

04-522-CD
RAYMOND R. TAPPER vs. COMMONWEALTH OF PENNSYLVANIA

Raymond Tapper vs Comm. Of Penna.
2004-522-CD

RAYMOND R. TAPPER,

Plaintiff

v.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION,
BUREAU OF MOTOR VEHICLES,

Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

04-522-C
NO. 2004

CIVIL DIVISION

(SUSPENSION OF INSPECTION PRIVILEGES)

ORDER

AND NOW, this _____ day of April, 2004, upon consideration of the Motion for
Supersedeas and Appeal of Raymond R. Tapper from the suspension of his Certification as an
Official Safety Inspection Mechanic, a supersedeas is granted pending the hearing.

BY THE COURT:

(J.)

RAYMOND R. TAPPER, : IN THE COURT OF COMMON PLEAS
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
v. : 04-522-C
NO. 2004 : FILED
COMMONWEALTH OF PENNSYLVANIA, : APR 15 2004
DEPARTMENT OF TRANSPORTATION, : CIVIL DIVISION
BUREAU OF MOTOR VEHICLES, : William A. Shaw
Defendant : Prothonotary/Clerk of Courts
: (SUSPENSION OF INSPECTION PRIVILEGES)

MOTION FOR SUPERSEDEAS

AND NOW, comes the Plaintiff, Raymond R. Tapper, by his attorneys, McNees Wallace & Nurick LLC, and pursuant to 75 Pa.C.S. §4726(c), files this Motion for Supersedeas and avers the following in support thereof:

1. On or about April 14, 2004, Plaintiff, Raymond R. Tapper ("Tapper"), filed a timely appeal from an Order of Suspension issued by the Defendant, Commonwealth of Pennsylvania, Department of Transportation, Bureau of Motor Vehicles ("PennDOT"). A true and correct copy of the filed appeal is attached hereto as Exhibit "1."
2. The filing of this appeal does not act as an automatic supersedeas.
3. Tapper is entitled to a supersedeas as he meets the requirements of *Pennsylvania Public Utility Commission v. Process Gas Consumers Group*, 467 A.2d 805 (Pa. 1983).
4. There is a strong likelihood that Tapper will prevail on the merits of his appeal.
5. Without the granting of a supersedeas, which will allow Tapper to restore his inspection privilege pending appeal, Tapper will suffer irreparable injury as he will not be able to perform safety inspections, which encompasses the majority of his employment responsibilities.

6. The granting of a supersedeas in this matter will not substantially harm the Department of Transportation. In fact, Matthew X. Haeckler, Assistant Counsel in Charge for PennDOT has verbally advised counsel for the Plaintiff that PennDOT does not oppose the granting of a supersedeas in this matter.

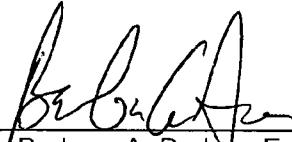
7. The granting of a supersedeas in this matter will not harm or adversely impact the public interest.

WHEREFORE, Plaintiff, Raymond R. Tapper, requests that a supersedeas be entered staying the imposition of suspension pending appeal.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By



Barbara A. Darkes, Esquire
I. D. No. 77419
100 Pine Street
P. O. Box 1166
Harrisburg, PA 17108
(717) 237-5381

Attorneys for Raymond R. Tapper

Date: April 14, 2004



RECYCLED

RAYMOND R. TAPPER, : IN THE COURT OF COMMON PLEAS
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
v. : NO. 2004
COMMONWEALTH OF PENNSYLVANIA, : CIVIL DIVISION
DEPARTMENT OF TRANSPORTATION, :
BUREAU OF MOTOR VEHICLES, :
Defendant : (SUSPENSION OF INSPECTION PRIVILEGES)

ORDER

AND NOW, this _____ day of _____, 2004, upon consideration of the Appeal of Raymond R. Tapper, from the suspension of his Certification as an Official Safety Inspection Mechanic, a de novo hearing is scheduled for the _____ day of _____, 2004, at _____ o'clock __.m. in Court Room No. ____ of the Clearfield County Courthouse.

A supersedeas is granted pending the hearing.

BY THE COURT:

(J.)

