

2004-1345-CD
RE: 1977 DATSUN 280Z & BURTON D. MAKI

In re: 1977 Datsun 280Z et al
2004-1345-CD

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: 1977 Datsun 280Z

Docket No. 04-1345-00

Type of Pleading:

**PETITION TO AWARD
OWNERSHIP OF A MOTOR
VEHICLE**

Filed on Behalf of:
PETITIONER

Counsel of Record for
This Party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers Street
PO Box 487
DuBois, PA 15801

814-371-7768

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

AUG 27 2004

Attest.

William B. Shaw
Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

In Re: 1977 Datsun 280Z : No. _____
 :

PETITION TO AWARD OWNERSHIP
OF A MOTOR VEHICLE

The petitioner, BURTON D. MAKI, by and through his attorneys, HANAK, GUIDO AND TALADAY, hereby petitions this Court to award him ownership of a certain 1977 Datsun 280Z, representing as follows:

1. Petitioner, BURTON D. MAKI, is an adult individual residing at 405 South Main Street, DuBois, Clearfield County, Pennsylvania.
2. At all times pertinent hereto, Petitioner, Burton D. Maki has owned a black two-door 1977 Datsun 280Z, Vehicle Identification Number HLS30367531, California Plate No. 456SG1.
3. Petitioner purchased the subject vehicle on or about October 1986, in California. At that time, he was a resident of California.
4. In 1988, the Petitioner moved to Clearfield County, Pennsylvania.
5. Shortly after moving to Pennsylvania, the Petitioner placed the subject vehicle in storage in Huston Township, Clearfield County, Pennsylvania.
6. The vehicle remains stored in that same location.
7. At the time the vehicle was placed in storage, it was registered and titled in California.

8. Petitioner now wishes to obtain a Pennsylvania certificate of title.

9. The Petitioner has since lost the California title certificate to the vehicle.


10. The Petitioner contacted the California Department of Motor Vehicles to obtain a duplicate title which is otherwise required to obtain a Pennsylvania certificate of title.

11. The Petitioner was advised, because of the lengthy period of inactivity, the subject vehicle information has been purged from California DMV records.

12. As such, the Petitioner is unable to obtain a California title certificate for the subject vehicle.

13. To the best of the Petitioner's knowledge, no other person is claiming any interest in the subject motor vehicle.

WHEREFORE, the Petitioner requests this Honorable Court to award ownership of the subject motor vehicle to him.




S. Casey Bowers
Attorney for Petitioner

VERIFICATION

I, BURTON D. MAKI, verify that the statements in the foregoing Petition 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.



Burton D. Maki

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: 1977 Datsun 280Z

Docket No. 04-1345-CD

Type of Pleading:

**PETITION TO AWARD
OWNERSHIP OF A MOTOR
VEHICLE**

Filed on Behalf of:
PETITIONER

Counsel of Record for
This Party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers Street
PO Box 487
DuBois, PA 15801

814-371-7768

FILED 3cc *Atty Bowers*
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AUG 27 2004 *Atty pd. 8500*
William A. Shaw
Prothonotary/Clerk of Courts
orig to CIA

GA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: 1977 Datsun 280Z

Docket No. 04-1345-05

Type of Pleading:

**PETITION TO AWARD
OWNERSHIP OF A MOTOR
VEHICLE**

Filed on Behalf of:
PETITIONER

Counsel of Record for
This Party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers Street
PO Box 487
DuBois, PA 15801

814-371-7768

FILED 3cc Ally Bowers
013:08/01
AUG 27 2004 Ally pd. 8500

William A. Shaw
Prothonotary/Clerk of Courts

In Re: 1977 Datsun 280Z

7. At the time the vehicle was placed in storage, it was registered and titled in California.

8. Petitioner now wishes to obtain a Pennsylvania certificate of title.

9. The Petitioner has since lost the California title certificate to the vehicle.

10. The Petitioner contacted the California Department of Motor Vehicles to obtain a duplicate title which is otherwise required to obtain a Pennsylvania certificate of title.

11. The Petitioner was advised, because of the lengthy period of inactivity, the subject vehicle information has been purged from California DMV records.

12. As such, the Petitioner is unable to obtain a California title certificate for the subject vehicle.

13. To the best of the Petitioner's knowledge, no other person is claiming any interest in the subject motor vehicle.

WHEREFORE, the Petitioner requests this Honorable Court to award ownership of the subject motor vehicle to him.




