

2003-296-CD
DAVE REED

VS

LYNN BUNNELL

COURT OF COMMON PLEAS

CLEARFIELD CO,
JUDICIAL DISTRICT

46TH

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2003-296-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.

NAME OF APPELLANT Lynn Bunnell		MAG. DIST. NO. OR NAME OF D.J. 46-3-02	
ADDRESS OF APPELLANT RR #1 Box 110		CITY Olanta	STATE PA
		ZIP CODE 16863	
DATE OF JUDGMENT 2/3/03	IN THE CASE OF (Plaintiff) Dave Reed		
		(Defendant) Lynn Bunnell	
CLAIM NO. CV 0000589	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT Lynn Bunnell		
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.

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 **Dave Reed**, appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. **2003-296-CD**) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To **Lynn Bunnell**, appellee(s).
Name of appellee(s)

Lynn Bunnell
Signature of appellant or his attorney or agent

(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: **3/3/03**

Willie
Signature of Prothonotary or Deputy

FILED

MAR 03 2003

0121101m

William A. Shaw
Prothonotary

PP 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 BERK; 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 _____

[Signature]

[Signature]

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-02**
DJ Name: Hon. **RICHARD A. IRELAND**
Address: **650 LEONARD STREET**
CLEARFIELD, PA
Telephone: **(814) 765-5335** **16830**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **REED, DAVE**
NAME and ADDRESS
139 WEST MARKET ST
CLEARFIELD, PA 16830

VS.
DEFENDANT: **BUNNELL, LYNN**
NAME and ADDRESS
RR1 BOX 110
OLANTA, PA 16863

LYNN BUNNELL
RR1 BOX 110
OLANTA, PA 16863

Docket No.: **CV-0000589-02**
Date Filed: **12/30/02**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

☒ Judgment was entered for: (Name) **REED, DAVE**

☒ Judgment was entered against: (Name) **BUNNELL, LYNN**

in the amount of \$ **3,575.82** on: (Date of Judgment) **2/03/03**

☐ 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 \$ _____

Amount of Judgment	\$ 3,494.82
Judgment Costs	\$ 81.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,575.82

Post Judgment Credits \$ _____
Post Judgment Costs \$ _____

Certified Judgment Total \$ _____

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.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

FEB 03 2003 Date **Richard Ireland**, 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.: **46-3-02**
DJ Name: Hon.
RICHARD A. IRELAND
Address: **650 LEONARD STREET**
CLEARFIELD, PA
Telephone: **(814) 765-5335** **16830**

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF:
REED, DAVE
139 WEST MARKET ST
CLEARFIELD, PA 16830

VS.
DEFENDANT:
BUNNELL, LYNN
RR1 BOX 110
OLANTA, PA 16863

Docket No.: **CV-0000589-02**
Date Filed: **12/30/02**



RICHARD A. IRELAND
650 LEONARD STREET
CLEARFIELD, PA 16830

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **REED, DAVE**

☒ Judgment was entered against: (Name) **BUNNELL, LYNN**

in the amount of \$ **3,575.82** on: (Date of Judgment) **2/03/03**

☐ 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 \$ _____

FILED

MAR 13 2003

William A. Shaw
Prothonotary

Amount of Judgment	\$ 3,494.82
Judgment Costs	\$ 81.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,575.82
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

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.

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FEB 03 2003

Date **Richard A. Ireland**, District Justice

MAR 11 2003 I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date **Richard A. Ireland**, District Justice

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

SEAL

1 Cent to 14th

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

DAVID W. REED, and TINA M.	*	
REED, husband and wife,	*	
Plaintiffs,	*	
	*	
vs.	*	No. 03 - 296 - CD
	*	
LYNN BUNNELL, an individual,	*	
Defendant.	*	

N O T I C E

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 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 Complaint or for any other claim 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
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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

DAVID W. REED, and TINA M.	*	
REED, husband and wife,	*	
Plaintiffs,	*	
	*	
vs.	*	No. 03 - 296 - CD
	*	
LYNN BUNNELL, an individual,	*	
Defendant.	*	

C O M P L A I N T

NOW COMES the Plaintiffs, DAVID W. REED and TINA M. REED, and by their attorney, James A. Naddeo, Esquire, set forth the following:

1. That the Plaintiffs are David W. Reed and Tina M. Reed, husband and wife, who reside at 203 Turkey Hill Road, Olanta, Pennsylvania 16863.

2. That the Defendant is Lynn Bunnell, an adult individual, who resides at RR1 Box 110, Olanta, Pennsylvania 16863.

COUNT I

3. That at all times referred to herein, Plaintiffs were the owners of property located in the Borough of Clearfield identified as 304 Park Avenue, Clearfield, Pennsylvania.

4. That the premises described in Paragraph 3 hereof contained two (2) residential second floor apartments known as 304A and 304B respectively.

5. That on or about January 1, 2002, Plaintiffs entered into an oral month-to-month lease with Defendant for apartment 304B.

6. That pursuant to the terms of the month-to-month tenancy referred to in Paragraph 5 hereof, Defendant was to pay to Plaintiffs the sum of \$335.00 per month.

7. That Defendant took possession of Plaintiffs' apartment known as 304B on or about January 1, 2002.

8. That Defendant paid rent in the amount of \$335.00 per month for the months of January, February, March and April 2002.

9. That commencing in May 2002, Defendant failed to pay the rent owed to Plaintiffs and persisted in that failure until the middle part of December 2002 when Defendant, without notice to Plaintiffs, vacated the premises.

10. That at the time Defendant vacated the premises, Defendant had failed to pay rent due to Plaintiffs commencing in May 2002 to December 2002 in the total amount of \$2,680.00 or \$335.00 per month.

11. That Plaintiffs have made demand upon Defendant to pay the rent owed, but Defendant has failed and/or refused to pay.

WHEREFORE, Plaintiffs demand judgment against Defendant in the amount of \$2,680.00 with interest thereon as allowable by law.

COUNT II

12. Plaintiffs incorporate Paragraphs 3 through 12 of their Complaint by reference and make them a part hereof.

13. That Defendant vacated Plaintiffs' premises without notice to Plaintiffs during the middle of December 2002.

14. That during the time Defendant occupied Plaintiffs' premises Defendant damaged the stove in the apartment to the extent that it had to be replaced at a cost to Plaintiffs in the amount of \$314.82.

15. That when Defendant vacated Plaintiffs' premises, she left the property in a serious state of uncleanness and disrepair.

16. That Plaintiffs were required to expend the sum of \$275.00 to clean their property and to haul away refuse left on the premises by Defendant.

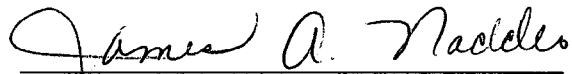
17. That when Defendant vacated Plaintiffs' premises, she failed to fill the oil tank servicing the apartment occupied by Defendant as required by the terms of the parties' oral lease agreement.

18. That Plaintiffs were required to expend the sum of \$225.00 to fill the oil tank left empty by the Defendant.

19. That Plaintiffs have made demand upon Defendant to reimburse them for the stove, cleaning charges and fuel charges incurred by Plaintiffs, but Defendant has failed and/or refused to pay.

WHEREFORE, Plaintiffs claim damages in the amount of \$814.82 with interest thereon as allowable by law.

Respectfully submitted,



James A. Naddeo, Esquire
Attorney for Plaintiffs

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

DAVID W. REED, and TINA M. *
REED, husband and wife, *
 Plaintiffs, *

vs. *

No. 03 - 296 - CD


LYNN BUNNELL, an individual, *
 Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Complaint filed in the above-captioned action was served on the following person and in the following manner on the 21st day of March, 2003:

First-Class Mail, Postage Prepaid

Lynn Bunnell
RR1 Box 110
Olanta, PA 16863


James A. Naddeo, Esquire
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)
) ss.
COUNTY OF CLEARFIELD)

SS.

COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared DAVID W. REED, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

X David W. Reed
David W. Reed

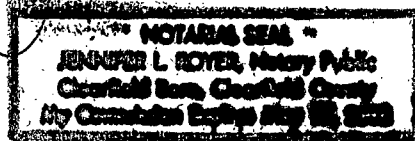
David W. Reed

SWORN and SUBSCRIBED before me this 19th day of March, 2003.

Jennifer L. Royer

NOTARIAL SEAL

ILLINOIS - JENNIFER L. ROYER, Notary Public



JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

William A. Shaw
Prothonotary

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

DAVID W. REED, and TINA M. *
REED, husband and wife, *
 Plaintiffs, *

vs. *

No. 03 - 296 - CD

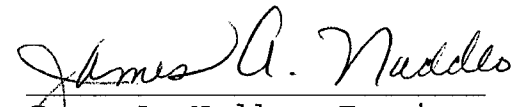
LYNN BUNNELL, an individual, *
 Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Notice of Default filed in the above-captioned action was served on the following person and in the following manner on the 16th day of April, 2003:

First-Class Mail, Postage Prepaid

Lynn Bunnell
RR1 Box 110
Olanta, PA 16863


James A. Naddeo, Esquire
Attorney for Plaintiffs

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

William A. Shaw
Prothonotary

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

DAVID W. REED, and TINA M.	*	
REED, husband and wife,	*	
Plaintiffs,	*	
	*	
vs.	*	No. 03 - 296 - CD
	*	
LYNN BUNNELL, an individual,	*	
Defendant.	*	


PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter judgment of default in favor of Plaintiff, David W. Reed and Tina M. Reed, and against Defendant, Lynn Bunnell, for her failure to plead to the Complaint in this action within the required time. The Complaint contains a Notice to Defend within twenty (20) days from the date of service thereof. Defendant, Lynn Bunnell, was served on March 21, 2003. Her answer was due to be filed on April 10, 2003.

Attached as Exhibit "A" is a copy of Plaintiff's written Notice of Intention to File Praecipe for Entry of Default Judgment as well as copy of Certificate of Service marked Exhibit "B" showing the date of service of the Default Judgment which I certify was mailed by regular mail to the Defendant on April 16, 2003, which is at least ten days prior to the filing of this Praecipe.

Judgment to be entered in the amount of \$3,494.82 plus
interest from March 21, 2003.



James A. Naddeo
Attorney for Plaintiff

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

DAVID W. REED, and TINA M. *
REED, husband and wife, *
 Plaintiffs, *

vs. * No. 03 - 296 - CD

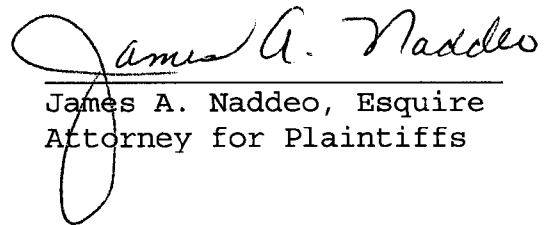
LYNN BUNNELL, an individual, *
 Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Praecipe for Entry of Default Judgment filed in the above-captioned action was served on the following person and in the following manner on the 14th day of May, 2003:

First-Class Mail, Postage Prepaid

Lynn Bunnell
RR1 Box 110
Olanta, PA 16863


James A. Naddeo, Esquire
Attorney for Plaintiffs

m 4/16/03
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

DAVID W. REED, and TINA M.
REED, husband and wife,
Plaintiffs,

vs.

LYNN BUNNELL, an individual,
Defendant.

*
*
*
*
*
*
*
*

No. 03 - 296 - CD

To: Lynn Bunnell

Date of Notice: April 16, 2003

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AND YOU MAY LOSE YOUR 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:

Court Administrator
Clearfield County Court House
Market and Second Streets
Clearfield, PA 16830
(814) 765-2641 Ext. 5982

James A. Naddeo

James A. Naddeo
211 1/2 E. Locust Street
Clearfield, PA 16830
(814) 765-1601

F-4/16/03

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

DAVID W. REED, and TINA M. *
REED, husband and wife, *
 Plaintiffs, *
 *
 *

vs.

No. 03 - 296 - CD

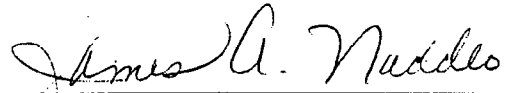
LYNN BUNNELL, an individual, *
 Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Notice of Default filed in the above-captioned action was served on the following person and in the following manner on the 16th day of April, 2003:

First-Class Mail, Postage Prepaid

Lynn Bunnell
RR1 Box 110
Olanta, PA 16863


James A. Naddeo, Esquire
Attorney for Plaintiffs

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

FILED

Att. pd. 20.00

87 01/11/00 BT Notice to Def.

MAY 14 2003

Statement to Attg

William A. Shaw
Prothonotary

COPY

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

DAVID W. REED, and TINA M. *
REED, husband and wife, *
 Plaintiffs, *
 *

vs.

No. 03 - 296 - CD

LYNN BUNNELL, an individual, *
 Defendant. *

NOTICE

NOTICE is given that a JUDGMENT in the above captioned
matter has been entered against you in the amount of \$3,494.82
with interest from March 21, 2003.

PROTHONOTARY

By _____

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

COPY

Dave Reed and
Tina M. Reed
Plaintiff(s)

No.: 2003-00296-CD

Real Debt: \$3,494.82

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Lynn Bunnell
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 14, 2003

Expires: May 14, 2008

Certified from the record this 14th day of May, 2003.

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