

03-306-CD
E.M. Brown, Inc. - vs - James Hile et al

PETER F. SMITH

ATTORNEY

2 CLEARFIELD, PA. 16830

814-765-5555

CERTIFIED TRUE AND CORRECT COPY

ATTORNEY FOR

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

E. M. BROWN, INC.

Plaintiffs

vs.

JAMES HILE, et al
d/b/a COLORS GALORE

Defendant

No. 2003- *306* - CD

P R A E C I P E

To: William A. Shaw, Prothonotary

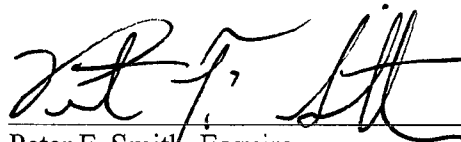
Dear Mr. Shaw:

Attached hereto and incorporated herein by reference is a true and correct copy of the Notice of Judgment entered by District Justice Richard A. Ireland in favor of the Plaintiff and against the Defendant.

Please enter Judgment in favor of the Plaintiff and against the Defendant in the amount of \$1,911.04.

Respectfully submitted,

Date: *3/3/03*



Peter F. Smith, Esquire
Attorney for Plaintiff

FILED

MAR 04 2003

William A. Shaw
Prothonotary

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**

RICHARD A. IRELAND
650 LEONARD STREET
CLEARFIELD, PA 16830

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: NAME and ADDRESS

EM BROWN, INC.
329 MT JOY ROAD
PO BOX 767
CLEARFIELD, PA 16830

VS.

DEFENDANT: NAME and ADDRESS

HILE, JAMES, ET AL.
RD1, BOX 318
CLEARFIELD, PA 16830

Docket No.: **CV-0000501-02**
Date Filed: **10/25/02**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF**

☒ Judgment was entered for: (Name) **EM BROWN, INC.**

☒ Judgment was entered against: (Name) **JAMES HILE DBA COLORS GALORE**

in the amount of \$ **1,911.04** on: (Date of Judgment) **1/06/03**

☐ 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	\$ 1,844.04
Judgment Costs	\$ 67.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,911.04
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.

JAN 06 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 **Richard Ireland**, District Justice

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

SEAL

FILED

P18, pt. 2000

Of 1:56:18
MAR 04 2003

Notice to Def.

Statement to Atty P. Smith

~~Dr~~ William A. Shaw
~~Dr~~ Prothonotary

COPY

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

E.M. BROWN, INC

Plaintiff

vs.

JAMES HILE et al

d/b/a COLORS GALORE

Defendant

No. 2003-306-CD

Notice is given that a judgment has been entered of record in Clearfield County against James Hile et al d/b/a Colors Galore, Defendant and in favor of the Plaintiff, plus interest and costs \$1,911.04.

Prothonotary

By _____, Deputy

3/4/03

Rule of Civil Procedure No. 236

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

COPY

E. M. Brown, Inc.
Plaintiff(s)

No.: 2003-00306-CD

Real Debt: \$1,911.04

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

James Hile
Colors Galore
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: March 4, 2003

Expires: March 4, 2008

Certified from the record this 4th day of March, 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

PETER F. SMITH
ATTORNEY
CLEARFIELD, PA. 16830
814 765-5595

CERTIFIED TRUE AND CORRECT COPY

ATTORNEY FOR

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

E. M. BROWN, INC.,
Plaintiff

vs.

