

03-451-CD
COMMONWEALTH OF PA. ET AL. VS.
SUN SURETY INSURANCE COMPANY

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

COMMONWEALTH OF
PENNSYLVANIA for use of the
COUNTY OF CLEARFIELD,

vs.

SUN SURETY INSURANCE COMPANY,
Defendant

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* No.: 03-451 -CD
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* Type of Case: Civil
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* Type of Pleading: Confession of Judgment

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* Filed on Behalf of: Plaintiff
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* Counsel of Record for this Party:

* Kim C. Kesner, Esquire
* Supreme Court I.D. #28307
* 23 North Second Street
* Clearfield, PA 16830

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* Other Counsel of Record:

* Other Counsel of Record:

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* William

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FILED

MAR 28 2003

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 *
*
* No.: 03- -CD
*
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*
SUN SURETY INSURANCE COMPANY, *
Defendant *

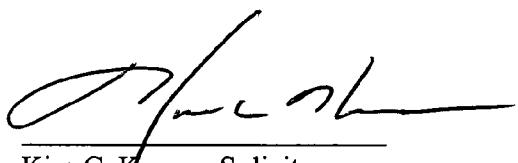
CONFESSON OF JUDGMENT

Pursuant to the authority contained in the Bonds and Warrants copies of which are annexed hereto of Sun Surety Insurance Company., as surety, for the Defendant, Jerome M. Phillips, such appearing of record in Commonwealth of Pennsylvania vs. Jerome M. Phillips, No. 2002-267-CRA following this Court's Bail Forfeiture Order dated January 7, 2003, in accordance with Pa. R. Civ. P. Rule 2951(a), I appear for Sun Surety Insurance Company and confess judgment in favor of the Plaintiff and against Defendant, Sun Surety Insurance Company as follows:

Principal Sum (Bond): \$ 2,500.00

Interest at legal rate of 6% per annum
from the date of judgment (to be added) \$ _____

Plaintiff's filing fees and other taxable
costs (to be added) \$ _____



Kim C. Kesner, 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.: 03- -CD
*
*
*
SUN SURETY INSURANCE COMPANY, *
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, Sun Surety Insurance Company 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 March, 2003.

Kwesi S. Juah
Notary Public

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.: 03- -CD
*
*
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*
SUN SURETY INSURANCE COMPANY, *
Defendant *

CERTIFICATE

I hereby certify that the principal place of business of the Plaintiff is Clearfield County Courthouse, 203 East Market Street, Suite 101, Clearfield, PA 16830 and that the address of the Defendant, Sun Surety Insurance Company is c/o Joseph Gilliland, 114 South Front Street, Clearfield, PA 16830 with a mailing address of P.O. Box 908, Clearfield, PA 16830 and Sun Surety Insurance Company, 21 Main Street, Rapid City, SD 57701.

Date: 3/20/03



Kim C. Kesner, Esquire

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CRIMINAL ACTION

COMMONWEALTH OF PENNSYLVANIA :

VS. : NO. 02-267-CRA

JEROME M. PHILLIPS :

BENCH WARRANT

NOW, this 7th day of January, 2003, this being the day and date set for Jury Selection into the above-captioned matter; the Defendant having failed to answer the Call of the Court; he having received due and proper notice thereof, it is the ORDER of this Court that Bail be forfeited and Bench Warrant issued forthwith.

BY THE COURT,

/s/ Fredric J. Ammerman

Judge

BOND

OTN

H 365623-6DJ No: **46-3-03**

Date of Charge(s):

2/10/02

CC No:

DJ Docket No: **CR-0000053-02**

Commonwealth vs. (Defendant Name and Address)
PHILLIPS, JEROME M
508 GRACE STREET
PHILIPSBURG, PA 16866

NEXT COURT ACTION
0/00/00

Date/ Time/ Location

CHARGE(S): **18 \$3502 SSA (2 COUNTS) BURGLARY**
18 \$3921 SSA (2 COUNTS) THEFT BY UNLAW TAKING-MOVABLE PROP
18 \$3925 SSA (2 COUNTS) RECEIVING STOLEN PROPERTY

ADDITIONAL CHARGES MAY EXIST. PLEASE SEE ADDITIONAL CHARGES PAGE.

TYPE(S) OF RELEASE:

ROR Unsecured Bail Nonmonetary Condition(s) (see additional page(s))
 Nominal Bail Monetary Condition(s) in the amount of \$ **2,500.00** . **STRAIGHT**

THE CONDITIONS OF THIS BAIL BOND ARE AS FOLLOWS:

1. The defendant must appear at all times required until full and final disposition of the case.
2. The defendant must obey all further orders of the bail authority.
3. The defendant must give written notice to the bail authority, the clerk of courts, the district attorney, and the court bail agency or other designated court bail officer, of any change of address within 48 hours of the date of the change.
4. The defendant must neither do, nor cause to be done, nor permit to be done on his/her behalf, any act as proscribed by Section 4952 of the Crimes Code (relating to intimidation of witnesses or victims) or by Section 4953 (relating to retaliation against witnesses or victims), 18 Pa.C.S. §§ 4952,4953.
5. The defendant must refrain from criminal activity.

TYPES OF SECURITY:

Cash/Equivalent Gov't Bearer Bonds Realty w/in Commonwealth
 % Cash Surety Bond Realty outside Commonwealth
TOTAL AMOUNT BAIL SET (IF ANY): \$ **2,500.00** (see sureties page)

This bond is valid for the entire proceedings and until full and final disposition of the case including all avenues of direct appeal to the Supreme Court of Pennsylvania.

I AGREE THAT I WILL APPEAR AT ALL SUBSEQUENT PROCEEDINGS AS REQUIRED AND COMPLY WITH ALL THE CONDITIONS OF THE BAIL BOND.

THIS BOND SIGNED ON 13 MARCH 02at CLEARFIELD

, PENNSYLVANIA

Jerome Phillips

(Signature of Defendant)

Signed and acknowledged before me this 13 day of MARCH, 02

M. Rudella (SEAL)
(Clerk of Court or Issuing Authority)

JUDGE OR ISSUING AUTHORITY
RUDELLA, MICHAEL A

DATE

3/13/02My commission expires first Monday of January, **2006**

PLEASE SEE ATTACHED PAGES FOR ADDITIONAL INFORMATION.

OTN H 365623-6

CC No:

DJ No: 46-3-03

Date of Charge(s):

2/10/02

DJ Docket No: CR-0000053-02

NEXT COURT ACTION
0/00/00

Date/ Time/ Location

Commonwealth vs. (Defendant Name and Address)
PHILLIPS, JEROME M
508 GRACE STREET
PHILIPSBURG, PA 16866

I, **GILLILAND, JOSEPH**
 of \$ **2,500.00**

, the undersigned surety, have posted security in the amount

TYPES OF SECURITY

- Cash/Equivalent Gov't Bearer Bonds Realty w/in Commonwealth
 % Cash Surety Bond Realty Outside Commonwealth

I have read this information, and I acknowledge that I, my personal representatives, successors, heirs and assigns are jointly and severally bound with the defendant and any other sureties to pay to the Commonwealth of Pennsylvania the sum of \$ **2,500.00**, which is the full amount of the monetary condition of release in the event the bail bond is forfeited.

I understand that when a monetary condition of release is imposed, if the defendant appears at all times required by the court and satisfies all the other conditions set forth in the bail bond, then upon full and final disposition of the case, this bond shall be void. If the defendant fails to appear as required or to comply with the conditions of the bail bond, then this bond shall remain in full force, and the full sum of the monetary condition of release may be forfeited, the defendant's release may be revoked, and a warrant for the defendant's arrest may be issued.

WARRANT OF ATTORNEY: RECOGNIZING THAT I AM WAIVING CERTAIN IMPORTANT RIGHTS, INCLUDING THE RIGHT OF PREJUDGMENT NOTICE AND HEARING, in accordance with the law, I do hereby empower any attorney of any court of record within the Commonwealth of Pennsylvania or elsewhere to appear for me at any time, and with or without declarations filed, and whether or not the defendant be in default, to confess judgment against me, and in favor of the Commonwealth of Pennsylvania for use of the county, and its assigns, during any term or session of a court of record of the county for the full amount of the monetary condition of release set forth on the first page of this bail bond, and costs. I understand that any real estate which I have posted as security in this case may be levied upon to collect the amount confessed. I waive and release any right of inquisition on that real estate, voluntarily condemn it, and authorize the Prothonotary, upon a Writ of Execution, to enter my voluntary condemnation. I also agree that any real estate posted by me in this case may be sold on a Writ of Execution. I hereby forever waive and release any and all errors which may arise in any proceeding to confess judgment in this case, waive all rights of stay of execution, and waive all laws now in force or laws passed in the future which exempt real or personal property from execution.

Since a copy of this bail bond and warrant of attorney is being filed in the defendant's case, it shall not be necessary to file the original as a warrant of attorney, notwithstanding any law or rule of court to the contrary.

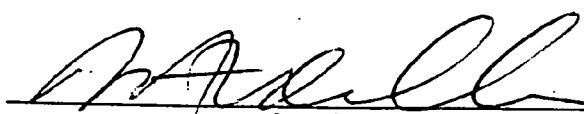
I have read this instrument carefully and know that it is true and correct.

(Signature of Surety, signed in all bail situations, except ROR)

**GILLILAND, JOSEPH
114 S. FRONT ST.
CLEARFIELD, PA 16830**

(Address of Surety, Surety Company or Defendant)

Sworn (affirmed) and subscribed before me
 this 13 day of MARCH 02



(SEAL)

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

* Refund of all bail (less any bail related fees or commissions allowed by law and reasonable costs, if any, of administering the cash bail program) will be made within 20 days after full and final disposition. (Pa.R.Crim.P. 535)

* Bring Cash Bail Receipt to Clerk of Courts or Issuing Authority.

Sun Surety
Insurance Company
21 Main Street, Rapid City, SD 57701

POWER OF ATTORNEY

POWER NO. 5-39418

POWER AMOUNT \$5,000

IT IS UNLAWFUL TO PRINT THIS FORM WITHOUT WRITTEN CONSENT OF SUN SURETY INSURANCE COMPANY.

KNOW ALL MEN BY THESE PRESENTS that Sun Surety Insurance Company, a corporation duly organized and existing under the laws of the State of South Dakota does constitute and appoint and by these presents does make, constitute and appoint the named agent its true and lawful Attorney-in-fact with full power and authority to sign the Company name and affix its seal to, and deliver on its behalf as surety, a bail bond only. Authority of such Attorney-in-fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitations, fees, restitution, payment or penalties or any other conditions imposed by a court not specifically related to court appearance.

THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF FIVE THOUSAND DOLLARS \$5,000

Bond Amount	2500 ⁰⁰	Date of Bond	MARCH 13 01
Defendant	JEROME M PHILLIPS		
Appearance Date	UPON CALL		
Court City	CLEARFIELD PA	Case #	
Offense	CRIM MISCH		
Attorney-in-fact	Joseph Gathland		

IN WITNESS WHEREOF, SUN SURETY INSURANCE COMPANY, has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 24th day of April, 1998.

Patrick Wood, President



This power of attorney is for use with Bail Bonds only. Not valid if used with Federal Immigration Bonds. This power void if altered or erased, void if used with other powers of this company or in combination with powers from any other surety company, and void if used to furnish bail in excess of the stated face amount of this power, and can only be used once. This power of attorney is to be filed with the bond and retained as part of the court records and should remain a permanent part of the court records.

THE CONDITIONS OF THIS BAIL BOND ARE AS FOLLOWS:

1. The defendant must appear at all times required until full and final disposition of the case.
2. The defendant must obey all further orders of the bail authority.

2002-267-0589

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JOSEPH K. GILLILAND
P.O. Box 908
CLEARFIELD, PA 16830

2002-267-CRA

A. Received by (Please Print Clearly) B. Date of Delivery

Joseph C. Gilliland

JAN 16 2003

C. Signature

X
D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

FILED

SLR

JAN 17 2003

William A. Shaw
Notary/Clerk of Courts

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service)

7002 2030 0000 6877 0589

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com**OFFICIAL USE**

6877 0589

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 4.65

Postmark
Here

2002-267-

Sent To

JOE GILLILAND

Street, Apt. No.:
or PO Box No.: P.O. Box 908

City, State, ZIP+4: CLRF

PS Form 3800, June 2002

See Reverse for Instructions

FILED

(a)
DUF

1cc SunSesety w/Notice

1cc Joseph Gilliland w/Notice

3/11/2003
MAR 28 2003

2cc Atty Rosas

William A. Shaw
Fathenetary
Fee billable

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.

SUN SURETY INSURANCE COMPANY,
Defendant

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*
*

* No.: 03-451 -CD

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*
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CC-CD

NOTICE

NOTICE is given that a judgment in the above-captioned matter has been entered against you in the amount of \$2,500.00 on March 28, 2003.

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.

SUN SURETY INSURANCE COMPANY,
Defendant

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* No.: 03-451 -CD
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William A. Shaw, Prothonotary

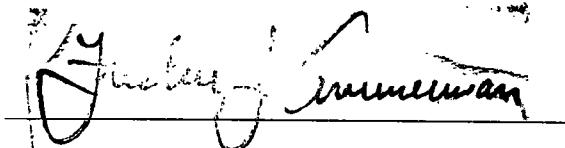
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA, *
Plaintiff *
*
vs. * No. 2003-451-C.D.
*
SUN SURETY INSURANCE COMPANY, *
Defendant *
*

O R D E R

NOW, this 28th day of September, 2004, it is the ORDER of this Court that the Prothonotary note that the judgment in the above captioned case is rescinded. Any costs which may be associated with the same are waived.

By the Court,



Honorable Fredric J. Ammerman
President Judge

FILED EJK
10 12:22 PM 2004 Keener
2cc Doy
21 Main St
Reedsburg SD 57701
SEP 29 2004

William A. Shaw
Prothonotary