

04-1976-CD
MARK ALLEN CLARK, vs. THOMAS PEARCE

Mark Clark vs Thomas Pearce
2004-1976-CD

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

CERTIFICATE OF SERVICE

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED ^{GW}
APR 18 2005
NO CC
04/10/05
APR 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

MARK ALLEN CLARK, :
Plaintiff :
:
vs. : No. 04 - 1976 - C.D.
:
THOMAS PEARCE, :
Defendant :
:

CERTIFICATE OF SERVICE

This is to certify that I have served a certified copy of a Praecept for Writ of Execution filed in the above-referenced matter on the following party by postage prepaid first-class United States mail on March 14, 2005, by regular mail and certified mail, return receipt requested, as evidenced by the attached U.S. Postal Service Form 3811:

Thomas Pearce
2634 Kyler/Drift Highway
P.O. Box 170
Kylertown, PA 16847
Defendant

BELIN & KUBISTA



John R. Ryan
Attorney for Plaintiff

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:

Thomas Pearce
2634 Kyler/Drift Highway
P.O. Box 170
Kylertown, PA 16847

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

X Johnna L Pearce Agent
 Addressee

B. Received by (Printed Name)

Johnna Pearce **4-14-05**

C. Date of Delivery**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**2. Article Number**

(Transfer from service label)

7004 0550 0000 7176 1799

CLEARFIELD, PENNSYLVANIA 16830
P. O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

FILED

APR 18 2005

PAUL J. KUBISTA
ATTORNEY AT LAW
CLARFIELD, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
of Clearfield County
JUDICIAL DISTRICT
46

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS NO.

04-1976-C

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT Mark Allen Clark	MAG. DIST. NO. OR NAME OF D.J. 46-3-03
ADDRESS OF APPELLANT Sportsmans Road, P.O. Box 47, Lanse, PA 16849	CITY STATE ZIP CODE
DATE OF JUDGMENT 11-22-04	IN THE CASE OF (Plaintiff) Mark Allen Clark vs. Thomas Pearce (Defendant)
CLAIM NO. CV 0000410-04 LT	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT 
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>Signature of Prothonotary or Deputy</p>	
<p>appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p>	

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon _____, appellee(s), to file a complaint in this appeal
(Common Pleas No. 04-1976-C) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

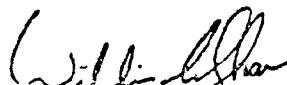
RULE: To _____, appellee(s).
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: 12-14-04



Signature of Prothonotary or Deputy

FILED
6/11/04 BPA 2685-00
Copied at City Ctr
DEC 14 2004

William A. Shaw
Prothonotary

COURT FILE TO BE FILED WITH PROTHONOTARY

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____; SS

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(date of service) _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____
 by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____,

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____,

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA

Address: **131 ROLLING STONE ROAD
P.O. BOX 210
KYLERTOWN, PA**

Telephone: **(814) 345-6789** **16847-0444**

**MICHAEL A. RUDELLA
131 ROLLING STONE ROAD
P.O. BOX 210
KYLERTOWN, PA 16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

**CLARK, MARK ALLEN
SPORTMANS RD
P O BOX 47
LANSE, PA 16849**

NAME and ADDRESS

DEFENDANT:

**PEARCE, THOMAS, ET AL.
2634 KYLER/DRIFT HWY
PO BOX 170
KYLERTOWN, PA 16847**

VS.

NAME and ADDRESS

Docket No.: **CV-0000410-04**
Date Filed: **10/18/04**



04-1976-CD

THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

Judgment was entered for: (Name) **CLARK, MARK ALLEN**

Judgment was entered against: (Name) **PEARCE, THOMAS**

in the amount of \$ **781.90** on: (Date of Judgment) **11/22/04**

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical damages arising out of residential lease \$ _____

Amount of Judgment	\$ 661.40
Judgment Costs	\$ 120.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 781.90
Post Judgment Credits	\$ —
Post Judgment Costs	\$ —
Certified Judgment Total \$ 781.90	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

11-22-04 Date *M A Rudella*, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

11-29-04 Date *M A Rudella*, District Justice

My commission expires first Monday of January, **2006**.

SEAL

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT	MAG. DIST. NO. OR NAME OF D.J.		
ADDRESS OF APPELLANT	CITY	STATE	ZIP CODE
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff) (Defendant)		
CLAIM NO.	VS. SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CV _____ LT _____			
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>_____ Signature of Prothonotary or Deputy</p>			
<p>If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p>			

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon _____, appellee(s), to file a complaint in this appeal
 Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To _____
 Name of appellee(s) _____ appellee(s).

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: _____

Signature of Prothonotary or Deputy

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

DEC 14 2004

Attest.

John J. Shanahan
Prothonotary/
Clerk of Courts

COURT FILE

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Clearfield ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 04-1976-C.D., upon the District Justice designated therein on (date of service) December 15, 2004, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) Thomas Pearce, on December 15, 2004 by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS 16th DAY OF December, 2004

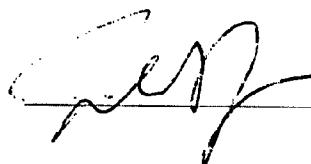
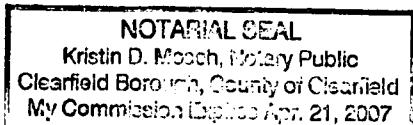
Kristin D. Mosch

Signature of official before whom affidavit was made

Notary Public

Title of official

My commission expires on April 21, 2007



Signature of affiant

FILED

02:40 PM Nov

DEC 16 2004

604

William A. Shaw
Prothonotary

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.

9834 9380 0001 0000 0010 0000 7000

CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

KYLERTOWN PA 16844

Postage	\$ 37
Certified Fee	2230
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	0.00
Total Postage & Fees	\$ 44.82

12/15/2004 CLEARY FIELD PA Postmark 2004

Sent To
Michael Rudella, District Justice
Street, Apt No. 131 Rollingstone Road, P.O. Box 210
City, State, ZIP+4
KylerTown, PA 16847-0444

PS Form 3800, June 2002

See Reverse for Instructions

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
: :

AFFIDAVIT OF SERVICE

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
At-Law

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

PS Form 3800, June 2002 (Reverse)

3739

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a *Return Receipt* (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

KUBISTA
11 Street
1
, PA 16830
.8972

**IMPORTANT: Save this receipt and present it when making an inquiry.
Internet access to delivery information is not available on mail
addressed to APOs and FPOs.**

LED NO
cc
6K 10.56/8
DEC 21 2004

William A. Shaw
Prothonotary/Clerk of Courts

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of International mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.

 CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
KYLERTOWN PA 16847	
Postage	\$ 37
Certified Fee	44.57
Return Receipt Fee (Endorsement Required)	32.50
Restricted Delivery Fee (Endorsement Required)	117.75
	40.00
Total Postage & Fees	\$ 447.22
 KYLER TOWN PA 16847 Postmark Here 12/15/2004	
12/15/2004	
Sent To Thomas Pearce <i>Street, Apt. No., or PO Box No.</i> 2634 Kyler/Drift Highway, P.O. <i>City, State, ZIP+4</i> Kylertown, PA 16847	
<i>Box 170</i> See Reverse for Instructions	

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

MARK ALLEN CLARK, :
Plaintiff :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
: :

AFFIDAVIT OF SERVICE

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED *No cc*
01/10/2004
w/ *DEC 21 2004*

William A. Shaw
Prothonotary/Clerk of Courts

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

MARK ALLEN CLARK, :
Plaintiff :
: vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

AFFIDAVIT OF SERVICE

This is to certify that I have served a certified copy of Notice of Appeal filed on behalf of Plaintiff, MARK ALLEN CLARK, in the above captioned matter on the following parties by postage prepaid first-class United States certified mail, return receipt requested, on the following dates, as evidenced by the attached Postal Service Form 3811:

Michael A. Rudella
District Justice
131 Rolling Stone Road
P.O. Box 210
Kylertown, PA 16847-0444
on 12/16/04

Thomas Pearce
Defendant
2634 Kyler/Drift Highway
P.O. Box 170
Kylertown, PA 16847
on 12/17/04

BELIN & KUBISTA



John R. Ryan
Attorney for Plaintiff

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:

Michael A. Rudella
 District Justice
 P31. Rolling Stone Road
 P.O. Box 2104, 1401 P.O. Box
 Kylertown, PA 16847-0444

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

7003 3110 0001 9380 9834

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

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

M. Rudella Agent
 Addressee

B. Received by (Printed Name)

Michael Rudella C. Date of Delivery

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**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:

THOMAS PEARCE
 2634 KYLER/DRIFT HIGHWAY
 P.O. BOX 170
 KYLERTOWN, PA 16847

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

7002 3150 0000 7854 3579

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

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

Johnson Pearce Agent
 Addressee

B. Received by (Printed Name)

Johnson Pearce C. Date of Delivery

12-17-04 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

CLEARFIELD, PENNSYLVANIA 16830
P. O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

FILED

DEC 21 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

COMPLAINT

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

64 FILED 300
0123981 Atty Ryan
DEC 21 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

MARK ALLEN CLARK,	:
Plaintiff	:
	:
vs.	:
	No. 04 - 1976 - C.D.
	:
THOMAS PEARCE,	:
Defendant	:

NOTICE

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 judgment 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.

COURT ADMINISTRATOR
Clearfield County Courthouse
Market & Second Street
Clearfield, PA 16830
(814) 765-2641, ext. 1300

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

COMPLAINT

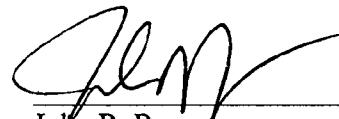
NOW COMES, Mark Allen Clark, Plaintiff above named, and by their Attorneys, Belin & Kubista, file their Complaint and aver as follows:

1. Plaintiff is Mark Allen Clark, an adult individual, residing at 213 Sportsmans Road, P.O. Box 47, Lanse, Clearfield County, Pennsylvania, 16849.
2. Defendant is Thomas Pearce, an adult individual, residing at 2657 Kylertown - Drifitng Highway, P.O. Box 170, Kylertown, Clearfield County, Pennsylvania, 16847.
3. At all times relevant herein, Plaintiff was the owner of certain real property situated at 213 Sportsmans Road, in the Village of Lanse, Clearfield County, Pennsylvania, on which property Plaintiff has a residence as well as a detached garage.
4. On or about July 25, 2004, Defendant was operating a vehicle owned by him along Sportsmans Road in Cooper Township, Clearfield County, Pennsylvania, when the said vehicle left the roadway, crossed the property of Plaintiffs, and struck the garage owned by Plaintiff, which is adjacent to Plaintiff's residence.

5. It is believed and therefore averred that Defendant then drove the vehicle from the scene and proceeded to his residence.
6. The actions of Defendant in operating his vehicle caused severe damage to the garage owned by Plaintiff, as set forth herein below.
7. The actions of the Defendant as aforesaid were negligent, careless and reckless, in that:
 - a. Defendant failed to operate his vehicle at a safe speed;
 - b. Defendant failed to control his vehicle, causing the vehicle to leave the roadway and strike the property of Plaintiff;
 - c. Defendant failed to operate his vehicle within the roadway as required by law;
 - d. Defendant failed to operate his vehicle in accordance with the provisions of the Vehicle Code of the Commonwealth of Pennsylvania and in accordance with the rules of the road.
8. As the direct and proximate result of the negligence, carelessness and recklessness of the Defendant as set forth herein above, Plaintiff has suffered damage to his property, specifically being severe structural damage to his garage where it was struck by the Defendant's vehicle.
9. It is believed and therefore averred that the damages to the garage will require Plaintiff to expend funds for repair in the amount of Thirteen Thousand Five Hundred Dollars (\$13,500.00), together with interest and costs of suit.

WHEREFORE, Plaintiff demands that judgment be entered in his favor and against Defendant in the amount of \$13,500.00, together with interest and costs of suit.

BELIN & KUBISTA



John R. Ryan
Attorney for Plaintiff

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of Pa. C.S. 4904, relating to unsworn falsification to authorities.

Mark Allen Clark
Mark Allen Clark

CLEARFIELD, PENNSYLVANIA 16830
P. O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

FILED

DEC 21 2004

William A. Shay
Prothonotary/Clerk of Courts

CQMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA

Address: **131 ROLLING STONE ROAD
P.O. BOX 210
KYLERTOWN, PA**

Telephone: **(814) 345-6789** **16847-0444**

**MICHAEL A. RUDELLA
131 ROLLING STONE ROAD
P.O. BOX 210
KYLERTOWN, PA 16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **CLARK, MARK ALLEN** NAME and ADDRESS

**SPORTMANS RD
P O BOX 47
LANSE, PA 16849**

VS.

DEFENDANT: **PEARCE, THOMAS, ET AL.** NAME and ADDRESS

**2634 KYLER/DRIFT HWY
PO BOX 170
KYLERTOWN, PA 16847**

Docket No.: **CV-0000410-04**
Date Filed: **10/18/04**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

Judgment was entered for: (Name) **CLARK, MARK ALLEN**

Judgment was entered against: (Name) **PEARCE, MRS THOMAS**

in the amount of \$ **781.90** on: (Date of Judgment) **11/22/04**

Defendants are jointly and severally liable.

FILED

Damages will be assessed on: **10/22/2004**

This case dismissed without prejudice **DEC. 22 2004**

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127.5

**William A. Shaw
Prothonotary**

Portion of Judgment for physical damages arising out of residential lease \$ **781.90**

Amount of Judgment	\$ 661.40
Judgment Costs	\$ 120.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 781.90
Post Judgment Credits	\$ —
Post Judgment Costs	\$ —
Certified Judgment Total	\$ 781.90

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

11-22-04 Date *M A Rudella*, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

11/16/04 Date *M A Rudella*, District Justice

My commission expires first Monday of January, 2006 .

SEAL

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
: :

AFFIDAVIT OF SERVICE

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED
O 11:45 AM NO CC

6K DEC 29 2004

William A. Shaw
Prothonotary

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

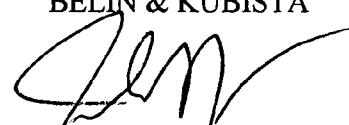
MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

AFFIDAVIT OF SERVICE

This is to certify that I have served a certified copy of Complaint filed on behalf of Plaintiff, MARK ALLEN CLARK, in the above captioned matter on the following party by postage prepaid first-class United States certified mail, return receipt requested, on December 27, 2004, as evidenced by the attached Postal Service Form 3811:

Thomas Pearce
2634 Kyler/Drift Highway
P.O. Box 170
Kylertown, PA 16847
Defendant

BELIN & KUBISTA



John R. Ryan
Attorney for Plaintiff

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:

Thomas Pearce
2634 Kyler/Drift Highway
P.O. Box 170
Kylertown, PA 16847

2. Article Number

(Transfer from service label)

7002 3150 0000 7854 3746

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

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

Thomas L. Pearce Agent Addressee

B. Received by (Printed Name) **C. Date of Delivery**
Thomas L. Pearce 12/27/01

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
: :

AFFIDAVIT OF SERVICE

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED NO CC
61C 01242 BN
JAN 18 2005

William A. Snow
Prothonotary, Clerk of Courts

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

MARK ALLEN CLARK,	:	
Plaintiff	:	
	:	
vs.	:	No. 04 - 1976 - C.D.
	:	
THOMAS PEARCE,	:	
Defendant	:	

AFFIDAVIT OF SERVICE

This is to certify that I have served a 10-Day Notice of Default for failure to respond to Complaint filed in the above-referenced matter on the following party by postage prepaid first-class United States mail on January 18, 2005, as evidenced by the attached U.S. Postal Service Form 3817, Certificate of Mailing:

Thomas Pearce
2634 Kyler/Drift Highway
P.O. Box 170
Kylertown, PA 16847
Defendant

BELIN & KUBISTA



John R. Ryan
Attorney for Plaintiff

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

MARK ALLEN CLARK, :
Plaintiff :
vs. : No. 04 - 1976 - C.D.
THOMAS PEARCE, :
Defendant :
:

NOTICE

TO: THOMAS PEARCE
2634 KYLER/DRIFT HIGHWAY
P.O. BOX 170
KYLERTOWN, PA 16847

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT WILL 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 FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Market & Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 1300

BELIN & KUBISTA

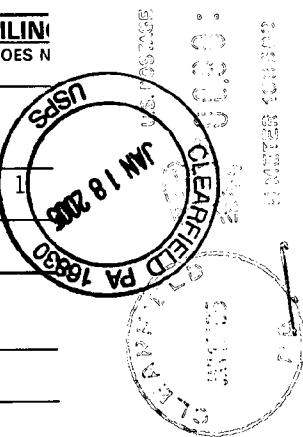

John R. Ryan
Attorney for Plaintiff

Date: January 18, 2005

cc: Mark Allen Clark

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER		
Received From: BELIN & KUBISTA		
15 NORTH FRONT STREET, P.O. BOX 1		
CLEARFIELD, PA 16830		
One piece of ordinary mail addressed to: THOMAS PEARCE		
2634 KYLER/DRIFT HIGHWAY		
P.O. BOX 170		
KYLERTOWN, PA 16847		

PS Form 3817, Mar. 1989



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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

**PRAECIPE FOR ENTRY OF
JUDGMENT OF DEFAULT**

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED
03-11 AM 300000
Notice to Defendants
FEB 01 2005

William A. Shaw
Prothonotary

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

MARK ALLEN CLARK,	:	
Plaintiff	:	
	:	
vs.	:	No. 04 - 1976 - C.D.
	:	
THOMAS PEARCE,	:	
Defendant	:	

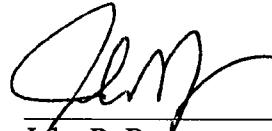
PRAECIPE FOR ENTRY OF JUDGMENT OF DEFAULT

TO THE PROTHONOTARY:

Please enter judgment of default in favor of Plaintiff, Mark Allen Clark, and against Defendant, Thomas Pearce, for his failure to plead to the Complaint in this action within the required time. The Complaint contains a Notice to Defend within twenty (20) days from the date of service thereof. Defendant was served with the Complaint on December 27, 2004, and his answer was due to be filed on January 17, 2005.

Attached as Exhibit "A" is a copy of Plaintiff's written Notice pursuant to Pennsylvania Rule of Civil Procedure 237.1, which I certify was mailed to the Defendant at his last known address, on January 18, 2005, which is at least ten (10) days prior to the filing of this Praecipe.

Please assess damages in the amount of \$13,500.00, being the amount demanded in the Complaint, together with interest and costs of suit.



John R. Ryan
Attorney for Plaintiff

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

MARK ALLEN CLARK, :
Plaintiff :
vs. : No. 04 - 1976 - C.D.
THOMAS PEARCE, :
Defendant :
:

NOTICE

TO: THOMAS PEARCE
2634 KYLER/DRIFT HIGHWAY
P.O. BOX 170
KYLERTOWN, PA 16847

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT WILL 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 FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Market & Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 1300

BELIN & KUBISTA


John R. Ryan
Attorney for Plaintiff

Date: January 18, 2005

cc: Mark Allen Clark

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

Mark Allen Clark
Plaintiff(s)

No.: 2004-01976-CD

Real Debt: \$13,500.00

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Thomas J. Pearce
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 1, 2005

Expires: February 1, 2010

Certified from the record this 1st day of February, 2005

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

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

MARK ALLEN CLARK,
Plaintiff

vs. : No. 04 - 1976 - C.D.

THOMAS PEARCE,
Defendant

Notice is given that a JUDGMENT in the above captioned matter has been
entered against you in the amount of \$13,500.00 plus interest, attorneys fees and costs on

Feb 1, 2005.

Prothonotary,



William A. Shaw

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

**PRAECIPE FOR WRIT OF
EXECUTION**

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

MAR 28 2005

11:00 AM

William A. Shaw
Prothonotary/Clerk of Courts

2 (Enclosed Atty)

6 units to Sheriff

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Issue writ of execution in the above matter,

- (1) directed to the Sheriff of Clearfield County;
- (2) against THOMAS PEARCE, Defendant; and
- (3) and enter this writ in the judgment index
 - (a) against THOMAS PEARCE, Defendant, and
 - (b) as a lis pendens against real property of the defendant as follows:
 1. House and 0.98 acres in Cooper Township, Clearfield County, Pennsylvania, as more fully described in Deed and Record Book 1771, page 276; and
 2. Trailer and 1.098 acres in Cooper Township, Clearfield County, Pennsylvania, as more fully described in Deed and Record Book 1786, page 64.

(4)	Amount Due	\$13,500.00
	Interest from 2/1/05 @ 6%	\$ 113.18
	Cost to be added	<u>\$ 1,605.00</u>
	TOTAL	\$15,218.18



John R. Ryan
Attorney for Plaintiff

CLEARFIELD, PENNSYLVANIA 16830
P. O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

FILED

MAR 28 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

WRIT OF EXECUTION

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

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

MARK ALLEN CLARK,	:	
Plaintiff	:	
	:	
vs.	:	No. 04 - 1976 - C.D.
	:	
THOMAS PEARCE,	:	
Defendant	:	

**WRIT OF EXECUTION
NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions, which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
Clearfield County Courthouse
Market & Second Street
Clearfield, PA 16830
(814) 765-2641, ext. 1300

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against THOMAS PEARCE, Defendant.

(1) you are directed to levy upon the property of the Defendant and to sell his interest therein as follows:

1. House and 0.98 acres in Cooper Township, Clearfield County, Pennsylvania, as more fully described in Deed and Record Book 1771, page 276; and
2. Trailer and 1.098 acres in Cooper Township, Clearfield County, Pennsylvania, as more fully described in Deed and Record Book 1786, page 64.

(2) if property of the Defendant is not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount Due	\$13,500.00
Interest from 2/1/05 @ 6%	\$ 113.18
Costs (to be added)	<u>\$ 1,605.00</u>
TOTAL	\$15,218.18

William Shaw, Prothonotary

Prothonotary costs 125. 00

By W. L. Lesh
Deputy

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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

MARK ALLEN CLARK, :
Plaintiff :
vs. :
: No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,
(a) I desire that my \$300 statutory exemption be
_____ (i) set aside in kind (specify property to be set aside in kind): _____
_____ (ii) paid in cash following the sale of the property levied
upon; or
(b) I claim the following exemption (specify property and basis for exemption):

(2) From my property which is in the possession of a third party, I claim the following exemptions:
(a) my \$300 statutory exemption: _____ in cash; _____ in kind (specify property): _____
(b) Social Security benefits on deposit in the amount of \$ _____;
(c) Other (specify amount and basis of exemption):

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at _____ (Address)
_____ (Telephone Number)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Date: _____

Defendant

THIS CLAIM TO BE FILED WITH THE OFFICE OF
THE SHERIFF OF CLEARFIELD COUNTY:

CLEARFIELD COUNTY COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PA 16830
(814) 765-2641, EXT. 5986

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

MARK ALLEN CLARK, :
Plaintiff :
:
vs. :
:
THOMAS PEARCE, :
Defendant :
:

No. 04 - 1976 - C.D.

