

Date: 12/09/2004

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 01:22 PM

ROA Report

Page 1 of 1

Case: 2004-01824-CD

Current Judge: Fredric Joseph Ammerman

Gloria McCloskey, John G. Ferguson vs. Clearfield County Tax Claim Bureau

Civil Other

Date	Judge
11/16/2004	No Judge
Filing: Civil Complaint Paid by: Carfley, John R. (attorney for McCloskey, Gloria) Receipt number: 1890527 Dated: 11/16/2004 Amount: \$85.00 (Check) 4 CC to Atty. Carfley	
11/17/2004	No Judge
Petition to Halt Private Sale filed by John G. Ferguson 3 CC to Plff. 1 CC to Tax Claim Bur.	
11/19/2004	Fredric Joseph Ammerman
Order, Re: Estate Of Gloria J. McCloskey vs. Clfd. Co. Tax Claim Bureau; AND NOW, this 18th day of Nov., 2004, upon consideration of the foregoing Petition to Halt Sale, It Is the ORDER of this Court that Respondent appear and show cause why the prayer of said petition should not be granted. Rule Returnable the 16th day of December, 2004, at 10:00 a.m in Courtroom No. 1, Clfd. Co. Courthouse. All proceedings including the private sale of the said premises shall be stayed pending the outcome of the hearing scheduled by the Court. BY THE COURT: /s/ Fredric J. Ammerman, President Judge. 4 CC Atty Carfley	
	Fredric Joseph Ammerman
Order, Re: John G. Ferguson vs. Clfd. Co. Tax Claim Bureau; AND NOW, this 18th day of Nov., 2004, upon consideration of the foregoing Petition to Halt Sale, It Is the ORDER of this Court that Respondent appear and show cause why the prayer of said petition should not be granted. Rule Returnable the 16th day of December, 2004, at 10:00 a.m in Courtroom No. 1, Clfd. Co. Courthouse. All proceedings including the private sale of the said premises shall be stayed pending the outcome of the hearing scheduled by the Court. BY THE COURT: /s/ Fredric J. Ammerman, President Judge. 4 CC Atty Carfley	
11/23/2004	Fredric Joseph Ammerman
Certificate of Service, Petition to Halt Sale and Rule Returnable on Nov. 18, 2004, by hand delivering to defendant. Filed by s/ John R. Carfley, Esq. No CC	

Original
to CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ESTATE OF GLORIA J. McCLOSKEY :

vs. :

No. 2004-1824-CD

CLEARFIELD COUNTY TAX CLAIM :
BUREAU :

FILED 400
0/2:1230 AM
NOV 16 2004
William A. Shaw
Prothonotary/Clerk of Courts
8500

PETITION TO HALT PRIVATE SALE

AND NOW, comes your petitioner, the Estate of Gloria J. McCloskey, who by counsel, John R. Carfley, Esquire, files this petition to halt private sale scheduled for that property hereinafter described and in support thereof avers as follows:

1. Petitioner is the Estate of Gloria J. Ferguson McCloskey, late of Milesburg, Centre County, Pennsylvania.

2. Respondent is the Tax Claim Bureau of Clearfield County, Pennsylvania.

3. Gloria Ferguson McCloskey passed away on or about the 24th day of January, 2003, leaving to survive her husband, Larry McCloskey and two children, Lori Herr and John Ferguson, Jr., an incapacitated individual.

4. Your Petitioner is the co-owner of property situate in the Township of Morris, Clearfield County, Pennsylvania. Petitioner acquired joint title to these premises with John Ferguson by deed of John Socash et. ux. dated August 7, 1981, and entered for record in the office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book 817, 013.

5. John G. Ferguson and Gloria Ferguson were divorced from

6A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOHN G. FERGUSON

:

vs.

:

No. 2004-

1824-(1)

CLEARFIELD COUNTY
TAX CLAIM BUREAU

:

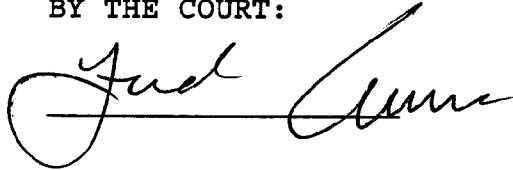
ORDER OF COURT

AND NOW, this 18 day of November, 2004, upon consideration of the foregoing Petition to Halt Sale, IT IS THE ORDER OF THIS COURT THAT Respondent appear and show cause why the prayer of said petition should not be granted.

RULE RETURNABLE the 16 day of December, 2004, at 10:00 A. M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pa.

ALL proceedings including the private sale of the said premises herein referenced shall be stayed pending the outcome of the hearing scheduled hereon by the Court.

BY THE COURT:



60K
FILED 4CC
019:58 AM
NOV 19 2004
Castley
William A. Shaw
Prothonotary/Clerk of Courts

FILED
011:45 AM 10/17/04
NOV 17 2004
10/17/04 3:00 PM
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
JOHN G. FERGUSON :
vs. : No. 2004- 1824-D
CLEARFIELD COUNTY TAX CLAIM :
BUREAU :

PETITION TO HALT PRIVATE SALE

AND NOW, comes your petitioner, John G. Ferguson, pro se, who files this petition to halt the private sale scheduled for that property hereinafter described and in support thereof avers as follows:

1. Petitioner is John G. Ferguson, an adult individual, presenting residing in Chester Hill, Clearfield County, Pennsylvania.

2. Respondent is the Clearfield County Tax Claim Bureau of Clearfield County, Pennsylvania.

3. Petitioner is the co-owner of property situate in the Township of Morris, Clearfield County, Pennsylvania. Petitioner acquired joint title to the premises with Gloria Ferguson by deed of John Socash et. ux. dated August 7, 1981, and entered for record in the office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book 817, 013.

4. This property was being sold by the said John G. and Gloria Ferguson under an Agreement of Sale to Douglas & Kimberly Mays of RR 2, Box 273, Munson, Pa.

5. John G. Ferguson and Gloria Ferguson were divorced from

the bonds of matrimony by a decree of divorce entered in the Court of Common Pleas of Centre County, Pennsylvania.

6. Gloria Ferguson thereafter married Larry McCloskey, however, the ownership of the subject real estate remained in the names of John G. Ferguson and Gloria J. Ferguson.

7. Upon the death of Gloria Ferguson McCloskey the ownership of the said property converted from a tenants by the entireties to a tenancy in common by which the Estate of Gloria J. McCloskey would have owned a one-half interest in the said property and John G. Ferguson would have owned a one-half interest in the said property.

8. This property was being sold by the said John G. and Gloria Ferguson under an Agreement of Sale to Douglas & Kimberly Mays of RR 2, Box 273, Munson, Pa.

9. Apparently the said Douglas Mays et. ux. vacated the property in January of 2004 without notice to the Estate and/or John G. Ferguson and despite the provisions of the Agreement of Sale allowed the taxes on the property to be returned to the County and the property to apparently be listed for private sale.

10. All tax notices were apparently sent directly to Douglas & Kimberly Mays and were not delivered to either John G. Ferguson or the Estate of Gloria McCloskey by Douglas or Kimberly Mays and/or the Clearfield County Tax Claim Bureau.


11. Petitioner herein received no notice of delinquent taxes until a copy of correspondence from the Tax Claim Bureau was received subsequent to September 24, 2004 by individuals representing the Estate who, in turn, transmitted the same to your

Petitioner.

12. Petitioner avers that he is ready, willing and able to satisfy the delinquent taxes on this property and to pay any other taxes or costs which may have accrued as a result of this proceeding.

13. It is believed and therefore averred that the sale of the said property at either private sale or public sale would be a violation of due process in that neither Petitioner nor the heirs of the Estate of Ferguson/McCloskey received proper notice of the sale nor were they given the right to intercede in the sale or protect their property from distribution as now contemplated.

WHEREFORE, Petitioner requests this Honorable Court to halt the sale of the above described property and allow him to pay the delinquent taxes on the same.


John G. Ferguson
P. O. Box 141
Philipsburg, Pa., 16866

Dated: November 15, 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ESTATE OF GLORIA J. McCLOSKEY :

vs. : No. 2004-1824-CD

CLEARFIELD COUNTY TAX CLAIM :
BUREAU :

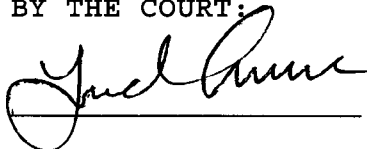
ORDER OF COURT

AND NOW, this 18 day of November, 2004, upon consideration of the foregoing Petition to Halt Sale, IT IS THE ORDER OF THIS COURT THAT Respondent appear and show cause why the prayer of said petition should not be granted.

RULE RETURNABLE the 16 day of December, 2004, at 10:00 A. M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pa.

ALL proceedings including the private sale of the said premises herein referenced shall be stayed pending the outcome of the hearing scheduled hereon by the Court.

BY THE COURT:



FILED 4cc
NOV 19 2004
William A. Shaw
Prothonotary/Clerk of Courts
ESK
Atty Carley

CP

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ESTATE OF GLORIA J. McCLOSKEY :

vs. :

No. 2004-1824-CD

CLEARFIELD COUNTY TAX CLAIM :
BUREAU :

FILED 400
0/2:1230 AM
NOV 16 2004
William A. Shaw
Prothonotary/Clerk of Courts
8300

PETITION TO HALT PRIVATE SALE

AND NOW, comes your petitioner, the Estate of Gloria J. McCloskey, who by counsel, John R. Carfley, Esquire, files this petition to halt private sale scheduled for that property hereinafter described and in support thereof avers as follows:

1. Petitioner is the Estate of Gloria J. Ferguson McCloskey, late of Milesburg, Centre County, Pennsylvania.
2. Respondent is the Tax Claim Bureau of Clearfield County, Pennsylvania.
3. Gloria Ferguson McCloskey passed away on or about the 24th day of January, 2003, leaving to survive her husband, Larry McCloskey and two children, Lori Herr and John Ferguson, Jr., an incapacitated individual.
4. Your Petitioner is the co-owner of property situate in the Township of Morris, Clearfield County, Pennsylvania. Petitioner acquired joint title to these premises with John Ferguson by deed of John Socash et. ux. dated August 7, 1981, and entered for record in the office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book 817, 013.
5. John G. Ferguson and Gloria Ferguson were divorced from

the bonds of matrimony by a decree of divorce entered in the Court of Common Pleas of Centre County, Pennsylvania.

6. Gloria Ferguson thereafter married Larry McCloskey, however, the ownership of the subject real estate remained in the names of John G. Ferguson and Gloria J. Ferguson.

7. Upon the death of Gloria Ferguson McCloskey the ownership of the said property converted from a tenants by the entireties to a tenancy in common by which the Estate of Gloria J. McCloskey would have owned a one-half interest in the said property and John G. Ferguson would have owned a one-half interest in the said property.

8. This property was being sold by the said John G. and Gloria Ferguson under an Agreement of Sale to Douglas & Kimberly Mays of RR 2, Box 273, Munson, Pa.

9. Apparently the said Douglas Mays et. ux. vacated the property in January of 2004 without notice to the Estate and/or John G. Ferguson and despite the provisions of the Agreement of Sale allowed the taxes on the property to be returned to the County and the property to apparently be listed for private sale.

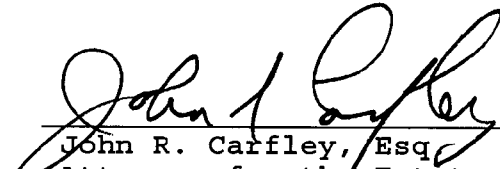
10. All tax notices were apparently sent directly to Douglas & Kimberly Mays and were not delivered to either John G. Ferguson or the Estate of Gloria McCloskey by Douglas or Kimberly Mays and/or the Clearfield County Tax Claim Bureau.

11. Petitioner herein received no notice of delinquent taxes until a copy of correspondence from the Tax Claim Bureau was received subsequent to September 24, 2004 by individuals representing the Estate.

12. Petitioner avers that it is ready, willing and able to satisfy the delinquent taxes on this property and to pay any other taxes or costs which may have accrued as a result of this proceeding.

13. It is believed and therefore averred that the sale of the said property at either private sale or public sale would be a violation of due process in that neither Petitioner nor the heirs of the Estate of Ferguson/McCloskey received proper notice of the sale nor were they given the right to intercede in the sale or protect their property from distribution as now contemplated.

WHEREFORE, Petitioner requests this Honorable Court to halt the private sale of the above described property and allow it to pay the delinquent taxes on the same.


John R. Carfley, Esq.
Attorney for the Estate
of Gloria J. McCloskey
P. O. Box 249
Philipsburg, Pa., 16866

Dated: November 15, 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ESTATE OF GLORIA J. McCLOSKEY :

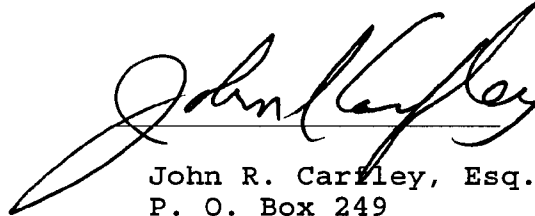
vs. :

No. 2004-1824-CO

CLEARFIELD COUNTY TAX CLAIM :
BUREAU :

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the Petition to
Halt Sale and Rule Returnable filed in the above matter on behalf
of Plaintiff by hand delivering the same to the defendant,
Clearfield County Tax Claim Bureau on November 18, 2004.



John R. Carfley, Esq.
P. O. Box 249
Philipsburg, Pa., 16866
Attorney for Plaintiff

FILED

NOV 23 2004 E64

0/2:30h

William A. Shaw
Prothonotary

in Clearfield County

CP

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

ESTATE OF GLORIA J. MCCLOSKEY :

VS. : NO. 04-1824-CD

CLEARFIELD COUNTY TAX :

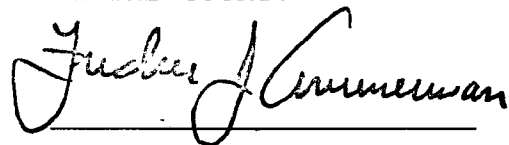
CLAIM BUREAU :

O R D E R

NOW, this 16th day of December, 2004, this being the date set for hearing on the Plaintiff's Petition to Halt Private Sale it is the ORDER of this Court as follows:

1. The private sale which is or had been scheduled by the Tax Assessment Office is hereby disapproved;
2. The Tax Assessment Office shall schedule a auction style sale of the property among the applicable parties;
3. The minimum price below which the property shall not be sold shall be \$1,700.

BY THE COURT:



President Judge

FILED⁶⁶⁶
02.55 PM 210 atty. Carley.
100 Co. Tax claim

DEC 16 2004

William A. Shaw
Prothonotary

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

JOHN G. FERGUSON

:

VS.

: NO. 04-1824-CD

CLEARFIELD COUNTY TAX

:

CLAIM BUREAU

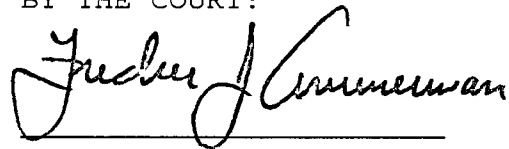
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O R D E R

NOW, this 16th day of December, 2004, this being the date set for hearing on the Plaintiff's Petition to Halt Private Sale it is the ORDER of this Court as follows:

1. The private sale which is or had been scheduled by the Tax Assessment Office is hereby disapproved;
2. The Tax Assessment Office shall schedule a auction style sale of the property among the applicable parties;
3. The minimum price below which the property shall not be sold shall be \$1,700.

BY THE COURT:



President Judge

FILED *EW*
0 2:55 PM 2004 Cathy Cusper
100 Co Tax Claim

DEC 16 2004

William A. Shaw
Prothonotary