



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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

No. 2004- 1679 C.D.

Type of Pleading: Complaint

Filed on behalf of: Jonathan G. Pope  
and Constance D. Pope, Plaintiffs

Counsel of Record for this party:

HOPKINS HELTZEL LLP

DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519

LEA ANN HELTZEL, ESQUIRE  
Attorney at Law  
Supreme Court No. 83998

900 Beaver Drive  
DuBois, Pennsylvania 15801

(814) 375-0300

FILED 5cc Atty Hopkins  
01/9:00/01 Atty pd  
OCT 26 2004 \$95.00  
William A. Shaw  
Prothonotary, Clerk of Courts

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

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No. 2004- C.D.

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SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

NOTICE

TO DEFENDANTS:

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 judgement 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.

Office of the Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830  
(814) 765-2641 ext. 5982

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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JONATHAN G. POPE and  
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No. 2004- C.D.

JUDE SALVAGGIO and JUSTINE  
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of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

**COMPLAINT**

NOW COMES, Plaintiffs, Jonathan G. Pope and Constance D. Pope, by and through their attorneys, Hopkins Heltzel LLP and avers as follows:

**COUNT I**

1. Plaintiffs are Jonathan G. Pope and Constance D. Pope, husband and wife, who are adult individuals who reside at 1181 Treasure Lake, DuBois, Pennsylvania 15801.

2. Defendant, Jude Salvaggio, is an adult individual who resides at 122 Edward Road, St. Marys, PA 15857. Jude Salvaggio is the son of Joseph Salvaggio and was appointed as the Executor of the Estate of Joseph Salvaggio by the Register of Wills of the County of Elk.

3. Defendant, Justine Shippling, is an adult individual who resides at 390 Miller Road, Elizabethtown, Pennsylvania 17022. Justine Shippling is the daughter of Joseph Salvaggio and was appointed as the Executor of the Estate of Joseph Salvaggio by the Register of Wills of the County of Elk.

4. Defendant, Marilyn Salvaggio, is an adult individual who resides at 11601 S.W. 51<sup>st</sup> Court, Cooper City, Florida 33330.

5. The real property at issue in this matter is identified as Section 13, Lot 36 of the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania.

6. By Deed dated May 29, 1981 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 814, at page 237, Treasure Lake, Inc. conveyed the property described in paragraph 5 to Joseph A. Salvaggio and Marilyn R. Salvaggio.

7. Joseph A. Salvaggio and Marilyn R. Salvaggio failed to pay the real estate taxes assessed against the property.

8. By Deed dated December 5, 1994 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 1649, at page 534, the Tax Claim Bureau of Clearfield County, Pennsylvania conveyed the property to Joseph M. Varacallo and Mary D. Varacallo, husband and wife.

9. The sale of the property for unpaid real estate taxes in 1994 was conducted in a manner which fully complied with all requirements of the Real Estate Tax Law, Act of 1947, P.L. 1368 No. 542 including, without limitation, the notice requirements provided for in the above mentioned statute, and that pursuant to the aforesaid statute, Joseph A. Salvaggio and Marilyn R. Salvaggio were lawfully divested of any right, title and/or interest in or to the subject realty as a result of such sale.

10. By Deed dated June 5, 1998 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 1940, at page 288, Joseph M. Varacallo and Mary D. Varacallo,

husband and wife, conveyed the property described in paragraph 5 to Joseph M. Varacallo and Mary D. Varacallo, Trustees, or their successors in trust under the Joseph and Mary Varacallo Living Trust dated June 5, 1998.

11. By Deed dated July 3, 2003 and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2003-12171, Joseph M. Varacallo and Mary D. Varacallo, Trustees under the Joseph and Mary Varacallo Living Trust, conveyed the property to Joseph M. Varacallo and Mary D. Varacallo, Trustees, or their successors in trust under the Joseph and Mary Varacallo Living Trust dated June 5, 1998.

12. By Deed dated July 19, 2004 and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2004-12254, Joseph M. Varacallo and Mary D. Varacallo, individuals and as Trustees under the Joseph and Mary Varacallo Living Trust dated June 5, 1998 conveyed the property to Jonathan G. Pope and Constance D. Pope, husband and wife, the Plaintiffs herein.