**PRAECIPE TO SETTLE,
DISCONTINUE AND END**

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED 3CC & 3Cest. of
01/10/2004 Disc. to Amy
JUN 23 2005

William A. Shaw *copy to CJA*
Prothonotary/Clerk of Courts *disc.* *64*

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

MARK ALLEN CLARK, :
Plaintiff :
: vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

PRAECIPE

TO: WILLIAM SHAW, PROTHONOTARY

Please mark the above-captioned case settled, discontinued and ended.

BELIN & KUBISTA



John R. Ryan
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

 COPY

CIVIL DIVISION

Mark Allen Clark

vs. **No. 2004-01976-CD**
Thomas J. Pearce

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 23, 2005, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$132.00 have been paid in full by John R. Ryan, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 23rd day of June A.D. 2005.

William A. Shaw, Prothonotary

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

MARK ALLEN CLARK, :
Plaintiff :
vs. :
THOMAS PEARCE, :
Defendant :

No. 04 - 1976 - C.D.

**PRAECIPE TO SATISFY
JUDGMENT**

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

3cc & 3Cert.
FILED 01/10/3861 of Sat. to Atty
JUN 23 2005 7 pd. by Atty
William A. Shaw
Notary/Clerk of Courts (60)

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
:

PRAECIPE TO SATISFY JUDGMENT

TO: WILLIAM SHAW, PROTHONOTARY

Please satisfy the judgment, which Plaintiff has against the Defendant in the above-captioned action.

BELIN & KUBISTA

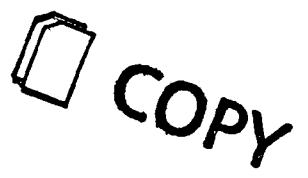


John R. Ryan
Attorney for Plaintiff

CLEARFIELD, PENNSYLVANIA 16830
P. O. Box 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

SEARCHED
INDEXED
SERIALIZED
FILED
JUN 23 2005
CLERK OF COURT
MONROE COUNTY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

 COPY

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2004-01976-CD

Mark Allen Clark

Debt: \$15,218.18

Vs.

Atty's Comm.:

Thomas J. Pearce

Interest From:

Cost: \$7.00

NOW, Thursday, June 23, 2005 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 23rd day of June, A.D. 2005.

Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20129
NO: 04-1976-CD

PLAINTIFF: MARK ALLEN CLARK
vs.
DEFENDANT: THOMAS PEARCE

SHERIFF RETURN

DATE RECEIVED WRIT: 03/29/2005

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 07/11/2005

DATE DEED FILED **NOT SOLD**

DETAILS

@ SERVED THOMAS PEARCE

NO SALE DATE WAS SET WAS INSTRUCTED BY THE ATTORNEY TO WAIT UNTIL HE CONTACTED ME TO SET THE SALE.

@ SERVED

NOW, JUNE 24, 2005 RECEIVED A LETTER FROM THE PLAINTIFF'S ATTORNEY TO RETURN THE WRIT AS SETTLED, DISCONTINUED AND ENDED.

FILED
JUL 11 2005
b2:06:84

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20129
NO: 04-1976-CD

PLAINTIFF: MARK ALLEN CLARK
vs.
DEFENDANT: THOMAS PEARCE

SHERIFF RETURN

SHERIFF HAWKINS \$20.00

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

Chester A. Hawkins
Deputy Commissioner - Asst. Sheriff
Chester A. Hawkins
Sheriff

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

MARK ALLEN CLARK,
Plaintiff
vs.
THOMAS PEARCE,
Defendant

No. 04 - 1976 - C.D.

WRIT OF EXECUTION

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

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

MARK ALLEN CLARK,

Plaintiff

vs.

No. 04 - 1976 - C.D.

