

03-30-CD  
Mahaffey Boro Municipal Auth. vs. STEVEN EISENHOWER, ET AL

## COMMONWEALTH OF PENNSYLVANIA

## COURT OF COMMON PLEAS

CLEARFIELD Co.  
JUDICIAL DISTRICT

46 TTA

## NOTICE OF APPEAL

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 L. Steven Eisenhower

46-3-04

NAME OF APPELLANT

3080 Water St.

Mahaffey

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

ADDRESS OF APPELLANT

12-12-02

PA

15757

ZIP CODE

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

Mahaffey Boro. Munc. Authority Steven G. Connie L. Eisenhower

CLAIM NO.

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

CV 0000158-02

Connie L. Eisenhower

LT

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

**RULE:** To Mahaffey Boro. Munc. Authority, 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

Connie L. Eisenhower  
Signature of Prothonotary or Deputy

FILED

JAN 08 2003

O/11-401/08

William A. Shaw  
Prothonotary  
85

COURT FILE TO BE FILED WITH PROTHONOTARY

## 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**  
**HOOTZDALE, 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**

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

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



**03-30-04**

**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**DEFAULT JUDGMENT PLTF**

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

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	\$ <b>1,295.28</b>
Judgment Costs	\$ <b>109.10</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ 1,404.38</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b>	<b>\$ 1,404.38</b>

**FILED**

*1140 BA*

Date:	Place:	<b>JAN 06 2003</b>
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

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

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

NAME and ADDRESS

DEFENDANT:

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

VS.

NAME and ADDRESS

**STEVEN EISENHOWER**  
**3080 WATER STREET**  
**MAHAFFEY, PA 15757**

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



**03-30-CD**

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

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

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<b>Certified Judgment Total</b> \$ _____	

Date:	Place:
Time:	

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**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**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

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

NAME and ADDRESS

DEFENDANT:

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

NAME and ADDRESS

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

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

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



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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: \_\_\_\_\_

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Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
<b>Certified Judgment Total</b> \$ _____	

**FILED**

*1/11/08 BA  
JAN 17 2003  
GK*

**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**

**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**

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

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



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Judgment:

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

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) \_\_\_\_\_

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Time:	

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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

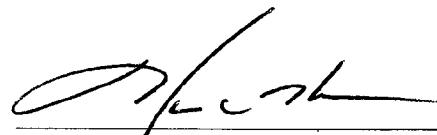
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CONNIE and STEVEN EISENHOWER,	:	No. 2003-30-CD
Appellants	:	
vs.	:	
MAHAFFEY BOROUGH MUNICIPAL AUTHORITY,	:	
Appellee	:	

**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 striken 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**

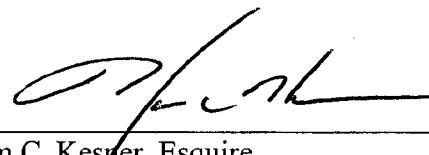
JAN 22 2003

William A. Shaw  
Prothonotary

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the attached Praecipe 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  
AMY VESNER  
2CC

I, Notice to Amy Vesner

William A. Shaw  
Prothonotary

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