RAYMOND R. TAPPER,	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiff	:	
	:	
v.	:	NO. 2004
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	CIVIL DIVISION
DEPARTMENT OF TRANSPORTATION,	:	
BUREAU OF MOTOR VEHICLES,	:	
	:	
Defendant	:	(SUSPENSION OF INSPECTION PRIVILEGES)

**APPEAL FROM SUSPENSION
OF CERTIFICATION AS AN OFFICIAL
SAFETY INSPECTION MECHANIC**

AND NOW, comes the Plaintiff, Raymond R. Tapper, by his attorneys, McNees Wallace & Nurick LLC, and pursuant to 75 Pa.C.S. §4726(c), files this appeal from the Order of Suspension of Official Safety Inspector and avers the following in support thereof:

1. Plaintiff is Raymond R. Tapper ("Tapper"), a licensed Pennsylvania Safety Inspection Mechanic who is employed by Johnson Motors, Inc., at 1659 Blinker Parkway, DuBois, Clearfield County, Pennsylvania, 15801.
2. Defendant is the Commonwealth of Pennsylvania, Department of Transportation, Bureau of Motor Vehicles, with offices at Riverfront Office Center, 1101 S. Front Street, Harrisburg, Pennsylvania 17104-2416.
3. By order mail dated April 2, 2004 Tapper was notified that his Certification as an official safety inspection mechanic was being suspended. A true and correct copy of the notice is attached hereto as Exhibit "A".
4. The Order states that Tapper's Certification as an official safety inspection mechanic is being suspended for a period of four months for the alleged violation of requiring or indicating unnecessary repairs.
5. The suspension is effective 40 days from the mail date of the notice, which will be May 12, 2004.
6. Tapper is employed by Johnson Motors, Inc. as an inspection mechanic.

7. Tapper has been greatly prejudiced by the lack of due process and will suffer irreparable harm due to the suspension, if a supersedeas is not immediately granted pending appeal, as the majority of Tapper's employment responsibilities involve inspecting motor vehicles.

8. The four-month suspension for the alleged violation of requiring or indicating unnecessary repairs is improper as Tapper did not engage in such conduct.

9. Tapper appeals this suspension to the Court of Common Pleas pursuant to 75 Pa. C.S. §4726(c), and requests that a Supersedeas be granted pending a hearing on the merits.

10. The Respondent, Commonwealth of Pennsylvania, Department of Transportation, has no objection to the issuance of a supersedeas.

WHEREFORE, Plaintiff, Raymond R. Tapper, requests that a supersedeas be entered staying the imposition of suspension pending appeal and that this matter be scheduled for hearing pursuant to 75 Pa.C.S. §4726(c).

Respectfully submitted,

McNEES WALLACE & MURICK LLC

By


Barbara A. Darkes, Esquire
I. D. No. 77419
100 Pine Street
P. O. Box 1166
Harrisburg, PA 17108
(717) 237-5381

Attorneys for Raymond R. Tapper

Date: April 14, 2004



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
HARRISBURG, PA 17104

Raymond R Tapper
Oper#18-135-848
RD 3 Box 200
DuBois, PA 15801
(Johnson Motors-OIS#5163)

Vehicle Inspection Division
P. O. Box 69003
Harrisburg PA 17106-9003
Phone: (717) 787-2895
MECHANIC #18-135-848
CERTIFIED MAIL: 7003 1680 0001 0674 3781
MAIL DATE: 04-02-04

ORDER OF SUSPENSION OF OFFICIAL SAFETY INSPECTOR

You are hereby notified that your certification as an Official Safety Inspector is suspended, pursuant to Section 4726 of the Vehicle Code. No vehicle safety inspections may be performed during the suspension. Pursuant to Departmental regulations, your certification as an Official Safety Inspector will be suspended for four (4) months for requiring or indicating unnecessary repairs (on a 2000 Chevrolet S10 Truck).

The suspension(s) will run consecutively, for a total suspension of four (4) months. This suspension is to run consecutively with any other suspension(s) imposed by the Department for any violation considered separately.
THE SUSPENSION WILL BE EFFECTIVE 40 DAYS FROM THE MAIL DATE OF THIS ORDER.

At the end of the 40 days, you are ordered to surrender to the bearer of this notice, who is an authorized representative of the Department of Transportation, your Safety Inspector Certification Card. Upon the completion of your suspension, your inspector certification card will be returned to you.

