

04-2030-CD
IN RE: DEBORAH L. McDONELL, Etal

In Re: Deborah McDonell
2004-2030-CD

HOPKINS HELTZEL LLP

900 Beaver Drive, DuBois, Pennsylvania 15801
VOICE: (814) 375-0300 FAX: (814) 375-5035

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

IN RE: Deborah L. McDonell
97 Trail-Et New Yorker
Thorosport Two-Horse Trailer
VIN No. 11UNY1728V1014557

No. 2004-2030-CV

Type of Pleading: Complaint

Filed on behalf of: Deborah L. McDonell,
Petitioner

Counsel of Record for this party:

THE HOPKINS LAW FIRM

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

ORIGINAL TO

C/A

W/ORDER

FILED

DEC 27 2004

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William A. Shaw
Prothonotary

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

IN RE: Deborah L. McDonell
1997 Trail-Et New Yorker :
Thorosport Two-Horse Trailer : No.
VIN No. 11UNY1728V1014557 :

PETITION

AND NOW COMES the Petitioner, Deborah L. McDonell, by and through her attorneys,
Hopkins Heltzel LLP and says as follows:

1. Petitioner is an adult individual who resides at 133 East Washington Avenue,
DuBois, Pennsylvania 15801.
2. This Petition concerns a 1997 Trail-Et New York Thorosport two-horse trailer
VIN No. 11UNY1728V1014557 manufactured by Trail-Et, Inc. (hereinafter the "Horse
Trailer"). The certification of origin for a vehicle for the Horse Trailer is attached hereto as
Exhibit A.
3. On or about July 26, 1996, Houston Truck & Trailer, 4105 Washington Avenue,
Houston, Texas 77007 conveyed title to the Horse Trailer to Linda Quinn whose address is 204
Foutch Road, Pilot Point, Texas 76258.
4. Apparently Ms. Quinn never transferred title of the Horse Trailer to herself.
5. On March 2, 1996 Linda Quinn sold the Horse Trailer to your Petitioner who then
lived in the State of Texas for the sum of \$6,800.00. A photocopy of the bill of sale is attached

hereto as Exhibit "A". Petitioner did not license the vehicle because it was only used as farm equipment on petitioner's farm in the State of Oklahoma.

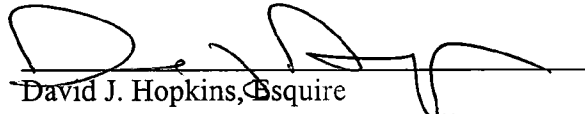
6. When Petitioner relocated to the Commonwealth of Pennsylvania she attempted to obtain title to the Horse Trailer so that it could be licensed by the Pennsylvania Department of Transportation.

7. Linda Quinn executed the certificate of title, a copy of which is attached hereto as Exhibit "B" but the Pennsylvania Department of Transportation has required an Order of Court.

8. There are no other individuals or entities who have a claim to the property superior to that of Plaintiff's.

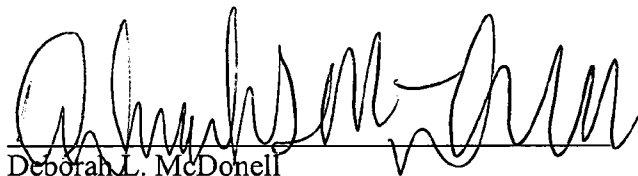
WHEREFORE, Petitioner respectfully requests this Honorable Court direct the Pennsylvania Department of Transportation to issue a valid Pennsylvania title to the vehicle to the Petitioner.

Respectfully submitted,


David J. Hopkins, Esquire
Attorney for Deborah L. McDonell

VERIFICATION

I hereby verify that the statements made in this pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to Unsworn Falsification to Authorities.



Deborah L. McDonnell

BILL OF SALE

DATE: 3/2/99

TRAILER: 1997 TRAILET NEW YORKER THOROSPORT 2 HORSE

VIN# 11UNY178V1014557

amount: \$6800.00

seller: Linda QUinn
204 Foutch Rd
Pilot Point, Tx 76258

buyer: Deborah McDonell
Whitesboro, Tx

Seller: Linda Quinn

A handwritten signature in cursive script that reads "Linda Quinn".

buyer; Deborah McDonell

CERTIFICATE OF ORIGIN FOR A VEHICLE

DATE	7/26/96	INVOICE NO.	32369
VEHICLE IDENTIFICATION NO.	11UNY1728V1014557	YEAR	1997
BODY TYPE	Bumper Pull	MAKE	Trail-et
H.P. (S.A.E.)		SHIPPING WEIGHT	2,980 lbs.
G.V.W.R.		SERIES OR MODEL	New Yorker ThroSPORT
			2 Horse

I, the undersigned authorized representative of the company, firm or corporation named below, hereby certify that the new vehicle described above is the property of the said company, firm or corporation and is transferred on the above date and under the Invoice Number indicated to the following distributor or dealer.

NAME OF DISTRIBUTOR, DEALER, ETC.

Houston Truck & Trailer
 4105 Washington Avenue
 Houston, TX 77007

If the vehicle described hereon is a motor home the undersigned certifies that it is equipped with at least four of the following life support systems: cooking, refrigeration or ice box, self-contained toilet, heating and/or air conditioning, a potable water supply system including a faucet and sink, separate 110-115 volt electrical power supply and/or an LP gas supply, all of which meet the ANSI A119.2 standards.

It is further certified that this was the first transfer of such new vehicle in ordinary trade and commerce.

TRAIL-ET, INC.

A1208278

BY:  (SIGNATURE OF AUTHORIZED REPRESENTATIVE) (AGENT)

WAUPACA, WISCONSIN 54981

CITY - STATE

Each undersigned seller certifies to the best of his knowledge, information and belief under penalty of law that the vehicle is new and has not been registered in this or any state at the time of delivery and the vehicle is not subject to any security interests other than those disclosed herein and warrant title to the vehicle. FOR VALUE RECEIVED, TRANSFER THE VEHICLE DESCRIBED ON THE FACE OF THIS CERTIFICATE TO:	DISTRIBUTION-DEALER ASSIGNMENT NUMBER 1 NAME OF PURCHASER(S) <u>LINDA QUINN</u> ADDRESS <u>204 FOUTCH ROAD PROSPER, TX 76258</u> I certify to the best of my knowledge that the odometer reading is _____ DEALER'S LICENSE NUMBER <u>22674X</u> BY <u>L. Quinn</u> No Tenth's State of _____ day of _____ 19 _____ County of _____ Notary Public
DISTRIBUTION-DEALER ASSIGNMENT NUMBER 2 NAME OF PURCHASER(S) <u>Deborah L. McGraw</u> ADDRESS <u>133 E Washington Ave DuBois PA 15801</u> I certify to the best of my knowledge that the odometer reading is _____ DEALER'S LICENSE NUMBER _____ BY <u>Deborah McGraw</u> No Tenth's State of _____ day of _____ 19 _____ County of _____ Notary Public	DISTRIBUTION-DEALER ASSIGNMENT NUMBER 3 NAME OF PURCHASER(S) _____ ADDRESS _____ I certify to the best of my knowledge that the odometer reading is _____ DEALER'S LICENSE NUMBER _____ BY _____ No Tenth's State of _____ day of _____ 19 _____ County of _____ Notary Public
DISTRIBUTION-DEALER ASSIGNMENT NUMBER 4 NAME OF PURCHASER(S) _____ ADDRESS _____ I certify to the best of my knowledge that the odometer reading is _____ DEALER'S LICENSE NUMBER _____ BY _____ No Tenth's State of _____ day of _____ 19 _____ County of _____ Notary Public	ODOMETER DISCLOSURE FOR RETAIL SALE Federal Law requires you to state the odometer mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment. I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked: Odometer Reading _____ No Tenth's. ☐ The odometer reading is in excess of its mechanical limits. ☐ The odometer reading is not the actual mileage. Signature(s) of Seller(s) _____ Date of Sale _____ Printed Name(s) of Seller(s) _____ Dealer's No. _____ Signature(s) of Purchaser(s) _____ Printed Name(s) of Purchaser(s) _____ Company Name (if Applicable) _____ Address of Purchaser(s) _____ State of _____ County of _____ 1st lien in favor of _____ whose address is _____ 2nd lien in favor of _____ whose address is _____
LIENHOLDER USE NOTARIZATION ONLY IF REQUIRED IN TITLE JURISDICTION	USE NOTARIZATION ONLY IF REQUIRED IN TITLE JURISDICTION

FILED

DEC 27 2004

William A. Shaw
Prothonotary

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

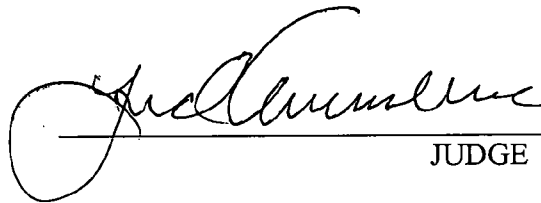
IN RE: 1997 Trail-Et New Yorker :
Thorosport Two-Horse Trailer : No. 2004-2030-C0
VIN No. 11UNY1728V1014557 :

ORDER

NOW, THEREFORE, upon consideration of the Petition of Deborah L. McDonell, it is
this 3 day of Jan, 2005, Ordered and Decreed as follows:

1. Ownership of a 1997 Trail-Et New York Thorosport two-horse trailer, VIN
No. 11UNY1728V1014557 is hereby awarded and confirmed to the Petitioner, Deborah L.
McDonell.
2. The Pennsylvania Department of Transportation is ordered to issue a title to the
Petitioner for the aforesaid Horse Trailer upon payment by Petitioner of the Department of
Transportation's ordinary fees.

BY THE COURT


JUDGE

FILED

64 JAN 03 2005
6/4:00 PM
William A. Shaw
Prothonotary/Clerk of Courts
1 Cert to ATTY