

04-1130-CD  
WALLACETON BOGGS MUNICIPAL AUTHORITY VS KENNETH DILLON

2004-1130-CD  
Wallaceton boggs vs Kenneth Dillon

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff  
vs.  
KENNETH DILLON,  
Defendant

\*  
\* No.: 2004-1130-CV  
\*  
\* Code: COMPLAINT  
\*  
\*  
\*  
\*

Filed on behalf of:  
Wallaceton Boggs Municipal Authority,  
Plaintiff

Attorney of record for this party:  
George S. Test, Esquire  
P O Box 706  
Philipsburg, PA 16866  
(814) 342-4640

P.A.I.D. #15915

**FILED**

JUL 27 2004

o/12:20am  
William A. Shaw  
Prothonotary

1 copy to A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS \*  
MUNICIPAL AUTHORITY, \* No.: \_\_\_\_\_  
Plaintiff \*  
\*  
\*  
\*  
vs. \*  
\*  
\*  
\*  
KENNETH DILLON, \*  
Defendant \*

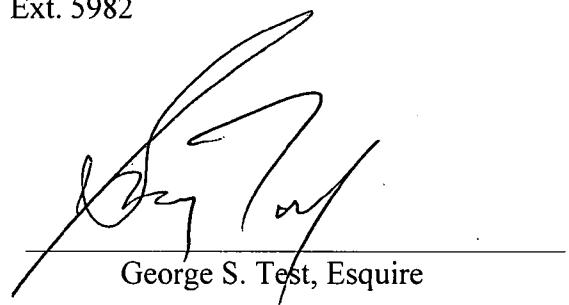
NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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.

Court Administrator's Office  
Clearfield County Court House  
Clearfield PA 16830  
(814) 765-2641 Ext. 5982

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA



George S. Test, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS \*  
MUNICIPAL AUTHORITY, \* No.: \_\_\_\_\_  
Plaintiff \*  
\*  
\*  
vs. \*  
\*  
KENNETH DILLON, \*  
Defendant \*

## COMPLAINT

1. The Plaintiff is the Wallacetton Boggs Municipal Authority, a municipal authority formed by Ordinance of Boggs Township, Clearfield County, Pennsylvania and by Wallacetton Borough, Clearfield County, Pennsylvania, pursuant to the Municipalities Authorities Act of 1945, P.L. 382, as amended.
2. The Authority's address is P. O. Box 97, West Decatur, Pennsylvania 16878-0097.
3. The Defendant is Kenneth Dillon, an adult individual who Plaintiff believes resides at 198 Blue Ball Road, P. O. Box 140, West Decatur, Pennsylvania 16878-0140. The Defendant is the owner of a piece or parcel of real property with a residence thereon described in Clearfield County Deed Book 1953 at Page 363, Tax Parcel Number 105-011-580-004.
4. One of the purposes for which the Wallacetton Boggs Municipal Authority was formed was to construct and operate a sanitary sewer collection and treatment facility.
5. Boggs Township enacted an ordinance designated Boggs Township Ordinance No. 01-02.
6. Section 2.1 of said ordinance provides that the Owner of any improved property situate in the Township which is within 150 feet of a sewer line to connect to said line within 60 days

**GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA**

after receiving official notice to connect.

7. On August 24, 2001, the Defendant was given Notice pursuant to the aforesaid Ordinance to connect to the sanitary sewer system. The Defendant did not connect.

8. On January 2, 2002, the Defendant was notified by a Certified letter from the Authority's Solicitor that unless he connected to the system within thirty (30) days, legal action would be taken. A true and correct copy of said letter and the Return Receipt are attached hereto and made a part hereof as Exhibits A and B.

9. On April 23, 2002 (NT 196-02), January 31, 2003 (NT 41-03), May 27, 2003 (NT 255-03) and October 13, 2003 (NT 484-03) Private Criminal Complaints were filed with the District Justice as a result of Defendant's failure and refusal to connect to the sanitary sewer system. A true and correct example of said Complaint is attached hereto as Exhibit C.

10. In response to each Private Criminal Complaint, the Defendant entered a guilty plea at the District Justice's office.

11. The Defendant continues to refuse to connect his residence to the Wallacetown Boggs Municipal Authority sanitary sewer system.

WHEREFORE, Plaintiff requests your Honorable Court issue an order directing the Defendant to connect to the sanitary sewer system of Plaintiff and to pay the tap-on and other applicable fees within a specified time period subject to being found in contempt of court for failure to comply.

WALLACETON BOGGS MUNICIPAL AUTHORITY

By: \_\_\_\_\_

George S. Test, Esquire, Solicitor  
Attorney for Plaintiff

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

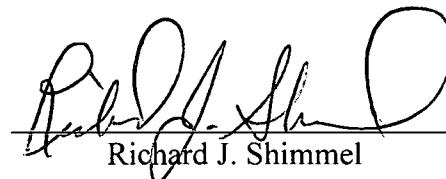
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Pennfield

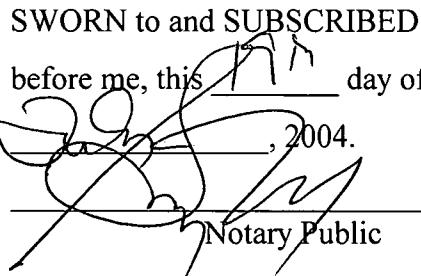
}  
} SS:  
}

**AFFIDAVIT**

On this, the 19<sup>th</sup> day of July, 2004, before me, a Notary Public, personally appeared **RICHARD J. SHIMMEL, Chairman of the WALLACETON BOGGS MUNICIPAL AUTHORITY**, the Plaintiff herein and acknowledged that he has read the foregoing Complaint and that the statements made therein are true and correct to the best of his knowledge, information, and belief.



Richard J. Shimmel

SWORN to and SUBSCRIBED  
before me, this 19<sup>th</sup> day of  
July, 2004.  
  
Notary Public

Notarial Seal  
George S. Test, Notary Public  
Philipsburg Boro, Centre County  
My Commission Expires Sept 19, 2004

GEORGE S. TEST  
Attorney-at-Law  
P.O. Box 706  
Philipsburg, PA 16866

203 N. Front Street  
Moshannon Building - Room 311  
Philipsburg, PA 16866

(814) 342-4640  
(Fax) 342-3775

January 10, 2002

Mr. Kenneth Dillon  
P O Box 140  
West Decatur, PA 16878

Dear Mr. Dillon:

I am writing to you as Solicitor for the Wallacetton-Boggs Municipal Authority.

In August 2001, you were notified by the Authority that you had 90 days to comply with the Municipal Ordinance requiring you to pay a tap-on fee to the Authority of \$1,000.00, an inspection fee of \$25.00, and to connect to the sanitary sewer system constructed by the Authority. You have failed to comply with this notification.

The Authority has no choice but to commence legal proceedings to require compliance with the ordinance.

You have 30 days to comply with the statute. If you do not take the required action within this time period, legal action will be commenced before the District Justice which could result in daily fines and costs.

We urge you to give this matter your immediate attention.

Sincerely,

GEORGE S. TEST, ESQUIRE  
Solicitor - Wallacetton-Boggs Municipal Authority

GST:mgm  
Cc: WBMA

Certified Mail # 7000 0600 0028 5265 0672  
Return Receipt Requested

U.S. Postal Service  
CERTIFIED MAIL RECEIPT

(Delivery to Addressee or Return to Sender)

7000 0600 0028 5265 0672

Postage	\$ 34	 Postmark Here 16878 2002
Certified Fee	2.10	
Return Receipt Fee (Endorsement Required)	1.50	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 3.94	

Recipient's Name (Please Print Clearly) (to be completed by mailer)  
**KENNETH DILLON**  
 Street, Apt. No.; or PO Box No.  
**P O Box 140**  
 City, State, ZIP+4  
**WEST DECATUR PA 16878**

PS Form 3800, February 2000

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Kenneth Dillon  
 P O Box 140  
 West Decatur, PA 16878

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)	B. Date of Delivery
<b>Ken Dillon</b>	<b>1-12-02</b>
C. Signature	
<b>X Ken Dillon</b>	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:	

