

2004-1344-CD
COMMONWEALTH OF PA

VS

JASON MICHAEL CRANDALL

Comm of PA vs Jason Crandall
2004-1344-CD

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF
PENNSYLVANIA,

Plaintiff

vs.

JASON MICHAEL CRANDALL,
Defendant

No. 04-1344-C

**APPEAL FROM SUSPENSION
OF DRIVER'S LICENSE**

Filed on behalf of:
DEFENDANT

Counsel of record for this
party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers St.
P. O. Box 487
DuBois, PA 15801
(814) 371-7768

FILED *Atty pd. 85.00*
01/30/04 201 *cc Atty*
AUG 27 2004 *cc cIA*

W.A.S.
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF
PENNSYLVANIA

vs.

No. _____

JASON MICHAEL CRANDALL,
Defendant

**APPEAL FROM SUSPENSION OF
DRIVER'S LICENSE**

AND NOW, comes your Petitioner, JASON MICHAEL CRANDALL, by his attorneys, HANAK, GUIDO & TALADAY, and petitions your Honorable Court as follows:

1. The Petitioner, JASON MICHAEL CRANDALL, is an adult individual, who currently resides at R.D. #2, Box 443A, DuBois, Clearfield County, Pennsylvania, 15801.
2. The Respondent is the Commonwealth of Pennsylvania, Department of Transportation, whose address is Office of Chief Counsel, Third Floor, Riverfront Office Center, Harrisburg, Pennsylvania, 17104-2516.
3. By Notice mailed to Petitioner on August 6, 2004, Petitioner was advised that his operating privileges have been suspended by the Department of Transportation. A true and correct copy of the Notice of suspension is attached hereto and marked as Exhibit "A".
4. This suspension stems from Petitioner's alleged violation of 18 Pa.C.S.A. §6308.

5. Petitioner has appealed the District Justice decision related to the underlying offense.

6. Petitioner appeals the proposed suspension as he contests the underlying violation of 18 Pa.C.S.A. §6308.

WHEREFORE, Petitioner prays your Honorable Court to order the suspension imposed by the Commonwealth of Pennsylvania, Department of Transportation, stayed and of no further effect in such manner that the Petitioner may continue to enjoy his operating privileges until a full hearing is held on the underlying violation.



S. Casey Bowers
Attorney for Petitioner

VERIFICATION

I, JASON MICHAEL CRANDALL, verify that the statements in the foregoing Appeal are true and correct to the best of my knowledge, information and belief.

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



Jason Michael Crandall

Date: 8-24-04

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Mail Date: AUGUST 06, 2004

JASON MICHAEL CRANDALL
GAME FARM ROAD
RR 2 BOX 443A
DU BOIS PA 15801

WID # 042126123043369 001
PROCESSING DATE 07/30/2004
DRIVER LICENSE # 26457792
DATE OF BIRTH 06/21/1983

Dear MR. CRANDALL:

As a result of your violation on 06/19/2004 of violating Section 6308 (offenses related to alcohol), your driving privilege is being SUSPENDED for a period of 90 DAY(S) as mandated by section 1532D of the vehicle code.

The effective date of suspension is 09/10/2004, 12:01 a.m.

Before PennDOT can restore your driving privilege, you must follow the instructions in this letter for COMPLYING WITH THIS SUSPENSION, PAYING THE RESTORATION FEE and PROVIDING PROOF OF INSURANCE. You should follow ALL instructions very carefully. Even if you have served all the time on the suspension/revocation, we cannot restore your driving privilege until all the requirements are satisfied.

COMPLYING WITH THIS SUSPENSION

You must return all current Pennsylvania driver's licenses, learner's permits, temporary driver's licenses (camera cards) in your possession on or before 09/10/2004. You may surrender these items before, 09/10/2004, for earlier credit; however, you may not drive after these items are surrendered.

YOU MAY NOT RETAIN YOUR DRIVER'S LICENSE FOR IDENTIFICATION PURPOSES. However, you may apply for and obtain a photo identification card at any Driver License Center for a cost of \$10.00. You must present two (2) forms of proper identification (e.g., birth certificate, valid U.S. passport, marriage certificate, etc.) in order to obtain your photo identification card.

You will not receive credit toward serving any suspension until we receive your license(s). Complete the following steps to acknowledge this suspension.