JAMES HILE et al
d/b/a COLORS GALORE
Defendant

No. 2003- 306-CD

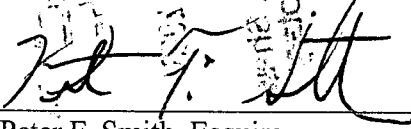
CERTIFICATE OF ADDRESS

I, Peter F. Smith, attorney for Plaintiff, certify that to the best of my information, knowledge and belief, the correct name and address of the Plaintiff and the last known address of James Hile et al., d/b/a Colors Galore Defendant hereto are:

Plaintiff: E. M. Brown, Inc.
P.O. Box 767
Clearfield, PA 16830

Defendant: James Hile et al
d/b/a Colors Galore
RD #1 Box 318
Clearfield, PA 16830

Date: 3/3/03


Peter F. Smith, Esquire
Attorney for Plaintiff

FILED

MAR 04 2003

William A. Shaw
Prothonotary

FILED
NO
CC
MAR 15 2003
MAR 6 4 2003
William A. Shaw
Prothonotary

FILED

MAR 15 2003

Prothonotary
William A. Shaw

PETER F. SMITH

ATTORNEY
CLEARFIELD, PA. 16830
814 - 765-5595

CERTIFIED TRUE AND CORRECT COPY

ATTORNEY FOR

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

E.M. BROWN, INC.,
Plaintiff

vs.

JAMES HILE and JAMES HILE, d/b/a
COLORS GALORE,
Defendant

&

CLEARFIELD BANK & TRUST COMPANY
Garnishee

No. 2003-306-CD

FILED *Plff pd.*
01/17/04 *iccc 20.00*
OCT 27 2004 *le writs to*
Shff
William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE FOR WRIT OF EXECUTION

TO: William A. Shaw, Sr., Prothonotary

Dear Sir:

1. Kindly issue a writ of execution in the above matter directed to the Sheriff of
CLEARFIELD County against JAMES HILE and JAMES HILE, d/b/a COLORS GALORE,
Defendant, and CLEARFIELD BANK & TRUST COMPANY, Garnishee.

2. This Writ should be indexed against:

- a. JAMES HILE and JAMES HILE, d/b/a COLORS GALORE, Defendant;
and,
- b. CLEARFIELD BANK & TRUST COMPANY, Garnishee

and the following property:

All cash, accounts, deposits, or other personal property, tangible or
intangible, owned by, owing to or held on behalf of the Defendant, JAMES
HILE and JAMES HILE, d/b/a COLORS GALORE, including but not
limited to Account No. 12497010.

3. The amounts due are as follows:

a)	Amount of Judgment	\$1,844.04
b)	Costs of District magistrate Judgment	\$ 67.00
c)	Interest accrued at 6% per annum or \$0.30 per day from 01/06/03	\$_____

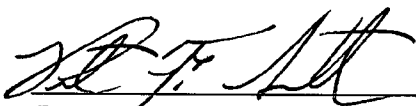
PRELIMINARY TOTAL \$_____

d) Prothonotary costs \$ 40.00

FINAL TOTAL \$_____

Respectfully submitted,

Date: 10-8-04



Peter E. Smith, Esquire
Attorney for Plaintiff

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

E.M. BROWN, INC,

Plaintiff

vs.

No. 2003-306-CD

JAMES HILE and JAMES HILE, d/b/a
COLORS GALORE,

Defendant

&

CLEARFIELD BANK & TRUST COMPANY

Garnishee

**WRIT OF EXECUTION
NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may also have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing; and, (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to Court ready to explain your exemption. If you do not come to Court to prove your exemptions, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE 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
Clearfield, PA 16830
(814) 765-2541

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

E.M. BROWN, INC.,

Plaintiff

vs.

No. 2003-306-CD

JAMES HILE and JAMES HILE, d/b/a

COLORS GALORE,

Defendant

&

CLEARFIELD BANK & TUST COMPANY,

Garnishee

WRIT OF EXECUTION

Commonwealth of Pennsylvania/County of Clearfield
To the Sheriff of Clearfield County

To satisfy the judgment, interest, costs and attorney's commission against the Defendant above:

1. You are directed to levy upon the property owned by the Defendant as follows:

All cash, chattel, tangible personal property, intangible personal property or choses in action owned by, owing to or held on behalf of the Defendant, JAMES HILE and JAMES HILE, d/b/a COLORS GALORE.

