

03-527-CD
RKR Enterprises, Inc. vs. Dick's Excavating

COURT OF COMMON PLEAS

46TH

JUDICIAL DISTRICT

CLEARFIELD CO.


FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2003- 527- 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 Dick's Excavating, et al.		MAG. DIST. NO. OR NAME OF D.J. 46-3-02	
ADDRESS OF APPELLANT SCI Somerset, 1600 Walters Mill Road		CITY Somerset	STATE PA
		ZIP CODE 15510	
DATE OF JUDGMENT 3/11/03	IN THE CASE OF (Plaintiff) RKR Enterprises, Inc. vs. Dick's Excavating, et al. (Defendant)		
CLAIM NO. TA 19 CV-511-02 LT 19 _____	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT 		

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 **RKR Enterprises, Inc.**, appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. **2003- 527- CD**) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To **RKR Enterprises, Inc.**, appellee(s)
Name of appellee(s)

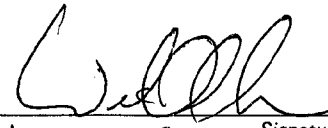

John G. Achille, Esquire
Attorney for Appellant

(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: **APRIL 9, 2003**


William A. Shaw Signature of Prothonotary or Deputy

FILED

APR 09 2003
m/2:20/WAS
William A. Shaw
Prothonotary
COPIES TO ARTT

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN FIVE (5) 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) _____, 19____, ☐ by personal service ☐ by (certified) (registered) mail, sender's
receipt attached hereto, and upon the appellee, (name) _____, on
_____, 19____ ☐ 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 _____, 19____, ☐ by personal service ☐ by (certified) (registered)
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 19____.

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19____.

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/JUDGMENT DEBTOR:
NAME and ADDRESS
RKR ENTERPRISES, INC.
RR1, BOX 206
GRAMPIAN, PA 16838

VS.
DEFENDANT/JUDGMENT CREDITOR:
NAME and ADDRESS
DICK'S EXCAVATING, ET AL.
SCI SOMMERSET
1590 WALTERS MILL ROAD
SOMMERSET, PA 15510

FULLINGTON, JR., RICHARD FC0313
SCI SOMMERSET
1600 WALTERS MILL ROAD
SOMMERSET, PA 15510

Docket No.: **CV-0000511-02**
Date Filed: **10/31/02**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

☒ Judgment was entered for: (Name) **RKR ENTERPRISES, INC.**

☒ Judgment was entered against: (Name) **DICK'S EXCAVATING**

in the amount of \$ **1,197.80** on: (Date of Judgment) **3/11/03**

☐ 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	\$ <u>1,130.80</u>
Judgment Costs	\$ <u>67.00</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>1,197.80</u>
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.

MAR 11 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

FILED

APR 09 2003

William A. Shaw
Prothonotary

COURT OF COMMON PLEAS

46TH

JUDICIAL DISTRICT

CLEARFIELD CO.

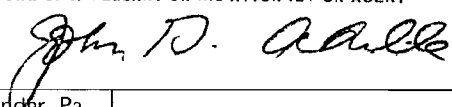
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2003-527-CO

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 Dick's Excavating, et al.		MAG. DIST. NO. OR NAME OF D.J. 46-3-02	
ADDRESS OF APPELLANT SCI Somerset, 1600 Walters Mill Road	CITY Somerset	STATE PA	ZIP CODE 15510
DATE OF JUDGMENT 3/11/03	IN THE CASE OF (Plaintiff) RKR Enterprises, Inc. VS. (Defendant) Dick's Excavating, et al.		
CLAIM NO. TA 19 CV-511-02 LT 19 _____	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT 		
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 **RKR Enterprises, Inc.**, appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. **2003-527-CO**) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To **RKR Enterprises, Inc.**, appellee(s).
Name of appellee(s)

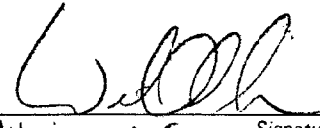

Signature of appellant or his attorney or agent
John G. Achille, Esquire
Attorney for Appellant

(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.

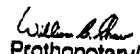
Date: **April 9, 2003**


William A. Shaw Signature of Prothonotary or Deputy

I hereby certify this to be a true and attested copy of the original statement filed in this case.

APR 09 2003

Attest.


