

05-135-CD

William Fernan Ph. D vs. R. Reely

REPLY

2005-135 CD

William J. Fernan Ph.D.

90 Beaver Drive Box 10

DuBois, PA 15801

vs

Richard Reely Et Al.

687 North Hollow Rd

Condersport, PA 16915

William J. Fernan, Ph.D.
Plaintiff

v.

Richard Reely,
Defendant

: IN THE COURT OF COMMON PLEAS
:
: OF CLEARFIELD COUNTY,
: PENNSYLVANIA
:
:
: CIVIL ACTION - Law
:
: NO: 05-135-CD

PETITION TO PROCEED IN FORMA PAUPERIS

1. I am the Appellant/Defendant in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.
2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.
3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:
 - (a) Name: Richard Reely
Address: 687 North Hollow Road
Coudersport, PA 16915

Social Security Number: 188-50-8713

FILED No. cc
01:59 PM
JAN 21 2005

William A. Shaw
Prothonotary/Clerk of Courts

William J. Fernan, Ph.D.
Plaintiff

v.

Richard Reely,
Defendant

: IN THE COURT OF COMMON PLEAS
:
: OF CLEARFIELD COUNTY,
PENNSYLVANIA

: CIVIL ACTION - Law

: NO: 05-135-CD

PETITION TO PROCEED IN FORMA PAUPERIS

1. I am the Appellant/Defendant in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(a) Name: Richard Reely
Address: 687 North Hollow Road
Coudersport, PA 16915

Social Security Number: 188-50-8713

FILED No cc
01:59 PM
JAN 28 2005

William A. Shaw
Prothonotary/Clerk of Courts

(b) Employment

If you are presently employed, state:

Employer: None

Address: N/A

Salary or wages per month: N/A

Type of work: N/A

If you are presently unemployed, state:

Date of last employment: April 2003

Salary or wages per week: \$420 gross

Type of work: Technical Support

(c) Other income within the past twelve months

Business or profession: N/A

Other self-employment: N/A

Interest: N/A

Dividends: N/A

Pension and annuities: N/A

Social Security benefits: N/A

Support payments: N/A

Disability payments: \$830/month

Unemployment compensation and
supplemental benefits: N/A

Workman's compensation: N/A

Public assistance: N/A

Loans: \$100/month

Other: N/A

(g) Persons dependent upon you for support

Spouse Name: Louise Reely

Children, if any:

Name: Renee Reely Age: 12

Caleb Reely Age: 10

Emerald Reely Age: 8

Other persons:

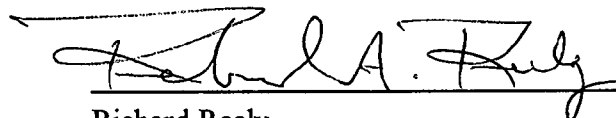
Name: N/A

Relationship: N/A

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this affidavit 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: 1/28/05



Richard Reely

(814) 274-4193

William J. Fernan, Ph.D.
Plaintiff

v.

Richard Reely,
Defendant

: IN THE COURT OF COMMON PLEAS
:
: OF CLEARFIELD COUNTY,
PENNSYLVANIA
:
:
: CIVIL ACTION - Law
:
: NO: 05-135-CD

ORDER

AND NOW, this ____ day of _____, 20__, upon presentation of the within
Petition, it is hereby ORDERED that the Appellant/Defendant be permitted to proceed in forma
pauperis, and that the Prothonotary's Office file the Notice of Appeal without costs to the
Appellant/Defendant.

J.

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

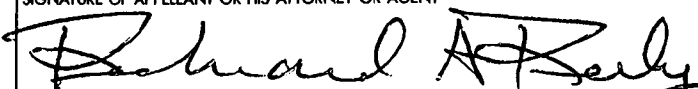
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 05-135-CD

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 Richard Reely		MAG. DIST. NO. OR NAME OF D.J. 46-3-01	
ADDRESS OF APPELLANT 687 North Hollow Road		CITY Coudersport	STATE PA
		ZIP CODE 16915	
DATE OF JUDGMENT 1/03/2005	IN THE CASE OF (Plaintiff) William J. Fernan, Ph.D.		
	(Defendant) Richard Reely		
CLAIM NO. CV XX 0000690-04 LT 19	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT 		

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.

Signature of Prothonotary or Deputy

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.

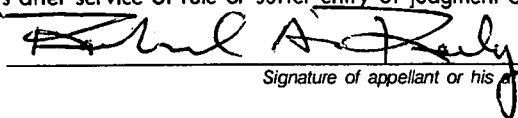
PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(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 William J. Fernan, Ph.D., 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 William J. Fernan, Ph.D., 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: _____, 19____.

