

03-30-CD
Mahafey Boro Municipal Auth. vs. STEVEN EISENHOWER, ETAL

COURT OF COMMON PLEAS

CLEARFIELD Co.

JUDICIAL DISTRICT

46TH

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 72003-30-CD

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.

Connie & Steven Eisenhower

NAME OF APPELLANT

x 3080 Water St.

ADDRESS OF APPELLANT

Mahaffey

CITY

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

PA

STATE

15757

ZIP CODE

12-12-02

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

Mahaffey Bor. Munc. Auth. vs Steven G. / Connie L. Eisenhower

(Defendant)

CLAIM NO.

CV
LT

0000158-02

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

Connie L. Eisenhower

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 Mahaffey Bor. Munc. Authority, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. 2003-30-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Connie L. Eisenhower
Signature of appellant or his attorney or agent

RULE: To Mahaffey Bor. Munc. Auth., 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: 1-08-03.

Signature of Prothonotary or Deputy

FILED

JAN 08 2003

01/11/03
William A. Shaw
Prothonotary

100
85

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.: **46-3-04**
DJ Name: Hon. **JAMES L. HAWKINS**
Address: **251 SPRING STREET**
P.O. BOX 362
HOUTZDALE, PA
Telephone: **(814) 378-7160** **16651-0362**

CONNIE EISENHOWER
3080 WATER STREET
MAHAFFEY, PA 15757

1055
NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: NAME and ADDRESS
MAHAFFEY BORO MUNICIPAL AUTHORITY
P.O. BOX 202
MAHAFFEY, PA 15757

VS.
DEFENDANT: NAME and ADDRESS
EISENHOWER, STEVEN, ET AL.
3080 WATER STREET
MAHAFFEY, PA 15757

Docket No.: **CV-0000158-02**
Date Filed: **10/28/02**



03-30-CD

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **MAHAFFEY BORO MUNICIPAL AUTHORITY**

☒ Judgment was entered against: (Name) **EISENHOWER, STEVEN**

in the amount of \$ **1,404.38** on: (Date of Judgment) **12/12/02**

☐ Defendants are jointly and severally liable. (Date & Time) _____

☐ Damages will be assessed on: _____

☐ This case dismissed without prejudice. _____

☐ Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

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

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

Amount of Judgment	\$ 1,295.28
Judgment Costs	\$ 109.10
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,404.38
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

Date: _____ Place: **JAN 03 2003**
Time: _____ **William A. Shaw**
Prothonotary

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

12-12-02 Date **James L. Hawkins**, 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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-04**
DJ Name: Hon. **JAMES L. HAWKINS**
Address: **251 SPRING STREET**
P.O. BOX 362
HOUTZDALE, PA
Telephone: **(814) 378-7160** **16651-0362**

STEVEN EISENHOWER
3080 WATER STREET
MAHAFFEY, PA 15757

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: **MAHAFFEY BORO MUNICIPAL AUTHORITY**
P.O. BOX 202
MAHAFFEY, PA 15757

VS.
DEFENDANT: **EISENHOWER, STEVEN, ET AL.**
3080 WATER STREET
MAHAFFEY, PA 15757

Docket No.: **CV-0000158-02**
Date Filed: **10/28/02**



03-30-CD

THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

☒ Judgment was entered for: (Name) **MAHAFFEY BORO MUNICIPAL AUTHORITY**

☒ Judgment was entered against: (Name) **EISENHOWER, STEVEN**

in the amount of \$ **1,404.38** on: (Date of Judgment) **12/12/02**

☐ Defendants are jointly and severally liable. (Date & Time) _____

☐ Damages will be assessed on: _____

☐ This case dismissed without prejudice. _____

☐ Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

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

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

Amount of Judgment	\$ 1,295.28
Judgment Costs	\$ 109.10
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,404.38
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

Date:	Place:
Time:	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

12-12-02 Date **James L. Hawkins**, 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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-04**
DJ Name: Hon. **JAMES L. HAWKINS**
Address: **251 SPRING STREET**
P.O. BOX 362
HOUTZDALE, PA
Telephone: **(814) 378-7160** **16651-0362**

JAMES L. HAWKINS
251 SPRING STREET
P.O. BOX 362
HOUTZDALE, PA 16651-0362

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: NAME and ADDRESS
MAHAFFEY BORO MUNICIPAL AUTHORITY
P.O. BOX 202
MAHAFFEY, PA 15757

VS.
DEFENDANT: NAME and ADDRESS
EISENHOWER, STEVEN, ET AL.
3080 WATER STREET
MAHAFFEY, PA 15757

Docket No.: **CV-0000158-02**
Date Filed: **10/28/02**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

03 30-02

☒ Judgment was entered for: (Name) **MAHAFFEY BORO MUNICIPAL AUTHORITY**

☒ Judgment was entered against: (Name) **EISENHOWER, CONNIE**

in the amount of \$ **1,404.38** on: (Date of Judgment) **12/12/02**

☐ Defendants are jointly and severally liable. (Date & Time) _____

☐ Damages will be assessed on: _____

☐ This case dismissed without prejudice. _____

☐ Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

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

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

Amount of Judgment	\$ 1,295.28
Judgment Costs	\$ 109.10
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,404.38
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

FILED

Date: _____ Place: **m/11-08/01**
JAN 17 2003
William A. Shaw
Prothonotary

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

12-12-02 Date *James L. Hawkins*, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
1-16-03 Date *James L. Hawkins*, District Justice

My commission expires first Monday of January,

2006

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-04

DJ Name: Hon.