Prothonotary/
Clerk of Courts

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service **MUST BE FILED WITHIN FIVE (5) DAYS AFTER** filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD ; ss

AFFIDAVIT: I hereby swear or affirm that I served

☒ a copy of the Notice of Appeal, Common Pleas No. 2003-527-CD upon the District Justice designated therein on (date of service) April 11, 2003, ☐ by personal service ☒ by (certified) ~~xxxxxx~~ mail, sender's receipt attached hereto, and upon the appellee, (name) RKR Enterprises, Inc., on April 11, 2003 ☐ by personal service ☒ by (certified) ~~xxxxxx~~ 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 April 11, 2003, ☐ by personal service ☒ by (certified) ~~xxxxxx~~ mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS 11th DAY OF April, 19 2003

Carol A. Cox
Signature of official before whom affidavit was made

Notary Public
Title of official

My commission expires on _____, 19____

John G. Achille
Signature of affiant

NOTARIAL SEAL
CAROL A. COX, NOTARY PUBLIC
BROOKVILLE BOROUGH, COUNTY OF JEFFERSON
MY COMMISSION EXPIRES AUGUST 29, 2006

FILED ^{NO} _{CC}
m/11/14/03
APR 14 2003

William A. Shaw
Prothonotary

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/JUDGMENT DEBTOR:
NAME and ADDRESS
RKR ENTERPRISES, INC.
RR1, BOX 206
GRAMPIAN, PA 16838

VS.
DEFENDANT/JUDGMENT CREDITOR:
NAME and ADDRESS
DICK'S EXCAVATING, ET AL.
SCI SOMMERSET
1590 WALTERS MILL ROAD
SOMMERSET, PA 15510

Docket No.: **CV-0000511-02**
Date Filed: **10/31/02**



2003-527-00

FILED

THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

APR 15 2003

☒ Judgment was entered for: (Name) **RKR ENTERPRISES, INC.** William A. Shaw
Prothonotary/Clerk of Courts

☒ Judgment was entered against: (Name) **DICK'S EXCAVATING**

in the amount of \$ **1,197.80** on: (Date of Judgment) **3/11/03**

☐ 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	\$ 1,130.80
Judgment Costs	\$ 67.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,197.80

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.

MAR 11 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.

APR 14 2003

Date **Richard Ireland**, District Justice

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/JUDGMENT DEBTOR:
NAME and ADDRESS
**RKR ENTERPRISES, INC.
RR1, BOX 206
GRAMPIAN, PA 16838**

VS.
DEFENDANT/JUDGMENT CREDITOR:
NAME and ADDRESS
**DICK'S EXCAVATING, ET AL.
SCI SOMMERSET
1590 WALTERS MILL ROAD
SOMMERSET, PA 15510**

Docket No.: **CV-0000511-02**
Date Filed: **10/31/02**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

☒ Judgment was entered for: (Name) **RKR ENTERPRISES, INC.**

☒ Judgment was entered against: (Name) **FULLINGTON, JR., RICHARD FC0313**

in the amount of \$ **1,197.80** on: (Date of Judgment) **3/11/03**

☐ 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	\$ 1,130.80
Judgment Costs	\$ 67.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,197.80
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.

MAR 11 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.
APR 14 2003 Date **Richard Ireland**, District Justice

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

SEAL

FILED

APR 15 2003

o/12:00/ur
William A. Shaw
Prothonotary/Clerk of Courts

no c/c

APR 15 2003



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

COPY

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 03-0527-CD
RKR Enterprises, Inc vs. Dick's Excavating

Dear RKR Enterprises, Inc:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary** of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830. The Statement of Intention to Proceed must be filed on or before November 17, 2005.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

David S. Meholick

David S. Meholick
Court Administrator

FILED
SEP 12 2005

William A. Shaw
Prothonotary/Clerk of Courts



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 03-0527-CD
RKR Enterprises, Inc vs. Dick's Excavating

Dear John G. Achille, Esq.:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary** of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830. The Statement of Intention to Proceed must be filed on or before **November 17, 2005.**

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

A handwritten signature in dark ink, appearing to read "David S. Meholic".

David S. Meholic
Court Administrator

Court of Common Pleas of Clearfield County, Pennsylvania
Civil Division

RKR Enterprises, Inc.

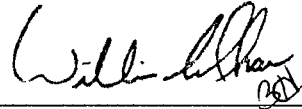
Vs.

03-0527-CD

Dick's Excavating


Termination of Inactive Case

This case is hereby terminated with prejudice
this 17th day of November, 2005, as per Rule 230.2.



William A. Shaw
Prothonotary

FILED

NOV 17 2005 

William A. Shaw
Prothonotary/Clerk of Courts