

03-1790-CD
MARLENE B. ROY vs. LINDA L. SHELDON

COURT OF COMMON PLEAS

FROM

DEC 03 2003

JUDICIAL DISTRICT

DISTRICT JUSTICE JUDGMENT

William A. Shaw

CLEARFIELD COUNTY

46th

Prothonotary/Clerk of Courts

COMMON PLEAS No.

03-1790-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 MARLENE B. ROY		MAG. DIST. NO. OR NAME OF D.J. 46-3-01	
ADDRESS OF APPELLANT 111 WEST LONG AVENUE		CITY DUBOIS	STATE PA.
		ZIP CODE 15801	
DATE OF JUDGMENT 11-13-03	IN THE CASE OF (Plaintiff) MARLENE B. ROY		(Defendant) LINDA L. SHELDON
CLAIM NO. CV 0000433-03 LT _____		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <i>George D Kulakowski</i>	

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

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 _____

Prothonotary/Clerk of Courts

William A. Shaw

DEC 03 2003

Atty pd. 8500

FILED

cc
Copies to

Atty Kulakowski

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**
DJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
P.O. BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: **ROY, MARLENE B.**
NAME and ADDRESS
111 W. LONG AVENUE APT/STE 1M
DUBOIS, PA 15801

VS.
DEFENDANT: **SHELDON, LINDA L.**
NAME and ADDRESS
122 BELL STREET
REYNOLDSVILLE, PA 15851

MARLENE B. ROY
111 W. LONG AVENUE APT/STE 1M
DUBOIS, PA 15801

Docket No.: **CV-0000433-03**
Date Filed: **10/10/03**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

☒ Judgment was entered for: (Name) **ROY, MARLENE B.**

☒ Judgment was entered against: (Name) **SHELDON, LINDA L.**

in the amount of \$ **558.50** on: (Date of Judgment) **11/13/03**

☐ Defendants are jointly and severally liable. (Date & Time) _____

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____

☐ Portion of Judgment for physical damages arising out of residential lease \$ _____

Amount of Judgment	\$ 500.00
Judgment Costs	\$ 58.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 558.50

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.

11-13-03 Date **Patrick N. Ford - PNF**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
_____, District Justice

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**
DJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
P.O. BOX 452
DUBOIS, PA 15801
Telephone: **(814) 371-5321**

PATRICK N. FORD
309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA 15801

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: **ROY, MARLENE B.**
NAME and ADDRESS
111 W. LONG AVENUE APT/STE 1M
DUBOIS, PA 15801

DEFENDANT: **SHELDON, LINDA L.**
NAME and ADDRESS
122 BELL STREET
REYNOLDSVILLE, PA 15851

Docket No.: **CV-0000433-03**
Date Filed: **10/10/03**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

☒ Judgment was entered for: (Name) **ROY, MARLENE B.**
☒ Judgment was entered against: (Name) **SHELDON, LINDA L.**
in the amount of \$ **558.50** on: (Date of Judgment) **11/13/03**

☐ Defendants are jointly and severally liable.

(Date & Time)

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to
Attachment/42 Pa.C.S. § 8127 \$

☐ Portion of Judgment for physical
damages arising out of residential
lease \$

FILED
DEC 15 2003

William A. Shaw
Prothonotary/Clerk of Courts

Amount of Judgment	\$ 500.00
Judgment Costs	\$ 58.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 558.50
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.

11-13-03 Date **Patrick N. Ford**, 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

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

CIVIL COMPLAINT

Mag. Dist. No.: **46-3-01**

DJ Name: Hon.
PATRICK N. FORD
Address: **309 MAPLE AVENUE**
P.O. BOX 452
DUBOIS, PA 15801
Telephone: **(814) 371-5321**

PLAINTIFF: NAME and ADDRESS
Marlene B. Roy
111 W Long Ave. Apt 1-M
Du Bois PA 15801-2163

VS.
DEFENDANT: NAME and ADDRESS
Linda L. Sheldon
122 Bell St.
Reynoldsville PA 15851

Docket No.: **CV 433-03**
Date Filed:



	AMOUNT	DATE PAID
FILING COSTS	\$ 116.50	/ /
POSTAGE	\$	/ /
SERVICE COSTS	\$	/ /
CONSTABLE ED.	\$	/ /
TOTAL	\$	/ /

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ **8000.00** together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

(1) Linda Sheldon did not notify me that the family home and real estate had passed from Elizabeth Roy to Linda Sheldon (2) Linda Sheldon refused to cooperate and allow me to retrieve my personal property from the family home (3) Linda Sheldon has caused great pain, suffering and emotional distress due to her lack of cooperation and wanton destruction of my personal belongings and family heirlooms, that I had been promised since childhood. (4) Linda Sheldon alienated family and friends from visiting my mother, she threatened to have family or friends that visited my mother, Elizabeth Roy arrested for trespassing (5) Linda Sheldon tricked Elizabeth Roy into giving Linda Sheldon power of attorney. Linda Sheldon abused that power for own selfish reasons.