Signature of Prothonotary or Deputy

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**
DJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

RICHARD REELY
687 NORTH HOLLOW RD
COUDERSPORT, PA 16915

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: **FERNAN, PH.D., WILLIAM J**
90 BEAVER DRIVE, BOX 10
DUBOIS, PA 15801

VS.
DEFENDANT: **REELY, RICHARD, ET AL.**
687 NORTH HOLLOW RD
COUDERSPORT, PA 16915

Docket No.: **CV-0000690-04**
Date Filed: **11/30/04**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **FERNAN, PH.D., WILLIAM J**

☒ Judgment was entered against: (Name) **REELY, RICHARD**

in the amount of \$ **344.50** on: (Date of Judgment) **1/03/05**

☐ 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	\$ 275.00
Judgment Costs	\$ 69.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 344.50

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	

Certified Judgment Total \$ _____

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.

_____ Date **Patrick N. Ford**, District Justice

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

_____ Date _____, District Justice

My commission expires first Monday of January, 2006.

SEAL

CA

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

WILLIAM J. FERNAN, PhD.,
Plaintiff

vs.

RICHARD REELY,
Defendant

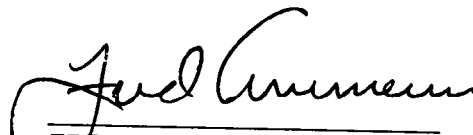
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NO. 05-135-CD

ORDER

NOW, this 1st day of February, 2005, the Court having reviewed the Defendant's Petition to Proceed In Forma Pauperis; it is the Order of this Court that said Petition be and is hereby DENIED.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED

pl 3:52 PM
FEB 01 2005

William A Shaw
Prothonotary/Clerk of Courts

300 w/letter
to Def.

687 N. Hollow Road
Coudersport, PA
16815

mailed 2/2/05
Bill Shaw called him &
notified R. Reely 2/1/05

COPY

February 1, 2005

Richard Reely
687 North Hollow Road
Coudersport, PA 16915

RE: District Justice Appeal

Dear Mr. Reely:

Please be advised that your Petition to Proceed In Forma Pauperis in the above case has been denied by the Court.

You may proceed with this action by filing the enclosed DJ Appeal along with the \$85.00 filing fee in this office on or before February 4, 2005. If your appeal is not filed on or by February 4, 2005, you must seek leave of court to file your appeal.

If you have any questions, please contact me at (814) 765-2641, ext. 1331.

Sincerely,

William A. Shaw
Prothonotary/Clerk of Courts

Enclosures

COURT OF COMMON PLEAS

FROM

JUDICIAL DISTRICT

DISTRICT JUSTICE JUDGMENT

46th

COMMON PLEAS No.

05-135-CD

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 <u>RICHARD REELY</u>		MAG. DIST. NO. OR NAME OF D.J. <u>46-3-01</u>	
ADDRESS OF APPELLANT <u>687 North Hollow Rd</u>		CITY <u>Coudersport</u>	STATE <u>PA</u>
DATE OF JUDGMENT <u>1/03/05</u>		IN THE CASE OF (Plaintiff) <u>William J. Fernan Ph.D.</u>	ZIP CODE <u>16915</u>
CLAIM NO. CV <u>0000690-04</u> LT		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <u>Richard A. Reely</u>	

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.

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.

Signature of Prothonotary or Deputy

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 William J. Fernan Ph.D., appellee(s), to file a complaint in this appeal

(Common Pleas No. 05-135-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Richard A. Reely
Signature of appellant or his attorney or agent

RULE: To William J. Fernan Ph.D., 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: February 4, 2005

William A. Shaw
Signature of Prothonotary or Deputy

FILED
01:06:01
FEB 04 2005
Copies to Def. 12
Def. per 8500
William A. Shaw
Prothonotary/Clerk of Courts

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.: **46-3-01**
DJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **FERNAN, PH.D., WILLIAM J**
90 BEAVER DRIVE, BOX 10
DUBOIS, PA 15801

VS.
DEFENDANT: **REELY, RICHARD, ET AL.**
687 NORTH HOLLOW RD
COUDERSPORT, PA 16915

Docket No.: **CV-0000690-04**
Date Filed: **11/30/04**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

- ☒ Judgment was entered for: (Name) **FERNAN, PH.D., WILLIAM J**
☒ Judgment was entered against: (Name) **REELY, RICHARD**

in the amount of \$ **344.50** on: (Date of Judgment) **1/03/05**

☐ 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	\$ 275.00
Judgment Costs	\$ 69.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 344.50
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
	=====
Certified Judgment Total	\$ _____

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1-3-05 Date **Patrick N. Ford - PNF**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
_____, Date _____, District Justice

