

2004-1326-CD  
TIMOTHY R. WELKER ETAL  
VS  
TOP OF THE LINE MOTORS  
ETAL

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

TIMOTHY R. WELKER, MELISSA A.  
WELKER AND NEIL R. WELKER,  
Plaintiffs

vs.

TOP OF THE LINE MOTORS, INC.,  
JERRY A. MILES, SR. and JERRY A.  
MILES, JR.,  
Defendants

No. 04- 1<sup>3</sup>26 -CD

Type of Case: Civil Action

Type of Pleading: Complaint for Confession  
of Judgment for Money

Filed on behalf of: Plaintiffs

Counsel of Record for this Party:  
Kim C. Kesner, Esquire  
Supreme Ct. I.D. 28307

23 North Second Street  
Clearfield, PA 16830  
814-765-1706

**FILED**

**AUG 26 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

TIMOTHY R. WELKER, MELISSA A.	:	No. 04-	-CD
WELKER AND NEIL R. WELKER,	:		
Plaintiffs	:		
	:		
vs.	:		
	:		
TOP OF THE LINE MOTORS, INC.,	:		
JERRY A. MILES, SR. and JERRY A.	:		
MILES, JR.,	:		
Defendants	:		

**NOTICE UNDER RULE 2958.1 OF JUDGMENT AND EXECUTION THEREON**  
**Notice of Defendants' Rights**

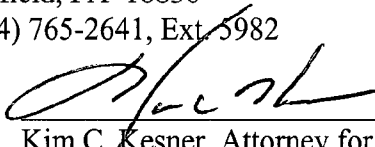
To: Top of the Line Motors, Inc., Jerry A. Miles, Sr. and Jerry A. Miles, Jr.  
640 South Brady Street  
DuBois, PA 15801

A judgment in the amount of \$61,250.00 plus interest and costs has been entered against you and in favor of the Plaintiffs without any prior notice or hearing based on a confession of judgment contained in a written agreement or other paper allegedly signed by you. The Sheriff may take your money or other property to pay the judgment at any time after thirty (30) days after the date on which this notice is served on you.

You may have legal rights to defeat the judgment or to prevent your money or property from being taken. YOU MUST FILE A PETITION SEEKING RELIEF FROM THE JUDGMENT AND PRESENT IT TO A JUDGE WITHIN THIRTY (30) DAYS AFTER THE DATE ON WHICH THIS NOTICE IS SERVED ON YOU OR YOU MAY LOSE YOUR RIGHTS.

**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  
Courthouse  
1 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-2641, Ext. 5982

  
Kim C. Kesner, Attorney for Plaintiff  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1706

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

TIMOTHY R. WELKER, MELISSA A.	:	No. 04-	-CD
WELKER AND NEIL R. WELKER,	:		
Plaintiffs	:		
	:		
vs.	:		
	:		
TOP OF THE LINE MOTORS, INC.,	:		
JERRY A. MILES, SR. and JERRY A.	:		
MILES, JR.,	:		
Defendants	:		

**COMPLAINT FOR CONFESSION OF JUDGMENT FOR MONEY**

NOW COMES, Timothy R. Welker, Melissa A. Welker and Neil R. Welker, by and through their attorney, Kim C. Kesner, Esquire who file the following Complaint for Confession of Judgment For Money pursuant to Pa.R.Civ.P. 2950 et seq. against the above named Defendants upon a cause of action, whereof the following is a statement:

1. Plaintiffs are Timothy R. Welker and Melissa A. Welker and Neil R. Welker, adult individuals who reside at 7814 Shiloh Road, Woodland, Clearfield County, Pennsylvania, 16881 and 7885 Shiloh Road, Woodland, Clearfield County, Pennsylvania, 16881, respectively.

2. Defendant Top of the Line Motors, Inc., is a Pennsylvania corporation with a place of business at 640 South Brady Street, DuBois, Clearfield County, Pennsylvania, 15801.

3. Defendants Jerry A. Miles, Sr. and Jerry A. Miles, Jr., are adult individuals who were last known by Plaintiffs to reside at Coalport, Clearfield County, Pennsylvania and Treasure Lake, DuBois, Clearfield County, Pennsylvania, respectively.

4. On or about August 15, 2004, Defendants executed and delivered to Plaintiffs a Demant Note in the amount of Sixty Thousand Five Hundred (\$60,500.00) Dollars being the instrument upon which this judgment is being confessed. A photostatic copy of the same, which

is a true and correct reproduction of the original signed document, is attached hereto as Exhibit A and incorporated herein by reference ("Note").

5. Judgment is not being entered by confession against a natural person in connection with a consumer credit transaction. To the contrary, the transaction between the parties is a commercial transaction. The note was executed and delivered to secure Plaintiffs loan to the Defendants for financing for Defendants' business.

6. Judgment has not been entered on the instrument against any of the Defendants in this jurisdiction or in any other jurisdiction.

7. That the condition precedent for confession of judgment has occurred, Plaintiffs having demanded full payment heretofore.

8. The amount currently due Plaintiffs from Defendants is computed as follows:

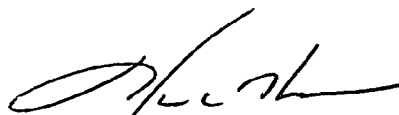
A. Principal Debt:	\$ 60,500.00
B. Interest at the legal rate	(to be added)
<b>TOTAL PRINCIPAL AND INTEREST</b>	<b>\$ 60,500.00</b>
C. Reasonable Attorney's fees collectable under Paragraph 4 of the Note	(to be added)
D. Costs of suit:	(to be added)
<b>TOTAL:</b>	<b>\$ 60,500.00 plus interest, attorney's fees and costs to be added</b>

9. All conditions precedent required under the terms of the Note to occur prior to the entry of judgment have occurred.

10. Certificates of Residence of the Plaintiff and of the Defendants are attached hereto and/or filed of record concurrent herewith.

WHEREFORE, Plaintiffs Timothy R. Welker, Melissa A. Welker and Neil R. Welker demand judgment in their favor and against the Defendants Top of the Line Motors, Inc., Jerry A. Miles, Sr. and Jerry A. Miles, Jr., jointly and severally in the amount of Sixty Thousand Five Hundred (\$60,500.00) Dollars together with interest at the legal rate, attorney's fees, and costs as authorized by the warrant appearing in the attached instrument.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Kim C. Kesner', written over a horizontal line.

Kim C. Kesner, Esquire  
Attorney for Plaintiffs

PROMISSORY NOTE

\$ 60,500.00  
Principal Amount

Dated: AUG 15, 2004

State of Penn

FOR VALUE RECEIVED, the undersigned hereby jointly and severally promise to pay to the order of Timothy R. Wilkins, Melissa A. Wilkins, Neil R. Wilkins  
7814 Shiloh Rd, Woodbury, PA 16881, the sum of Sixty Thousand Five Hundred Dollars — \$60,500.00 Dollars (\$60,500.00.00), together with interest thereon at the rate of -0- % per annum on the unpaid balance. Said sum shall be paid in the manner following: DUE: SEPT 15, 2004

All payments shall be first applied to interest and the balance to principal. This note may be prepaid, at any time, in whole or in part, without penalty. All prepayments shall be applied in reverse order of maturity.

This note shall at the option of any holder hereof be immediately due and payable upon demand.

In the event this note shall be in default, and placed with an attorney for collection, then the undersigned agree to pay all reasonable attorney fees and costs of collection. Payments not made within five (5) days of due date shall be subject to a late charge of \_\_\_\_\_ % of said payment. All payments hereunder shall be made to such address as may from time to time be designated by any holder hereof.

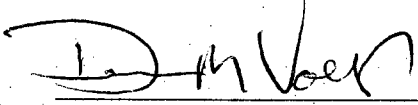
The undersigned and all other parties to this note, whether as endorser, guarantors or sureties, agree to remain fully bound hereunder until this note shall be fully paid and waive demand, presentment and protest and all notices thereto and further agree to remain bound, notwithstanding any extension, renewal, modification, waiver, or other indulgence by any holder or upon the discharge or release of any obligor hereunder or to this note, or upon the exchange, substitution, or release of any collateral granted as security for this note. No modification or indulgence by any holder hereof shall be binding unless in writing; and any indulgence on any

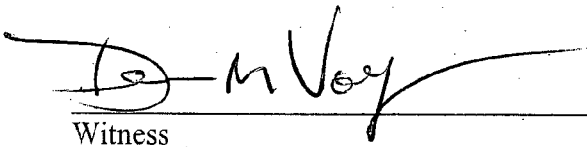
one occasion shall not be an indulgence for any other or future occasion. Any modification or change of terms, hereunder granted by any holder hereof, shall be valid and binding upon each of the undersigned, notwithstanding the acknowledgment of any of the undersigned, and each of the undersigned does hereby irrevocably grant to each of the others a power of attorney to enter into any such modification on their behalf. The rights of any holder hereof shall be cumulative and not necessarily successive. This note shall take effect as a sealed instrument and shall be construed, governed and enforced in accordance with the laws of the State first appearing at the head of this note. The undersigned hereby execute this note as principals and not as sureties. The undersigned agree that they shall be jointly and severally bound by the terms of this note.

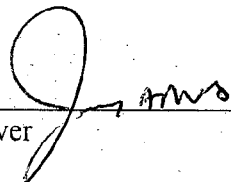
The undersigned and all other parties to this note authorize any attorney of law to appear before the Prothonotary of any court of record of the Commonwealth of Pennsylvania or in any State in the United States at any time after this note is executed and to waive the issuing and service of process and confess a judgment in favor of the legal holder against any maker for the amount of principle and interest then due, together with costs of suits and to release all errors and waive all rights of appeal.

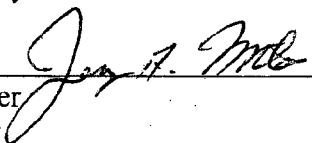
**TOP OF THE LINE MOTORS**  
640 South Brady Street  
DU BOIS, PENNSYLVANIA 15801

Signed in the presence of:

  
Witness

  
Witness

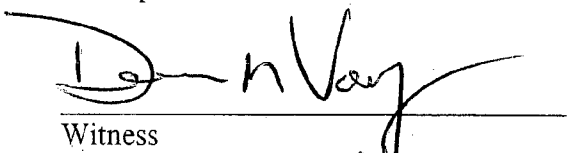
  
Borrower

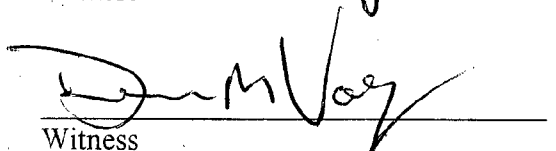
  
Borrower

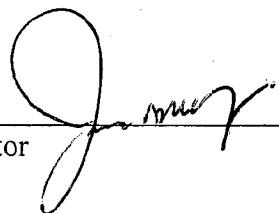
### GUARANTY


We the undersigned jointly and severally guaranty the prompt and punctual payment of all moneys due under the aforesaid note and agree to remain bound until fully paid.

In the presence of:

  
Witness

  
Witness

  
Guarantor

  
Guarantor

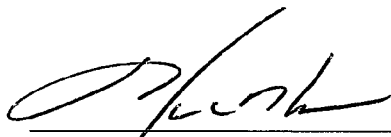
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

TIMOTHY R. WELKER, MELISSA A.	:	No. 04-	-CD
WELKER AND NEIL R. WELKER,	:		
Plaintiffs	:		
	:		
vs.	:		
	:		
TOP OF THE LINE MOTORS, INC.,	:		
JERRY A. MILES, SR. and JERRY A.	:		
MILES, JR.,	:		
Defendants	:		

**CONFESSION OF MONEY JUDGMENT**

Pursuant to the authority contained in the warrant of attorney, the original or a copy of which is attached to the Complaint filed in this action, I appear for the Defendants and confess judgment for money in favor of the Plaintiffs and against the Defendants, jointly and severally, in an amount as follows:

A. Principal Debt:	\$ 60,500.00
B. Interest at the legal rate	(to be added)
<b>TOTAL PRINCIPAL AND INTEREST</b>	<b>\$ 60,500.00</b>
C. Reasonable Attorney's fees collectable under Paragraph 4 of the Note	(to be added)
D. Costs of suit:	(to be added)
<b>TOTAL:</b>	<b>\$ 60,500.00 plus interest, attorney's fees and costs to be added</b>

  
 \_\_\_\_\_  
 Kim C. Kesner, Esquire  
 Attorney for Plaintiffs

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

TIMOTHY R. WELKER, MELISSA A.	:	No. 04-	-CD
WELKER AND NEIL R. WELKER,	:		
Plaintiffs	:		
	:		
vs.	:		
	:		
TOP OF THE LINE MOTORS, INC.,	:		
JERRY A. MILES, SR. and JERRY A.	:		
MILES, JR.,	:		
Defendants	:		

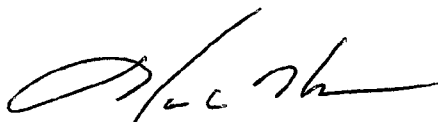
**CERTIFICATE OF RESIDENCE**

**As to Defendants:**

I hereby certify that the business address of Defendant Top of the Line Motors, Inc. is 640 South Brady Street, DuBois, Clearfield County, Pennsylvania, 15801 and Defendants Jerry A. Miles, Sr. and Jerry A. Miles, Jr., reside at Coalport, Clearfield County, Pennsylvania and Treasure Lake, DuBois, Clearfield County, Pennsylvania, respectively and can be served at Top of the Line Motors, Inc., 640 South Brady Street, DuBois, Clearfield County, Pennsylvania, 15801.

**As to Plaintiff:**

I hereby certify that the residence of Plaintiffs Timothy R. Welker and Melissa A. Welker is 7814 Shiloh Road, Woodland, Clearfield County, Pennsylvania 16881. I further certify that the residence of Plaintiff Neil R. Welker is 7885 Shiloh Road, Woodland, Clearfield County, Pennsylvania, 16881.




---

Kim C. Kesner, Esquire  
Attorney for Plaintiffs

Commonwealth Of Pennsylvania

:

: S. S.

County Of Clearfield

:

On this the 26<sup>th</sup> day of August, 2004, before me the undersigned authority personally appeared NEIL R. WELKER, who acknowledged himself and according to law deposes and says that the facts and averments set forth in the foregoing Complaint are true and correct to the best of his knowledge, information, and belief.

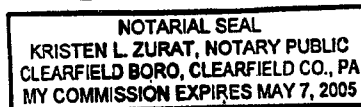
IN WITNESS WHEREOF, I have hereunto subscribed my hand and official seal.

Neil R. Welker

Neil R. Welker

Sworn to and subscribed before me this 26<sup>th</sup> day of August, 2004.

Kristen L. Zurat  
Notary Public  
My Commission Expires:



FILED

Atty pd. 8500

1:37 PM  
AUG 26 2004

5cc to Atty

William A. Shaw

Notice to Defendants, One to Atty

Prothonotary/Clerk of Courts Statement to Atty

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NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Timothy R. Welker,  
Melissa A. Welker, and  
Neil R. Welker

Vs.

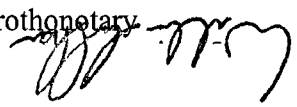
No. 2004-01326-CD

Top of the Line Motors, Inc.,  
Jerry A. Miles Sr., and  
Jerry A. Miles Jr.

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$60,500.00 on August 26, 2004.

William A. Shaw  
Prothonotary



---

William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

COPY

Timothy R. Welker  
Melissa A. Welker  
Neil R. Welker  
Plaintiff(s)

No.: 2004-01326-CD

Real Debt: \$60,500.00

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Top of the Line Motors, Inc.  
Jerry A. Miles Sr.  
Jerry A. Miles Jr.  
Defendant(s)

Entry: \$85.00

Instrument: Confession of Judgment

Date of Entry: August 26, 2004

Expires: August 26, 2009

Certified from the record this 26th day of August, 2004

\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney

# AFFIDAVIT OF PROCESS SERVER

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

Timothy R. Welker et. al. vs. Top of the Line Motors Inc. et.al. 2004-1326-CD  
PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT CASE #

I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action. And that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served Top of the Line Motors Inc., Jerry A. Miles, Sr. and Jerry A. Miles, Jr.

with the (documents) Complaint and Notice of Judgment

by serving Jerry A. Miles Jr. co-owner  
NAME RELATIONSHIP

at ☐ Home

☒ Business Top of the Line Motors Inc. 640 S. Brady St Dubois PA 15801  
on Monday 8-30-04 at 5:30 PM

FILED  
SEP 09 2004  
William A. Shaw  
Prothonotary/Clerk of Courts

Thereafter copies of the documents were mailed by prepaid, first class mail on \_\_\_\_\_  
from \_\_\_\_\_ CITY STATE

- Manner of Service: ☒ By personally delivering copies to the person/authorized agent of entity being served.  
☐ By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof.  
☐ By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household 18 or older and explaining the general nature of the papers.  
☐ By posting copies in a conspicuous manner to the address of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s).

- ☐ Unknown at Address ☐ Evading ☐ Moved, Left no Forwarding ☐ Other  
☐ Address Does Not Exist ☐ Service Cancelled by Litigant ☐ Unable to Service in a Timely Fashion

Service Attempts: Service was attempted on ( ) \_\_\_\_\_ ( ) \_\_\_\_\_  
( ) \_\_\_\_\_ ( ) \_\_\_\_\_  
DATE TIME DATE TIME DATE TIME

Description:  
Age 30's Sex M Race W Hgt. 5'10" Wgt. 170 Hair BR Glasses \_\_\_\_\_

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on 9-7-04  
at CLEARFIELD Co. PA  
CITY STATE

State of PA  
County of CLEARFIELD

Sworn to and subscribed before me this \_\_\_\_\_ day of September, 2004.

RICHARD A. IRELAND  
District Justice, State of Pennsylvania  
No. 46-3-02, Clearfield County  
Term Expires Jan. 3, 2006.

[Signature]  
SIGNATURE OF PROCESS SERVER  
[Signature]  
NOTARY PUBLIC

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

TIMOTHY R. WELKER, MELISSA A.  
WELKER and NEIL R. WELKER,  
Plaintiffs

Case No. 04-01326-CD

v.

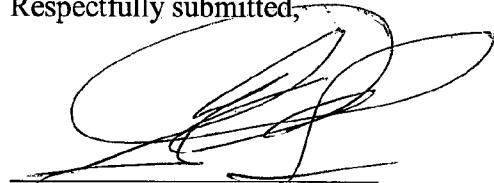
JERRY A. MILES and JERRY A.  
MILES, JR. and TOP OF THE LINE  
MOTORS, INC.,  
Defendants

**PRAECIPE TO DOCKET BANKRUPTCY  
LIEN AVOIDANCE ORDER**

TO: The Prothonotary:

Kindly note at the above docket number the Bankruptcy Court Order dated April 6, 2005 avoiding the lien of Timothy R. Welker, Melissa A. Welker and Neil R. Welker in this matter as it pertains to Jerry A. Miles, Jr. A copy of said Order is attached hereto.

Respectfully submitted,



Gary H. Simone, Esquire  
RISHOR SIMONE  
Suite 208, 101 E. Diamond Street  
Butler, PA 16001  
(724) 283-7215  
PA I.D. #43955

**FILED** 110  
m 11:33 AM  
APR 25 2005  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

JERRY A. MILES, JR.  
Debtor,

JERRY A. MILES, JR.  
Movant,

vs.

CHARLES E. RITZIE, MARY F. RITZIE, :  
a/k/a MARY FRANCES RITZIE, LYNN A. :  
MYERS, KATHI J. MYERS, DONALD R. :  
FEZELL, ROBERT J. KROELL, JOAN :  
KROELL, TIMOTHY R. WELKER, :  
MELISSA A. WELKER, NEIL R. WELKER, :  
RHONDA L. JONES and JAMES R. :  
WALSH, Chapter 7 Trustee :  
Respondents

Bankruptcy No.: 04-34143 BM

Chapter 7

Document No.: 13

*Default*  
ORDER OF COURT

AND NOW this 6<sup>th</sup> day of April, 2005, upon due consideration of the  
Debtor's Motion to Avoid Liens Impairing Debtor's Exemption,

IT IS HEREBY ORDERED:

Said Motion is granted. The following judgment liens entered in the Court of Common  
Pleas of Clearfield County, Pennsylvania are hereby avoided in their entirety thereby canceling  
said liens and releasing from same the Debtor's residential property located at 1425 Treasure  
Lake, DuBois, Pennsylvania, 15801:

Charles E. Ritzie and Mary F.  
Ritzie, a/k/a Mary Frances

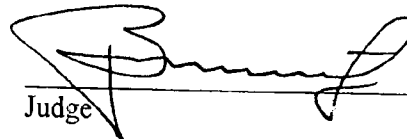
October 27, 2004

2004-1358 CD  
\$50,150.00

Ritzie

Lynn A. Myers and Kathi J. Myers	October 28, 2004	2004-1426 CD \$18,643.62
Donald R. Fezell	October 27, 2004	2004-1433 CD \$48,500.00
Robert J. Kroell and Joan Kroell	October 18, 2004	2004-1374 CD \$55,000.00
Timothy R. Welker, Melissa A. Welker and Neil R. Welker	August 26, 2004	2004-01326 CD \$60,500.00
Neil R. Welker and Timothy R. Welker	August 26, 2004	2004-03125 CD \$93,500.00
Rhonda L. Jones	October 24, 2004	2004-1357 CD \$16,700.00

By the Court,

 4-6-05  
Judge

**FILED**

APR 6 2005

CLERK, U.S. BANKRUPTCY COURT  
WEST. DIST. OF PENNSYLVANIA

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

TIMOTHY R. WELKER, MELISSA A.  
WELKER and NEIL R. WELKER,  
Plaintiffs

Case No. 04-01326-CD

v.

JERRY A. MILES and JERRY A.  
MILES, JR. and TOP OF THE LINE  
MOTORS, INC.,  
Defendants

CERTIFICATE OF SERVICE

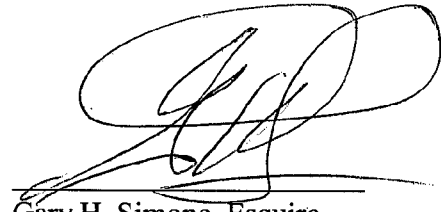
I, Gary H. Simone, Esquire, hereby certify that a true and correct copy of the Praecipe to Docket

Lien Avoidance was sent by United States Mail, postage prepaid, to the following:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

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

4.19.05



Gary H. Simone, Esquire  
RISHOR SIMONE  
Suite 208, 101 E. Diamond  
Butler, PA 16001  
(724) 283-7215  
PA I.D. 43955

**FILED**

**APR 25 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

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

TIMOTHY R. WELKER, MELISSA A.	:	Case No. 04-01326-CD
WELKER and NEIL R. WELKER,	:	
Plaintiffs	:	
	:	
v.	:	
	:	
JERRY A. MILES and JERRY A.	:	
MILES, JR. and TOP OF THE LINE	:	
MOTORS, INC.,	:	
Defendants	:	

**PRAECIPE TO DOCKET BANKRUPTCY  
LIEN AVOIDANCE ORDER**

TO: The Prothonotary:

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Respectfully submitted,



Gary H. Simone, Esquire  
RISHOR SIMONE  
Suite 208, 101 E. Diamond Street  
Butler, PA 16001  
(724) 283-7215  
PA I.D. #43955

**FILED** <sup>no cc</sup>  
m 11:33 AM  
APR 25 2005  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

JERRY A. MILES, JR.

Debtor,

JERRY A. MILES, JR.

Movant,

vs.

CHARLES E. RITZIE, MARY F. RITZIE,  
a/k/a MARY FRANCES RITZIE, LYNN A.  
MYERS, KATHI J. MYERS, DONALD R.  
FEZELL, ROBERT J. KROELL, JOAN  
KROELL, TIMOTHY R. WELKER,  
MELISSA A. WELKER, NEIL R. WELKER,  
RHONDA L. JONES and JAMES R.  
WALSH, Chapter 7 Trustee

Respondents

Bankruptcy No.: 04-34143 BM

Chapter 7

Document No.: 13

*Default*  
ORDER OF COURT

AND NOW this 6<sup>th</sup> day of April, 2005, upon due consideration of the  
Debtor's Motion to Avoid Liens Impairing Debtor's Exemption,

IT IS HEREBY ORDERED:

Said Motion is granted. The following judgment liens entered in the Court of Common  
Pleas of Clearfield County, Pennsylvania are hereby avoided in their entirety thereby canceling  
said liens and releasing from same the Debtor's residential property located at 1425 Treasure  
Lake, DuBois, Pennsylvania, 15801:

Charles E. Ritzie and Mary F.  
Ritzie, a/k/a Mary Frances

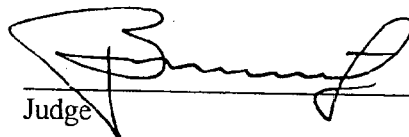
October 27, 2004

2004-1358 CD  
\$50,150.00

Ritzie

Lynn A. Myers and Kathi J. Myers	October 28, 2004	2004-1426 CD \$18,643.62
Donald R. Fezell	October 27, 2004	2004-1433 CD \$48,500.00
Robert J. Kroell and Joan Kroell	October 18, 2004	2004-1374 CD \$55,000.00
Timothy R. Welker, Melissa A. Welker and Neil R. Welker	August 26, 2004	2004-01326 CD \$60,500.00
Neil R. Welker and Timothy R. Welker	August 26, 2004	2004-03125 CD \$93,500.00
Rhonda L. Jones	October 24, 2004	2004-1357 CD \$16,700.00

By the Court,

 4-6-05  
Judge

**FILED**

APR 6 2005

CLERK, U.S. BANKRUPTCY COURT  
WEST. DIST. OF PENNSYLVANIA

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

TIMOTHY R. WELKER, MELISSA A.  
WELKER and NEIL R. WELKER,  
Plaintiffs

Case No. 04-01326-CD

v.

JERRY A. MILES and JERRY A.  
MILES, JR. and TOP OF THE LINE  
MOTORS, INC.,  
Defendants

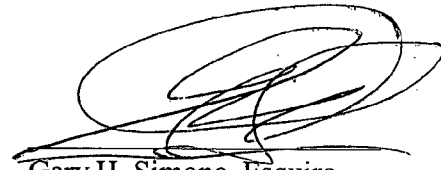
**CERTIFICATE OF SERVICE**

I, Gary H. Simone, Esquire, hereby certify that a true and correct copy of the Praecipe to Docket

Lien Avoidance was sent by United States Mail, postage prepaid, to the following:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

Date: 4.19.05



Gary H. Simone, Esquire  
RISHOR SIMONE  
Suite 208, 101 E. Diamond  
Butler, PA 16001  
(724) 283-7215  
PA I.D. 43955

**FILED**

**APR 25 2005**

William A. Shaw  
Prothonotary/Clerk of Courts