THOMAS PEARCE,

Defendant

**WRIT OF EXECUTION
NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions, which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
Clearfield County Courthouse
Market & Second Street
Clearfield, PA 16830
(814) 765-2641, ext. 1300

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against THOMAS PEARCE, Defendant.

(1) you are directed to levy upon the property of the Defendant and to sell his interest therein as follows:

1. House and 0.98 acres in Cooper Township, Clearfield County, Pennsylvania, as more fully described in Deed and Record Book 1771, page 276; and
2. Trailer and 1.098 acres in Cooper Township, Clearfield County, Pennsylvania, as more fully described in Deed and Record Book 1786, page 64.

(2) if property of the Defendant is not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount Due	\$13,500.00
Interest from 2/1/05 @ 6%	\$ 113.18
Costs (to be added)	<u>\$ 1,605.00</u>
TOTAL	\$15,218.18

William Shaw, Prothonotary

Prothonotary costs 125.00

By 
Deputy

Received March 29, 2005 @ 9:45 a.m.
Chester A. Hawkins
Say Comptree Better-AughenSay

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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

MARK ALLEN CLARK, :
Plaintiff :
: :
vs. : No. 04 - 1976 - C.D.
: :
THOMAS PEARCE, :
Defendant :
: :

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,
(a) I desire that my \$300 statutory exemption be _____ (i) set aside in kind (specify property to be set aside in kind): _____ (ii) paid in cash following the sale of the property levied upon; or
(b) I claim the following exemption (specify property and basis for exemption):

(2) From my property which is in the possession of a third party, I claim the following exemptions:
(a) my \$300 statutory exemption: _____ in cash; _____ in kind (specify property): _____
(b) Social Security benefits on deposit in the amount of \$ _____;
(c) Other (specify amount and basis of exemption):

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at _____ (Address)

(Telephone Number)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Date: _____ Defendant

THIS CLAIM TO BE FILED WITH THE OFFICE OF
THE SHERIFF OF CLEARFIELD COUNTY:

CLEARFIELD COUNTY COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PA 16830
(814) 765-2641, EXT. 5986

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME THOMAS PEARCE NO. 04-1976-CD

NOW, July 11, 2005, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of Thomas Pearce to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations. viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	15.00	DEBT-AMOUNT DUE INTEREST @ FROM TO	13,500.00 0.00
MILEAGE			
LEVY			
MILEAGE POSTING		PROTH SATISFACTION	
CSDS		LATE CHARGES AND FEES	
COMMISSION	0.00	COST OF SUIT-TO BE ADDED	1,605.00
POSTAGE		FORECLOSURE FEES	
HANDBILLS		ATTORNEY COMMISSION	
DISTRIBUTION		REFUND OF ADVANCE	
ADVERTISING		REFUND OF SURCHARGE	20.00
ADD'L SERVICE		SATISFACTION FEE	
DEED		ESCROW DEFICIENCY	
ADD'L POSTING		PROPERTY INSPECTIONS	
ADD'L MILEAGE		INTEREST	113.18
ADD'L LEVY		MISCELLANEOUS	
BID AMOUNT		TOTAL DEBT AND INTEREST	\$15,238.18
RETURNS/DEPUTIZE			
COPIES		COSTS:	
BILLING/PHONE/FAX	5.00	ADVERTISING	0.00
CONTINUED SALES		TAXES - COLLECTOR	
MISCELLANEOUS		TAXES - TAX CLAIM	
TOTAL SHERIFF COSTS	\$20.00	DUE	
DEED COSTS:		LIEN SEARCH	
ACKNOWLEDGEMENT		ACKNOWLEDGEMENT	
REGISTER & RECORDER		DEED COSTS	0.00
TRANSFER TAX 2%	0.00	SHERIFF COSTS	20.00
TOTAL DEED COSTS	\$0.00	LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	125.00
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	
			\$145.00

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN TEN (10) DAYS FROM THIS DATE.

CHESTER A. HAWKINS, Sheriff