>000562-02</u> | SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <u>+ Dorcia Aites</u> | | |

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 Robert Cochran, appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. 02-1709-CS) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

x Dorcia Aites

Signature of appellant or his attorney or agent

RULE: To Robert Cochran, 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: Oct 31, 2002

William L. Shan

Signature of Prothonotary or Deputy

7. From 15 September 2002 to 12 November 2002 Patrica Aites has not paid rent on 224 S Brady St. DuBois Pennsylvania
8. The following is a breakdown of rent owed:
 - a. September \$125.00
 - b. October \$250.00
 - c. November \$250.00
9. The following is a breakdown of District Court Fees for Eviction
 - a. First filling \$79.65
 - b. Order of possession \$11.15
 - c. Lockout \$70.00
10. 22 NOV 2002 Bad check case settled in District Court of DuBois Pa.
11. Total Arrears owed to landlord Robert S Cochran \$775.80

COMPLAINT - VERIFICATION

VERIFICATION

I verify that the statement made in this Complaint are true and correct. I understand that any false statements herein are made subject to the penalties of Pa. C.S. Section 4904 relating to Unsworn Falsification to Authorities.

A handwritten signature in black ink, appearing to read 'Robert S. Cochran', is written over a horizontal line.

ROBERT S COCHRAN

FILED

3 CC

Miss Cochran

01 12 9: 50 AM
NOV 25 2002



William A. Shaw
Prothonotary

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**

DJ Name: Hon.
PATRICK N. FORD

Address: **309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA**

Telephone: **(814) 371-5321 15801**

**PATRICK N. FORD
309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA 15801**

**NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE**

PLAINTIFF: **COCHRAN, ROBERT S.
222 S. BRADY STREET
DUBOIS, PA 15801**

VS.
DEFENDANT: **AITES, PATRICIA
224 S BRADY ST
DUBOIS, PA 15801**

Docket No.: **LT-0000562-02**
Date Filed: **10/07/02**



THIS IS TO NOTIFY YOU THAT:

Judgment:

☒ Judgment was entered for: (Name) **FOR PLAINTIFF
COCHRAN, ROBERT S.**

☒ Judgment was entered against **AITES, PATRICIA** in a

☒ Landlord/Tenant action in the amount of \$ **579.65** on **10/21/02** (Date of Judgment)

The amount of rent per month, as established by the District Justice, is \$ **250.00**.

The total amount of the Security Deposit is \$ **.00**

| | Total Amount Established by DJ | Less Security Deposit Applied | = | Adjudicated Amount |
|---|--------------------------------|-------------------------------|---|--------------------|
| Rent in Arrears | \$ 500.00 | \$.00 | = | \$ 500.00 |
| Physical Damages Leasehold Property | \$.00 | \$.00 | = | \$.00 |
| Damages/Unjust Detention | \$.00 | \$.00 | = | \$.00 |
| Less Amt Due Defendant from Cross Complaint | | | | \$.00 |
| Interest (if provided by lease) | | | | \$.00 |
| L/T Judgment Amount | | | | \$ 500.00 |
| Judgment Costs | | | | \$ 79.65 |
| Attorney Fees | | | | \$.00 |
| Total Judgment | | | | \$ 579.65 |
| Post Judgment Credits | | | | \$ |
| Post Judgment Costs | | | | \$ |
| Certified Judgment Total | | | | \$ |

☐ Attachment Prohibited/
Victim of Abuse (Act 5, 1996)

☐ This case dismissed without prejudice.

☒ Possession granted.

☐ Possession granted if money judgment is not satisfied by time of eviction.

☐ Possession not granted.

☐ Levy is stayed for _____ days or ☐ generally stayed.

☐ Objection to Levy has been filed and hearing will be held:

☐ Defendants are jointly and severally liable.

FILED

NOV 08 2002

**William A. Shaw
Prothonotary**

IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

IF A PARTY WISHES TO APPEAL ONLY THE MONEY PORTION OF A JUDGMENT INVOLVING A RESIDENTIAL LEASE, THE PARTY HAS 30 DAYS AFTER THE DATE OF ENTRY OF JUDGMENT IN WHICH TO FILE A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION.