2. You are also directed to attach the property of the defendant not levied upon in the possession of: CLEARFIELD BANK & TRUST COMPANY, GARNISHEE, as follows:

All cash, chattel, tangible personal property, intangible personal property or chooses in action owned by, owing to or held on behalf of the Defendant, JAMES HILE and JAMES HILE, d/b/a COLORS GALORE, including but not limited to Account No. 12497010.

and to notify the garnishee that: (a) an attachment has been issued; (b) the garnishee are enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;

3. If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

4. Amounts due:

a)	Amount of Judgment	\$1,844.04
b)	Costs of District Magistrate Judgment	\$ 67.00
c)	Interest accrued at 6% per annum or \$0.30 per day from 01/06/03	\$_____

	Preliminary Total	\$_____
--	-------------------	---------

d)	Prothonotary's costs	\$ <u>40.00</u>
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	FINAL TOTAL	\$_____
--	--------------------	----------------

Prothonotary

By: _____
Deputy

William L. Lister
By 10/27/04

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

E.M. BROWN, INC.,

Plaintiff

vs.

No. 2003-306-CD

JAMES HILE and JAMES HILE, d/b/a
COLORS GALORE,

Defendant

&

CLEARFIELD BANK & TRUST COMPANY,
Garnishee

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which had been levied upon,

(a) I desire that my \$300.00 statutory exemption be

____ (i) Set aside in kind (specify property to be set aside in kind):

____ (ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300.00 statutory exemption: ____ in cash ____ in kind (specify property):

(b) Social Security benefits on deposit in the amount of \$_____.

(c) Other (specify amount and basis of exemption):

I request a prompt court hearing to determine the exemption. Notice of hearing should be given to me at:

Address

Phone Number

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsifications to authorities.

Date: _____

Defendant

**THIS CLAIM TO BE FILED WITH
THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY**

Clearfield County Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 statutory exemption
2. Bibles, schoolbooks, sewing machines, uniforms, and equipment
3. Most wages and unemployment compensation
4. Social security benefits
5. Certain retirements funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

ATTORNEY

P.O. BOX 130

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

PETER F. SMITH

ATTORNEY
CLEARFIELD, PA. 16830
814 - 765-5595

CERTIFIED TRUE AND CORRECT COPY

ATTORNEY FOR

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

E. M. BROWN, INC.,
Plaintiff

vs.

JAMES HILE and JAMES HILE, d/b/a
COLORS GALORE,
Defendant

and

CLEARFIELD BANK & TRUST COMPANY
Garnishee

No. 2003-306-CD

**INTERROGATORIES IN AID OF
EXECUTION BY GARNISHEE**

Filed on Behalf of:
PLAINTIFF

Counsel of Record for Plaintiff:
Peter F. Smith
PA Supreme Court ID #34291
30 South Second Street
P.O. Box 130
Clearfield, PA 16830
(814) 765-5595

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

E.M. BROWN, INC.,
Plaintiff

vs.

No. 2003-306-CD

JAMES HILE and JAMES HILE, d/b/a
COLORS GALORE,
Defendant

and

CLEARFIELD BANK & TRUST COMPANY
Garnishee

INTERROGATORIES IN AID OF EXECUTION BY GARNISHEE

TO: CLEARFIELD BANK & TRUST COMPANY, Garnishee

YOU ARE REQUIRED TO FILE ANSWERS UNDER OATH TO THE FOLLOWING INTERROGATORIES WITHIN TWENTY (20) DAYS AFTER SERVICE UPON YOU. FAILURE TO DO SO MAY RESULT IN A JUDGMENT AGAINST YOU.

1. At the time you were served or at any subsequent time, has the Defendant maintained a checking, savings, commercial, or other type of account at your institution either as owner, agent, maker, interest party or in any other capacity? This is including but not limited to Account No. 12497010.

