

04-1198-CD  
KATHY MOHNAL'S AUTO SALES VS THE PENN WARRANTY CORPORATION

Kathy Mohnal's Auto et al vs Penn Warranty  
2004-1198-CD

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

CLEARFIELD

JUDICIAL DISTRICT

46-3-03

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

04-1198-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		MAG. DIST. NO. OR NAME OF D.J.		
THE PENN WARRANTY CORPORATION		46-3-03		
ADDRESS OF APPELLANT		CITY	STATE	ZIP CODE
HANOVER INDUSTRIAL ESTATES		1081 HANOVER STREET	WILKES-BARRE	PA 18706-2028
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)			
7/26/04	KATHY MOHNAL'S AUTO SALES			
CLAIM NO.		vs. THE PENN WARRANTY CORPORATION		
CV 19 CV-0000186-04		GALE T. MAYOROWSKI, ESQUIRE ID# 53397		
LT 19		<i>Signature of Appellant or His Attorney or Agent</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 KATHY MOHNAL'S AUTO SALES, appellee(s), to file a complaint in this appeal  
(Name of appellee(s))  
(Common Pleas No. 04-1198-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To KATHY MOHNAL'S AUTO SALES, appellee(s)  
(Name of appellee(s))

*Signature of appellant or his attorney or agent*  
GALE T. MAYOROWSKI, ESQ ID# 53397

- (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: August 10, 2004

*Signature of Prothonotary or Deputy*

FILED

AUG 06 2004

William A. Shaw  
Prothonotary/Clerk of Courts

## 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) \_\_\_\_\_, 19\_\_\_\_\_.  by personal service  by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_\_.  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 \_\_\_\_\_, 19\_\_\_\_\_.  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_\_

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

My commission expires on \_\_\_\_\_, 19\_\_\_\_\_

DEPT

NOV 3 2004

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

DJ Name: Hon.

**MICHAEL A. RUDELLA**

Address: **131 ROLLING STONE ROAD  
P.O. BOX 210  
KYLERTOWN, PA**

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

**16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**KATHY MOHNAL'S AUTO SALES/K. MOHNAL**  
11 FLAMINGO DR.  
MORRISDALE, PA 16858

VS.

**COPY**

DEFENDANT:

**PENN WARRANTY CORPORATION**  
1081 HANOVER ST.  
WILKES-BARRE, PA 18706-2028

**PENN WARRANTY CORPORATION**  
1081 HANOVER ST.  
WILKES-BARRE, PA 18706-2028

Docket No.: **CV-0000186-04**  
Date Filed: **6/22/04**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**DEFAULT JUDGMENT PLTF**

Judgment was entered for: (Name) **KATHY MOHNAL'S AUTOSALES/K. MOH**

Judgment was entered against: (Name) **PENN WARRANTY CORPORATION**

in the amount of \$ **1,446.75** on: \_\_\_\_\_ (Date of Judgment) **7/26/04**

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	\$ <b>1,378.25</b>
Judgment Costs	\$ <b>68.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>1,446.75</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ _____	

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.

7-26-04 Date

M A Rudella

, 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

COPY

EGR  
FILED <sup>Atty pd. 85.00</sup>  
M/1/2004 Copies to Atty  
AUG 06 2004

William A. Shaw  
Prothonotary/Clerk of Courts

KATHY MOHNAL'S AUTO SALES : IN THE COURT OF COMMON PLEAS  
Plaintiff : OF CLEARFIELD COUNTY,  
: STATE OF PENNSYLVANIA  
v. :  
: CIVIL ACTION LAW  
THE PENN WARRANTY :  
CORPORATION : NO.: 04-1198-CD  
Defendant :

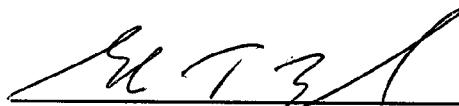
.....

***PROOF OF SERVICE OF APPEAL***

I, Gale T. Mayorowski, Esquire, hereby certifies that a true and correct copy of Notice of Appeal and Rule to File, was served by certified mail, return receipt requested upon the following persons, this 12th day of August, 2004.

Magistrate Michael A. Rudella  
131 Rolling Stone Road  
PO BOX 210  
Kylertown, PA 16847-0444

Kathy Mohnal's Auto Sales  
11 Flamingo Drive  
Morrisdale, PA 16858

  
GALE T. MAYOROWSKI, ESQ. ID#: 53397  
Attorney for Defendant

THE PENN WARRANTY CORPORATION  
Hanover Industrial Estates  
1081 Hanover Street  
Wilkes-Barre, PA 18706-2028  
(570)270-3804

**FILED**  
ebs  
AUG 13 2004  
m/ 11:45 AM  
William A. Shaw  
Prothonotary  
1 CENT TO ATT

7002 2030 0002 2000 0002 9571 2543

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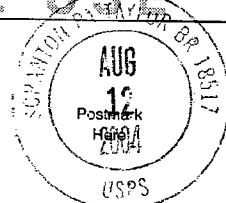
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

**Sent To**  
**MAGISTRATE MICHAEL A RUDELLA**  
 Street, Apt. No.;  
 or PO Box No. **131 ROLLING STONE RD. PC. BOX 210**  
 City, State, ZIP+4 **KYLERTOWN PA 16847-0444**

PS Form 3600, June 2002 **See Reverse for Instructions**



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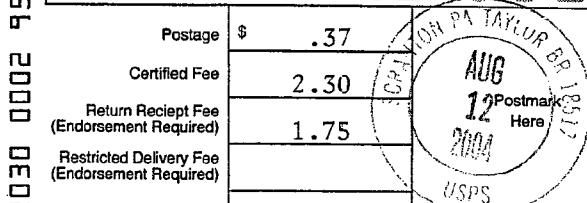
For delivery information visit our website at [www.usps.com](http://www.usps.com)

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Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

**Sent To**  
**KATHY MOHNAL'S AUTO SALES**  
 Street, Apt. No.;  
 or PO Box No. **11 FLAMINGO DRIVE**  
 City, State, ZIP+4 **MORRISDALE PA 16858**

PS Form 3600, June 2002 **See Reverse for Instructions**



**FILED**

AUG 13 2004

William A. Shaw  
Prothonotary

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

DJ Name: Hon.

**MICHAEL A. RUDELLA**

Address: **131 ROLLING STONE ROAD  
P.O. BOX 210  
KYLERTOWN, PA**

Telephone: **(814) 345-6789**      **16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS  
**KATHY MOHNAL'S AUTO SALES/K. MOHNAL**  
**11 FLAMINGO DR.**  
**MORRISDALE, PA 16858**

VS.

DEFENDANT: NAME and ADDRESS  
**PENN WARRANTY CORPORATION**  
**1081 HANOVER ST.**  
**WILKES-BARRE, PA 18706-2028**

Docket No.: **CV-0000186-04**  
Date Filed: **6/22/04**



**MICHAEL A. RUDELLA**  
**131 ROLLING STONE ROAD**  
**P.O. BOX 210**  
**KYLERTOWN, PA 16847-0444**

*2004-1198-C0*

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in the amount of \$ **1,446.75** on: (Date of Judgment) **7/26/04**

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Damages will be assessed on: \_\_\_\_\_

This case dismissed without prejudice. \_\_\_\_\_

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Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
Total	\$ <b>1,446.75</b>
AUG P 9 2004	
Post Judgment Credits	\$ <b>—</b>
Post Judgment Costs	\$ <b>—</b>
<i>0/11/30/04</i>	
William A. Shaw Certified Judgment Total	\$ <b>1446.75</b>
Prothonotary	

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*7-26-04* Date *M A Rudella*, District Justice

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

*8/16/04* Date *M A Rudella*, District Justice

My commission expires first Monday of January, 2006

SEAL

FILED  
AUG 18 2004  
William A. Shaw  
Prothonotary