THE PARTY FILING AN APPEAL MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THE NOTICE OF APPEAL.

10-21-02 Date **Patrick N. Ford - PNF**, District Justice

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

Date _____, District Justice

My commission expires first Monday of January, 2006.

ADPC 315A-99

SEAL

**LANDLORD AND
TENANT COMPLAINT**

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD

Address: **309 MAPLE AVENUE**

P.O. BOX 452

DUBOIS, PA

15801

Telephone: **(814) 371-5321**

PLAINTIFF:

NAME and ADDRESS

ROBERT S. COCHRAN
222 S. BRADY ST
DUBOIS PA 15801

VS.

DEFENDANT:

NAME and ADDRESS

PATRICIA AITES
224 S BRADY ST
DUBOIS PA 15801

Docket No.:

Date Filed:

87562-02



TO THE DEFENDANT: The above named plaintiff(s) asks judgment together with costs against you for the possession of real property and for:

Lease is ☒ Residential ☐ Nonresidential.

☒ Damages for injury to the real property, to wit:

| | Amount | Date Paid |
|---------------|--------|-----------|
| Filing Costs | \$ | / / |
| Postage | \$ | / / |
| Service Costs | \$ | / / |
| Constable Ed. | \$ | / / |
| Total | \$ | / / |

in the amount of: \$ **100.00**

☒ Damages for the unjust detention of the real property in the amount of \$ **200.00**

☒ Rent remaining due and unpaid on filing date in the amount of \$ **250.00**

☒ And additional rent remaining due and unpaid on hearing date \$ **250.00**

THE PLAINTIFF FURTHER ALLEGES THAT:

Total: \$ **500.00**

1. The location and the address, if any, of the real property is: **224 S BRADY ST DUBOIS PA**

2. The plaintiff is the landlord of that property.

3. He leased or rented the property to you or to **PATRICIA AITES** under whom you claim.

4. ☒ Notice to quit was given in accordance with law, or

☐ No notice is required under the terms of the lease.

5. ☐ The term for which the property was leased or rented is fully ended, or

☐ A forfeiture has resulted by reason of a breach of the conditions of the lease, to wit: _____

or,

☐ Rent reserved and due has, upon demand, remained unsatisfied.

6. You retain the real property and refuse to give up its possession.

I, **ROBERT S. COCHRAN** verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C. S. § 4904) relating to unsworn falsification to authorities.

[Signature]
(Signature of Plaintiff)

(Plaintiff's Attorney)

(Address)

(Phone)

IF YOU HAVE A DEFENSE to this complaint you may present it at the hearing. IF YOU HAVE A CLAIM against the plaintiff arising out of the occupancy of the premises, which is in the district justice jurisdiction and which you intend to assert at the hearing, YOU MUST FILE it on a complaint form at this office BEFORE THE TIME set for the hearing. IF YOU DO NOT APPEAR AT THE HEARING, a judgment for possession and costs, and for damages and rent if claimed, may nevertheless be entered against you. A judgment against you for possession may result in your EVICTION from the premises. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

| | | |
|--------------------|---|--|
| ROBERT S. COCHRAN, | : | No. 02 - 1709 C.D. |
| | : | |
| Plaintiff, | : | |
| | : | |
| vs. | : | Type of Case: IN ASSUMPSIT |
| | : | |
| | : | |
| PATRICIA AITES, | : | Type of Pleading: AMENDED COMPLAINT |
| | : | |
| Defendant. | : | |
| | : | Filed by: ROBERT S. COCHRAN, Plaintiff |
| | : | 222 South Brady Street |
| | : | DuBois, PA 15801 |
| | : | |
| | : | |
| | : | (814) 375-5552 |
| | : | |

FILED

DEC 20 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

| | | |
|--------------------|---|--------------------|
| ROBERT S. COCHRAN, | : | |
| | : | |
| Plaintiff, | : | No. 02 - 1709 C.D. |
| | : | |
| vs. | : | |
| | : | |
| | : | In Assumpsit |
| | : | |
| PATRICIA AITES, | : | |
| | : | |
| Defendant. | : | |

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within Twenty (20) days after this Amended Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Amended Complaint or for any other claims or relief requested by the Plaintiff. You may lose money or property or other 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
230 East Market Street, Suite 228
Clearfield, PA 16830
(814) 765-2641 Ext. 5982


Robert S. Cochran, Plaintiff

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

| | | |
|--------------------|---|--------------------|
| ROBERT S. COCHRAN, | : | |
| | : | |
| Plaintiff, | : | No. 02 - 1709 C.D. |
| | : | |
| vs. | : | |
| | : | |
| | : | In Assumpsit |
| PATRICIA AITES, | : | |
| | : | |
| Defendant. | : | |

AMENDED COMPLAINT

NOW, comes ROBERT S. COCHRAN, and files this Amended Complaint as follows:

1. Plaintiff is an adult individual who resides at 222 South Brady Street, DuBois, Clearfield County, Pennsylvania 15801.
2. Defendant, PATRICIA AITES, is an adult individual whose last known physical address was 224 South Brady Street, DuBois, Clearfield County, Pennsylvania 15801. The current physical address of the Defendant, despite investigation, is unknown, however, it has just been ascertained from a search in the records of the United States Postal Service that Defendant has a mailing address of P.O. Box 898, DuBois, Clearfield County, Pennsylvania 15801.
3. On August 1, 2002, Plaintiff leased the premises at 224 South Brady Street, DuBois, Clearfield County, Pennsylvania, to Defendant under an oral residential lease agreement.
4. The terms of the oral lease agreement provided that Defendant would rent the subject premises on a month-to-month basis beginning August 1, 2002, at a monthly rental of

TWO HUNDRED FIFTY DOLLARS (\$250.00) per month, payable in advance on the first day of every month.

5. Defendant entered into possession of the leased premises on August 1, 2002, in accordance with the terms of said lease and paid the rent for the month of August 2002.

6. On or about September 3, 2002, PATRICIA AITES, Defendant, tendered a check to Plaintiff in the amount of SEVENTY-FIVE DOLLARS (\$75.00) for partial payment of the rent for the month of September.

7. On or about September 13, 2002, PATRICIA AITES, Defendant, tendered a check to Plaintiff in the amount of FIFTY DOLLARS (\$50.00) to be applied toward the September rent.

8. On September 16, 2002, Plaintiff received notice from Deposit Bank, DuBois, Pennsylvania, Plaintiff's bank and the bank into which Plaintiff deposited the checks set forth in Paragraphs 6 and 7 above, that the checks in the amount of SEVENTY-FIVE DOLLARS (\$75.00) and FIFTY DOLLARS (\$50.00) tendered by Defendant were returned for insufficient funds.

9. After September 16, 2002, Defendant ceased to pay rent due under the lease, but continued to physically reside in the subject premises until such time as she was physically removed by the Constable on November 12, 2002, pursuant to a judgment by District Magistrate and after appropriate legal proceedings.

10. Plaintiff received the amount of the returned checks, to wit: ONE HUNDRED TWENTY-FIVE DOLLARS (\$125.00), from Defendant after the proceedings before the

District Magistrate, making the balance of the September rent due and owing ONE HUNDRED TWENTY-FIVE DOLLARS (\$125.00).

11. At the time that Defendant left the subject premises, she left on the premises trash, boxes, furniture, clothing and debris, the removal of which will cause Plaintiff to incur certain costs and expenses, and left the subject premises in a dirty and slovenly condition.

12. After Defendant left the premises, Plaintiff notified Defendant on November 22, 2002, that she had until 4:00 p.m. on November 25, 2002, to remove the rest of her belongings including any trash and debris from the subject premises and that the front door would be open as well for the removal of the same from 8:30 a.m. until 4:00 p.m. on November 25, November 26, November 27, and November 28, of 2002, however, Defendant did not make arrangements to remove the same from the subject premises in the time provided to her.

13. The fair and reasonable cost of cleaning and repairing the subject premises and removing the debris and personal property of the Defendant is EIGHTY-NINE DOLLARS and FIFTY CENTS (\$89.50), broken down to represent fee paid to Onyx for debris removal in the amount of FORTY-NINE DOLLARS and FIFTY CENTS (\$49.50) and labor for cleaning and removal of trash and debris in the amount of FORTY DOLLARS (\$40.00).

14. The current amount of rent in arrears is broken down as follows:

| | |
|---|---------------|
| Balance due for the month of September 2002 | \$125.00 |
| Balance due for the month of October 2002 | 250.00 |
| Balance due for the month of November 2002 | <u>250.00</u> |
| For a total amount of: | \$625.00 |

15. Plaintiff has also been forced to incur certain filing costs in the District Magistrate Court in the total amount of ONE HUNDRED SIXTY DOLLARS and EIGHTY CENTS (\$160.80).

WHEREFORE, Plaintiff demands judgment against Defendant as follows:

- (1) in the amount of SIX HUNDRED TWENTY-FIVE DOLLARS (\$625.00) with interest;
- (2) in the amount of EIGHTY-NINE DOLLARS and FIFTY CENTS (\$89.50) for cleaning and removal of debris;
- (3) costs incurred at the District Magistrate Court in the amount of ONE HUNDRED SIXTY DOLLARS and EIGHTY CENTS (\$160.80); and
- (4) costs of this proceeding.



Robert S. Cochran, Plaintiff

VERIFICATION

I verify that the statements made in this Amended Complaint are true and correct to the best of my knowledge, information and belief. I understand that any false statements herein are made subject to the penalties of Pa. C.S. §4904 relating to unsworn falsification to authorities.

Dated: December 20, 2002

A handwritten signature in black ink, appearing to read 'Robert S. Cochran', is written over a horizontal line.

Robert S. Cochran

FILED

DEC 20 2002

0/12:10/12

William A. Shaw
Prothonotary

1 CENT TO PLAIN
FILED BY PLAIN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

| | | |
|--------------------|---|--------------------|
| ROBERT S. COCHRAN, | : | |
| | : | |
| Plaintiff, | : | No. 02 - 1709 C.D. |
| | : | |
| vs. | : | |
| | : | |
| | : | In Assumpsit |
| PATRICIA AITES, | : | |
| | : | |
| Defendant. | : | |

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of December, 2002, I served ^{a certified copy of} the Complaint and Amended Complaint filed in the above-captioned case upon ^{Defendant} ~~Plaintiff~~ PATRICIA AITES, by mailing the same to her by United States First Class mail, postage prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

Ms. Patricia Aites
P.O. Box 898
DuBois, PA 15801



Robert S. Cochran, Plaintiff

Dated: December 20, 2002

FILED

DEC 20 2002

William A. Shaw
Prothonotary/Clerk of Courts

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

Robert Cochran,
Plaintiff

vs.

Patricia Aites,
Defendant

:
:
:
: No.: 02-1709
:
:
: Type of Case: Civil
:
: Type of Pleading: Answer and
: Counterclaim
:
:
: Counsel of Record:
: Robin Jean Foor
: PA ID # 41520
: MIDPENN LEGAL SERVICES
: 211 1/2 East Locust Street
: Clearfield, PA 16830
: (814)765-9646
: (814)765-1396(FAX)

FILED

JAN 10 2003

William A. Shaw
Prothonotary

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

ROBERT S. COCHRAN
Plaintiff

vs.

PATRICIA AITES,
Defendant

:
: NO. 02-1709-CD
:
:
:
:
:
:

TO: Robert S. Cochran

You are hereby notified to file a written response to the enclosed New Matter and Counterclaims within twenty (20) days from service hereof or a judgment may be entered against you.



Robin Jean Foor, Esquire
Attorney for Patricia Aites
MIDPENN LEGAL SERVICES
211 1/2 East Locust Street
Clearfield, PA 16830
(814)765-9646

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

ROBERT S. COCHRAN
Plaintiff

:
: NO. 02-1709-CD
:

vs.

PATRICIA AITES,
Defendant

:
:
:
:
:
:
:

ANSWER AND COUNTERCLAIMS

NOW, defendant Patricia Aites, by and through her attorneys, Robin Jean Foor,
Esquire and MidPenn Legal Services, answers and counterclaims as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied. Defendant's understanding was that the rent was due by the end of the month.
5. Admitted. Further Defendant made the payment in three installments, paying the rent in full before the end of August.
6. Admitted in part. Defendant requested Plaintiff not to deposit said check until September 6, 2002.
7. Admitted.
8. Admitted. Defendant also did not receive notice of the checks being returned until September 16, 2002.
9. Admitted.
10. Admitted.

11. Admitted. Defendant believed she would have until midnight to remove her belongings, but was required to leave at 8:00 pm.

12. Admitted.

13. Defendant has no knowledge as to this allegation. Strict proof is demanded.

14. This allegation is a conclusion of law and requires no answer.

15. Defendant has no knowledge as to this allegation. Strict proof is demanded.

Wherefore, Defendant requests judgment against the Plaintiff.

COUNTERCLAIM I

16. Paragraphs 1-15 are included as if fully set forth.

17. When Defendant moved into the premises, the furnace did not work.

18. Plaintiff assured defendant that the furnace would be fixed before it got cold.

19. On or about September 20, 2002, defendant had to start heating the premises with her gas stove.

20. On or about October 1, 2002, the gas stove failed to function and the defendant had to purchase a kerosun heater to heat the premises.

21. On or about October 15, 2002, defendant contacted the DuBois City Housing Inspector.

22. Plaintiff complained to defendant about using the Kerosn heater.

23. Defendant left a note on the plaintiff's door, indicating that the furnace needed fixed, so she could stop using the kerosun.

24. On November 1, 2002, the Housing Inspector came to the premises, the furnace was not working.

25. Plaintiff fixed the furnace and the furnace started to work on November 1, 2002.

WHEREFORE, defendant request the Court to find that no rent is due for the period from September 20 through November 1, 2002.

COUNTERCLAIM II

26. Paragraphs 1-25 are incorporated here as if fully set forth.

27. Defendant was unable to retrieve several items of personal property.

28. Defendant received a letter from Plaintiff, that she could make arrangements to get her things by contacting him before January 3, 2003.

29. Defendant attempted to telephone plaintiff at the number provided on December 31, 2002 and January 2, 2003 and received a message that the number had been temporarily disconnected at the owner's request.

WHEREFORE, defendant requests that the items be returned to her or that she be reimbursed approximately one thousand four hundred dollars (\$1400).



Robin Jean Foor
Attorney for
MIDPENN LEGAL SERVICES
211 1/2 East Locust Street
Clearfield, PA 16830
(814)765-9646

VERIFICATION

I verify that the statements in the foregoing Answer and Counterclaim are true and correct. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.



Patricia Aites

FILED

3CC



018:37-201
JAN 10 2003

Atty For

William A. Shaw
Prothonotary

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

ROBERT S. COCHRAN
Plaintiff

:
: NO. 02-1709-CD
:

vs.

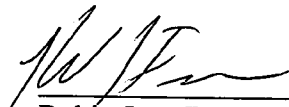
PATRICIA AITES,
Defendant

:
:
:
:
:
:
:

CERTIFICATE OF SERVICE

I, Robin Jean Foor, hereby certify that on January 14, 2003, I mailed a true and correct copy of Defendant's Answer and Counterclaim by the US Postal Service, First Class Mail, postage prepaid to the following:

Robert Cochran
222 S. Brady Street
DuBois, PA 15801



Robin Jean Foor, Esquire
MIDPENN LEGAL SERVICES,
211 1/2 East Locust Street
Clearfield, PA 16830

FILED

JAN 17 2003

**William A. Shaw
Prothonotary**



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

COPY

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 02-1709-CD
Robert S. Cochran vs. Patricia Aites

Dear Robert S. Cochran:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830. The Statement of Intention to Proceed must be filed on or before November 17, 2005.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

David S. Meholic
Court Administrator

FILED

SEP 12 2005

William A. Shaw
Prothonotary/Clerk of Courts

Court of Common Pleas of Clearfield County, Pennsylvania
Civil Division

Robert S. Cochran

Vs.

02-1709-CD

Patricia Aites

Termination of Inactive Case

This case is hereby terminated with prejudice
this 17th day of November, 2005, as per Rule 230.2.



William A. Shaw
Prothonotary

FILED

NOV 17 2005

William A. Shaw
Prothonotary/Clerk of Courts