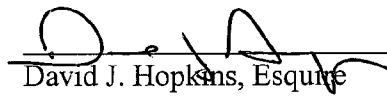
13. The purpose of this quiet title action is to remove any and all claims that heirs of Joseph Salvaggio or the Estate of Joseph Salvaggio, may possess in the property described in paragraph five (5) and to remove any clouds upon the title to said property as a result of the tax claim sale described herein.

14. The purpose of this quiet title action is also to remove any and all claims that Marilyn R. Salvaggio may possess in the property described herein and to remove any clouds upon the title to said property as a result of the tax claim sale described herein.

WHEREFORE, the Plaintiffs request the Court to decree that title to the premises described in paragraph five (5) of the Complaint be granted unto Plaintiffs, Jonathan G. Pope and

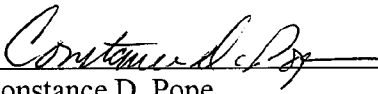
Constance D. Pope, in fee simple absolute; and that the Defendants, Jude Salvaggio and Justine Shippling, Executors of the Estate of Joseph A. Salvaggio, and the heirs, devisees and assigns, of Joseph A. Salvaggio and all other person, persons, partnerships, limited liability companies or corporate entities in interest, or their legal representatives be forever barred from asserting any right, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth in and to the property known as Section 13, Lot 36 in the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania and that Marilyn Salvaggio, her heirs, devisees and assigns and all other person, persons, partnerships, limited liability companies or corporate entities in interest, or their legal representatives be forever barred from asserting any right, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth in and to the property known as Section 13, Lot 36 in the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania.

Respectfully submitted,

  
\_\_\_\_\_  
David J. Hopkins, Esquire  
Attorney for Plaintiffs

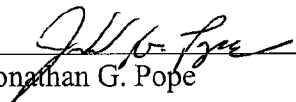
VERIFICATION

With full understanding that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the statements made in this pleading are true and correct.

  
Constance D. Pope

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the statements made in this pleading are true and correct.

  
Jonathan G. Pope

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**POPE, JONATHAN G. & CONSTANCE D.**

**VS.**

**SALVAGGIO, JUDE al**

**COMPLAINT**

Sheriff Docket #

16561

04-1679-CD

**SHERIFF RETURNS**

NOW NOVEMBER 3, 2004, THOMAS KONTES, SHERIFF OF ELK COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON JUDE SALVAGGIO, DEFENDANT.

NOW NOVEMBER 12, 2004 SERVED THE WITHIN COMPLAINT ON JUDE SALVAGGIO, DEFENDANT BY DEPUTIZING THE SHERIFF OF ELK COUNTY. THE RETURN OF SHERIFF KONTES IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

NOW NOVEMBER 3, 2004, SHERIFF OF LANCASTER COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA TO SERVE THE WITHIN COMPLAINT ON JUSTINE SHIPLING, DEFENDANT.

NOW NOVEMBER 15, 2004 SERVED THE WITHIN COMPLAINT ON JUSTINE SHIPLING, DEFENDANT BY DEPUTIZING THE SHERIFF OF LANCASTER COUNTY. THE RETURN OF LANCASTER COUNTY SHERIFF IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

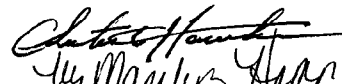
**Return Costs**

Cost	Description
43.50	SHERIFF HAWKINS PAID BY: ATTY CK# 14806
20.00	SURCHARGE PAID BY: ATTY CK# 14812
34.20	ELK CO. SHFF. PAID BY: ATTY
50.00	LANCASTER CO. SHFF. PAID BY: ATTY

**Sworn to Before Me This**

15 Day Of Dec 2004  


**So Answers,**

  
Chester A. Hawkins  
Sheriff EGV

**FILED**

**DEC 15 2004**

<sup>4:00</sup>  
William A. Shaw  
Prothonotary/Clerk of Courts

16861

# Affidavit of Service

Jonathan G. Pope and Constance D. Pope

vs.

Jude Salvaggio and Justine Shippling,  
Executors of the Estate of Joseph A. Salvaggio and Marilyn R. Salvaggio

No. 1679 Term, 20 04

Returnable within \_\_\_\_\_ days  
from date of service hereof.

NOW November 12, 20 04 at 2:36 o'clock P.M.

served the within Complaint on Jude Salvaggio of 122

Edward Rd., St. Marys, Elk County, PA

at the Elk County Sheriff's Office, Elk County Courthouse, 240 Main St., Ridgway, Elk  
County, PA

by handing to him

a true and attested copy of the original Complaint and made

known to him the contents thereof. Sheriff's Costs - \$34.20 PAID

Sworn to before me this 18th

day of NOVEMBER A.D. 20 04

David A. Frey

Prothonotary

So answers,

Thomas C. Korte

Sheriff

Earl C. Pontius

Deputy

My Commission Expires  
January 7, 2008

118.11-010



CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

COURTHOUSE  
1 NORTH SECOND STREET, SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986  
AFTER 4:00 P.M. (814) 765-1533  
FAX (814) 765-5915

ROBERT SNYDER  
CHIEF DEPUTY  
CYNTHIA AUGHENBAUGH  
OFFICE MANAGER

MARILYN HAMM  
DEPT. CLERK  
PETER F. SMITH  
SOLICITOR

## DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 16561

JONATHAN G. & CONSTANCE D. POPE

TERM & NO. 04-1679-CD

VS

DOCUMENT TO BE SERVED:

COMPLAINT

JUDE SALVAGGIO al

SERVE BY: 11/25/2004

**MAKE REFUND PAYABLE TO:**

HOPKINS LAW FIRM

**SERVE:** JUDE SALVAGGIO

**ADDRESS:** 122 EDWARD ROAD, ST. MARYS, PA. 15857

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of  
CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF  
ELK COUNTY, Pennsylvania to execute this writ. This  
Deputation being made at the request and risk of the Plaintiff this 3rd Day of  
NOVEMBER 2004

Respectfully,

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

# SHERIFF'S OFFICE

50 NORTH DUKE STREET, P.O. BOX 83480, LANCASTER, PENNSYLVANIA 17608-3480 • (717) 299-8200

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

PLEASE TYPE OR PRINT LEGIBLY.  
DO NOT DETACH ANY COPIES.

1. PLAINTIFF/S/

JONATHAN G. POPE a1

2 COURT NUMBER

04-1679-CD

3 DEFENDANT/S/

JUDE SALVAGGIO a1

4 TYPE OF WRIT OR COMPLAINT

COMPLAINT

SERVE



AT

5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO BE SERVED.

JUSTINE SHIPPLING

6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

390 Miller Road, Elizabethtown, Pa. 17022

7. INDICATE UNUSUAL SERVICE: ☒ DEPUTIZE ☐ OTHER

CLEARFIELD

Now, Nov. 3 20 04, I, SHERIFF OF LANCASTER COUNTY, PA., do hereby deputize the Sheriff of LANCASTER County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF LANCASTER COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

CLEARFIELD CO

**NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN** – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR

10. TELEPHONE NUMBER

11. DATE

DAVID J. HOPKINS ESO. HOPKINS LAW FIRM

814-375-0300

11/3/04

12. SEND NOTICE OF SERVICE COPY TO NAME AND ADDRESS BELOW: (This area must be completed if notice is to be mailed)

900 BEAVER DR.

DUBOIS PA. 15801

## SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above. NAME of Authorized LCSO Deputy or Clerk 14. Date Received 15. Expiration/Hearing date

JACQUELINE MICCICHE 717-299-8200

11/5/04 11/29/06

16. I hereby CERTIFY and RETURN that I have personally served, ☐ have legal evidence of service as shown in "Remarks", ☐ have executed as shown in "Remarks", the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing a TRUE and ATTESTED COPY thereof.