Agent  
 Addressee

3. Service Type	
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

2. Article Number (Copy from service label)

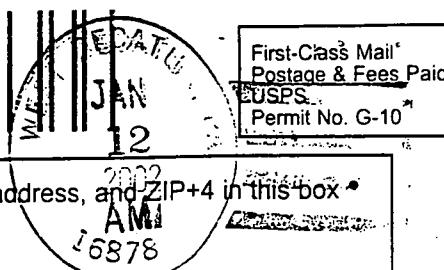
**7000 0600 0028 5265 0672**

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

UNITED STATES POSTAL SERVICE



- Sender: Please print your name, address, and ZIP+4 in this box

**GEORGE S. TEST**  
**ATTORNEY AT LAW**  
**P.O. Box 706**  
**Philipsburg, PA 16866**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Magisterial District Number:

**46-3-03**

District Justice Name: Hon.

**MICHAEL A. RUDELLA**

Address: **MOUNTAIN VIEW PLAZA**

**P.O. BOX 210**

**KYLERTOWN, PA**

**16847-0000**

Telephone: ( **814 345-6789** )

Docket No.:

Date Filed:

OTN:

(Above to be completed by court personnel)



**PRIVATE  
CRIMINAL COMPLAINT**

COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT: **KENNETH DILLON**

NAME and ADDRESS

P. O. Box 140  
West Decatur, PA 16878

(Fill in defendant's name and address)

Notice: Under Pa.R.Crim.P. 506, your complaint may require approval by the attorney for the Commonwealth before it can be accepted by the magisterial district court. If the attorney for the Commonwealth disapproves your complaint, you may petition the court of common pleas for review of the decision of the attorney for the Commonwealth.

Fill in as much information as you have.

Defendant's Race/Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Defendant's Sex <input type="checkbox"/> Black <input type="checkbox"/> Female <input type="checkbox"/> Male	Defendant's D.O.B.	Defendant's Social Security Number	Defendant's SID (State Identification Number)
Defendant's A.K.A. (also known as)	Defendant's Vehicle Information Plate Number		State	Registration Sticker(MM/YY)
			State	Defendant's Driver's License Number

I, WALLACETON BOGGS MUNICIPAL AUTHORITY

(Name of Complainant - Please Print or Type)

do hereby state: (check the appropriate box)

1.  I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_

I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe

with violating the penal laws of the Commonwealth of Pennsylvania at \_\_\_\_\_

(Place-Political Subdivision)

in \_\_\_\_\_ County on or about \_\_\_\_\_

Participants were: (if there were participants, place their names here, repeating the name of above defendant)

2. The acts committed by the accused were:

(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

Failure to connect to public sewage as required by Boggs Township Ordinance No. 01-02, Section 2.1, after proper notice was given.  
 (Tax Parcel #105-011-580-004/Deed Book 1953 Page 363)

(Continuation of No. 2)

**PRIVATE  
CRIMINAL COMPLAINT**

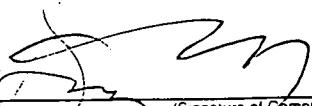


Defendant's Name: Kenneth Dillon

Docket Number:

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of \_\_\_\_\_ and \_\_\_\_\_  
of the \_\_\_\_\_  
(Section) \_\_\_\_\_  
(Subsection) \_\_\_\_\_  
(PA Statute) \_\_\_\_\_

3. I ask that process be issued and that the defendant be required to answer the charges I have made.
4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.

January 30 2003  
  
(Signature of Complainant)  
George S. Test, Esquire, Solicitor  
WALLACETON BOGGS MUNICIPAL AUTHORITY

Office of the Attorney for the Commonwealth  Approved  Disapproved because: \_\_\_\_\_

(Name of Attorney for Commonwealth - Please Print or Type)

(Signature of Attorney for Commonwealth)

(Date)

AND NOW, on this date \_\_\_\_\_, \_\_\_\_\_, I certify that the complaint has been properly completed and verified.

(Magisterial District)

(Issuing Authority)

**SEAL**

In The Court of Common Pleas of Clearfield County, Pennsylvania

WALLACETON BOGGS MUNICIPAL AUTHORITY

Sheriff Docket # 16017

VS.

DILLON, KENNETH

COMPLAINT

04-1998-CD  
1130

**SHERIFF RETURNS**

NOW JULY 29, 2004 AT 1:50 PM SERVED THE WITHIN COMPLAINT ON KENNETH DILLON, DEFENDANT AT RESIDENCE, 198 BLUE BALL ROAD, PO BOX 140, WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO KENNETH DILLON A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: NEVLING/HUNTER

---

**Return Costs**

Cost	Description
26.62	SHERIFF HAWKINS PAID BY: ATTY CK # 7922
10.00	SURCHARGE PAID BY: ATTY CK# 7923

---

Sworn to Before Me This

17<sup>th</sup> Day Of Aug 2004  
William A. Shaw

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

So Answers,

*Chester A. Hawkins*  
*by Marilyn Harr*  
Chester A. Hawkins  
Sheriff

**FILED**

02:50pm  
AUG 17 2004

*EPA*

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff  
vs.  
KENNETH DILLON,  
Defendant

\*  
\* No.: 2004-01130-CD  
\* Code: Praecipe to Enter Default Judgment  
\*  
\*  
\*  
\*

Filed on behalf of:  
Wallaceton Boggs Municipal Authority,  
Plaintiff

Attorney of record for this party:  
George S. Test, Esquire  
P O Box 706  
Philipsburg, PA 16866  
(814) 342-4640

P.A.I.D. #15915

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

FILED Atty pd. 20.00  
m 11:31 AM SEP 09 2005 Notice to Def.  
Statement to  
William A. Shaw  
Prothonotary/Clerk of Courts  
No CC

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff

\*

No.: 2004-01130-CD

\*

\*

\*

\*

\*

vs.  
KENNETH DILLON,  
Defendant

\*

\*

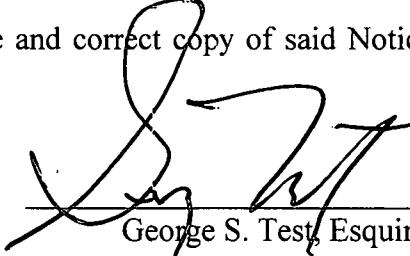
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**PRAECIPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Please enter judgment by default for the Plaintiff and against the Defendant for the relief requested in the Complaint. Notice of the intention to enter judgment by default was mailed to Kenneth Dillon on September 3, 2004 and a true and correct copy of said Notice is attached hereto.

Date: 7-8-05



George S. Test, Esquire  
Attorney for the Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,

Plaintiff

vs.

KENNETH DILLON,

Defendant

No.: 2004-01130-CD

TO: Mr. Kenneth Dillon  
198 Blue Ball Road  
P. O. Box 140  
West Decatur, PA 16878-0140

Date of Notice: September 3, 2004

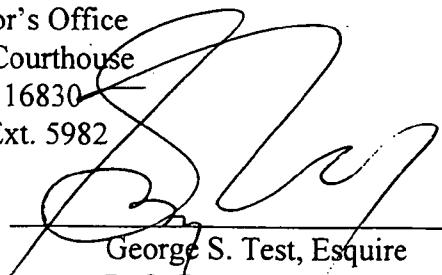
**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Court Administrator's Office  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641 Ext. 5982

  
George S. Test, Esquire  
P. O. Box 706  
Philipsburg, PA 16866

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff

No.: 2004-01130-CD

VS.

KENNETH DILLON,  
Defendant

## **NOTICE OF JUDGMENT**

To: Kenneth Dillon

Please take notice that on September 9, 2005, at the above term and number, a judgment by default was entered against you for the relief requested in Plaintiff's Complaint.

**GEORGE S. TEST**  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS \*  
MUNICIPAL AUTHORITY, \* No.: 2004-01130-CD  
Plaintiff \*  
\*  
\*  
vs. \*  
\*  
\*  
KENNETH DILLON, \*  
Defendant \*

## **ORDER**

AND, NOW, this 12 day of September, 2005, the Defendant, Kenneth Dillon is hereby ordered to connect his residence to the sanitary sewer system of Plaintiff and to pay the tap-on and other applicable fees, including record costs in these proceedings within 45 days. Failure to comply with this Order shall subject the Defendant being found in Contempt of Court.

*John C. Anderson*  
J. C. Anderson  
**FILER**

FILED

SEP 13 2005 ICC Atty Test  
01:59 LM  
William A. Shaw  
Prothonotary

**GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff

\*  
\* No.: 2004-01130-CD  
\*  
\*

vs.

KENNETH DILLON,  
Defendant

\*  
\*  
\*  
\*  
\*

**PETITION TO ENFORCE JUDGMENT**

1. The Petitioner is the Wallacetton-Boggs Municipal Authority, an authority organized by Wallacetton Borough and Boggs Township to construct and operate a sewage treatment system.
2. The Defendant is Kenneth Dillon, an adult individual residing at 198 Blue Ball Road, West Decatur, Pennsylvania.
3. The Defendant owns a residential property required to be connected to Plaintiff's sanitary sewer system.
4. The Defendant has failed to connect to said sewer system.
5. Plaintiff has filed a Complaint in Equity requesting an Order directing Defendant to connect to said system.

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

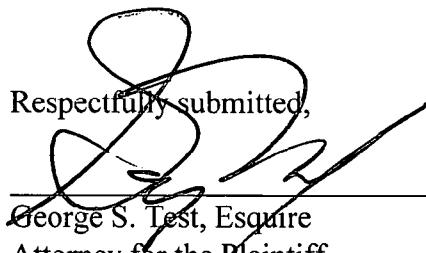
FILED NO. 6  
m/1/3731  
SEP 09 2005 (6P)

William A. Shaw  
Prothonotary/Clerk of Courts

6. The Defendant failed to respond to said Complaint and a Judgment by Default has been entered against him as provided by law.

WHEREFORE, Plaintiff requests your Honorable Court enter an Order granting Plaintiff appropriate relief.

Respectfully submitted,

  
George S. Test, Esquire  
Attorney for the Plaintiff

# GEORGE S. TEST, ESQ.

**COPY**

Moshannon Building - Room 311  
203 North Front Street  
P. O. Box 706  
Philipsburg, Pennsylvania 16866-0706  
Phone (814) 342-4640  
Fax (814) 342-3775  
E-mail address: [geortest@webnmore.net](mailto:geortest@webnmore.net)

September 8, 2005

Mr. William A. Shaw  
*PROTHONOTARY of Clearfield County*  
P. O. Box 549  
Clearfield, PA 16830-0549

**Re: Wallaceton-Boggs Municipal Authority  
vs. Kenneth Dillon  
No. 2004-01130-CD  
Civil Action - Equity**

Dear Mr. Shaw:

Enclosed with this letter is a Praecipe to Enter Default Judgment in the above action including Notice of Judgment to Defendant, the required envelopes and my firm Check #8719 in the amount of \$20.00.

Also enclosed is a Petition to Enforce the Default Judgment. I do not know how the court will wish to proceed so I have included two (2) alternative proposed Orders. One Order grants the Plaintiff the relief requested which is an Order to connect to the sanitary sewer system and pay the tap-on fee within a time period set by the court, subject to the Defendant being found in Contempt of Court for failure to comply. The second alternative Order sets a time and date for a hearing to determine the appropriate relief if the court wishes to conduct a hearing.

Sincerely,

GEORGE S. TEST, ESQUIRE  
*Solicitor, Wallaceton-Boggs Municipal Authority*

GST:cw  
Enclosures

cc: Marcy Kelly, Court Administration  
Wallaceton-Boggs Municipal Authority

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff

vs.

KENNETH DILLON,  
Defendant

\*  
\* No.: 2004-01130-CD  
\*  
\*  
\*  
\*  
\*  
\*

**ORDER**

AND, NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2005, default judgment having been entered against the Defendant pursuant to Pa. R.C.P. 1037(b) the court schedules a hearing for the \_\_\_\_\_ day of \_\_\_\_\_, 2005, at \_\_\_\_\_ o'clock \_\_\_\_\_. M. in Courtroom No. \_\_\_\_\_ at which time testimony shall be taken concerning appropriate relief for Plaintiff.

\_\_\_\_\_  
J.

McCABE, WEISBERG AND CONWAY, P.C.  
BY: TERRENCE J. McCABE, ESQUIRE  
Identification Number 16496  
123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

HSBC, a London Corporation, s/b/m/a  
Household Finance Consumer  
Discount Company  
P.O. Box 8604  
Elmhurst, IL 60126

v.

Kenneth L. Dillon a/k/a  
Kenneth Lee Dillon  
198 Blue Ball Road  
West Decatur, PA 16878

11-10-05 Copy to WBMA  
Attorney for Plaintiff

FILED *cc*  
mbo:0461 *ASH*  
OCT 13 2005  
William A. Shaw  
Prothonotary/Clerk of Courts  
*cc Atty*  
*Atty pd.*  
85.00

Clearfield County  
Court of Common Pleas

Number 05-1587-CD

### CIVIL ACTION/MORTGAGE FORECLOSURE

#### **NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Dave Meholick  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA, 16830  
814-765-2641 x 5982

#### **AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas ex-puestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

USTED LE DEBE TOMAR ESTE PAPEL A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE A UN ABOGADO, VA A OTELEFONEA LA OFICINA EXPUSO ABAJO. ESTA OFICINA LO PUEDE PROPORCIONAR CON INFORMACION ACERCA DE EMPLEAR A UN ABOGADO.

SI USTED NO PUEDE PROPORCIONAR PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE SER CAPAZ DE PROPORCIONARLO CON INFORMACION ACERCA DE LAS AGENCIAS QUE PUEDEN OFRECER LOS SERVICIOS LEGALES A PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO NI NINGUN HONORARIO.

Dave Meholick  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA, 16830  
814-765-2641 x 5982

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff  
vs.  
KENNETH DILLON,  
Defendant

\*  
\* No.: 2004-01130-CD  
\*  
\* Code: Certificate of Service  
\*  
\*  
\*  
\*

Filed on behalf of:  
Wallaceton Boggs Municipal Authority,  
Plaintiff

Attorney of record for this party:  
George S. Test, Esquire  
P O Box 706  
Philipsburg, PA 16866  
(814) 342-4640

P.A.I.D. #15915

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

FILED NO CC  
M 10:49 AM  
SEP 21 2005

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS \*  
MUNICIPAL AUTHORITY, \* No.: 2004-01130-CD  
Plaintiff \*  
\*  
\*  
vs. \*  
\*  
\*  
KENNETH DILLON, \*  
Defendant \*

## **CERTIFICATE OF SERVICE**

The undersigned, George S. Test, Esquire hereby certifies that he has mailed a copy of the Order of Court dated September 12, 2005 to the Defendant, Kenneth Dillon by Certified Mail and the same was received by Emma Dillon, believed to be an adult individual at Kenneth Dillon's residence and by mailing a copy of said Order by regular mail to Kenneth Dillon.

Date: \_\_\_\_\_

George S. Test, Esquire

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Mr. KENNETH Dillon  
198 Blue Ball Road  
P.O. Box 140  
WEST DECATUR, Pa  
16878-0140

**2. Article Number (Copy from service label)**

7001 1940 0003 1814 7033

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) Emma Dillon B. Date of Delivery 9/19/95

**C. Signature**

Emma Dillon  Agent  Addressee

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

**4. Restricted Delivery? (Extra Fee)**  Yes

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100822  
NO: 04-1130-CD  
SERVICE # 1 OF 1  
ORDER

PLAINTIFF: WALLACETON BOGGS MUNICIPAL AUTHORITY  
vs.  
DEFENDANT: KENNETH DILLON

**SHERIFF RETURN**

NOW, October 04, 2005 AT 11:49 AM SERVED THE WITHIN ORDER ON KENNETH DILLON DEFENDANT AT 198 BLUE BALL ROAD, PO BOX 140, WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KENNETH DILLON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL ORDER AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

**FILED**

OCT 14 2005

6/3/06  
William A. Shaw

Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	TEST	8724	10.00
SHERIFF HAWKINS	TEST	8724	39.71

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2005

So Answers,

*Chester A. Hawkins  
by Marlyn Herren*  
Chester A. Hawkins  
Sheriff  
LM

2004-1130-CD

FILED *fm*

NOV 04 2005 <sup>NO 21</sup>  
01/2006 *ur*

William A. Shaw

Prothonotary/Clerk of Courts  
FIFAS PFAK FJP

Dear Judge Ammerman

I'm writing in regards to Having To Connect to The Sanitary System at 198 Blueball Road west Decatur Pa 16878 I know longer live at This address or own it why should I have To connect when I know longer own the property Household Finance owns it im not Responsible for the property any longer They are they took it From me 2 months ago

Kenneth Dillon

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,

Plaintiff

\*

No.: 2004-01130-CD

vs.

KENNETH DILLON,

Defendant

\*

\*

\*

\*

\*

\*

**ORDER**

AND, NOW, this 12th day of September, 2005, the Defendant, Kenneth Dillon is hereby ordered to connect his residence to the sanitary sewer system of Plaintiff and to pay the tap-on and other applicable fees, including record costs in these proceedings within 45 days. Failure to comply with this Order shall subject the Defendant being found in Contempt of Court.

/s/ Fredric J. Ammerman

J.

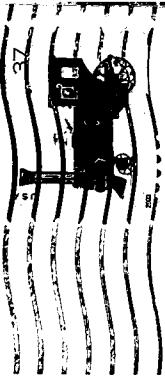
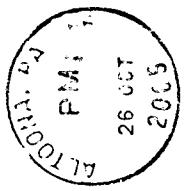
I hereby certify this to be a true and attested copy of the original statement filed in this case.

SEP 13 2005

Attest.

*Willie L. Ammerman*  
Prothonotary/  
Clerk of Courts

Dillon  
108 Martin St.  
Philipsburg PA  
16863



27  
Judge Amerman  
Clearfield County  
Courthouse  
1 N 2nd St  
Clearfield PA  
16830

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

WALLACETON-BOGGS MUNICIPAL :  
AUTHORITY :  
: vs. : No. 04-1130-CD  
KENNETH DILLON :  
:

**O R D E R**

AND NOW, this 4<sup>th</sup> day of November, 2005, it is the Order of the Court that argument/hearing on Defendant's Objections to Plaintiff's Petition to Enforce Judgment and Contempt of Court proceeding in the above-captioned matter has been scheduled for the 12<sup>th</sup> day of December, 2005, at 9:00 A.M, in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA. One-half (1/2) an hour has been allotted for this matter.

**FILED**

NOV 04 2005

0/12/05

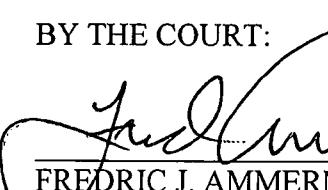
William A. Shaw

Prothonotary/Clerk of Courts

CBM TO : ATTY TEST. *Ammerman*

DEF.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff

vs.

KENNETH DILLON,  
Defendant

\*  
\* No.: 2004-01130-CD  
\*  
\*  
\*  
\*  
\*  
\*

Filed on behalf of:  
Wallaceton Boggs Municipal Authority,  
Plaintiff

Attorney of record for this party:  
George S. Test, Esquire  
P O Box 706  
Philipsburg, PA 16866  
(814) 342-4640

P.A.I.D. #15915

FILED

DEC 12 2005  
0110100 (64)  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 CEN to Atty  
1 CEN to PECI

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - EQUITY

WALLACETON-BOGGS  
MUNICIPAL AUTHORITY,

Plaintiff

\*

\* No.: 2004-01130-CD

vs.

KENNETH DILLON,

Defendant

ORDER

NOW, this 12<sup>th</sup> day of December, 2005, it is the ORDER of this Court that the property owned by Kenneth L. Dillon, tax parcel 105-011-580-004, 198 Blue Ball Road, West Decatur, Boggs Township, Clearfield County, Pennsylvania 16878, more fully described in Clearfield County Record Book 1953 at Page 363 shall not be occupied by Kenneth L. Dillon or his successors or assigns unless and until the structure erected thereon is connected to the sanitary sewer line of the Wallaceton-Boggs Municipal Authority.

  
P.J.