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

SEAL

Mag. Dist. No.: **46-3-01**
DJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **FERNAN, PH.D., WILLIAM J**
90 BEAVER DRIVE, BOX 10
DUBOIS, PA 15801

VS.
DEFENDANT: **REELY, RICHARD, ET AL.**
687 NORTH HOLLOW RD
COUDERSPORT, PA 16915

Docket No.: **CV-0000690-04**
Date Filed: **11/30/04**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **FERNAN, PH.D., WILLIAM J**

☒ Judgment was entered against: (Name) **REELY, LOUISE C**

in the amount of \$ **344.50** on: (Date of Judgment) **1/03/05**

☐ 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	\$ 275.00
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Certified Judgment Total	\$ _____

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1-3-05 Date **Patrick N. Ford - PNF**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
_____, Date _____, District Justice

My commission expires first Monday of January, 2006 .

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**
DJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **FERNAN, PH.D., WILLIAM J**
90 BEAVER DRIVE, BOX 10
DUBOIS, PA 15801

VS.
DEFENDANT: **REELY, RICHARD, ET AL.**
687 NORTH HOLLOW RD
COUDERSPORT, PA 16915

Docket No.: **CV-0000690-04**
Date Filed: **11/30/04**



2005-135-00

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **FERNAN, PH.D., WILLIAM J**

☒ Judgment was entered against: (Name) **REELY, RICHARD**

in the amount of \$ **344.50** on: (Date of Judgment) **1/03/05**

☐ 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 \$ **211,406**

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

FILED

FEB 18 2005

William A. Shaw
Prothonotary

Amount of Judgment	\$ 275.00
Judgment Costs	\$ 69.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 344.50

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

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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.

1-3-05 Date **Patrick N. Ford - PNf**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
_____, Date _____, District Justice

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

CIVIL COMPLAINT

Mag. Dist. No.:	46-3-01
DJ Name: Hon.	PATRICK N. FORD
Address:	309 MAPLE AVENUE P.O. BOX 452 DUBOIS, PA 15801
Telephone:	(814) 371-5321

PLAINTIFF:	NAME and ADDRESS
	William J. Fernan, Ph.D. 90 Beaver Drive, Box 10 DuBois, PA 15801
DEFENDANT:	NAME and ADDRESS
	Richard A. Reely Louise C. Reely 687 North Hollow Rd. Coudersport PA 16815
Docket No.: CW-69004	
Date Filed: 11-30-04	



	AMOUNT	DATE PAID
FILING COSTS	\$ 69.50	11/30/04
POSTAGE	\$ _____	____/____/____
SERVICE COSTS	\$ _____	____/____/____
CONSTABLE ED.	\$ _____	____/____/____
 TOTAL	\$ _____	____/____/____

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ **275.00** together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

for services rendered on 5-24-04

I, Susan M. Fernan verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

Susan M. Fernan
(Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: _____ Address: _____
Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

FILED

FEB 18 2005

2005-135-CP

William A. Shaw
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

Clearfield

; SS

AFFIDAVIT: I hereby swear or affirm that I served

- ☒ a copy of the Notice of Appeal, Common Pleas No. 05-135, upon the District Justice designated therein on (date of service) 2-14-05, ☐ by personal service ☒ by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) Dr. William Fernan, on 2-14-05, ☐ 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 2-14-05, ☐ by personal service ☒ by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS

DAY OF

[Signature]
Signature of affiant

Signature of official before whom affidavit was made

Title of official

Amy J. Moshier, Prothonotary
Coudersport Boro, Potter County, Pa.
My Commission Expires Jan. 7, 2008

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

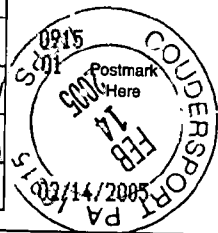
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COURT OF COMMON PLEAS

FROM

JUDICIAL DISTRICT

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

05-135-05

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 <u>RICHARD REELY</u>		MAG. DIST. NO. OR NAME OF D.J. <u>46-3-01</u>	
ADDRESS OF APPELLANT <u>687 North Hollow Rd</u>		CITY <u>Coudersport</u>	STATE <u>PA</u>
DATE OF JUDGMENT <u>11/03/05</u>		ZIP CODE <u>16915</u>	
IN THE CASE OF (Plaintiff) <u>William J. Fernan Ph.D.</u>		(Defendant) <u>Richard Reely</u>	
CLAIM NO. CV LT	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <u>[Signature]</u>		
0000690-04			

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.

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.

Signature of Prothonotary or Deputy

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 William J. Fernan Ph.D., appellee(s), to file a complaint in this appeal

(Common Pleas No. 05-135-05) 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 William J. Fernan Ph.D., 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: February 4, 2005

Signature of Prothonotary or Deputy