2. If the answer to Interrogatory No. 1 is "yes", state for each account:

a) Names in which such account(s) were maintained;

b) Names and addresses of all persons or entities having an interest therein;

c) Names and addresses of all persons or entities authorized to draw thereon;

- d) Account number;
- e) Location of office where account(s) is maintained;
- f) Date opened;
- g) Dollar amount therein on date of service;
- h) Date and amount of each deposit or withdrawal there from after the date of service;

3. At the time you were served or at any subsequent time, did you have in your possession, custody or control (as fiduciary, trustee or otherwise) any property, tangible or intangible, in which the Defendant had any interest whatsoever, including, but not limited to, trust accounts, certificates of deposit, pledges, promissory notes, etc.?

4. If the answer to Interrogatory No. 3 is "yes", state:

- a) Brief description thereof;
- b) Location thereof;
- c) Date that you received same;

- d) Dollar amount or value thereof;
- e) Terms upon which the property is being held;
- f) Names and addresses of all persons, entities or companies having an interest therein;

5. Did you at the time these Interrogatories were served or thereafter hold as Custodian or Fiduciary any Retirement Account, IRA, Pension, Profit Sharing, 401-K or similar retirement account or fund on behalf of the Defendant or for his benefit, and if so, please identify the account by number and provide the present value of the Defendant's interest therein?

6. At that time you were served or at any subsequent time, did you have a security interest in any property in which the Defendant had an interest, either individually or jointly, with any other party or were you holding any document of title or other collateral of any land as security for any loan or time purchase transaction in which your institution was a party?

7. If the answer to Interrogatory No. 5 is "yes", state for each loan:

- a) Names and addresses of all parties thereto;
- b) Original loan amount and present balance owed;
- c) Amount of monthly payments and whether current;
- d) With regard to the collateral for such loan, the names and addresses of the owners thereof, a brief description thereof, and addresses of the owners thereof, a brief description of the collateral and the dollar amount or value thereof;

8. If the answer to Interrogatory No. 6 includes motor vehicles, are you listed as an encumbrance holder on the Certificate of Title and do you physically possess such Certificate?

9. If the answer to Interrogatory No. 7 is "yes", for each such motor vehicle, state the year, make and type, title number and vehicle identification number.

10. At the time you were served or at any subsequent time, did the Defendant maintain any safe-deposit box with your institution, either as owner, agent, trustee or in any other capacity, whether in their own name(s) or under any other name?

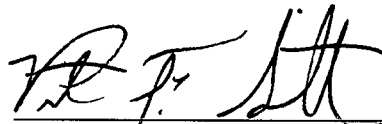
11. If the answer to Interrogatory No. 9 is "yes" state:

- a) Name and address of each person or other entity to whom the safe-deposit box is rented;
- b) Name of office where box is located and the number of such box;
- c) Name and address of each person or other entity having access to the box;
- d) Date such box was originally rented;
- e) Whether access was made to such box subsequent to the time you were served with these Interrogatories.

12. At the time you were served or at any subsequent time, did you hold as agent, custodian or in any other capacity for Defendant any corporate stocks, bonds, rights, warrants, dividends, interest or any other evidence of ownership of corporate securities, any mutual fund shares, any municipal bonds or municipal bond funds?

13. If the answer to Interrogatory No. 11 is "yes", please set out the name of each company or corporation in which you hold interests for Defendant, the quantity of such interests, the nature of such interests and the precise name in which you hold such interests.

Date 8-8-04

A handwritten signature in black ink, appearing to read "P. F. Smith", written over a horizontal line.

Peter F. Smith, Esquire
Attorney for Plaintiff

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

E.M. BROWN, INC.,

PLAINTIFF

VS.

NO. 2003-306-CD

JAMES HILE and JAMES HILE, d/b/a
COLORS GALORE,

DEFENDANT

AND

CLEARFIELD BANK & TRUST COMPANY
GARNISHEE

To: The Prothonotary of Clearfield County

The Clearfield Bank & Trust Company, Garnishee, files answers to plaintiff's interrogatories as follows:

The answer to the plaintiff's interrogatories to #1 is No.