You have the right to appeal this Departmental Order of Suspension to the Court of Common Pleas of the County in which the above referenced inspection station is located, **WITHIN THIRTY (30) DAYS OF THE MAIL DATE OF THIS ORDER**. If you do file an appeal, a signed and time-stamped copy of the appeal must be served upon the Department at the mailing address listed below. **FILING OF AN APPEAL DOES NOT AUTOMATICALLY STAY THE SUSPENSION**. In order for your privileges to be restored pending appeal, a signed Order of Supersedeas from the Court directing the Department to stay the suspension must be served upon the Department at the mailing address listed below.

MAILING ADDRESS:

Department of Transportation
Chief Counsel's Office
Riverfront Office Center
1101 S. Front Street, 3rd Floor
Harrisburg, PA 17104-2416

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt J. Myers".

Kurt J. Myers, Director
Bureau of Motor Vehicles

Copy to [unclear]

CERTIFICATE OF SERVICE

AND NOW, this 14th day of April, 2004, I hereby certify that I have served a true and correct copy of the within document, via certified United States mail, return receipt requested and postage prepaid as follows:

Matthew X. Haeckler, Assistant Counsel in Charge
PA Department of Transportation
Office of Chief Counsel
Motor Vehicle Section
Riverfront Office Center
1101 S. Front Street - 3rd Floor
Harrisburg, PA 17104-2416

McNEES WALLACE & NURICK LLC

By: 

Barbara A. Darkes
Attorney I.D. # 77419
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
(717) 237-5381

Attorneys for Raymond R. Tapper

CERTIFICATE OF SERVICE

AND NOW, this 14th day of April, 2004, I hereby certify that I have served a true and correct copy of the within document, via certified United States mail, return receipt requested and postage prepaid as follows:

Matthew X. Haeckler, Assistant Counsel in Charge
PA Department of Transportation
Office of Chief Counsel
Motor Vehicle Section
Riverfront Office Center
1101 S. Front Street - 3rd Floor
Harrisburg, PA 17104-2416
Fax No. (717) 705-1122

McNEES, WALLACE & NURICK

By: 

Barbara A. Darkes, Esquire
Attorney I.D. # 77419
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
(717) 237-5381

Attorneys for Raymond R. Tapper

FILED 2004
M 12 Se 04 Atty Darles
APR 15 2004
W. A. Starn
Prothonotary, Clerk of Courts

Date: 11/04/2004

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 10:33 AM

ROA Report

Page 1 of 1

Case: 2004-00522-CD

Current Judge: John K. Reilly Jr.

Raymond R. Tapper vs. Commonwealth of Pennsylvania Dept of Transporation

Civil Other

Date		Judge
04/15/2004	Filing: Civil Complaint Paid by: McNees Wallace & Nurick LLC Receipt number: 1877330 Dated: 04/15/2004 Amount: \$85.00 (Check) Appeal From Suspension Of Certification As An Official Safety Inspection Mechanic. filed by, s/Barbara A. Darkes, Esquire Certificate of Service 2 cc Atty Darkes Motion For Supersedeas. filed by, s/Barbara A. Darkes, Esq. Certificate of Service 2 cc Atty Darkes	No Judge ✓✓✓
04/28/2004	ORDER, AND NOW, this 28th day of April, 2004, re: Hearing De Novo is GRANTED. This Order shall act as a Supersedeas of PENNDOT suspending Petitioner's Certification as an Official Safety Inspection Mechanic. by the Court, s/FJA, P.J. 2 cc to Atty 1 cc to C/A	No Judge ✓✓✓
10/15/2004	ORDER: AND NOW, this 15th day of October, 2004, it is the Order of the Court that hearing on Plaintiff's License Suspension Appeal in the above matter has been scheduled for Wednesday Nov. 10, 2004 at 2:00 p.m. before the Honorable John K. Reilly, Jr., Senior Judge, Specially Presiding, in the Clfd. Co. Courthouse, Clfd PA. Please report to the Court Administrator's Office. BY THE COURT: Fredric J. Ammerman, President Judge 2cc to Atty for Ser.	Fredric Joseph Ammerman ✓✓✓

RAYMOND R. TAPPER,
Plaintiff
v.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION,
BUREAU OF MOTOR VEHICLES,
Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

