

03-807-CD
RICHARD H. ADAM vs. WILLIAM E. SUTTON

COURT OF COMMON PLEAS

CLEARFIELD Co.
JUDICIAL DISTRICT

46TH

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

03-807-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 <u>WILLIAM E SUTTON</u> | | MAG. DIST. NO. OR NAME OF D.J. <u>46-3-04</u> | |
| ADDRESS OF APPELLANT <u>Box 244 Pine Street Coalport</u> | CITY <u>PA</u> | STATE <u>PA</u> | ZIP CODE <u>16627</u> |
| DATE OF JUDGMENT <u>5-5-03</u> | IN THE CASE OF (Plaintiff) <u>ADAM, RICHARD H</u> vs. (Defendant) <u>SUTTON, WILLIAM E</u> | | |
| CLAIM NO. <u>CV</u> <u>LT</u> | SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <u>William E Sutton</u> | | |
| CV LT <u>LT-0000044-03</u> | | | |

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 _____, appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To _____, 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: _____

Signature of Prothonotary or Deputy

FILED

138 m/2:03/01
JUN 03 2003 copies to
Def.

William A. Shaw, pd.
Prothonotary 85.00

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

HOUTZDALE, PA

Telephone: **(814) 378-7160**

16651-0362

WILLIAM E. SUTTON
519 PINE ST.
P.O. BOX 244
COALPORT, PA 16627

**NOTICE OF JUDGMENT / TRANSCRIPT
RESIDENTIAL LEASE**

PLAINTIFF:

NAME and ADDRESS

ADAM, RICHARD H
114 HAGARTY ST.
P.O. BOX 265
MADERA, PA 16661

VS.

DEFENDANT:

NAME and ADDRESS

SUTTON, WILLIAM E
519 PINE ST.
P.O. BOX 244
COALPORT, PA 16627

Docket No.: **LT-0000044-03**

Date Filed: **4/15/03**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

☒ Judgment was entered for: (Name) **ADAM, RICHARD H**

☒ Judgment was entered against **SUTTON, WILLIAM E** in a

☒ Landlord/Tenant action in the amount of \$ **1,074.60** on **5/05/03** . (Date of Judgment)

The amount of rent per month, as established by the District Justice, is \$ **.00**.

The total amount of the Security Deposit is \$ **.00**

| | Total Amount Established by DJ | Less Security Deposit Applied | = | Adjudicated Amount |
|-------------------------------------|---|-------------------------------|---|--------------------|
| Rent in Arrears | \$ 971.10 | \$.00 | = | \$ 971.10 |
| Physical Damages Leasehold Property | \$.00 | \$.00 | = | \$.00 |
| Damages/Unjust Detention | \$.00 | \$.00 | = | \$.00 |
| | Less Amt Due Defendant from Cross Complaint | | = | \$.00 |
| | Interest (if provided by lease) | | = | \$.00 |
| | L/T Judgment Amount | | = | \$ 971.10 |
| | Judgment Costs | | = | \$ 103.50 |
| | Attorney Fees | | = | \$.00 |
| | Total Judgment | | = | \$ 1,074.60 |
| | Post Judgment Credits | | = | \$ |
| | Post Judgment Costs | | = | \$ |
| | Certified Judgment Total | | = | \$ |

☐ Attachment Prohibited/
Victim of Abuse (Act 5, 1996)

☐ This case dismissed without prejudice.

☐ Possession granted.

☐ Possession granted if money judgment is not satisfied by time of eviction.

☒ Possession not granted.

☐ Defendants are jointly and severally liable.

IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

IF A PARTY WISHES TO APPEAL ONLY THE MONEY PORTION OF A JUDGMENT INVOLVING A RESIDENTIAL LEASE, THE PARTY HAS 30 DAYS AFTER THE DATE OF ENTRY OF JUDGMENT IN WHICH TO FILE A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION.

THE PARTY FILING AN APPEAL MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THE 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.

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

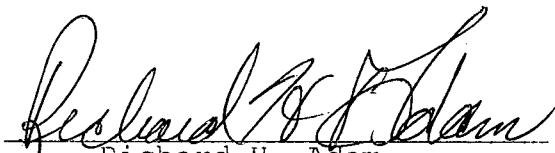
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA
CIVIL DIVISION

RICHARD H. ADAM, :
Plaintiff :
vs. : No.: 2003-807-CD
WILLIAM E. SUTTON, :
Defendant :

PRAECIPE TO MARK THE APPEAL
STRICKEN FROM THE RECORD

TO: William A. Shaw, Prothonotary:

Please mark the appeal on the above captioned case stricken from the record under Pa.R.C.P.D.J. No. 1006 for failure of the Defendant to file Proof of Service of his Notice of Appeal within ten (10) days as required by Pa.R.C.P.D.J. No. 1005B. The Notice of Appeal was filed on June 3, 2003.


Richard H. Adam

Dated: June 18, 2003

FILED

JUN 18 2003

0/2100/w
William A. Shaw
Prothonotary

1 SENT TO SUTTON
w/notice

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

APPEAL STRICKEN—RULE 1006

Richard H. Adam

Appellee

Vs.

No. 2003-00807-CD

William E. Sutton

Appellant

To: William E. Sutton

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 June 18, 2003. A copy of said document is hereto attached.

William A. Shaw
Prothonotary/Clerk of Courts

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

RICHARD H. ADAM
114 HAGARTY ST.
P.O. BOX 265
MADERA, PA 16661

NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE

PLAINTIFF:

NAME and ADDRESS

ADAM, RICHARD H
114 HAGARTY ST.
P.O. BOX 265
MADERA, PA 16661

VS.

DEFENDANT:

NAME and ADDRESS

SUTTON, WILLIAM E
519 PINE ST.
P.O. BOX 244
COALPORT, PA 16627

2003-807-CV

Docket No.: **LT-0000044-03**

Date Filed: **4/15/03**



THIS IS TO NOTIFY YOU THAT:

Judgment:

☒ Judgment was entered for: (Name) **FOR PLAINTIFF** *on the money only*

☒ Judgment was entered against **SUTTON, WILLIAM E** in a

Landlord/Tenant action in the amount of \$ **1,074.60** on **5/05/03**. (Date of Judgment)

The amount of rent per month, as established by the District Justice, is \$ **.00**.

The total amount of the Security Deposit is \$ **.00**

| | Total Amount Established by DJ | Less: Security Deposit Applied | = | Adjudicated Amount |
|-------------------------------------|---|---------------------------------|---|--------------------|
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| Physical Damages Leasehold Property | \$.00 | \$.00 | = | \$.00 |
| Damages/Unjust Detention | \$.00 | \$.00 | = | \$.00 |
| | Less Amt Due Defendant from Cross Complaint | | = | \$.00 |
| | | Interest (if provided by lease) | = | \$.00 |
| | | L/T Judgment Amount | = | \$ 971.10 |
| | | Judgment Costs | = | \$ 103.50 |
| | | Attorney Fees | = | \$.00 |
| | | Total Judgment | = | \$ 1,074.60 |
| | | Post Judgment Credits | = | \$ |
| | | Post Judgment Costs | = | \$ |
| | | Certified Judgment Total | = | \$ |

☐ Attachment Prohibited/
Victim of Abuse (Act 5, 1996)

☐ This case dismissed without prejudice.

☐ Possession granted.

☐ Possession granted if money judgment is not satisfied by time of eviction.

☒ Possession not granted.

☐ Defendants are jointly and severally liable.

IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

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FILED

JUN 18 2003

01:10:15 PM

William A. Shaw
Prothonotary

NOTICE TO
SUTTON

5-5-03 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.

6-9-03 Date

James L. Hawkins

, District Justice

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

SEAL

FILED

JUN 18 2003

William A. Shaw
Prothonotary

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Richard H. Adam

Vs.

No. 2003-00807-CD

William E. Sutton

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$1,074.60 on the June 18, 2003.

William A. Shaw
Prothonotary

William A. Shaw

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

Richard H. Adam
Plaintiff(s)

No.: 2003-00807-CD

Real Debt: \$1,07.64

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

William E. Sutton
Defendant(s)

Entry: \$20.00

Instrument: District Justice Judgment

Date of Entry: June 18, 2003

Expires: June 18, 2008

Certified from the record this June 18, 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