17. ☐ I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

18. Name and title of individual served (if not shown above) (Relationship to Defendant)

19. ☐ No Service  
See Remarks Below (No. 30)

20. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp. State and Zip Code)

21. Date of Service 22. Time

11/15/04 7:51

AM  
PM  
EST  
EDST

23. ATTEMPTS	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.
	11/15	36	1785												
24. Advance Costs			25. Service Costs			26. Notary Cert.		27. Mileage/Postage/N.F.			28. Total Costs		29. COST DUE OR REFUND		
135917			100.00			36.50		13.50			50.00		5000		

30. REMARKS:

S.T.A.:

CK  
50386  
11/16/04

31. AFFIRMED and subscribed to before me this

17

34. day of

November

20

04

37. Notary Public

Randall O. Wingo

MY COMMISSION EXPIRES

32. Signature of Dep. Sheriff

BRIAN S. Smith

35. Signature of Sheriff

SHERIFF OF LANCASTER COUNTY

33. Date

11/15/04

36. Date

11/16/04



CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

COURTHOUSE  
1 NORTH SECOND STREET, SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986  
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ROBERT SNYDER  
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DEPT. CLERK

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SOLICITOR

## DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 16561

JONATHAN G. & CONSTANCE D. POPE

VS

JUDE SALVAGGIO al

TERM & NO. 04-1679-CD

DOCUMENT TO BE SERVED:

COMPLAINT

SERVE BY: 11/25/2004

**MAKE REFUND PAYABLE TO:**

HOPKINS LAW FIRM

SERVE: JUSTINE SHIPLING

**ADDRESS:** 390 MILLER ROAD, ELIZABETHTOWN, PA. 17022

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of  
CLEARFIELD COUNTY, State of Pennsylvania, do hereby depute the SHERIFF OF  
LANCASTER COUNTY, Pennsylvania to execute this writ. This  
Deputation being made at the request and risk of the Plaintiff this 3rd Day of  
NOVEMBER 2004

Respectfully,

  
CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

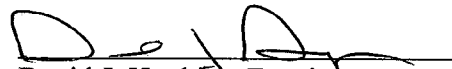
No. 2004-1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of Plaintiffs' Complaint, filed on behalf of Jonathan Pope and Constance Pope, was forwarded by certified mail on the 4th day of November, 2004, to Defendant, Marilyn R. Salvaggio, addressed as follows:

Marilyn Salvaggio  
11601 S.W. 51<sup>st</sup> Court  
Cooper City, FL 33330

  
David J. Hopkins, Esquire  
Attorney for Plaintiffs

**FILED**  
01215361  
JAN 10 2005

William A. Shaw  
Prothonotary/Clerk of Courts

**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:

Marilyn Salvaggio  
11601 S.W. 51st Court  
Cooper City, FL 33330

**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

X

*Myle Rotta*☐ Agent☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

*11/20*D. Is delivery address different from item 1?  
if YES, enter delivery address below:☒ Yes☐ No

## 3. Service Type

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

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## 2. Article Number

(Transfer from service label)

7003 2260 0001 2038 4073

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

No. 2004-1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

**AFFIDAVIT**

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :


Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for Plaintiffs, Jonathan G. Pope and Constance D. Pope, who, being duly sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon all Defendants. Defendants, Jude Slavaggio and Justine Shippling, Executors of the Estate of Joseph A. Salvaggio, were served by Sheriff; and Defendant, Marilyn R. Salvaggio, was served by certified mail; and their heirs, devisees,

**FILED**

01/25/05  
JAN 10 2005

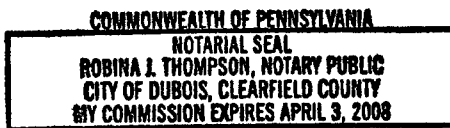
William A. Shaw  
Prothonotary/Clerk of Courts

administrators, executors and assigns, and more than twenty (20) days have elapsed since said service, and Plaintiffs have served a "10 Day Notice" pursuant to PaR.C.P. No. 237.1, and the said Defendants have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired.

  
David J. Hopkins, Esquire

Sworn to and subscribed before me this  
5th day of January, 2005.

  
Notary Public



BY COMMISSION EXPIRES APRIL 3, 2008  
CITY OF CINCINNATI, CLEVELAND COUNTY  
ROBERT J. THOMPSON, Notary Public  
JAN 2 2008  
COMMONWEALTH OF PENNSYLVANIA

FILED

JAN 10 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

JONATHAN G. POPE and  
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Plaintiffs

vs.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

No. 2004-1679 C.D.