04-522-CO
NO. 2004

CIVIL DIVISION

(SUSPENSION OF INSPECTION PRIVILEGES)

FILED

APR 15 2004

William A. Shaw
Prothonotary/Clerk of Courts

**APPEAL FROM SUSPENSION
OF CERTIFICATION AS AN OFFICIAL
SAFETY INSPECTION MECHANIC**

*Original
as filed*

AND NOW, comes the Plaintiff, Raymond R. Tapper, by his attorneys, McNees Wallace & Nurick LLC, and pursuant to 75 Pa.C.S. §4726(c), files this appeal from the Order of Suspension of Official Safety Inspector and avers the following in support thereof:

1. Plaintiff is Raymond R. Tapper ("Tapper"), a licensed Pennsylvania Safety Inspection Mechanic who is employed by Johnson Motors, Inc., at 1659 Blinker Parkway, DuBois, Clearfield County, Pennsylvania, 15801.
2. Defendant is the Commonwealth of Pennsylvania, Department of Transportation, Bureau of Motor Vehicles, with offices at Riverfront Office Center, 1101 S. Front Street, Harrisburg, Pennsylvania 17104-2416.
3. By order mail dated April 2, 2004 Tapper was notified that his Certification as an official safety inspection mechanic was being suspended. A true and correct copy of the notice is attached hereto as Exhibit "A".
4. The Order states that Tapper's Certification as an official safety inspection mechanic is being suspended for a period of four months for the alleged violation of requiring or indicating unnecessary repairs.
5. The suspension is effective 40 days from the mail date of the notice, which will be May 12, 2004.
6. Tapper is employed by Johnson Motors, Inc. as an inspection mechanic.

RAYMOND R. TAPPER, : IN THE COURT OF COMMON PLEAS
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
v. :
NO. 04-522-CB
COMMONWEALTH OF PENNSYLVANIA, : 2004
DEPARTMENT OF TRANSPORTATION, :
BUREAU OF MOTOR VEHICLES, : CIVIL DIVISION
Defendant : (SUSPENSION OF INSPECTION PRIVILEGES)

ORDER

AND NOW, this _____ day of _____, 2004, upon consideration of the Appeal of
Raymond R. Tapper, from the suspension of his Certification as an Official Safety Inspection
Mechanic, a de novo hearing is scheduled for the _____ day of _____, 2004, at
_____ o'clock __.m. in Court Room No. ___ of the Clearfield County Courthouse.

A supersedeas is granted pending the hearing.

BY THE COURT:

(J.)

CA

RAYMOND R. TAPPER, : IN THE COURT OF COMMON PLEAS
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
v. : 04-522-CO
: NO. 2004
COMMONWEALTH OF PENNSYLVANIA, : CIVIL DIVISION
DEPARTMENT OF TRANSPORTATION, : APR 15 2004
BUREAU OF MOTOR VEHICLES, : William A. Shaw
Defendant : Prothonotary/Clerk of Courts
(SUSPENSION OF INSPECTION PRIVILEGES)

**APPEAL FROM SUSPENSION
OF CERTIFICATION AS AN OFFICIAL
SAFETY INSPECTION MECHANIC**

AND NOW, comes the Plaintiff, Raymond R. Tapper, by his attorneys, McNees Wallace & Nurick LLC, and pursuant to 75 Pa.C.S. §4726(c), files this appeal from the Order of Suspension of Official Safety Inspector and avers the following in support thereof:

1. Plaintiff is Raymond R. Tapper ("Tapper"), a licensed Pennsylvania Safety Inspection Mechanic who is employed by Johnson Motors, Inc., at 1659 Blinker Parkway, DuBois, Clearfield County, Pennsylvania, 15801.
2. Defendant is the Commonwealth of Pennsylvania, Department of Transportation, Bureau of Motor Vehicles, with offices at Riverfront Office Center, 1101 S. Front Street, Harrisburg, Pennsylvania 17104-2416.
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6. Tapper is employed by Johnson Motors, Inc. as an inspection mechanic.

7. Tapper has been greatly prejudiced by the lack of due process and will suffer irreparable harm due to the suspension, if a supersedeas is not immediately granted pending appeal, as the majority of Tapper's employment responsibilities involve inspecting motor vehicles.

8. The four-month suspension for the alleged violation of requiring or indicating unnecessary repairs is improper as Tapper did not engage in such conduct.

9. Tapper appeals this suspension to the Court of Common Pleas pursuant to 75 Pa. C.S. §4726(c), and requests that a Supersedeas be granted pending a hearing on the merits.

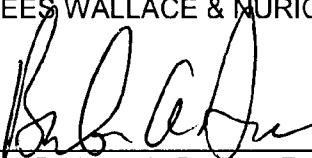
10. The Respondent, Commonwealth of Pennsylvania, Department of Transportation, has no objection to the issuance of a supersedeas.

WHEREFORE, Plaintiff, Raymond R. Tapper, requests that a supersedeas be entered staying the imposition of suspension pending appeal and that this matter be scheduled for hearing pursuant to 75 Pa.C.S. §4726(c).

Respectfully submitted,

McNEES WALLACE & MURICK LLC

By


Barbara A. Darkes, Esquire
I. D. No. 77419
100 Pine Street
P. O. Box 1166
Harrisburg, PA 17108
(717) 237-5381

Attorneys for Raymond R. Tapper

Date: April 14, 2004



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
HARRISBURG, PA 17104

Raymond R Tapper
Oper#18-135-848
RD 3 Box 200
DuBois, PA 15801
(Johnson Motors-OIS#5163)

Vehicle Inspection Division
P. O. Box 69003
Harrisburg PA 17106-9003
Phone: (717) 787-2895
MECHANIC #18-135-848
CERTIFIED MAIL: 7003 1680 0001 0674 3781
MAIL DATE: 04-02-04

ORDER OF SUSPENSION OF OFFICIAL SAFETY INSPECTOR

You are hereby notified that your certification as an Official Safety Inspector is suspended, pursuant to Section 4726 of the Vehicle Code. No vehicle safety inspections may be performed during the suspension. Pursuant to Departmental regulations, your certification as an Official Safety Inspector will be suspended for four (4) months for requiring or indicating unnecessary repairs (on a 2000 Chevrolet S10 Truck).

The suspension(s) will run consecutively, for a total suspension of four (4) months. This suspension is to run consecutively with any other suspension(s) imposed by the Department for any violation considered separately.
THE SUSPENSION WILL BE EFFECTIVE 40 DAYS FROM THE MAIL DATE OF THIS ORDER.

At the end of the 40 days, you are ordered to surrender to the bearer of this notice, who is an authorized representative of the Department of Transportation, your Safety Inspector Certification Card. Upon the completion of your suspension, your inspector certification card will be returned to you.

You have the right to appeal this Departmental Order of Suspension to the Court of Common Pleas of the County in which the above referenced inspection station is located, **WITHIN THIRTY (30) DAYS OF THE MAIL DATE OF THIS ORDER**. If you do file an appeal, a signed and time-stamped copy of the appeal must be served upon the Department at the mailing address listed below. **FILING OF AN APPEAL DOES NOT AUTOMATICALLY STAY THE SUSPENSION.** In order for your privileges to be restored pending appeal, a signed Order of Supersedeas from the Court directing the Department to stay the suspension must be served upon the Department at the mailing address listed below.

MAILING ADDRESS:

Department of Transportation
Chief Counsel's Office
Riverfront Office Center
1101 S. Front Street, 3rd Floor
Harrisburg, PA 17104-2416

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt J. Myers".

Kurt J. Myers, Director
Bureau of Motor Vehicles

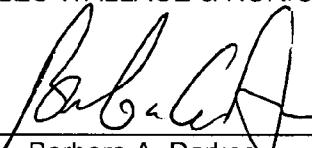
Carbon Copy

CERTIFICATE OF SERVICE

AND NOW, this 14th day of April, 2004, I hereby certify that I have served a true and correct copy of the within document, via certified United States mail, return receipt requested and postage prepaid as follows:

Matthew X. Haeckler, Assistant Counsel in Charge
PA Department of Transportation
Office of Chief Counsel
Motor Vehicle Section
Riverfront Office Center
1101 S. Front Street - 3rd Floor
Harrisburg, PA 17104-2416

McNEES WALLACE & NURICK LLC

By: 