The answer to the plaintiff's interrogatories to #2 is No:

- a. N/A
- b. N/A
- c. N/A
- d. N/A
- e. N/A
- f. N/A
- g. N/A
- h. N/A

The answer to the plaintiff's interrogatories to #3 is No.

The answer to the plaintiff's interrogatories to #4 is No.

- a. N/A
- b. N/A
- c. N/A
- d. N/A
- e. N/A
- f. N/A

The answer to the plaintiff's interrogatories to #5 is No.

The answer to the plaintiff's interrogatories to #6 is Yes.

The answer to the plaintiff's interrogatories to #7 is:

- a. James P. Hile
Shirley J. Hile
RR 1, Box 318
Clearfield, PA 16830
- b. \$43,000, \$10,206.75

FILED
09:21 AM 2005
FEB 25 2005
William A. Shaw
Prothonotary

- c. - Monthly Payment \$473.99, Past Due
- d. Residence Address: Same as above, no current information available regarding value of collateral

The answer to the plaintiff's interrogatories to #8 is N/A.

The answer to the plaintiff's interrogatories to #9 is N/A.

The answer to the plaintiff's interrogatories to #10 is No.

The answer to the plaintiff's interrogatories to #11 is N/A.

- a. N/A
- b. N/A
- c. N/A
- d. N/A
- e. N/A

The answer to the plaintiff's interrogatories to #12 is No.

The answer to the plaintiff's interrogatories to #13 is N/A.

Date February 24, 2005



Lori A. Kurtz
Collection Manager
Clearfield Bank & Trust Company

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20034
NO: 03-306-CD

PLAINTIFF: E. M. BROWN, INC.
vs.
DEFENDANT: JAMES HILE AND JAMES HILE, D/B/A COLORS GALORE

Execution PERSONAL PROPERTY / INTERROGATORIES

SHERIFF RETURN

DATE RECEIVED WRIT: 10/27/2004

LEVY TAKEN @

POSTED @

SALE HELD

SOID TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 9/27/2011

FILED

9/8:41am
SEP 27 2011

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED JAMES HILE AND JAMES HILE, D/B/A COLORS GALORE
AFTER SEVERAL ATTEMPTS TO SERVE JAMES HILE, DEPUTIES WERE NOT ABLE TO SERVE OR LEVY,
DEFENDANT CAME TO SHERIFF'S OFFICE INFORMED US HE WAS GOING TO CONTACT E. M. BROWN

1/14/2005 @ 2:47 PM SERVED CLEARFIELD BANK & TRUST COMPANY

SERVED CLEARFIELD BANK & TRUST COMPANY, GARHISHEE, BY HANDING TO CATHY JACOBSON,
MANAGER OF CLEARFIELD BANK & TRUST CO., 11 NORTH SECOND STREET, CLEARFIELD COUNTY,
CLEARFIELD, PENNSYLVANIA

ATRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE AND BY MAKING
KNOWN TO HER THE CONTENTS THEREOF.

@ SERVED
NOW, SEPTEMBER 27, 2011 RETURN WRIT AS TIME EXPRIED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20034
NO: 03-306-CD

PLAINTIFF: E. M. BROWN, INC.

vs.

DEFENDANT: JAMES HILE AND JAMES HILE, D/B/A COLORS GALORE



Execution PERSONAL PROPERTY / INTERROGATORIES

SHERIFF RETURN

SHERIFF HAWKINS \$43.48

SURCHARGE \$30.00 PAID BY PLAINTIFF

So Answers,



Chester A. Hawkins
Sheriff

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

E.M. BROWN, INC,

Plaintiff

vs.