1. Return all current Pennsylvania driver's licenses, learner's permits and/or camera cards to PennDOT. If you do not have any of these items, send a sworn

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notarized letter stating you are aware of the suspension of your driving privilege. You must specify in your letter why you are unable to return your driver's license. Remember: You may not retain your driver's license for identification purposes. Please send these items to:

Pennsylvania Department of Transportation
Bureau of Driver Licensing
P.O. Box 68693
Harrisburg, PA 17106-8693

2. Upon receipt, review and acceptance of your Pennsylvania driver's license(s), learner's permit(s), and/or a sworn notarized letter, PennDOT will send you a receipt confirming the date that credit began. If you do not receive a receipt from us within 3 weeks, please contact our office. Otherwise, you will not be given credit toward serving this suspension. PennDOT phone numbers are listed at the end of this letter.
3. If you do not return all current driver license products, we must refer this matter to the Pennsylvania State Police for prosecution under SECTION 1571(a)(4) of the Pennsylvania Vehicle Code.

PAYING THE RESTORATION FEE

You must pay a restoration fee to PennDOT to be restored from a suspension/revocation of your driving privilege. To pay your restoration fee, complete the following steps:

1. Return the enclosed Application for Restoration. The amount due is listed on the application.
2. Write your driver's license number (listed on the first page) on the check or money order to ensure proper credit.
3. Follow the payment and mailing instructions on the back of the application.

PROVIDING PROOF OF INSURANCE

Within the last 30 days of your suspension/revocation, we will send you a letter asking that you provide proof of insurance at that time. This letter will list acceptable documents and what will be needed if you do not own a vehicle registered in Pennsylvania.

IMPORTANT: Please make sure that PennDOT is notified if you move from your current address. You may notify PennDOT of your address change by calling any of the phone numbers listed at the end of this letter.

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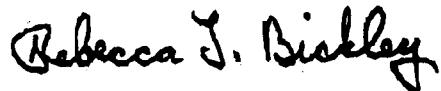
APPEAL

You have the right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the mail date, AUGUST 06, 2004, of this letter. If you file an appeal in the County Court, the Court will give you a time-stamped certified copy of the appeal. In order for your appeal to be valid, you must send this time-stamped certified copy of the appeal by certified mail to:

Pennsylvania Department of Transportation
Office of Chief Counsel
Third Floor, Riverfront Office Center
Harrisburg, PA 17104-2516

Remember, this is an OFFICIAL NOTICE OF SUSPENSION. You must return all current Pennsylvania driver license products to PennDOT by 09/10/2004.

Sincerely,



Rebecca L. Bickley, Director
Bureau of Driver Licensing

INFORMATION 7:00 a.m. to 9:00 p.m.

IN STATE	1-800-932-4600	TDD IN STATE	1-800-228-0676
OUT-OF-STATE	717-391-6190	TDD OUT-OF-STATE	717-391-6191
WEB SITE ADDRESS	<u>www.dmv.state.pa.us</u>		

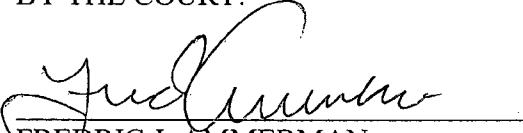
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF TRANSPORTATION :
:
vs. : No. 04-1344-CD
:
JASON MICHAEL CRANDALL :
:

ORDER

AND NOW, this 2nd day of September, 2004, it is the ORDER of the Court that hearing on Plaintiff's License Suspension Appeal in the above matter has been scheduled for Friday, September 17, 2004 at 10:00 A.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
10/5/04
SEP 02 2004
2cc to
CIA-will
serve

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF
PENNSYLVANIA,

vs.

JASON MICHAEL CRANDALL,
Defendant

No. 04-1344-CD

**MOTION FOR
CONTINUANCE**

Filed on behalf of:
DEFENDANT

Counsel of record for this
party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers St.
P. O. Box 487
DuBois, PA 15801
(814) 371-7768

EGK
FILED 1cc
m 19-43674 Atty
SEP 13 2004 Bowers
Bowers
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF
PENNSYLVANIA

vs. : No. 04-1344-CD

JASON MICHAEL CRANDALL,
Defendant

MOTION FOR CONTINUANCE

AND NOW, comes the Defendant, JASON MICHAEL CRANDALL, by and through his attorneys, HANAK, GUIDO AND TALADAY, who files this Motion for Continuance and in support thereof avers the following:

1. An Operator's Privilege Suspension Appeal hearing is scheduled in the above captioned matter for Friday, September 17, 2004, at 10:00 a.m. in Court Room No. 1 of the Clearfield County Courthouse.
2. Defendant's attorney is unavailable on said date as he is required to appear before the Pennsylvania Human Relations Commission in Oil City, Pennsylvania, on said date and time.
3. It is in the best interest of the Defendant, JASON MICHAEL CRANDALL, that an attorney be present at the hearing to represent him in said matter.

WHEREFORE, Defendant respectfully requests this Honorable Court to grant the continuance requested and reschedule the suspension hearing in the above captioned matter to the next term of court.



S. Casey Bowers
Attorney for Petitioner

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF
PENNSYLVANIA,

vs.

No. 04-1344-CD

JASON MICHAEL CRANDALL,
Defendant

ORDER

AND NOW, this _____ day of _____, 2004, it is hereby
ORDERED AND DECREED that the Motion for Continuance is granted
and the Summary Appeal hearing is rescheduled for the next summary
appeal date.

BY THE COURT:

CERTIFICATE OF SERVICE

I do hereby certify that on the 10th day of September, 2004, I served a copy of the within Motion for Continuance by first class mail, postage prepaid, upon the following:

Commonwealth of Pennsylvania
Department of Transportation
Bureau of Driver Licensing
Office of Chief Counsel
Third Floor, Riverfront Office Center
Harrisburg, PA 17104-2516



S. Casey Bowers

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

COMMONWEALTH OF :
PENNSYLVANIA, :
vs. : No. 04-1344-CD
: :
JASON MICHAEL CRANDALL :
:

O R D E R

AND NOW, this 14th day of September, 2004, upon consideration
of Defendant's Motion for Continuance in the above-captioned matter, it is the Order
of the Court that said License Suspension Appeal is hereby continued. The Court
Administrator's Office is directed to place the matter on the next available License
Suspension Appeal hearing date.

BY THE COURT

JOHN K. REILLY, JR.
Senior Judge

FILED *EGL*

O 3:37 AM 10/10/04
,CC to Def
,CC to CA for Kuhar
SEP 14 2004

William A. Shaw
Prothonotary

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

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF TRANSPORTATION :

vs. : No. 04-1344-CD
:
JASON MICHAEL CRANDALL :
:

ORDER

AND NOW, this 15th day of October, 2004, it is the ORDER of the Court that hearing on Defendant's License Suspension Appeal in the above matter has been scheduled for Wednesday, November 10, 2004 at 3:00 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

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013200
William A. Shaw
Prothonotary/Clerk of Courts
2 Cents to 1/4 for SFL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA : :

VS. : NO. 04-1344-CD

JASON MICHAEL CRANDALL : License Suspension Appeal

O R D E R

NOW, this 10th day of November, 2004, this being the day and date set for hearing into the above-captioned Appeal from License Suspension, it is the ORDER of this Court that said be and is hereby dismissed, Defendant found guilty and the judgment of the magistrate affirmed.

BY THE COURT:

John K. Reilly, Jr.
Senior Judge
Specially Presiding

EGK
FILED ^{acc}
01/02/2004 Atty:
NOV 23 2004
Kuhar
Bowers
William A. Shaw
Prothonotary/Clerk of Courts

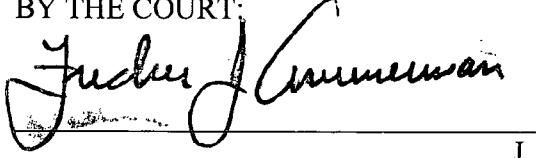
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA :
:
vs. :
:
JASON MICHAEL CRANDALL, : No. 2004-1344-CD
Defendant. :
:

ORDER

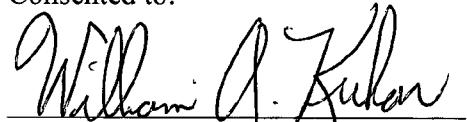
AND NOW, to wit: this 1st day of November, 2007, in view of the order entered by the Indiana County Common Pleas Court on October 27, 2004 in the appeal by the defendant, Jason Michael Crandall, from his conviction in District Court No. 40-3-03 in Indiana County for violating 18 Pa.C.S. §6308 on June 19, 2004, this appeal by the defendant from the August 6, 2004 order of the Department of Transportation's Bureau of Driver Licensing for the ninety (90) day suspension of his driving privilege pursuant to 75 Pa.C.S. §1532(d), is, with the consent of the Bureau, remanded to the Bureau for rescission of the appealed 90 day suspension and deletion of the conviction for violating 18 Pa.C.S. §6308 on June 19, 2004 from the defendant's driving record.

BY THE COURT:



J.

Consented to:



William A. Kuhar, Jr., Esquire
Attorney for the Bureau of Driver Licensing

FILED
18/53/07
NOV 02 2007
2 CC Atty's: Kuhar
Bowers

William A. Shaw
Prothonotary/Clerk of Courts

Prothonotary/Clerk of Courts
William A. Shew

NOV 02 2007

FILED

DATE: 11/02/07

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions: