

03-1329-CD
General Parts, Inc. vs. RICHARD SWATSWORTH, et al.

WRIT OF EXECUTION (MONEY JUDGMENTS) Rules P.R.C.P. 3101 to 3149

COPY

General Parts, Inc., d/b/a Carquest
Auto Parts

No. _____ EX, 19

No. 10141 CD CDX~~19~~ 2001

VS

Richard Swatsworth, Jason
Swatsworth, James Minor

WRIT OF EXECUTION
VS
(MONEY JUDGMENTS)

03-1329-CD

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 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. 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. (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 and prove your exemption, you may lose some of your property.

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.

XXXXXX
XXXXXX
XXXXXX

FILED
09/15/01
SEP 09 2003

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF INDIANA
CLEARFIELD
TO THE SHERIFF OF ~~XXXXXX~~ COUNTY, PENNA.

William A. Shaw
Prothonotary/Clerk of Courts

To satisfy the judgment, interest and costs against Richard Swatsworth and

Jason Swatsworth Defendant(s)

(1) You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein;
(2) You are also directed to attach the property of the defendant not levied upon in the possession of _____

(Specifically describe property) as Garnishee(s)

and to notify the Garnishee(s) that

(a) an attachment has been issued;
(b) the Garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) 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 the named Garnishee(s), you are directed to notify him that he has been added as a Garnishee and is enjoined as above stated.

Amount Due

\$ 10,423.98

Interest From

\$ _____

(Costs to be added)

August 14, 2003


Prothonotary, Court of Common
Pleas of Indiana County, Pa.

By: _____

Deputy

No. _____ EX, 19 _____
No. 10141 CD, # 2001

Sheriff _____

Per _____

IN THE COURT OF COMMON PLEAS OF
INDIANA COUNTY, PENNSYLVANIA

General Parts, Inc., d/b/a Carquest
Auto Parts
VS.

Richard Swatsworth, Jason Swatsworth

WRIT OF EXECUTION

Waives Inquisition and Exemption
Condemnation Agreed To.

(MONEY JUDGEMENTS)

Amount Due	10,265.04
Interest From	158.94
For Costs	.50
Tax	3.00
Attorney	126.50
Prothonotary	(119.50 pd)
This Writ	pd 20.00
Sheriff	158.94
John W. Burns	

Attorney for Plaintiff(s)
Two PPG Place-Suite 400
Address: Pittsburgh, PA 15222 (412) 281-7272
Where papers may be served

MAJOR EXEMPTIONS UNDER PENNSYLVANIA and FEDERAL LAW

1. \$300 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

CLAIM FOR EXEMPTION

To the Sheriff:

I/We the above named Defendant(s), claim exemption of property from levy or attachment;

(1) From my/our personal property in my/our possession which has been levied upon.

(a) I/We desire that my/our \$300 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/We claim the following exemption (specify property and basis of exemption)

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

(a) my/our \$300 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/We request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me/us at

(Address)

Telephone Number

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

Date _____

(Defendant)

(Defendant)

THIS CLAIM TO BE FILED WITH THE OFFICE

OF THE SHERIFF OF ~~XXXXXX~~ COUNTY:

CLEARFIELD

~~XXXXXX COUNTY, PENNSYLVANIA~~

~~XXXXXX, PA XXXX 5201~~

~~(412) 465-2874~~

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 14575
NO: 03-1329-CD

PLAINTIFF: GENERAL PARTS, INC., D/B/A CARQUEST AUTO PARTS
vs.
DEFENDANT: SWATSWORTH, RICHARD

WRIT OF EXECUTION PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 9/9/2003

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 4/23/2009

FILED
0101581
APR 23 2009
S William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

9/9/2003 @ 9:20 AM SERVED RICHARD SWATSWORTH

SERVED RICHARD SWATSWORTH, DEFENDANT, AT HIS RESIDENCE RR 1, BOX 123, WOODLAND,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MARGARET SWATSWORTH, WIFE /CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

@ SERVED JASON SWATSWORTH

DEPUTIES UNABLE TO SERVE JASON SWATSWORTH, DEFENDANT, THE SHERIFF'S OFFICE WAS ONLY
GIVEN 1 WRIT TO SERVE.

@ SERVED

DEPUTIES UNABLE TO LEVY THERE WAS NOTHING OF VALUE TO LEVY IN THE DEFENDANT'S NAME.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 14575
NO: 03-1329-CD

PLAINTIFF: GENERAL PARTS, INC., D/B/A CARQUEST AUTO PARTS
VS.
DEFENDANT: SWATSWORTH, RICHARD

WRIT OF EXECUTION PERSONAL PROPERTY

SHERIFF RETURN

SHERIFF HAWKINS \$56.19

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

Chester Hawkins
by Cynthia Bitter, Deputy Sheriff
Chester A. Hawkins
Sheriff

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME RICHARD SWATSWORTH

NO. 03-1329-CD

NOW, April 23, 2009, 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 Swatsworth, Richard 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	9.00	DEBT-AMOUNT DUE	10,265.04
SERVICE	9.00	INTEREST @ %	0.00
MILEAGE	3.60	FROM TO	
LEVY			
MILEAGE		PROTH SATISFACTION	
POSTING		LATE CHARGES AND FEES	
HANDBILLS		COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	0.59	ATTORNEY COMMISSION	
HANDBILLS		REFUND OF ADVANCE	
DISTRIBUTION		REFUND OF SURCHARGE	40.00
ADVERTISING		SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
		PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID/ SETTLEMENT AMOUNT		TOTAL DEBT AND INTEREST	\$10,361.23
RETURNS/DEPUTIZE	9.00		
COPIES	15.00	COSTS:	
		ADVERTISING	0.00
BILLING/PHONE/FAX	10.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$56.19	LIEN SEARCH	
		ACKNOWLEDGEMENT	
		SHERIFF COSTS	56.19
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	\$56.19
		TOTAL COSTS	\$10,361.23

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