Type of Pleading: Praecipe for Default  
Judgment

Filed on behalf of : Jonathan G. Pope and  
Constance D. Pope, Plaintiffs

Counsel of Record for this party:

HOPKINS HELTZEL LLP

DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519

900 Beaver Drive  
DuBois, Pennsylvania 15801

(814) 375-0300

**FILED** (R)  
JAN 10 2005 1:53 PM  
ICC. to Atty  
Notice to Def.  
Atty pd. 20.00  
William A. Shaw  
Prothonotary/Clerk of Courts

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

JONATHAN G. POPE and  
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vs.


No. 2004-1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

**PRECIPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of Plaintiffs, Jonathan G. Pope and Constance D. Pope and against Defendant, Marilyn R. Salvaggio, for failure to file within the required time an answer to a Complaint which contained a Notice to Defend.

  
David J. Hopkins, Esquire  
Attorney for Plaintiffs

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

No. 2004-1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

TO: Marilyn Salvaggio  
11601 S. W. 51<sup>st</sup> Court  
Cooper City, FL 33330


DATE OF NOTICE: December 13, 2004

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. 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 NOTICE TO A 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.

Office of the Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641

  
DAVID J. HOPKINS, ESQUIRE  
Attorney for Plaintiffs

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

No. 2004- 1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

COPY

**JUDGMENT NOTICE**

To: Marilyn Salvaggio  
11601 S.W. 51<sup>st</sup> Court  
Cooper City, FL 33330

Please take note that judgment has been entered against you on the issue of  
ownership or other property rights in the above captioned matter.

\_\_\_\_\_  
Prothonotary

1/10/05

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

No. 2004-1679 C.D.

Type of Pleading: Praecipe for Default  
Judgment

Filed on behalf of : Jonathan G. Pope and  
Constance D. Pope, Plaintiffs

Counsel of Record for this party:

HOPKINS HELTZEL LLP

DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519

900 Beaver Drive  
DuBois, Pennsylvania 15801

(814) 375-0300

**FILED** *ICC to All*  
*012:53:01 Notice to Def.*  
JAN 10 2005 *Aug pd. 2000*  
William A. Shaw  
Prothonotary/Clerk of Courts

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

JONATHAN G. POPE and  
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Plaintiffs

vs.

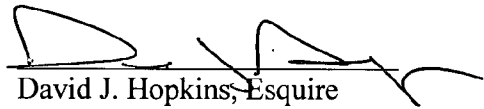
No. 2004-1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

**PRECIPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of Plaintiffs, Jonathan G. Pope and Constance D. Pope and against Defendant, Jude Salvaggio, Executor of the Estate of Joseph A. Salvaggio, for failure to file within the required time an answer to a Complaint which contained a Notice to Defend.

  
David J. Hopkins, Esquire  
Attorney for Plaintiffs

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
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vs.

No. 2004-1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

TO: Jude Salvaggio  
122 Edward Road  
St. Marys, PA 15857

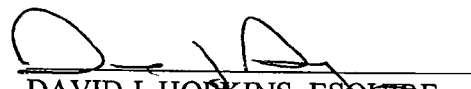
DATE OF NOTICE: December 13, 2004

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. 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 NOTICE TO A 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.

Office of the Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641

  
DAVID J. HOPKINS, ESQUIRE  
Attorney for Plaintiffs

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

JONATHAN G. POPE and  
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vs.

JUDE SALVAGGIO and JUSTINE  
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of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

No. 2004- 1679 C.D.

COPY

**JUDGMENT NOTICE**

To: Jude Salvaggio  
122 Edward Road  
St. Marys, PA 15857

Please take note that judgment has been entered against you on the issue of  
ownership or other property rights in the above captioned matter.

Prothonotary

1/10/05

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
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Defendants

No. 2004-1679 C.D.

Type of Pleading: Praecipe for Default  
Judgment

Filed on behalf of : Jonathan G. Pope and  
Constance D. Pope, Plaintiffs

Counsel of Record for this party:

HOPKINS HELTZEL LLP

DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519

900 Beaver Drive  
DuBois, Pennsylvania 15801

(814) 375-0300

**FILED**

JAN 10 2005

William A. Shaw  
Prothonotary/Clerk of Courts

*cc to Atty*  
*Notice to Def.*  
*Atty pd-20.00*

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

JONATHAN G. POPE and  
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Plaintiffs

vs.

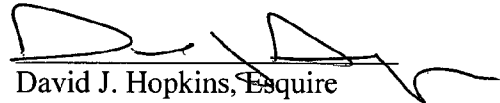
No. 2004- 1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

**PRECIPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of Plaintiffs, Jonathan G. Pope and Constance D. Pope and against Defendant, Justine Shippling, Executor of the Estate of Joseph A. Salvaggio, for failure to file within the required time an answer to a Complaint which contained a Notice to Defend.

  
David J. Hopkins, Esquire  
Attorney for Plaintiffs

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

No. 2004-1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

TO: Justine Shippling  
390 Miller Road  
Elizabethtown, PA 17022


DATE OF NOTICE: December 13, 2004

**IMPORTANT NOTICE**

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DAVID J. HOPKINS, ESQUIRE  
Attorney for Plaintiffs

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

COPY

JONATHAN G. POPE and  
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Plaintiffs

vs.

No. 2004- 1679 C.D.

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Defendants

JUDGMENT NOTICE

To: Justine Shippling  
390 Miller Road  
Elizabethtown, PA 17022

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ownership or other property rights in the above captioned matter.

\_\_\_\_\_  
Prothonotary

1/10/05

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

JONATHAN G. POPE and  
CONSTANCE D. POPE,  
Plaintiffs

vs.

No. 2004-1679 C.D.

JUDE SALVAGGIO and JUSTINE  
SHIPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

FILED  
6K 0/238/81  
JAN 11 2005  
William A. Shaw  
Prothonotary/Clerk of Courts  
HOPKINS

**ORDER**

AND NOW, this 11<sup>th</sup> day of JANUARY, 2005 appearing that service of the Complaint to Quiet Title in the above stated action was served upon Defendants, Jude Salvaggio and Justine Shippling, Executors of the Estate of Joseph A. Salvaggio, by Sheriff and Defendant, Marilyn R. Salvaggio, by certified mail, and by Affidavit of David J. Hopkins, Attorney for Plaintiffs, that no answer or appearance has been filed to said action, and on Motion of David J. Hopkins, Esquire, it is hereby ORDERED and DECREED:

1. That the Defendants, Jude Salvaggio and Justine Shippling, Executors of the Estate of Joseph A. Salvaggio and Marilyn R. Salvaggio, and their heirs, devisees, persons, firms, partnerships, or corporate entities in interest, are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint in and to: Section 13, Lot 36 of the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania.

2. The property in this quiet title action is identified as Section 13, Lot 36 of the Treasure Lake Subdivision, DuBois, Pennsylvania.

3. That title to said property is now vested in Jonathan G. Pope and Constance D. Pope, as prayed.

4. That the rights of the Plaintiffs are superior to the rights of the Defendants, Jude Salvaggio and Justine Shippling, Executors of the Estate of Joseph A. Salvaggio and Marilyn R Salvaggio, and any heirs, persons claiming, or who might claim title under the aforesaid Defendants; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described.

5. That the Plaintiffs have title in fee simple to said premises as described in the Complaint as against the Defendants, Jude Salvaggio and Justine Shippling, Executors of the Estate of Joseph A. Salvaggio and Marilyn R Salvaggio, and their heirs, devisees, administrators, executors, and assigns.

6. That the Defendants, Jude Salvaggio and Justine Shippling, Executors of the Estate of Joseph A. Salvaggio and Marilyn R Salvaggio, and their heirs, devisees, administrators, executors and assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiffs as set forth in their Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiffs to the premises.

7. That the thirty (30) days provisions of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified as to eliminate the said thirty (30) day Rule of Pennsylvania Rules of Civil Procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of Pennsylvania Rules of Civil Procedure 248 to eliminate any time period

prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.