No. 2003-306-CD

JAMES HILE and JAMES HILE, d/b/a

COLORS GALORE,

Defendant

&

CLEARFIELD BANK & TRUST COMPANY

Garnishee

**WRIT OF EXECUTION
NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may also have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

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COURT ADMINISTRATOR
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2541

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

E.M. BROWN, INC.,
Plaintiff

vs.

No. 2003-306-CD

JAMES HILE and JAMES HILE, d/b/a
COLORS GALORE,
Defendant

&

CLEARFIELD BANK & TUST COMPANY,
Garnishee

WRIT OF EXECUTION

Commonwealth of Pennsylvania/County of Clearfield
To the Sheriff of Clearfield County

To satisfy the judgment, interest, costs and attorney's commission against the Defendant above:

1. You are directed to levy upon the property owned by the Defendant as follows:

All cash, chattel, tangible personal property, intangible personal property or choses in action owned by, owing to or held on behalf of the Defendant, JAMES HILE and JAMES HILE, d/b/a COLORS GALORE.

2. You are also directed to attach the property of the defendant not levied upon in the possession of: CLEARFIELD BANK & TRUST COMPANY, GARNISHEE, as follows:

All cash, chattel, tangible personal property, intangible personal property or chooses in action owned by, owing to or held on behalf of the Defendant, JAMES HILE and JAMES HILE, d/b/a COLORS GALORE, including but not limited to Account No. 12497010.

and to notify the garnishee that: (a) an attachment has been issued; (b) the garnishee are enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;

3. If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

4. Amounts due:

a)	Amount of Judgment	\$1,844.04
b)	Costs of District Magistrate Judgment	\$ 67.00
c)	Interest accrued at 6% per annum or \$0.30 per day from 01/06/03	\$ _____
	Preliminary Total	\$ _____
d)	Prothonotary's costs	\$ <u>40.00</u>
	FINAL TOTAL	\$ _____

Prothonotary

By: Willie L. [Signature] 10/27/04
~~Deputy~~

Received October 27, 2004 @ 11:00 a.m.
Chester A. Hawkins
By Cynthia Butler-Aughenbaugh

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

E.M. BROWN, INC.,

Plaintiff

vs.

No. 2003-306-CD

JAMES HILE and JAMES HILE, d/b/a
COLORS GALORE,

Defendant

&

CLEARFIELD BANK & TRUST COMPANY,
Garnishee

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which had been levied upon,

(a) I desire that my \$300.00 statutory exemption be

____ (i) Set aside in kind (specify property to be set aside in kind):

____ (ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300.00 statutory exemption: ____ in cash ____ in kind (specify property):

(b) Social Security benefits on deposit in the amount of \$_____.

(c) Other (specify amount and basis of exemption):

I request a prompt court hearing to determine the exemption. Notice of hearing should be given to me at:

Address

Phone Number

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsifications to authorities.

Date: _____

Defendant

**THIS CLAIM TO BE FILED WITH
THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY**

Clearfield County Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 statutory exemption
2. Bibles, schoolbooks, sewing machines, uniforms, and equipment
3. Most wages and unemployment compensation
4. Social security benefits
5. Certain retirements funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME JAMES HILE AND JAMES HILE, D/B/A COLORS GALORE

NO. 03-306-CD

NOW, September 27, 2011, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of James Hile And James Hile, D/B/A Colors Galore to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	9.00
MILEAGE LEVY	2.00
MILEAGE POSTING	
HANDBILLS	
COMMISSION	0.00
POSTAGE	1.48
HANDBILLS DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	9.00
ADD'L POSTING	
ADD'L MILEAGE	8.00
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	9.00
COPIES	5.00
BILLING/PHONE/FAX	
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$43.48

DEBT-AMOUNT DUE	1,844.04
INTEREST @ 0.3000 %	0.00
FROM TO	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	67.00
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	30.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$2,024.52

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	43.48
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	40.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	

TOTAL COSTS	\$83.48
TOTAL COSTS	\$2,024.52

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff