

02-1968-CD
COMMONWEALTH OF PENNA. VS. MARY ANN BOWES

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

COMMONWEALTH OF
PENNSYLVANIA for use of the
COUNTY OF CLEARFIELD,

Plaintiff

vs.

MARY ANN BOWES,

Defendant

*
*
*
*
* No.: 02-1968-CD
*
*
* Type of Case: Civil
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*
*
* Type of Pleading: Confession of Judgment
*
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*
*
* Filed on Behalf of: Plaintiff
*
*
* Counsel of Record for this Party:
*
* Kim C. Kesner, Esquire
* Supreme Court I.D. #28307
* 23 North Second Street
* Clearfield, PA 16830
*
*
* Other Counsel of Record:
*
*
*
*
*
*

FILED

DEC 20 2002
011:35 AM
William A. Shaw
Prothonotary

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

COMMONWEALTH OF PENNSYLVANIA *
for use of the COUNTY OF CLEARFIELD, *
Plaintiff *
*
* vs. * No.: 02- -CD
*
*
*
*
* MARY ANN BOWES, *
Defendant *

CONFESSON OF JUDGMENT

Pursuant to the authority contained in the Bonds and Warrants copies of which are annexed hereto of Mary Ann Bowes, as surety, for the Defendant, John Lorriane Bowes, such appearing of record in Commonwealth of Pennsylvania vs. John L. Bowes, No. 01-487-CRA following this Court's Bail Forfeiture Order dated October 18, 2002, in accordance with Pa. R. Civ. P. Rule 2951(a), I appear for Mary Ann Bowes and confess judgment in favor of the Plaintiff and against Defendant, Mary Ann Bowes in the monetary sum of Ten Thousand (\$10,000.00) Dollars with interest at the legal rate of six (6%) percent per annum and Plaintiffs filing fees and other taxable costs (to be added) and for forfeiture and sale of the following realty posted as security in this case:

ALL that certain lot or piece of ground situate in the Borough of Osceola Mills, Clearfield County, Pennsylvania, known as Lot No. 305, bounded and described as follows, to wit:

BEGINNING on the North by Hale Street; on the South by Mayes Alley; on the East by French Street and on the West by Lot No. 306, and being known on the general plan of said Osceola Borough as Lot No. 305.

BEING the same premises conveyed to Mary Ann Bowes by Deed of Joseph Selvage and Kathryn E. Selvage by Deed dated January 31, 2000 and recorded in the Office of the Recorder of Deeds as Instrument Number 200001463.



Kim C. Klesner, Solicitor
Attorney for Clearfield County, Plaintiff

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

COMMONWEALTH OF PENNSYLVANIA *
for use of the COUNTY OF CLEARFIELD, *
Plaintiff *
*
vs. * No.: 02- -CD
*
*
*
*
MARY ANN BOWES, *
Defendant *

AFFIDAVIT

Commonwealth Of Pennsylvania :
: \$\$.
County Of Clearfield :

Before me the undersigned authority personally appeared, Kim C. Kesner, Solicitor for Clearfield County who deposes and says that the judgment confessed by him for Defendant, Mary Ann Bowes is not being entered against a natural person in connection with a consumer credit transaction.

Kim C. Kesner

Sworn to and subscribed before me this 20th day of December, 2002.

Dusle
M. D. B. L.

My Commission Expires:

NOTARIAL SEAL
KRISTEN L. ZURAT, NOTARY PUBLIC
CLEARFIELD BORO, CLEARFIELD CO., PA
MY COMMISSION EXPIRES, MAY 7, 2005

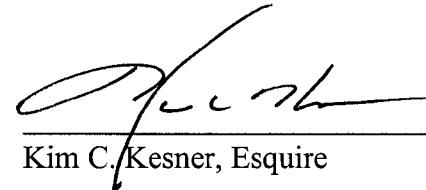
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

COMMONWEALTH OF PENNSYLVANIA *
for use of the COUNTY OF CLEARFIELD, *
Plaintiff *
*
vs. * No.: 02- -CD
*
*
*
*
MARY ANN BOWES, *
Defendant *

CERTIFICATE

I hereby certify that the principal place of business of the Plaintiff is Clearfield County Courthouse, 230 East Market Street, Suite 101, Clearfield, PA 16830 and that the address of the Defendant, is 402 French Street, Osceola Mills, Pennsylvania, 16666.

Date: 12-20-2002



Kim C. Kesner, Esquire

FILED

DEC 20 2002

01:50 (m)
William A. Shaw
Prothonotary

NOTICE TO DEF'T.
STAMINA TO ATTOR KESW
CENS TO DEF'T.
ATTOR KESW

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Commonwealth of Pennsylvania
Plaintiff(s)

No.: 2002-01968-CD

Real Debt: \$10,000.00

Atty's Comm:

Vs. Costs: \$20.00

Int. From:

Mary Ann Bowes
Defendant(s)

Entry: \$

Instrument: Confession of Judgment

Date of Entry: December 20, 2002

Expires: December 20, 2007

Certified from the record this December 20, 2002



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

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

COMMONWEALTH OF PENNSYLVANIA *
for use of the COUNTY OF CLEARFIELD, *
Plaintiff *
*
*
vs. * No.: 02-1968 -CD
*
*
*
*
MARY ANN BOWES, *
Defendant *

NOTICE

NOTICE is given that a judgment in the above-captioned matter has been entered against you on
December 20, 2002, in the amount of \$10,000.00 and for forfeiture and sale of the
following real estate posted as security in this case:

ALL that certain lot or piece of ground situate in the Borough of Osceola Mills, Clearfield County, Pennsylvania, known as Lot No. 305, bounded and described as follows, to wit:

BEGINNING on the North by Hale Street; on the South by Mayes Alley; on the East by French Street and on the West by Lot No. 306, and being known on the general plan of said Osceola Borough as Lot No. 305.

BEING the same premises conveyed to Mary Ann Bowes by Deed of Joseph Selvage and Kathryn E. Selvage by Deed dated January 31, 2000 and recorded in the Office of the Recorder of Deeds as Instrument Number 200001463.

William A. Shaw, Prothonotary



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

COMMONWEALTH OF PENNSYLVANIA *
for the use of the County of *
Clearfield, *
Plaintiff *
*
-vs- * No. 02-1968-CD
*
MARY ANN BOWES, *
Defendant *

Type of Pleading:
Petition to Vacate
Judgment

Filed on Behalf of:
Defendant

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED *cc*
02:53 PM *Am*
JUL 28 2006

Brnd
William A. Shaw
Prothonotary/Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA *
for the use of the County of *
Clearfield, *
Plaintiff *
*
-vs- * No. 02-1968-CD
*
MARY ANN BOWES, *
Defendant *

PETITION TO VACATE JUDGMENT

AND NOW, comes the Defendant, Mary Ann Bowes, by and through her attorney, Richard H. Milgrub, Esquire, who files the following Petition to Vacate Judgment:

1. Your Petitioner, Mary Ann Bowes, is the natural mother of John Bowes.
2. Under docket number 01-487-CR, John Bowes was charged with Receiving Stolen Property.
3. As a result of the charges being filed, Your Petitioner placed her home as security for the Ten thousand dollar (\$10,000.00) cash bail.
4. John Bowes absconded and as a result, on December 20, 2002, the County of Clearfield confessed judgment on the bond against Your Petitioner in the amount of Ten thousand dollars (\$10,000.00), said judgment being entered against Your Petitioner's home.
5. At the time of sentencing, Honorable Fredric J. Ammerman stated in the transcript, "I can't imagine that the County, since he's in custody, is going to proceed against your house.". Attached hereto and marked Exhibit "A" is a copy of the

transcript, Page 10, which refers to the Court's statement.

6. At the time of said sentencing, the County had already taken action and the judgment continues to be filed of record.

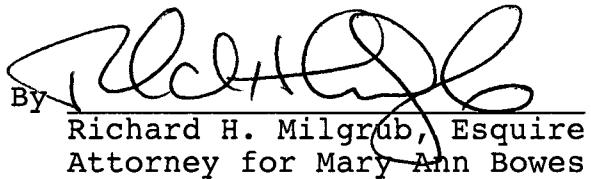
7. John Bowes has successfully completed his sentence and has been released from incarceration.

8. Your Petitioner, as a loving mother, trusted her son.

9. John Bowes is unable to pay the Ten thousand dollars (\$10,000.00) and if the judgment remains on record, Your Petitioner faces the possible sale of her home and/or loss of the Ten thousand dollars (\$10,000.00) if the home is ever to be sold.

10. Your Petitioner only put her home up as security because of the love and affection for her son and should not be punished for her actions.

WHEREFORE, Your Petitioner respectfully requests that a Rule be issued upon the Commonwealth and the County of Clearfield to show cause why said judgment should not be marked satisfied and removed from the record.

By 
Richard H. Milgrub, Esquire
Attorney for Mary Ann Bowes

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

1 you in here getting sentenced.

2 THE COURT: Who's this lady?

3 ATTORNEY MANCHESTER: Your Honor, that's his
4 mother. She wanted -- she approached me earlier about
5 questions about bail, and I can't answer her because I
6 represent Mr. Bowes. She wanted to speak to you.

7 THE COURT: Ma'am, state your name, please.

8 MRS. BOWES-SIMINGTON: It's Mary Ann
9 Bowes-Simington.

10 THE COURT: All right. And you're his mother?

11 MRS. BOWES-SIMINGTON: Yes, I am, Your Honor.

12 THE COURT: I can't imagine that the county,
13 since he's now in custody, is going to proceed against your
14 house.

15 MRS. BOWES-SIMINGTON: I can't believe it
16 either. He told me he wouldn't run, and he told my husband
17 he wouldn't run. We trusted him so far, but he shouldn't
18 have done what he did.

19 I didn't want to lose the house because of this.
20 He's in kindergarten now (pointing), and I didn't want to
21 have to transfer him to a different school. And he lied to
22 me, Your Honor.

23 THE COURT: Is there anything else that you
24 would like to say?

25 MRS. BOWES-SIMINGTON: No. I'd like you to look

I, Mary Ann Bowes, verify that the statements made in the foregoing Petition 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.

Date:

7/28/06

Mary Ann Bowes

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

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

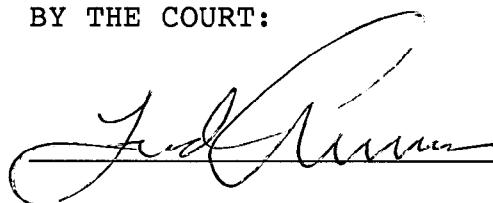
COMMONWEALTH OF PENNSYLVANIA *
for the use of the County of *
Clearfield, *
Plaintiff *
*
-vs- * No. 02-1968-CD
*
MARY ANN BOWES, *
Defendant *

RULE

AND NOW, this 7th day of August, 2006, upon
consideration of the Defendant's Petition to Vacate Judgment, it
is hereby ORDERED and DIRECTED that a Rule be issued upon the
Commonwealth and the County of Clearfield to show cause why said
judgment should not be vacated.

Rule returnable by hearing thereon the 31st day of
August, 2006 at 10:00 A.M. in Courtroom 1 of
the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:



J. D. Shaw

Judge

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED

AUG 08 2006

0/9:36 AM

68
William A. Shaw

Prothonotary/Clerk of Courts

1 Cents to Att

DATE: 8-8-06

You are responsible for serving all appropriate parties.
 The Prothonotary's office has provided service to the following parties:
 Plaintiff(s) Plaintiff(s) Attorney Other
 Defendant(s) Defendant(s) Attorney
 Special Instructions:

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

COMMONWEALTH OF PENNSYLVANIA *
for the use of the County of *
Clearfield, *
Plaintiff *

-vs- * No. 02-1968-CD

MARY ANN BOWES, *
Defendant *

Type of Action:
Civil

Type of Pleading:
Certificate of Service

Filed on Behalf of:
Defendant

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

FILED NO CC
02/23/01
AUG 10 2006 CR

William A. Shaw
Prothonotary/Clerk of Courts

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

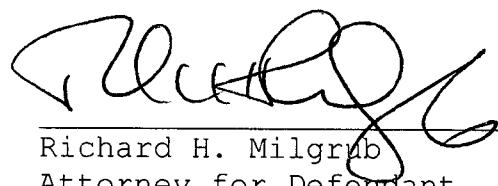
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL SECTION

COMMONWEALTH OF PENNSYLVANIA *
for the use of the County of *
Clearfield, *
Plaintiff *
*
-vs- * No. 02-1968-CD
*
MARY ANN BOWES, *
Defendant *

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the Petition to Vacate Judgment and the Rule scheduling a hearing on said Petition for August 31, 2006 at 10:00 a.m. in the above captioned matter was served upon Kim C. Kesner, Esquire, Clearfield County Solicitor at 23 North 2nd Street, Clearfield, Pennsylvania 16830. Service was made by hand delivery.

Date: 6/10/06



Richard H. Milgrub
Attorney for Defendant

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

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

COMMONWEALTH OF PENNSYLVANIA *
for the use of the County of *
Clearfield, *
Plaintiff *
*
-vs- * No. 02-1968-CD
*
MARY ANN BOWES, *
Defendant *

Type of Action:
Civil

Type of Pleading:
Certificate of Service

Filed on Behalf of:
Defendant

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED NO
012-33471 CC
AUG 10 2006 (60)

William A. Shaw
Prothonotary/Clerk of Courts

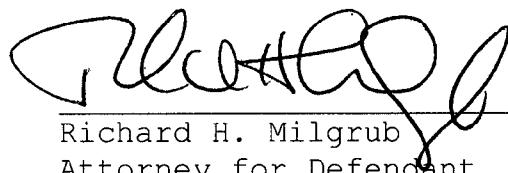
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL SECTION

COMMONWEALTH OF PENNSYLVANIA *
for the use of the County of *
Clearfield, *
Plaintiff *
*
-vs- * No. 02-1968-CD
*
MARY ANN BOWES, *
Defendant *

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the Petition to Vacate Judgment and the Rule scheduling a hearing on said Petition for August 31, 2006 at 10:00 a.m. in the above captioned matter was served upon the District Attorney's Office at the Clearfield County Courthouse, 230 East Market Street, Clearfield, Pennsylvania 16830. Service was made by hand delivery.

Date: 8/10/06



Richard H. Milgrub
Attorney for Defendant

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Commonwealth of Pennsylvania
Plaintiff(s)

No.: 2002-01968-CD

Real Debt: \$10,000.00

Atty's Comm:

Vs.

Costs: \$20.00

FILED
0/11/06 cc + 1 cert
SEP 13 2006 of Sat isue
to Konshler

Int. From:

Mary Ann Bowes
Defendant(s)

Entry: \$

William A. Shaw
Prothonotary/Clerk of Courts

Instrument: Confession of Judgment

Date of Entry: December 20, 2002

Expires: December 20, 2007

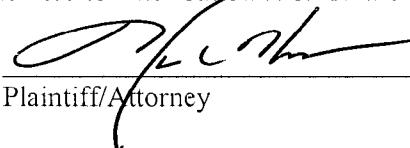
Certified from the record this December 20, 2002



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on 9/11, 2006, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.



Plaintiff/Attorney

FILED

SEP 13 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2002-01968-CD

Commonwealth of Pennsylvania

Debt: \$10,000.00

Vs.

Atty's Comm.:

Mary Ann Bowes

Interest From:

Cost: \$No Charge

NOW, Wednesday, September 13, 2006 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 13th day of September, A.D. 2006.



Prothonotary

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

COMMONWEALTH OF PENNSYLVANIA
for use of the COUNTY OF CLEARFIELD,

Plaintiff

*

*

*

NO. 02-1968-CD

vs.

MARY ANN BOWES,

Defendant

*

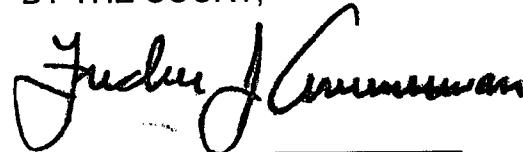
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*

ORDER

AND NOW, this 18th day of September, 2006 the Prothonotary of Clearfield County being in receipt of a check in the amount of \$400.00; it is the ORDER of this Court that Kim Kesner, Esquire, may file the Satisfaction of the Judgment with costs of \$27.00 to be paid by Richard H. Milgrub, Esquire.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED

09/19/2006
SEP 19 2006 Copies -
See reverse

William A. Shaw
Prothonotary/Clerk of Courts

GK

FILED

SEP 19 2006

William A. Shaw
Prothonotary/Clerk of Courts

cc's
Controller
Kissner
McGraw
E. Fox (treasurer)

KIM C. KESNER

23 NORTH SECOND STREET, CLEARFIELD, PA 16830

ATTORNEY AT LAW
attykesner@atlanticbbn.net
kzurat@atlanticbbn.net

(814) 765-1706
FAX (814) 765-7006

September 13, 2006

Carol Fox, Treasurer
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

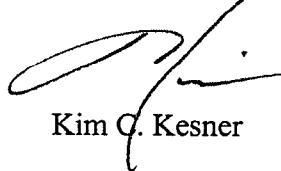
**RE: Commonwealth of Pennsylvania vs. Mary Ann Bowes
Delivery of Ordered Payment**

Dear Carol:

Enclosed is Richard H. Milgrub's check number 2596 dated September 8, 2006 in the sum of \$400.00 being the payment required by Judge Ammerman in his Order dated August 31, 2006 for satisfaction of the judgment entered in the above captioned case. I confessed judgment for \$10,000.00 upon Judge Ammerman's forfeiture of the bail bond posted by Defendant Bowes.

Please contact me if you have any questions or concerns about receipt of deposit of these funds.

Sincerely yours,



Kim C. Kesner

KCK/klz

Enclosure

cc: Fredric J. Ammerman, President Judge
Richard H. Milgrub, Esquire

VIA HAND DELIVERY

RICHARD H MILGRUB
ATTORNEY AT LAW
ESCROW ACCOUNT 1
211 N SECOND STREET
CLEARFIELD, PA 16830

2596

60-627/313

DATE

9/18/06

PAY TO THE
ORDER OF

Clearfield County Treasurer \$ 400.00
Four Hundred 00/100 DOLLARS

Security
Features
Visible on
Back

CNB
COUNTY NATIONAL BANK
MAIN OFFICE, CLEARFIELD, PA

FOR

002596 0313062781 147131710

R. H. Milgrub

MP