8. That these proceedings or any authenticated copy thereof, shall at all times hereinafter be taken as evidence of the facts declared and established thereby.

9. That a certified copy of this Order shall be recorded in the Office of the Recorder of Deed of Clearfield County, Pennsylvania.

BY THE COURT,

  
JUDGE

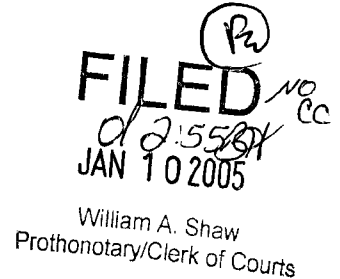
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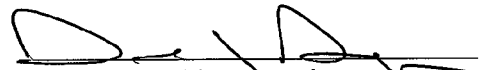
JUDE SALVAGGIO and JUSTINE  
SHIPPLING, Executors of the Estate  
of JOSEPH A. SALVAGGIO and  
MARILYN R. SALVAGGIO,  
Defendants

A circular stamp with the letter 'P' inside. Below it, the word 'FILED' is printed in large, bold, capital letters. Under 'FILED', the date 'JAN 10 2005' is printed. To the right of 'FILED', the words 'NO CC' are handwritten. Below the date, the name 'William A. Shaw' and the title 'Prothonotary/Clerk of Courts' are printed.

**MOTION FOR JUDGMENT**

AND NOW, this 5<sup>th</sup> day of January, 2005, an Affidavit having been filed by David J. Hopkins, Esquire, Attorney for Plaintiffs, Jonathan G. Pope and Constance D. Pope, that the Complaint with Notice to Plead was served on Defendants pursuant to the Rules of Civil Procedure and Defendants have failed to file an answer. The Plaintiffs, by and through their attorney, move the Court to enter judgment in favor of the Plaintiffs and against the Defendants in the above named case and to grant to the Plaintiffs the relief prayed for in accordance with Rules of Civil Procedure 1066. Plaintiffs further requests that the Honorable Court modify in accordance with Rules of Civil Procedure, Rule 248, the thirty (30) day period provided Defendants by Rules of Civil Procedure, Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiffs set forth in their Complaint.

Respectfully submitted,

  
David J. Hopkins, Esquire

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**POPE, JONATHAN G. & CONSTANCE D.**

**VS.**

**SALVAGGIO, JUDE al**

**Sheriff Docket # 16561**

**04-1679-CD**

**COMPLAINT**

**SHERIFF RETURNS**

NOW NOVEMBER 3, 2004, THOMAS KONTES, SHERIFF OF ELK COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON JUDE SALVAGGIO, DEFENDANT.

NOW NOVEMBER 12, 2004 SERVED THE WITHIN COMPLAINT ON JUDE SALVAGGIO, DEFENDANT BY DEPUTIZING THE SHERIFF OF ELK COUNTY. THE RETURN OF SHERIFF KONTES IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

NOW NOVEMBER 3, 2004, SHERIFF OF LANCASTER COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA TO SERVE THE WITHIN COMPLAINT ON JUSTINE SHIPLING, DEFENDANT.

NOW NOVEMBER 15, 2004 SERVED THE WITHIN COMPLAINT ON JUSTINE SHIPLING, DEFENDANT BY DEPUTIZING THE SHERIFF OF LANCASTER COUNTY. THE RETURN OF LANCASTER COUNTY SHERIFF IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

**Return Costs**

<b>Cost</b>	<b>Description</b>
<b>43.50</b>	<b>SHERIFF HAWKINS PAID BY: ATTY CK# 14806</b>
<b>20.00</b>	<b>SURCHARGE PAID BY: ATTY CK# 14812</b>
<b>34.20</b>	<b>ELK CO. SHFF. PAID BY: ATTY</b>
<b>50.00</b>	<b>LANCASTER CO. SHFF. PAID BY: ATTY</b>

**Sworn to Before Me This**

\_\_\_\_ Day Of \_\_\_\_\_ 2004

**So Answers,**



**Chester A. Hawkins**  
**Sheriff**

# Affidavit of Service

Jonathan G. Pope and Constance D. Pope

vs.

Jude Salvaggio and Justine Shippling,  
Executors of the Estate of Joseph A. Salvaggio and Marilyn R. Salvaggio

No. 1679 Term, 20 04

Returnable within \_\_\_\_\_ days  
from date of service hereof.

NOW November 12, 20 04 at 2:36 o'clock P.M.

served the within Complaint on Jude Salvaggio of 122

Edward Rd., St. Marys, Elk County, PA

at the Elk County Sheriff's Office, Elk County Courthouse, 240 Main St., Ridgway, Elk  
County, PA

by handing to him

a true and attested copy of the original Complaint and made

known to him the contents thereof. Sheriff's Costs - \$34.20 PAID

Sworn to before me this 18<sup>TH</sup>

day of NOVEMBER A.D. 20 04

*David A. Luey*

Prothonotary

My Commission Expires  
January 7, 2008

118.11-010

So answers,

*Thomas C. Korte*

Sheriff

*Earl C. Pontious*

Deputy

# SHERIFF'S OFFICE

50 NORTH DUKE STREET, P.O. BOX 83480, LANCASTER, PENNSYLVANIA 17608-3480 • (717) 299-8200

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

PLEASE TYPE OR PRINT LEGIBLY.  
DO NOT DETACH ANY COPIES.

1 PLAINTIFF/S/ JONATHAN G. BOPE al	2 COURT NUMBER 04-1679-CD
3 DEFENDANT/S/ JUDE SALVAGGIO al	4 TYPE OF WRIT OR COMPLAINT COMPLAINT
5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO BE SERVED. JUSTINE SHIPPLING	
6 ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) 390 Miller Road, Elizabethtown, Pa. 17022	
7. INDICATE UNUSUAL SERVICE: <input checked="" type="checkbox"/> DEPUTIZE <input type="checkbox"/> OTHER	
Now, Nov. 3 20 04, I, SHERIFF OF LANCASTER COUNTY, PA., do hereby deputize the Sheriff of LANCASTER County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.	
8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:	

SHERIFF OF LANCASTER COUNTY

CLEARFIELD CO

**NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN** — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR DAVID J. HOPKINS ESO. HOPKINS LAW FIRM	10. TELEPHONE NUMBER 815-375-0300	11. DATE 11/3/04
12. SEND NOTICE OF SERVICE COPY TO NAME AND ADDRESS BELOW: (This area must be completed if notice is to be mailed) 900 BEAVER DR. DUBOIS PA. 15801		

### SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	NAME of Authorized LCSO Deputy or Clerk JACQUELINE MICCICHE 717-299-8200	14. Date Received 11/5/04	15. Expiration/Hearing date 11/29/06												
16. I hereby CERTIFY and RETURN that I have personally served, <input checked="" type="checkbox"/> have legal evidence of service as shown in "Remarks", <input type="checkbox"/> have executed as shown in "Remarks", the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing a TRUE and ATTESTED COPY thereof.															
17. <input type="checkbox"/> I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)															
18. Name and title of individual served (if not shown above) (Relationship to Defendant)		19. <input type="checkbox"/> No Service See Remarks Below (No. 30)													
20. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp. State and Zip Code)		21. Date of Service 11/5/04	22. Time 7:51 AM EST EDST												
23. ATTEMPTS	Date 11/15	Miles 36	Dep. Int. 15.85	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.
24. Advance Costs R 135917	100.00	25. Service Costs 36.50	26. Notary Cert.	27. Mileage/Postage/N.F. 13.50	28. Total Costs 50.00	29. COST DUE OR REFUND 5000									
30. REMARKS															

S.T.A.

CK  
50386  
11/16/04

31. AFFIRMED and subscribed to before me this 17 day of November 20 04	32. Signature of Dep. Sheriff BRIAN S. SMITH	33. Date 11/15/04
34. day of November 20 04	35. Signature of Sheriff A. R.	36. Date 11/16/04

**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:**

Marilyn Salvaggio  
11601 S.W. 51st Court  
Cooper City, FL 33330

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

7003 2260 0001 2038 4073

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-406

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

X *Kyle Rott*

☐ Agent

☐ Addressee

**B. Received by (Printed Name)****C. Date of Delivery**

11/20

**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