Barbara A. Darkes
Attorney I.D. # 77419
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
(717) 237-5381

Attorneys for Raymond R. Tapper

FILED 2cc
APR 13 2004 ^{SEARCHED} ^{INDEXED}
APR 15 2004 ^{FILED} ^{APR 17 2004} ~~APR 17 2004~~ ^{APR 17 2004}
William A. Straw ~~APR 17 2004~~ ^{APR 17 2004}
Photocopy Clerk of Courts
APR 17 2004 ^{APR 17 2004}

PA

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

RAYMOND R. TAPPER :
:
vs. : No. 04-522-CD
:
COMMONWEALTH OF :
PENNSYLVANIA, DEPARTMENT :
OF TRANSPORTATION, BUREAU :
OF MOTOR VEHICLES :
:

ORDER

AND NOW, this 28 day of April 2004, upon consideration of the Petition of RAYMOND R. TAPPER for review of an Order of the Department of Transportation suspending Petitioner's Certification as an Official Safety Inspection Mechanic, a Hearing De Novo is granted to determine whether the action of the Department of Transportation should be set aside. The Court Administrator's Office is directed to schedule this matter on the next available License Suspension Hearing date.

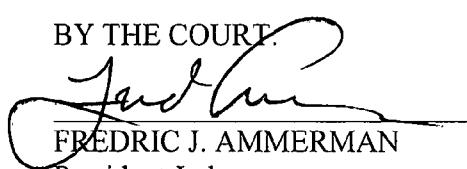
The Petitioner is directed forthwith to serve a notice of the appeal and copies of the Petition for Review and Order for Hearing on the Department of Transportation at the address shown in the Department's notice of entry of Order, be certified mail, return receipt requested.

This Order shall act as a supersedeas of the action of the Pennsylvania Department of Transportation suspending Petitioner's Certification as an Official Safety Inspection Mechanic.

FILED

APR 28 2004

BY THE COURT:


FREDRIC J. AMMERMAN
President Judge

William A. Shaw
Prothonotary/Clerk of Courts

2 court to ATTS

1 court to C/A

EPZ

67

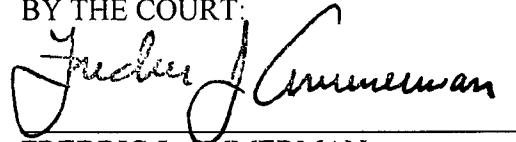
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

RAYMOND R. TAPPER :
:
vs. : No. 04-522-CD
:
COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF TRANSPORTATION :

ORDER

AND NOW, this 15th day of October, 2004, it is the ORDER of the Court that hearing on Plaintiff's License Suspension Appeal in the above matter has been scheduled for Wednesday, November 10, 2004 at 2:00 P.M. before the Honorable John K. Reilly, Jr., Senior Judge, Specially Presiding, in the Clearfield County Courthouse, Clearfield, PA. Please report to the Court Administrator's Office. You will be directed from there where these hearing will be heard.

BY THE COURT:



FREDRIC J. AMMERMAN
President Judge

FILED *EGK*

OCT 15 2004
013:00p
William A. Shaw
Prothonotary/Clerk of Courts

2 copies to ATT for SFC

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA : :

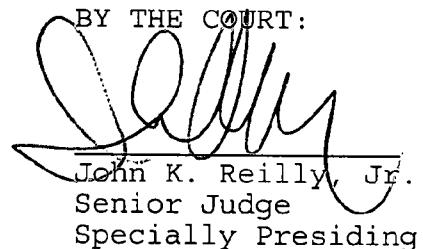
VS. : NO. 04-522-CD

RAYMOND R. TAPPER : License Suspension Appeal

O R D E R

NOW, this 10th day of November, 2004, following hearing into the above-captioned Appeal from License Suspension; the Court finding that the Commonwealth has met its burden with regards thereto, it is the ORDER of this Court that the privileges of Raymond R. Tapper's as a state inspection mechanic shall be and are hereby suspended, said appeal dismissed and the action of the Department of Transportation affirmed.

BY THE COURT:



John K. Reilly, Jr.
Senior Judge
Specially Presiding

E616 03-46889 *cc: atty Kuhar
cc: atty Darke*
FILED
NOV 12 2004

William A. Protho
Prothonotary