I, **Marlene B Roy** verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

(Signature of Plaintiff or Authorized Agent)

Plaintiff's
Attorney:

Address:

Telephone:

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD SO NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: 46-3-01
DJ Name: Hon. PATRICK N. FORD
Address: 309 MAPLE AVENUE P.O. BOX 452 DUBOIS, PA 15801
Telephone: (814) 371-5321

**PATRICK N. FORD
309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA 15801**

CIVIL ACTION HEARING NOTICE

PLAINTIFF: **ROY, MARLENE B.**
NAME and ADDRESS
**111 W. LONG AVENUE APT/STE 1M
DUBOIS, PA 15801**

DEFENDANT: **SHELDON, LINDA L.**
NAME and ADDRESS
**122 BELL STREET
REYNOLDSVILLE, PA 15851**

Docket No.: **CV-0000433-03**
Date Filed: **10/10/03**



A civil complaint has been filed against you in the above captioned case. A hearing has been set in this matter for:

Date: 11/04/03	Place: DISTRICT COURT 46-3-01 309 MAPLE AVENUE P.O. BOX 452 DUBOIS, PA 15801
Time: 9:45 AM	

NOTICE TO DEFENDANT

If you intend to enter a defense to this complaint, you should so notify this office immediately at the above telephone number.

YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

Pursuant to PA.R.CP.D.J. No. 342(B)(2), no claim by the defendant will be permitted in a supplementary action filed for failure of judgment creditor to enter satisfaction.

NOTICE TO PLAINTIFF

If the defendant enters a Notice of Intent to Defend, you will be notified of the date and time of the scheduled hearing and must appear.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

RECEIPT OF PAYMENT

Mag. Dist. No.:	46-3-01
DJ Name: Hon.	PATRICK N. FORD
Address:	309 MAPLE AVENUE P.O. BOX 452 DUBOIS, PA Telephone: (814) 371-5321 15801



REMITTER :

MARLENE B. ROY
111 W. LONG AVENUE APT/STE 1M
DUBOIS, PA 15801

Docket No.: **CV-0000433-03**
Date Filed: **10/10/03**

RECEIPT NO: 095298	DATE: 10/10/03	PAGE: 1
SOURCE: PAID AT WINDOW	AMOUNT RECEIVED:	\$ 116.50
METHOD: PAID BY CASH	AMOUNT APPLIED:	\$ 116.50
CHECK#:	COLLATERAL APPLIED:	\$.00
MANUAL RECEIPT#:	CHANGE:	\$.00
CITATION#:	NEXT PAYMENT AMOUNT:	
COSTS INCLUDED ON:	NEXT PAYMENT DATE:	
	NEXT PMT TYPE:	

PAYMENT DESCRIPTION	BALANCE FWD	AMT APPLIED	CURRENT BAL
JUDICIAL COMPUTER PROJECT	8.50	8.50-	.00
ACCESS TO JUSTICE	1.50	1.50-	.00
POSTAGE	10.00	10.00-	.00
COMMONWEALTH COST- HB627	64.34	64.34-	.00
FILING FEES 17-CTY	32.16	32.16-	.00
TOTAL	116.50	116.50-	.00

CURRENT BALANCE DUE .00

RECVD FROM ROY, MARLENE B.
MKA THANK YOU!

DATE PRINTED: 10/10/03 11:03:28 AM

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

NOTICE OF INTENT TO DEFEND

Mag. Dist. No:	46-3-01
DJ Name: Hon.	PATRICK N. FORD
Address:	309 MAPLE AVENUE P.O. BOX 452 DUBOIS, PA
Telephone: (814)	371-5321 15801

PLAINTIFF: NAME and ADDRESS
**ROY, MARLENE B.
111 W. LONG AVENUE APT/STE 1M
DUBOIS, PA 15801**

VS.
DEFENDANT: NAME and ADDRESS
**SHELDON, LINDA L.
122 BELL STREET
REYNOLDSVILLE, PA 15851**

**PATRICK N. FORD
309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA 15801**

Docket No.: **CV-0000433-03**
Date Filed: **10/10/03**



HEARING: **CIVIL ACTION HEARING**

Date: 11/13/03	Place: DISTRICT COURT 46-3-01 309 MAPLE AVENUE P.O. BOX 452 DUBOIS, PA 15801
Time: 10:00 AM	

PLAINTIFF: **ROY, MARLENE B.**

You are hereby notified that the defendant named below has given notice of his intent to present a defense at the hearing in the above case.

DEFENDANT: **SHELDON, LINDA L.**

10/23/03 Date Patrick N. Ford, District Justice

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

NOTICE OF CONTINUANCE

Mag. Dist. No.: 46-3-01
DJ Name: Hon. PATRICK N. FORD
Address: 309 MAPLE AVENUE P.O. BOX 452 DUBOIS, PA
Telephone: (814) 371-5321 15801

PLAINTIFF: NAME and ADDRESS
ROY, MARLENE B.
111 W. LONG AVENUE APT/STE 1M
DUBOIS, PA 15801

VS.
DEFENDANT: NAME and ADDRESS
SHELDON, LINDA L.
122 BELL STREET
REYNOLDSVILLE, PA 15851

PATRICK N. FORD
309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA 15801

Docket No.: **CV-0000433-03**
Date Filed: **10/10/03**



Please note that the hearing in the above captioned case, which was scheduled to occur on: **11/04/03**
has been continued to:

Date: 11/13/03	Place: DISTRICT COURT 46-3-01 309 MAPLE AVENUE P.O. BOX 452 DUBOIS, PA 15801
Time: 10:00 AM	

If you have any questions, please contact this office immediately.

Continuance requested by: **DISTRICT JUSTICE**

If you are disabled and require assistance, please contact the Magisterial District office at the address above.

10/23/03 Date *Patrick N. Ford*, District Justice

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

SEAL

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

CLEARFIELD COUNTY

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

03-1790-03

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

MARLENE B. ROY

MAG. DIST. NO. OR NAME OF DJ.

46-3-01

ADDRESS OF APPELLANT

111 WEST LONG AVENUE

CITY

DUBOIS

STATE

PA.

ZIP CODE

15801

DATE OF JUDGMENT

11-13-03

IN THE CASE OF (Plaintiff)

MARLENE B. ROY

VS.

LINDA L. SHELTON

(Defendant)

CLAIM NO.

CV

0000433-03

LT

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.

COPY TO BE SERVED ON DISTRICT JUSTICE



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

MARLENE B. ROY,	:	NO. 03-1790 C.D.
	:	
PLAINTIFF	:	TYPE OF CASE: CIVIL
	:	
VS.	:	TYPE OF PLEADING: PRAECIPE
	:	FOR ENTRY OF APPEARANCE
LINDA L. SHELDON,	:	
	:	FILED ON BEHALF OF:
DEFENDANT	:	LINDA L. SHELDON
	:	
	:	COUNSEL OF RECORD:
	:	CHRISTOPHER E. MOHNEY, ESQUIRE
	:	
	:	SUPREME COURT NO.: 63494
	:	
	:	90 BEAVER DRIVE, SUITE 201A
	:	DUBOIS, PA 15801
	:	(814) 375-1044

FILED

DEC 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

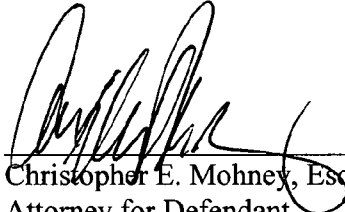
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

MARLENE B. ROY,	:	NO. 03-1790 C.D.
	:	
PLAINTIFF	:	TYPE OF CASE: CIVIL
	:	
VS.	:	
	:	
LINDA L. SHELDON,	:	
	:	
DEFENDANT	:	

PRAECIPE FOR ENTRY OF APPEARANCE

TO: WILLIAM A. SHAW, PROTHONOTARY

Kindly enter my appearance on behalf of Defendant Linda L. Sheldon in the
above-captioned case.



Christopher E. Mohnhey, Esquire
Attorney for Defendant

William A. Shaw
Prothonotary/Clerk of Courts

FILED
NOV 11 3 40 PM '03
DEC 17 2003
KEL

Mag. Dist. No.: **46-3-02**
DJ Name: Hon.
RICHARD A. IRELAND
Address: **650 LEONARD STREET**
SUITE 133
CLEARFIELD, PA
Telephone: **(814) 765-5335** **16830**

RICHARD A. IRELAND
650 LEONARD STREET
SUITE 133
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **SHERICK, TIMOTHY J**
1200 VILLAGE ROAD
CLEARFIELD, PA 16830

VS.
DEFENDANT: **CARNS, JEFFREY, ET AL.**
RD1, BOX 266A
CLEARFIELD, PA 16830

Docket No.: **CV-0000369-03**
Date Filed: **9/08/03**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

☒ Judgment was entered for: (Name) **SHERICK, TIMOTHY J**

☒ Judgment was entered against: (Name) **CARNS, JEFFREY**

in the amount of \$ **1,281.50** on: (Date of Judgment) **11/03/03**

☐ Defendants are jointly and severally liable. (Date & Time) _____

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____
William A. Shaw
Prothonotary/Clerk of Courts

☐ Portion of Judgment for physical damages arising out of residential lease \$ _____

Amount of Judgment	\$ 1,200.00
Judgment Costs	\$ 81.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,281.50

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.

NOV 03 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.
12/15/03 Date **Richard Ireland**, District Justice

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-02**
DJ Name: Hon.
RICHARD A. IRELAND
Address: **650 LEONARD STREET**
SUITE 133
CLEARFIELD, PA
Telephone: **(814) 765-5335** **16830**

RICHARD A. IRELAND
650 LEONARD STREET
SUITE 133
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **SHERICK, TIMOTHY J**
NAME and ADDRESS
1200 VILLAGE ROAD
CLEARFIELD, PA 16830

VS.
DEFENDANT: **CARNS, JEFFREY, ET AL.**
NAME and ADDRESS
RD1, BOX 266A
CLEARFIELD, PA 16830

Docket No.: **CV-0000369-03**
Date Filed: **9/08/03**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

☒ Judgment was entered for: (Name) **SHERICK, TIMOTHY J**

☒ Judgment was entered against: (Name) **CARNS EQUIPMENT**

in the amount of \$ **1,281.50** on: (Date of Judgment) **11/03/03**

☐ Defendants are jointly and severally liable. (Date & Time) _____

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to
Attachment/42 Pa.C.S. § 8127 \$ _____

☐ Portion of Judgment for physical
damages arising out of residential
lease \$ _____

Amount of Judgment	\$ 1,200.00
Judgment Costs	\$ 81.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,281.50

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.

NOV 03 2003 Date **Richard A. Ireland**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
12/15/03 Date **Richard A. Ireland**, District Justice

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

SEAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

MARLENE B. ROY
Plaintiff

vs.

LINDA L. SHELDON
Defendant

No. 2003- 01790 - C.D.

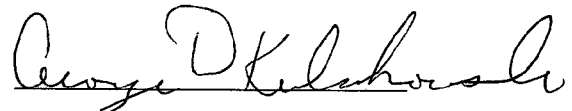
FILED

DEC 23 2003

William A. Shaw
Prothonotary/Clerk of Courts

PROOF OF SERVICE

SERVICE WAS MADE by the Plaintiff Marlene B. Roy, upon the Defendant Linda L Sheldon, and upon District Justice Patrick Ford, by Certified Mail as evidenced by the attached Certified Mail Receipt.



George D. Kulakowski, Esquire

Attorney for Plaintiff

7099 3400 0005 6910 6539

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

Article Sent To:

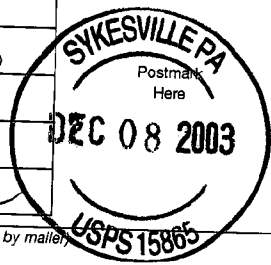
Postage	\$ 37
Certified Fee	230
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	175
Total Postage & Fees	\$ 442

Name (Please Print Clearly) (to be completed by mailer)
Linda Sheldon

Street, Apt. No., or PO Box No.
124 Bell Street

City, State, ZIP+4
Keenokidsville, Pa. 15851

PS Form 3800, July 1999 See Reverse for Instructions



7099 3400 0005 6910 6564

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

Article Sent To:

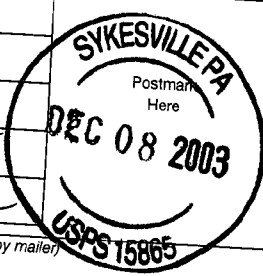
Postage	\$ 37
Certified Fee	230
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	175
Total Postage & Fees	\$ 442

Name (Please Print Clearly) (to be completed by mailer)
Mrs Cant

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, July 1999 See Reverse for Instructions



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

MARLENE B. ROY,	:	NO. 03-1790 C.D.
	:	
PLAINTIFF	:	TYPE OF CASE: CIVIL
	:	
VS.	:	TYPE OF PLEADING:
	:	CERTIFICATE OF SERVICE
LINDA L. SHELDON,	:	
	:	FILED ON BEHALF OF:
DEFENDANT	:	LINDA L. SHELDON
	:	
	:	COUNSEL OF RECORD:
	:	CHRISTOPHER E. MOHNEY, ESQUIRE
	:	
	:	SUPREME COURT NO.: 63494
	:	
	:	90 BEAVER DRIVE, SUITE 201A
	:	DUBOIS, PA 15801
	:	(814) 375-1044

FILED

DEC 23 2003

William A. Shaw
Prothonotary/Clerk of Courts

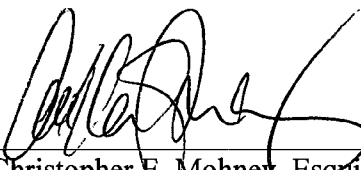
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

MARLENE B. ROY,	:	NO. 03-1790 C.D.
	:	
PLAINTIFF	:	TYPE OF CASE: CIVIL
	:	
VS.	:	
	:	
LINDA L. SHELDON,	:	
	:	
DEFENDANT	:	

CERTIFICATE OF SERVICE

I, Christopher E. Mohny, Esquire, do hereby certify that on this 16th day of December, 2003, I caused to be served by First Class United States Mail, postage prepaid, Praeipie for Entry of Appearance on the following:

George Kulakowski, Esquire
41 E. Main Street
Sykesville, PA 15865
Attorney for Plaintiff



Christopher E. Mohny, Esquire

FILED

m/2:00 PM
DEC 23 2003

William A. Shaw
Prothonotary/Clerk of Courts

WAS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

FILED

DEC 24 2003

William A. Shaw
Prothonotary/Clerk of Courts

MARLENE ROY,
Plaintiff

vs.

LINDA SHELDON,
Defendant

:
:
:
: No. 2003 - 01790 - C.D.
:
:
:

COMPLAINT

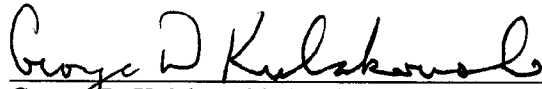
AND NOW, comes the Plaintiff, MARLENE ROY, by and through her undersigned attorney, GEORGE D. KULAKOWSKI, and files the following complaint;

1. The Plaintiff, MARLENE ROY, is an individual who resides at 111 West Long Avenue, DuBois, Clearfield County, PA.
2. The Defendant, LINDA L. SHELDON, is an individual who resides at 122 Bell Street, Reynoldsville, Jefferson County, PA.
3. The parties hereto are sisters.
4. The Plaintiff has purchased various items of personalty and had made arrangements with her mother to store these items at the residence of her mother.
5. The purchase value of these various items of personalty totaled \$8,942.00.
6. On or around May, 2001, the parties mother, ELIZABETH ROY granted her Power of Attorney to her daughter, the DEFENDANT, LINDA L. SHELDON.
7. The defendant, LINDA L. SHELDON, has exercised the Power of Attorney in such a fashion so as to prevent the Plaintiff from entering the residence of

ELIZABETH ROY, so that the Plaintiff might retrieve the above described personal property.

8. The Plaintiff on numerous occasions, both verbally and in writing, has requested of the Defendant that the personal property be returned to the Plaintiff.
9. The Defendant has appropriated, destroyed, or sold all of the Plaintiff's described personal property, to the Plaintiff's financial detriment.
10. As a sole result of the Defendant's actions the Plaintiff has suffered a financial loss in the amount of \$8,942.00.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of \$8,942.00 plus all applicable interest, filing charges and legal fees.


George D. Kulakowski, Esquire

Attorney for Plaintiff

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD
CIVIL DIVISION - LAW**

**MARLENE B. ROY
PLAINTIFF**

VS.

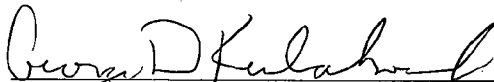
**LINDA L. SHELDON
DEFENDANT**

NO. 2003 - 01790 - C.D.

VERIFICATION

I, GEORGE D. KULAKOWSKI, Esquire, attorney for the Plaintiff, MARLENE B. ROY, hereby swear and aver that the facts contained in this Complaint were supplied by MARLENE B. ROY, and to the best of my knowledge and belief are true and accurate.

Date: 12-23-03


George D. Kulakowski, Esquire
Attorney for Plaintiff

FILED 10c

DEC 24 2003
M/11/13/04
Atty Kulakowski

William A. Shaw

Prothonotary/Clerk of Courts

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

MARLENE B. ROY,
PLAINTIFF

vs.

LINDA L. SHELDON,
DEFENDANT

: NO. 03-1790 C.D.
:
: TYPE OF CASE: CIVIL
:
: TYPE OF PLEADING: ANSWER
: TO PLAINTIFF'S COMPLAINT
:
: FILED ON BEHALF OF: DEFENDANT
:
: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE
:
: SUPREME COURT NO.: 63494
:
: CHRISTOPHER E. MOHNEY, ESQUIRE
: 90 BEAVER DRIVE, SUITE 201A
: DUBOIS, PA 15801
: (814) 375-1044

FILED

FEB 17 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

MARLENE B. ROY,
PLAINTIFF

vs.

LINDA L. SHELDON,
DEFENDANT

:
:
:
:
:
:
:
:

NO. 03-1790 C.D.

ANSWER TO PLAINTIFF'S COMPLAINT

AND NOW, comes Defendant, LINDA L. SHELDON, by and through her attorney, CHRISTOPHER E. MOHNEY, ESQUIRE, and files the following Answer to Plaintiff's Complaint, averring as following:

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied. After reasonable investigation, Defendant is without sufficient knowledge to form a belief as to the truth as to the averments in paragraph 4 of Plaintiff's Complaint, the same being therefore deemed to be denied, strict proof being demanded at trial.
5. The answer to paragraph 4 is incorporated herein and as if set forth at length. By way of further response, Plaintiff fails to attach a list to her Complaint, or otherwise substantiate the amounts.
6. Admitted.

7. Denied. To the contrary, Elizabeth Roy owns no real estate such that Defendant could prevent Plaintiff from entering her mother's property. By way of further response, the real estate formerly owned by Elizabeth Roy was sold on Elizabeth Roy's to generate funds to pay for Elizabeth Roy's necessitated move into an assisted living facility. Moreover, it is admitted that prior to its sale, Defendant barred Plaintiff from Elizabeth Roy's residence; however, it is denied that Defendant wrongly prevented entry of Plaintiff to her mother's residence. Rather, Defendant rightfully barred Plaintiff from Elizabeth Roy's residence insofar as Plaintiff was charged and convicted of forgery in the year 2000, when Plaintiff obtained a credit card utilizing her mother's name and social security number by forging her mother's signature on all documents necessary to obtain the credit card. Pursuant to terms of her sentencing order, Plaintiff was barred from having contact with her mother, Elizabeth Roy.

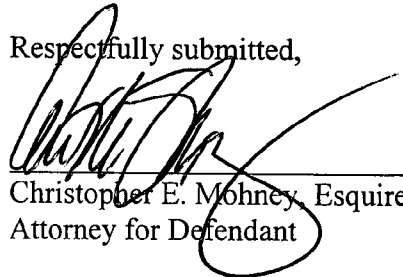
8. Denied.

9. Denied.

10. Denied. By way of further response, Defendant is in no way liable to Plaintiff for any amount of money.

WHEREFORE, Defendant prays this Honorable Court to dismiss Plaintiff's Complaint with prejudice.

Respectfully submitted,



Christopher E. Mohny, Esquire
Attorney for Defendant

VERIFICATION

I, LINDA L. SHELDON, Defendant in this action, being duly authorized to make this verification, have read the foregoing Answer to Plaintiff's Complaint. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.


LINDA L. SHELDON

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

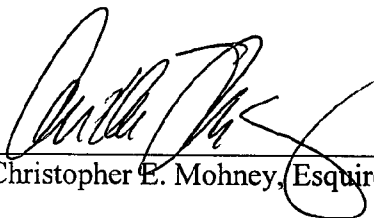
MARLENE B. ROY,	:	NO. 03-1790 C.D.
	:	
PLAINTIFF	:	TYPE OF CASE: CIVIL
	:	
VS.	:	
	:	
LINDA L. SHELDON,	:	
	:	
DEFENDANT	:	

CERTIFICATE OF SERVICE

I, Christopher E. Mohny, Esquire, do hereby certify that on this 9th day of February, 2004
~~January, 2003~~, I caused to be served by First Class United States Mail, postage prepaid,

Answer to Plaintiff's Complaint the following:

George D. Kulakowski, Esquire
41 E. Main Street
Sykesville, PA 15865
Attorney for Plaintiff



Christopher E. Mohny, Esquire

--

--

--

FILED

M/12:47:28
FEB 17 2004

William A. Shaw
Prothonotary/Clerk of Courts

CC
Atty Mohnney

LAW OFFICES

CHRISTOPHER E. MOHNEY

90 BEAVER DRIVE - SUITE 201A
DUBOIS, PA 15801

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL TRIAL LISTING

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

2003-01790 C.D.

DATE PRESENTED 08-06-04

CASE NUMBER

TYPE TRIAL REQUESTED

ESTIMATED TRIAL TIME

Date Complaint
Filed:

() Jury () Non-Jury
(X) Arbitration

3 days/hours

Marlene Roy

PLAINTIFF(S)

Linda Sheldon

()

Check block if a Minor
is a Party to the Case

DEFENDANT(S)

()

ADDITIONAL DEFENDANT(S)

()

William A. Shaw
Prothonotary/Clerk of Courts

FILED No cc
m/d: 08/06/04 copy to
AUG 12 2004 CIA

JURY DEMAND FILED BY:

DATE JURY DEMAND FILED:

AMOUNT AT ISSUE CONSOLIDATION DATE CONSOLIDATION ORDERED

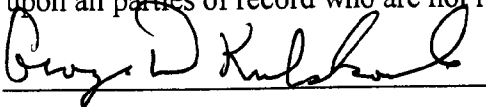
\$8,942.00
More than

&

() yes (X) no

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel:



George D. Kulakowski

814/894-5030

FOR THE PLAINTIFF

TELEPHONE NUMBER

Christopher F. Mohney

814/375-1044

FOR THE DEFENDANT

TELEPHONE NUMBER

FOR ADDITIONAL DEFENDANT

TELEPHONE NUMBER

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

MARLENE ROY

vs.

LINDA SHELDON

:
:
: No. 03-1790-CD
:
:

264
FILED 5 cc
9/10/2004
SEP 02 2004

William A. Shaw
Prothonotary/Clerk of Courts

ORDER

NOW, this 2nd day of September, 2004, it is the ORDER of
the Court that the above-captioned matter is scheduled for Arbitration on
Thursday, October 14, 2004 at 9:00 A.M. The following have been appointed as
Arbitrators:

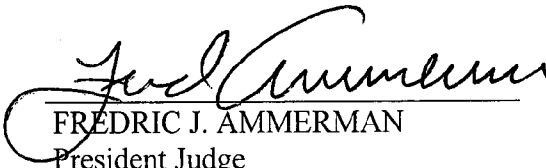
R. Denning Gearhart, Esquire, Chairman

Kimberly M. Kubista, Esquire

S. Casey Bowers, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial
Statement seven (7) days prior to the scheduled Arbitration. **The original should
be forwarded to the Court Administrator's Office and copies to opposing
counsel and each member of the Board of Arbitrators.** For your convenience, a
Pre-Trial (Arbitration) Memorandum Instruction Form is enclosed as well as a
copy of said Local Rule of Court.

BY THE COURT:


FREDRIC J. AMMERMAN
President Judge

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

MARLENE ROY

vs.

LINDA SHELDON

:
:
: No. 03-1790-CD
:
:

AMENDED ORDER

NOW, this 8 day of October, 2004, it is the ORDER of the
Court that the above-captioned matter is scheduled for Arbitration on **Thursday,**
October 14, 2004 at 9:00 A.M. The following have been appointed as
Arbitrators:

David S. Ammerman, Esquire, Chairman

R. Denning Gearhart, Esquire

Kimberly M. Kubista, Esquire

FILED

0 10:27 AM 6 Ccts Morong

38 OCT 08 2004

BY THE COURT:

Fredric J. Ammerman

FREDRIC J. AMMERMAN

President Judge

William A. Shaw
Prothonotary



File 10-14-04

October 4, 2004

Marcy Kelley
Office of Court Administrator
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830

Re: Roy Vs. Sheldon

Dear Ms. Kelley:

Enclosed please find Plaintiff's Pretrial Statement.

Yours very truly,

George D. Kulakowski

GDK/jsl

Enclosure

RECEIVED
OCT 05 2004
COURT ADMINISTRATOR'S
OFFICE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

MARLENE ROY,
Plaintiff

vs.

LINDA SHELDON,
Defendant

:
:
:
: No. 2003 - 01790 - C.D.
:
:
:

PRETRIAL MEMORANDUM

AND NOW, comes the Plaintiff, Marlene Roy, files the following Pretrial Statement:

I. STATEMENT OF THE CASE:

The Plaintiff had purchased various items of personal property and had made arrangements to store this property at the home of Plaintiff's mother. The property had a value of \$8,942. The Defendant, Linda L. Sheldon, had been granted a Power of Attorney by Elizabeth Roy, the mother of the Plaintiff. The Defendant, Linda L. Sheldon, exercised the Power of Attorney in such a fashion to prevent the Plaintiff from acquiring possession of her personal property. The Defendant either appropriated, destroyed or sold all of the personal property causing the Plaintiff to suffer a financial loss in the amount of \$8,942.

II. CITATIONS TO APPLICABLE CASE OR STATUTES:

None.

III. LIST OF WITNESSES:

1. Plaintiff, Marlene Roy

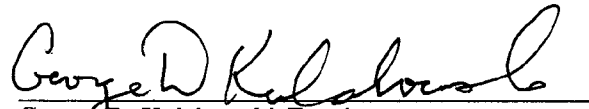
IV. STATEMENT OF DAMAGES AND COPIES OF BILLS:

See attached.

RECEIVED

OCT 05 2004

CLERK'S
OFFICE


George D. Kulakowski, Esquire

Attorney for Plaintiff



CHRISTOPHER E. MOHNEY
ATTORNEY AT LAW

90 Beaver Drive • Suite 111B • DuBois, PA 15801

Telephone: (814) 375-1044

Facsimile: (814) 375-1088

October 6, 2004

Marcy Kelly, Deputy Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830

RE: Marlene B. Roy vs. Linda L. Sheldon
No. 03-1790-C.D.

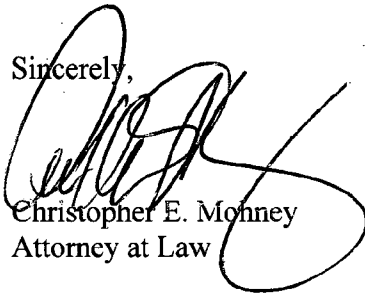
Dear Marcy:

Please file the enclosed Pre-Arbitration Memorandum in the above matter, and on behalf of Defendant, Linda Sheldon.

By copy of this correspondence, I am serving all of the Arbitrators with true and correct copy, as well as opposing counsel.

Thank you.

Sincerely,


Christopher E. Mohney
Attorney at Law

CEM:sms

Enclosure

cc: George D. Kulakowski, Esquire (w/enc.)
R. Denning Gearhart, Esquire (w/enc.)
Kimberly M. Kubista (w/enc.)
S. Casey Bowers, Esquire (w/enc.)

RECEIVED

OCT 07 2004

COURT ADMINISTRATOR'S
OFFICE

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

MARLENE B. ROY,	:	NO. 03-1790 C.D.
	:	
PLAINTIFF,	:	TYPE OF CASE: CIVIL
	:	
vs.	:	TYPE OF PLEADING:
	:	PRE-ARBITRATION MEMORANDUM
LINDA L. SHELDON,	:	
	:	FILED ON BEHALF OF: DEFENDANT
	:	
DEFENDANT.	:	COUNSEL OF RECORD:
	:	CHRISTOPHER E. MOHNEY, ESQUIRE
	:	
	:	SUPREME COURT NO.: 63494
	:	
	:	CHRISTOPHER E. MOHNEY, ESQUIRE
	:	90 BEAVER DRIVE, SUITE111B
	:	DUBOIS, PA 15801
	:	(814) 375-1044

RECEIVED

OCT 07 2004

COURT ADMINISTRATOR'S
OFFICE

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

MARLENE B. ROY,	:	NO. 03-1790 C.D.
	:	
PLAINTIFF,	:	
	:	
vs.	:	
	:	
LINDA L. SHELDON,	:	
	:	
DEFENDANT.	:	

PRE-ARBITRATION MEMORANDUM

AND NOW, comes Defendant, LINDA L. SHELDON, by her attorney, CHRISTOPHER E. MOHNEY, ESQUIRE, and files the following Pre-Arbitration Memorandum in accordance with Clearfield County local Rule 1306A, a statement of which is as follows:

1. **BRIEF STATEMENT OF THE CASE.** Plaintiff, Marlene B. Roy (hereinafter "Marlene") and Linda L. Sheldon (hereinafter "Linda") are sisters. Their mother is Elizabeth Roy, of whom is currently a resident of DuBois Village, an assisted living facility. Prior to her moving to the village, Elizabeth Roy gave Linda power as Agent pursuant to a Power of Attorney. Moreover, by Deed dated May 11, 2000, Instrument No. 200006476 recorded in the Clearfield County recorder of Deeds Office, Elizabeth Roy gifted her residence to Linda. Approximately one (1) year after being gifted the property, Linda caused to be auctioned Elizabeth Roy's personalty within the home, and sold the residence, both to generate proceeds to fund Elizabeth Roy's stay at DuBois Village, which requires private-pay status.

The crux of Marlene's complaint appears to be that she had some sort of agreement with her mother, Elizabeth Roy, whereby Marlene stored various items at her mother's home, which

items she alleges Linda either kept, caused to be sold, or destroyed. Succinctly, Linda denies doing anything wrong, much less wrongfully denying Marlene from access to any property she had at her mother's home, be it before the property was deeded to Linda, or after (when she had every right to prevent Marlene access from the home, since Linda owned it). Linda denies being in any way liable to Marlene for any amount of money.

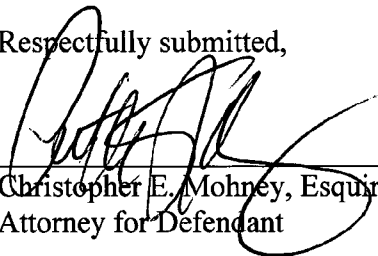
2. **CITATION TO APPLICABLE CASE OR STATUTES.** None.

3. **LIST OF WITNESSES.**

- a. Linda Sheldon
- b. Elizabeth Roy
- c. Marlene B. Roy

4. **STATEMENT OF DAMAGES.** Defendant, Linda Sheldon, maintains that Plaintiff, Marlene Roy is entitled to nothing.

Respectfully submitted,



Christopher E. Mohnhey, Esquire
Attorney for Defendant

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

MARLENE B. ROY,	:	NO. 03-1790 C.D.
	:	
PLAINTIFF.	:	TYPE OF CASE: CIVIL
	:	
VS.	:	
	:	
LINDA L. SHELDON,	:	
	:	
DEFENDANT.	:	

CERTIFICATE OF SERVICE

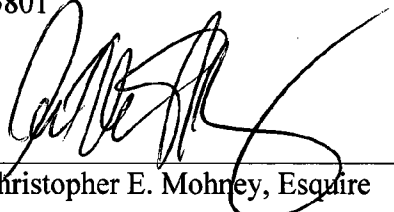
I, Christopher E. Mohnrey, Esquire, do hereby certify that on this 6th day of October, 2004, I caused to be served by First Class United States Mail, postage prepaid, Pre-Arbitration Memorandum on the following:

George D. Kulakowski, Esquire
41 E. Main Street
Sykesville, PA 15865

R. Denning Gearhart, Esquire
207 E. Market Street
Clearfield, PA 16830

Kimberly M. Kubista, Esquire
BELIN & KUBISTA
P. O. Box 1
Clearfield, PA 16830

S. Casey Bowers, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801


Christopher E. Mohnrey, Esquire

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

MARLENE B. ROY,

Plaintiff,

vs.

LINDA L. SHELDON,

Defendant.

PRE-ARBITRATION MEMORANDUM

No. 03-1790-C.D.

LAW OFFICES

CHRISTOPHER E. MOHNEY

90 BEAVER DRIVE - SUITE 111B

DUBOIS, PA 15801

(814) 375-1044

CM

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

Marlene B. Roy
vs.
Linda L. Sheldon

No. 2003-01790-CD

OATH OR AFFIRMATION OF ARBITRATORS

Now, this 14th day of October, 2004, we the undersigned, having been appointed arbitrators in the above case do hereby swear, or affirm, that we will hear the evidence and allegations of the parties and justly and equitably try all matters in variance submitted to us, determine the matters in controversy, make an award, and transmit the same to the Prothonotary within twenty (20) days of the date of hearing of the same.

R. Denning Gearhart, Esquire
Kimberly M. Kubista, Esquire
S. Casey Bowers, Esquire

R. Denning Gearhart
Chairman
Kimberly M. Kubista
S. Casey Bowers
FILED

Sworn to and subscribed before me this
October 14, 2004

Willie L. Harris
Prothonotary

OCT 14 2004

AWARD OF ARBITRATORS

Now, this 14 day of Oct, 04, we the undersigned arbitrators appointed in this case, after being duly sworn, and having heard the evidence and allegations of the parties, do award and find as follows:

Jdgmt for Defendant

R. Denning Gearhart
Chairman
Kimberly M. Kubista
S. Casey Bowers

(Continue if needed on reverse.)

ENTRY OF AWARD

Now, this 14 day of October, 2004, I hereby certify that the above award was entered of record this date in the proper dockets and notice by mail of the return and entry of said award duly given to the parties or their attorneys.

WITNESS MY HAND AND THE SEAL OF THE COURT

Prothonotary
By _____

Willie L. Harris

Marlene B. Roy

Vs.

Linda L. Sheldon

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

No. 2003-01790-CD

COPY

NOTICE OF AWARD

TO: MARLENE B. ROY

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on October 14, 2004 and have awarded:

Judgment for Defendant.

William A. Shaw

Prothonotary

By _____

October 14, 2004

Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of award.

Marlene B. Roy

Vs.

Linda L. Sheldon

: IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY
: No. 2003-01790-CD
:

COPY

NOTICE OF AWARD

TO: CHRISTOPHER E. MOHNEY

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on October 14, 2004 and have awarded:

Judgment for Defendant.

William A. Shaw
Prothonotary
By _____

October 14, 2004
Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of award.

Marlene B. Roy

Vs.

Linda L. Sheldon

: IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY
: No. 2003-01790-CD

NOTICE OF AWARD

TO: GEORGE D. KULAKOWSKI

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on October 14, 2004 and have awarded:

Judgment for Defendant.

William A. Shaw
Prothonotary
By _____

October 14, 2004
Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of award.

COPY

122 Bee Street. Reynoldsville PA 15851

Marlene B. Roy

Vs.

Linda L. Sheldon

: IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY
: No. 2003-01790-CD
:



NOTICE OF AWARD

TO: LINDA L. SHELDON

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on October 14, 2004 and have awarded:

Judgment for Defendant.

William A. Shaw _____
Prothonotary
By _____

October 14, 2004
Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of award.

Marlene B. Roy

Vs.

Linda L. Sheldon

: IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY
: No. 2003-01790-CD
:

NOTICE OF AWARD

TO: Copies to: Linda L. Sheldon(Defendant), 122 Bell Street, , Reynoldsville, PA,
15851, Marlene B. Roy(Plaintiff), 111 W. Long Ave. Apt. 1M, , DuBois, PA,
15801, Christopher E. Mohney (Defense Attorney), George D. Kulakowski (Plaintiff
Attorney)

You are herewith notified that the Arbitrators appointed in the above case have filed
their award in this office on October 14, 2004 and have awarded:

Judgment for Defendant.

William A. Shaw
Prothonotary
By _____

October 14, 2004
Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of
award.

CA

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

MARLENE ROY

vs.

LINDA SHELDON

:
:
: No. 03-1790-CD
:
:

AMENDED ORDER

NOW, this 12 day of October, 2004, it is the ORDER of the
Court that the above-captioned matter is scheduled for Arbitration on **Thursday,**
October 14, 2004 at 9:00 A.M. The following have been appointed as
Arbitrators:

R. Denning Gearhart, Esquire, Chairman

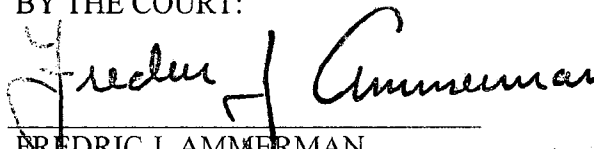
Kimberly M. Kubista, Esquire

S. Casey Bowers, Esquire

EGK
FILED 6 CC
010:1701 CIA
OCT 12 2004

William A. Shaw
Prothonotary/Clerk of Courts

BY THE COURT:


FREDRIC J. AMMERMAN
President Judge