

05-472-CD
In Re: Carr

2605-472-CD
In Re: Brooks Carr

Date: 04/29/2005

Time: 02:00 PM

Page 1 of 1

Clearfield County Court of Common Pleas

User: CROWLES

ROA Report

Case: 2005-00472-CD

Current Judge: Fredric Joseph Ammerman

IN RE: Brooks S. Carr

Civil In RE

Date	Judge
04/01/2005	No Judge
✓ New Case Filed. Filing: Petition for Automobile Title, Paid by: DuBois, Jeffrey S. Receipt number: 1898584 Dated: 4/1/2005 Amount: \$85.00 (Check) 3 Cert. to Atty.	No Judge

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: BROOKS A. CARR

: No. 2005-472-CO

PETITION FOR AUTOMOBILE TITLE

AND NOW, comes BROOKS E. CARR, by and through his attorney, Jeffrey S. DuBois, Esquire who files this Petition for Automobile Title, and in support thereof avers the following:

1. The Petitioner is Brooks A. Carr, an adult individual residing at R.R. #1 - Box 151A, Falls Creek, Pennsylvania, 15840.
2. On or about June 21, 2003, Petitioner purchased a vehicle from EZ Car Sales, Inc., specifically, a Hyundai Elantra. A copy of said purchase is attached hereto and made a part hereof as Exhibit "A".
3. Thereafter, Petitioner went and retrieved the vehicle located in New Jersey.
4. Petitioner paid for vehicle in full as is set forth in the attached exhibit.
5. After purchasing said vehicle, the seller was supposed to ship the Certificate of Title for the vehicle to Petitioner.
6. To date, however, Petitioner has not received the Certificate of Title and said seller has not furnished the same to Petitioner.
7. Petitioner has requested the title many times, but the seller has failed to send the same.
8. Petitioner believes the company is now out of business.

FILED

APR 01 2005

011:30 AM
William A. Shaw
Prothonotary
3 CENTS TO ATT

ORIGIN TO
C/N

CX

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: BROOKS A. CARR

: No. 2005-472-CO

PETITION FOR AUTOMOBILE TITLE

AND NOW, comes BROOKS E. CARR, by and through his attorney, Jeffrey S. DuBois, Esquire who files this Petition for Automobile Title, and in support thereof avers the following:

1. The Petitioner is Brooks A. Carr, an adult individual residing at R.R. #1 – Box 151A, Falls Creek, Pennsylvania, 15840.
2. On or about June 21, 2003, Petitioner purchased a vehicle from EZ Car Sales, Inc., specifically, a Hyundai Elantra. A copy of said purchase is attached hereto and made a part hereof as Exhibit "A".
3. Thereafter, Petitioner went and retrieved the vehicle located in New Jersey.
4. Petitioner paid for vehicle in full as is set forth in the attached exhibit.
5. After purchasing said vehicle, the seller was supposed to ship the Certificate of Title for the vehicle to Petitioner.
6. To date, however, Petitioner has not received the Certificate of Title and said seller has not furnished the same to Petitioner.
7. Petitioner has requested the title many times, but the seller has failed to send the same.
8. Petitioner believes the company is now out of business.

FILED

APR 01 2005

01:30/05
William A. Shaw
Prothonotary
3 CENT TO ATT

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: BROOKS A. CARR

: No. 05-472-CD

ORDER

AND NOW, this 4th day of April, 2005, in consideration of
Brooks E. Carr's Petition for Automotive Title,

IT IS HEREBY ORDERED AND DECREED that a Hearing be scheduled for the
29 day of April, 2005, at 9:00 o'clock A.M., in Courtroom No. 1
of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:



Judge

FILED 3cc
04/11/2005 Atty. Dubois
APR 04 2005

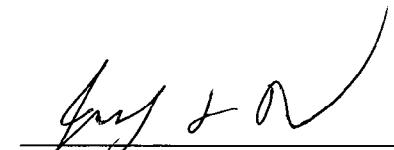
William A. Shaw
Prothonotary/Clerk of Courts

9. Despite repeated requests by Petitioner, to the Department of Motor Vehicles, to Notary Services, and insurance companies, Petitioner has been unable to secure a title to the vehicle which he rightfully owns.

10. Petitioner's only recourse, therefore, is through this Honorable Court for the Petition of a Certificate of Title for the motor vehicle.

WHEREFORE, Petitioner respectfully requests this Honorable Court to issue an Order granting a Certificate of Title to the aforementioned vehicle to Petitioner.

Respectfully Submitted,



Jeffrey S. DuBois, Esquire
Attorney for Petitioner

VERIFICATION

I, BROOKS E. CARR, verify that the statements in the foregoing Petition for Automobile Title are true and correct to the best of my knowledge, information and belief.

This statement and verification is made subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.



Brooks E. Carr
Brooks E. Carr

DMV / DISMANTLER #7091322

NYC Dept. of Consumer Affairs #1085187

EZ CAR SALES Inc.

718.558-0600

170-25 Liberty Ave. Jamaica, NY 11433

STOCK NO

295

BUYER: BROOKS, E. CARR TEL: ()
 ADDRESS: RD1 BOX 151A FALLS CREEK
 Street PA 15840 Town PA 14370645
 State Zip Driver License Number

Make: HYUNDAI Order Description: ELANTRA
 Color: BLUE Model: 2001
 Vin # KMHDN55D71U032848 Year: 12886
 Mileage: 12886

**VEHICLE SOLD AS IS.
 NO WARRANTY OR GUARANTEE
 ALL SALES ARE FINAL**

Deposits are held for 48 hours. Car will be resold thereafter.
 Deposits non refundable. Storage will be incurred after due date.
 Car is subject to 907A-Inspection + N.Y.S. Emissions Inspection.

(1) I/We do declare that I/We do not intend to operate this vehicle on the public highways (including public streets, avenues, roads, etc.) at this time.

Customer's Signature *Brooks Carr*

(2) I/We declare that I/We know that I/We am/are buying a junk vehicle which is presently unsuitable for operation on the public highways. I/We know this vehicle must pass inspection before it may be registered.

Customer's Signature *Brooks Carr*

(3) I/We declare that I/We know that before this vehicle may be operated on the public highways it probably needs extensive repairs, the cost of which may exceed the purchase price. The only guarantees about the condition of this vehicle that I/We have are those that I/We have in writing.

Customer's Signature *Brooks Carr*

I/WE DECLARE THAT I/WE HAVE EXAMINED THE VEHICLE AND THAT IT IS DESCRIBED ACCURATELY AND I UNDERSTAND AND AGREE TO THIS CONTRACT. I/WE BUYING THIS CAR AS IS NO WARRANTY.

Customer's Signature *Brooks Carr*

This Vehicle is considered Salvage and will carry Salvage History.

Customer's Initial *BEC*

DAMAGE TYPE
 FRONT
 COLLISION

Customer's Initial *BEC*

Price: \$ 999-
 Tax: \$
 Total: \$ 999-
 Deposit: \$
 Balance: \$
 Date: 6/21/01

TYPE OF SALE	
<input checked="" type="checkbox"/> WHOLESALE OR <input checked="" type="checkbox"/> RETAIL:	
<input type="checkbox"/> New <input type="checkbox"/> Used <input type="checkbox"/> Demo <input checked="" type="checkbox"/> Salvage	

New York State Department of Motor Vehicles
RETAIL CERTIFICATE OF SALE



No. 18809911

* 1 8 8 0 9 9 1 1 *

VEHICLE INFORMATION:

Make	Model	Body Type	Color	Weight (Unladen)	Fuel Type	Cylinders	Adult Seating Capacity
2001 HYUNDAI ELANTRA	FOR	BL	N/A		G	4	5
Vehicle Identification Number:		Lien(s)		Inspection Certificate Number		Date of Inspection	
KMHDM55D71V032848		WIA		WIA		WIA	
Date/Permit Number:		Number of Dealer Plate Loaned		Lease-Buyout (Insp. Not Required)		Selling Price	
WIA		WIA				\$ 779	

DEALER INFORMATION (Print Name and Address)

52 CAR SALES INC. 170-25 LIBERTY AVE, NEW YORK, NY 10453

PURCHASER INFORMATION (Print Name and Address)

ROOKS, E. CARR RD 1 BOX 151A FALLS CREEK, NY 14840 6/21/03

PRIOR OWNER INFORMATION (Print Name and Address Source of Ownership)

ALLSTATE INS. 27126 OFFICE PARK, PENNS 18073 7/27/03

ODOMETER DISCLOSURE STATEMENT

Federal and state laws require that you state the mileage of the vehicle described on this certificate, when transferring ownership. Failure to do so, or telling the truth about the mileage may result in fines and/or imprisonment.

The odometer on the vehicle described above has: 5 digits 6 digits, not including tenths

I certify that, to the best of my knowledge, this odometer reading reflects the "ACTUAL MILEAGE" of the vehicle described above.

I certify that, to the best of my knowledge, this odometer reading "EXCEEDS MECHANICAL LIMITS."

I certify that, to the best of my knowledge, this odometer reading is "NOT THE ACTUAL MILEAGE. WARNING: ODOMETER DISCREPANCY."

ODOMETER READING	
12886	
(no tenths)	

DEALER CERTIFICATION:

I certify: The vehicle described above was sold to the purchaser on the date indicated. At the time of delivery the purchaser was entitled to register the vehicle. This vehicle complied with equipment requirements of the Commissioner's Regulations. At the time of delivery, such equipment was in condition and repair to render satisfactory and adequate service on the public highway under normal use. Equipment certification does not apply to a vehicle sold as new, wholesale, or salvage. All New York State and local taxes due as a result of this sale have been collected from the purchaser. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

DEALER (or authorized representative) (SIGN full name)	PRINT full name of dealer or authorized rep.	Date	Dealer Facility No.
<i>John W. Carr</i>	<i>CARR</i>	6/21/03	7091322

PURCHASER - (SIGN full name)	PRINT full name of purchaser	Date	Selling Dealer NYS Sales Tax No.
<i>E. Brooks Carr</i>	<i>E. Brooks Carr</i>	9-2-03	OUT OF STATE

ANY CHANGE OR ALTERATION VOIDS THIS CERTIFICATE

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

IN RE:

1

BROOKS E. CARR

; No. 05-472-CD

ORDER

NOW, this 29th day of April, 2005, following hearing relative the request by the Petitioner for title to a 2001 Hyundai Elantra; the Court being satisfied from the evidence presented that the Petitioner legally purchased the vehicle but has been unable, despite his best efforts, to obtain a title to the same through normal process, it is the ORDER of this Court that the Pennsylvania Department of Transportation issue an automobile title to the Petitioner, Brooks E. Carr, for a 2001 Hyundai Elantra, VIN# KMHDN55D71U032848.

BY THE COURT.

Frederick Zimmerman

President Judge

FILED ^{6P}
01/4/2005 ^{4CC}
APR 29 2005 Atty Dubois

William A. Shaw
Prothonotary/Clerk of Courts