S. Casey Bowers
Attorney for Petitioner

VERIFICATION

I, BURTON D. MAKI, verify that the statements in the foregoing Petition 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.



Burton D. Maki

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

In Re: 1977 Datsun 280Z

No. 04-1345-CD

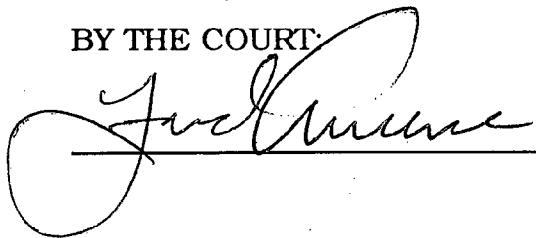
ORDER OF COURT

AND NOW, this 31 day of August, 2004, upon consideration of the within Petition to Award Ownership of a Motor Vehicle,

IT IS HEREBY ORDERED AND DECREED that a Rule is entered upon all persons claiming any interest in a certain 1977 Datsun 280Z, bearing Vehicle Identification Number HLS30367531, to show cause why ownership of said vehicle should not be awarded to BURTON D. MAKI.

Rule returnable for hearing on the 24 day of September, 2004, at 9:00 o'clock A.m., in Courtroom No. 1, at the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:



FILED

01:03 PM
AUG 31 2004

William A. Shaw
Prothonotary/Clerk of Courts
3 cc Amy Bowers

In Re: 1977 Datsun 280Z : No. 04-1345-02
:

AND NOW, this _____ day of _____, 2004, after reasonable notice and opportunity for hearing having been provided to all interested parties, the Court hereby awards ownership of one 1977 Datson 280Z, bearing Vehicle Identification Number HLS30367531 to BURTON D. MAKI, and the right, title and interest of any other person to said vehicle is hereby extinguished. The Commonwealth of Pennsylvania, Department of Transportation, may accept this Order as evidence of ownership in lieu of a certificate of title. The Petitioner shall submit the appropriate forms, taxes and fees and comply with any other procedures of the Commonwealth of Pennsylvania, Department of Transportation in order to receive the appropriate certificate of title for said vehicle.

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

IN RE:

1977 DATSUN 280Z

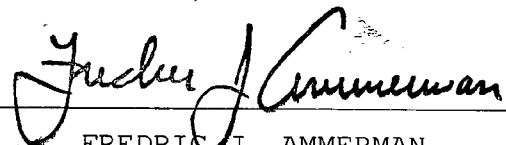
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NO. 2004-1345-C.D.

O R D E R

NOW, this 28th day of September, 2004, upon this Court's consideration of Attorney S. Casey Bowers' written request for continuance with regard to an error in the advertisement giving notice of the hearing in this matter scheduled for September 29, 2004, it is the ORDER of this Court that said request be and is hereby granted. Hearing on Petition to Award Ownership of Motor Vehicle shall be re-scheduled six (6) weeks from today's date for the 15 day of November, 2004, in Courtroom No. 1 of the Clearfield County Courthouse at 1:30 o'clock P.M.

By the Court,



FREDRICK J. AMMERMAN
PRESIDENT JUDGE

FILED

SEP 29 2004 sec to Atty Bowers

SEP 29 2004

William A. Shaw
Prothonotary

HANAK, GUIDO and TALADAY
Attorneys at Law

Robert M. Hanak
Anthony S. Guido
Matthew B. Taladay

Telephone: (814) 371-7768
Fax: (814) 371-1974

498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

Nicole Hanak-Bankovich
S. Casey Bowers

September 28, 2004

Hon. Fredric J. Ammerman
Clearfield County Courthouse
One North Second Street
Clearfield, PA 16830

Attn: Judy

Re: IN RE: 1977 Datsun 280Z
No. 04-1345-CD

Dear Judy:

As we discussed, there has been an error in the advertisement giving notice of the hearing on this matter that is now scheduled to be held on September 29, 2004, at 9:00 a.m. As such, I am requesting that this hearing be continued and rescheduled to be held approximately one month to six weeks from the date of this letter.

Thank you for your consideration.

Sincerely,



S. Casey Bowers

SCB/bab

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

In Re: 1977 Datsun 280Z

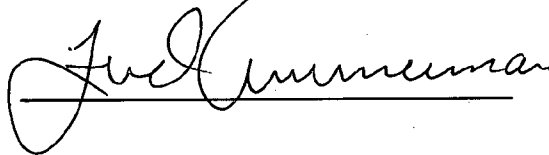
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No. 04-1345-CD

ORDER OF COURT

AND NOW, this 15 day of November, 2004, after reasonable notice and opportunity for hearing having been provided to all interested parties, the Court hereby awards ownership of one 1977 Datsun 280Z, bearing Vehicle Identification Number HLS30367531 to BURTON D. MAKI, and the right, title and interest of any other person to said vehicle is hereby extinguished. The Commonwealth of Pennsylvania, Department of Transportation, may accept this Order as evidence of ownership in lieu of a certificate of title. The Petitioner shall submit the appropriate forms, taxes and fees and comply with any other procedures of the Commonwealth of Pennsylvania, Department of Transportation in order to receive the appropriate certificate of title for said vehicle.

BY THE COURT:



FILED

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William A. Shaw

Prothonotary/Clerk of Courts

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IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: 1977 Datsun 280Z

Docket No. 04-1345-CD

Type of Pleading:
Affidavits of Publication

Filed on Behalf of:
Petitioner

Counsel of Record for This
Party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffer Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

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NOV 16 2004

2cc

Atty Bowers

William A. Shaw
Prothonotary/Clerk of Courts


PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

On this 8th day of October AD 2004, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of October 8, 2004, No. 41. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

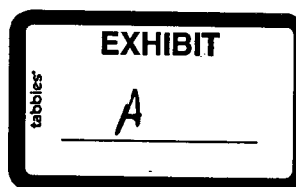

Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.


Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

Hanak Guido & Taladay
498 Jeffers Street
PO Box 487
DuBois PA 15801



NOTICE

Hearing on Petition to award ownership of a 1977 Datsun 280Z, bearing Vehicle Identification Number HLS30367531 to Burton D. Maki will be held on the 15th day of November, 2004 at 1:30 p.m. Courtroom No. 1 at the Clearfield County Courthouse, Clearfield, Pennsylvania.

S. Casey Bowers Esquire, Hanak, Guido & Taladay, 498 Jeffers Street, PO Box 487, Dubois, PA 15801.

**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE
STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

SS:

Linda Smith, Advertising Director or Dory Ferra, Classified Advertising Supervisor of the **Courier-Express/Tri-County Sunday/Jeffersonian Democrat** of the County and State aforesaid, being duly sworn, deposes and says that the **Courier Express**, a daily newspaper, the **Tri-County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a weekly newspaper published by McLean Publishing Company at 500 Jeffers Street, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said, the daily publication and the weekly publications, has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the paper on the following dates, viz: the

5th, 12th and 19th day of October A.D., 2004

Affidavit further deposes that he is an officer duly authorized by the **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

**McLEAN PUBLISHING COMPANY Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

By

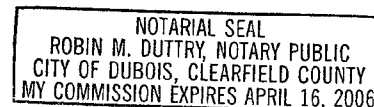
Linda Smith

Sworn and subscribed to before me this 25th day of Oct., 2004

Robin M. Duttry
NOTARY PUBLIC



Statement of Advertising Cost
McLEAN PUBLISHING COMPANY
Publisher of
**COURIER-EXPRESS/TRI-COUNTY SUNDAY/
JEFFERSONIAN DEMOCRAT**
DuBois, PA



TO

Hanak, Guido and Taladay

For publishing the notice or advertisement attached hereto on the above stated dates.....	<u>\$89.49</u>
Probating same.....	<u>\$4.25</u>
Total.....	<u>\$93.74</u>

Publisher's Receipt for Advertising Costs

The **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper, hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies that the same have been fully paid.

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801

Established 1879, Phone 814-371-4200

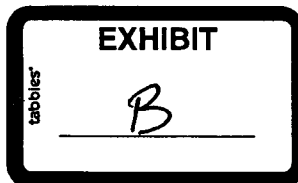
McLEAN PUBLISHING COMPANY

Publisher of

COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

By

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.



ATTORNEY FOR

NOTICE

Hearing on Petition to Award
Ownership of a 1977 Datsun 28
oz, bearing Vehicle Identification
Number HLS30367531 to Burton
D. Maki will be held on the 15th
day of November, 2004, at 1:30
p.m., Courtroom No. 1 at the
Clearfield County Courthouse,
Clearfield, Pennsylvania.

S. Casey Bowers, Esq.
Hartak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

10/5,12,19/04