JAMES L. HAWKINS

Address: **251 SPRING STREET**

P.O. BOX 362

HOUTZDALE, PA

Telephone: **(814) 378-7160**

16651-0362

JAMES L. HAWKINS
251 SPRING STREET
P.O. BOX 362
HOUTZDALE, PA 16651-0362

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS

MAHAFFEY BORO MUNICIPAL AUTHORITY
P.O. BOX 202
MAHAFFEY, PA 15757

VS.

DEFENDANT:

NAME and ADDRESS

EISENHOWER, STEVEN, ET AL.
3080 WATER STREET
MAHAFFEY, PA 15757

Docket No.: **CV-0000158-02**

Date Filed: **10/28/02**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **MAHAFFEY BORO MUNICIPAL AUTHORITY**

☒ Judgment was entered against: (Name) **EISENHOWER, STEVEN**

in the amount of \$ **1,404.38** on: (Date of Judgment) **12/12/02**

☐ Defendants are jointly and severally liable. (Date & Time) _____

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to
Attachment/Act 5 of 1996 \$ _____

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

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

Amount of Judgment	\$ 1,295.28
Judgment Costs	\$ 109.10
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,404.38

Post Judgment Credits \$ _____

Post Judgment Costs \$ _____

=====
Certified Judgment Total \$ _____

Date:

Place:

Time:

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

12-12-02 Date *James L. Hawkins*, District Justice

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

1-16-03 Date *James L. Hawkins*, District Justice

My commission expires first Monday of January,

2006

SEAL

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

CONNIE and STEVEN
EISENHOWER,

Appellants

vs.

MAHAFFEY BOROUGH MUNICIPAL
AUTHORITY,

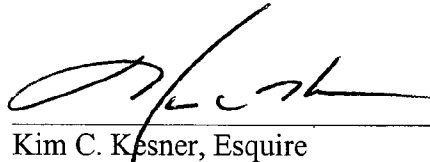
Appellee

: No. 2003-30-CD
:
:
:
:
:
:
:
:

PRAECIPE TO STRIKE APPEAL

To: William A. Shaw, Prothonotary

In accordance with Pa.R.C.P.D.J. Rule 1006, you are requested by the Appellee to mark this appeal stricken from the record for failure of the Appellant to comply with PA.R.C.P.D.J. Rule 1005(B). The Appellant failed to file Proof of Service of Copies of their Notice of Appeal and Proof of Service of the Rule upon the Appellee to file a Complaint within ten (10) days after filing of the Notice of Appeal as required by Rule 1005(B).



Kim C. Kesner, Esquire
Solicitor for Appellee, Mahaffey Borough
Municipal Authority

Supreme Ct. I.D. 28307

23 North Second Street
Clearfield, PA 16830

814-765-1706

FILED

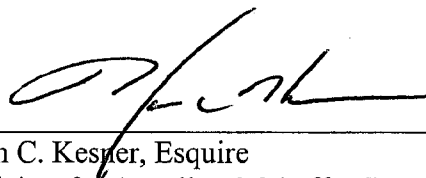
JAN 22 2003

William A. Shaw
Prothonotary

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached Praeceptum to Strike Appeal was served this 22 day of January, 2003 by U.S. First Class Mail, Postage Prepaid upon the following:

Connie & Steven Eisenhower
3080 Water Street
Mahaffey, PA 15757



Kim C. Kesner, Esquire
Solicitor for Appellee, Mahaffey Borough
Municipal Authority

Supreme Ct. I.D. 28307

23 North Second Street
Clearfield, PA 16830

814-765-1706

FILED
JAN 22 2003
01/8/48
William A. Shaw
Prothonotary
1 Notice to Atty Lesner
to serve on Def.

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

APPEAL STRICKEN-RULE 1006

Connie and Steven
Eisenhower
Appellants

Vs.

No. 2003-30-CD

Mahaffey Borough Municipal Authority
Appellee

To: Connie and Steven Eisenhower

Pursuant to Rule 1006 of R.C.P.D.J., notice is hereby given that Appeal filed to the above captioned matter has been stricken pursuant to Praecipe dated January 22, 2003. A copy of said document is hereto attached.

William A. Shaw
Prothonotary