

05-509-CD

2005-509-CD

James Todd v. James Hile et al

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
Clearfield County
JUDICIAL DISTRICT

46

NOTICE OF APPEAL

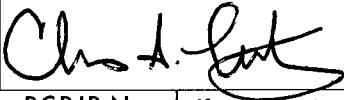
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2605-509-CV

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 Jim Hile t/d/b/a Colors Galore		MAG. DIST. NO. OR NAME OF DJ. Richard A. Ireland	
ADDRESS OF APPELLANT R. D. Box 318		CITY Clearfield	STATE PA
DATE OF JUDGMENT 03/14/05	IN THE CASE OF (Plaintiff) James Todd	(Defendant) vs. Jim Hile t/d/b/a Colors Galore	
CLAIM NO. CV 19 42-05 LT 19		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.</p> <p>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>	

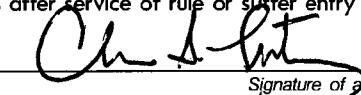
PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(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 James Todd, appellee(s), to file a complaint in this appeal
(Name of appellee(s))

(Common Pleas No. 2605-509-CV) within twenty (20) days after service of rule or suffer entry of judgment of non pros.


Signature of appellant or his attorney or agent

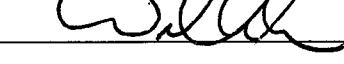
RULE: To James Todd, appellee(s).
(Name of appellee(s))

(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: 04/11, 19 2005


Signature of Prothonotary or Deputy

FILED

APR 11 2005

0/3:55/05

William A. Shaw
Prothonotary

mailed notice to

APPELLANT & M.J. Ireland

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 FIVE (5) 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) _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 19_____, 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 _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 19_____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19_____

2005 11 19
wsd2 A mailin
Prothonotary

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

MDJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD ST**
SUITE 133
CLEARFIELD, PA

Telephone: **(814) 765-5335**

16830

COLORS GALORE
RD 1 BOX 318
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

JAMES, TODD

NAME and ADDRESS

809 EDWARD STREET APT/STE 2
OSCEOLA MILLS, PA 16666

VS.

DEFENDANT:

COLORS GALORE, ET AL.

NAME and ADDRESS

RD 1 BOX 318
CLEARFIELD, PA 16830

Docket No.: **CV-0000042-05**
Date Filed: **2/01/05**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **JAMES, TODD**

Judgment was entered against: (Name) **COLORS GALORE**

in the amount of \$ **968.84** on: (Date of Judgment) **3/14/05**

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	\$ 885.34
Judgment Costs	\$ 83.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 968.84
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 MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT 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 MAGISTERIAL DISTRICT JUDGE.

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 MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

MAR 14 2005

Date

Richard Ireland

, Magisterial District Judge

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

Date

, Magisterial District Judge

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

MDJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD ST**
SUITE 133
CLEARFIELD, PA

Telephone: **(814) 765-5335** 16830

RICHARD A. IRELAND
650 LEONARD ST
SUITE 133
CLEARFIELD, PA 16830

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF:

JAMES, TODD
809 EDWARD STREET APT/STE 2
OSCEOLA MILLS, PA 16666

NAME and ADDRESS

DEFENDANT:

COLORS GALORE, ET AL.
RD 1 BOX 318
CLEARFIELD, PA 16830

VS.

NAME and ADDRESS

Docket No.: **CV-0000042-05**
Date Filed: **2/01/05**



05-509-CD

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **JAMES, TODD**

Judgment was entered against: (Name) **COLORS GALORE**

in the amount of \$ **968.84** on: (Date of Judgment) **3/14/05**

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

Damages will be assessed on: **FILED** *3/14/05* **APR 14 2005** **cc**

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ **William A. Shaw**
Prothonotary/Clerk of Courts

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

Amount of Judgment	\$ 885.34
Judgment Costs	\$ 83.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
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MAR 14 2005 Date *Richard Ireland*, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
APR 12 2005 Date *Richard Ireland*, Magisterial District Judge

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

MDJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD ST**
SUITE 133
CLEARFIELD, PA

Telephone: **(814) 765-5335**

16830

RICHARD A. IRELAND
650 LEONARD ST
SUITE 133
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

JAMES, TODD

NAME and ADDRESS

809 EDWARD STREET APT/STE 2
OSCEOLA MILLS, PA 16666

VS.

DEFENDANT:

COLORS GALORE, ET AL.

NAME and ADDRESS

RD 1 BOX 318
CLEARFIELD, PA 16830

Docket No.: **CV-0000042-05**
Date Filed: **2/01/05**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **JAMES, TODD**

Judgment was entered against: (Name) **HILE, JIM**

in the amount of \$ **968.84** on: (Date of Judgment) **3/14/05**

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	\$ 885.34
Judgment Costs	\$ 83.50
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MAR 14 2005 Date Richard Ireland, Magisterial District Judge

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

APR 12 2005 Date Richard Ireland, Magisterial District Judge

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

SEAL

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
Clearfield County
JUDICIAL DISTRICT
.46

NOTICE OF APPEAL

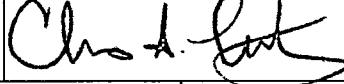
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2605 - 509-CV

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.

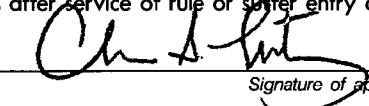
NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.	
Jim Hile t/d/b/a Colors Galore		Richard A. Ireland	
ADDRESS OF APPELLANT		STATE	
R. D. Box 318		Clearfield	PA
DATE OF JUDGMENT	ZIP CODE		
03/14/05	(Defendant)		
IN THE CASE OF (Plaintiff)		vs. Jim Hile t/d/b/a Colors Galore	
James Todd		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT	
CLAIM NO.			
CV 19 42-05			
LT 19			
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>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 James Todd, appellee(s), to file a complaint in this appeal
(Name of appellee(s))
(Common Pleas No. 2605 - 509-CV) 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 James Todd, 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: 04/11, EX 2005
Signature of Prothonotary or Deputy

PROOF OF SERVICE FOR APPEAL FROM JUDGMENT OR ORDER OF COURT

(This proof of service MUST BE FILED WITHIN FIVE (5) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____, to

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) _____, 19_____. by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 19_____. 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 _____, 19_____. by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 19_____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19_____.

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

JAMES TODD,

Plaintiff

* No. 2005-509-CD

VS

JIM HILE t/d/b/a COLORS
GALORE,

Defendant

* Type of Case: Civil

FILED

AUG 26 2005

0131301W

William A. Shaw

Prothonotary/Clerk of Courts

NOTICE TO PLA

STATE

* Type of Pleading: Praeclipe for
* Judgment of Non Pros/Certificate
* of Service

* Filed on Behalf of: Defendant

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 207 East Market Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

Date: 8-26-05

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

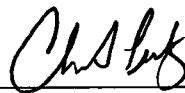
JAMES TODD, *
Plaintiff *
*
vs * No. 2005-509-C.D.
*
*
*
JIM HILE t.d.b.a COLORS GALORE, *
Defendant *
*

PRAECIPE FOR JUDGMENT OF NON PROS

To The Prothonotary:

Please enter judgment of non pros against the Plaintiff
and in favor of the Defendant for failure to file a complaint
within twenty days from the date of service of the rule to file
complaint.

Respectfully submitted this 26 day of Aug, 2005.


Chris A. Pentz
Attorney for Defendant
Supreme Court # 39232
207 East Market Street
Clearfield PA 16830
814 765-4000

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

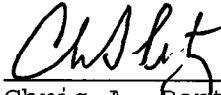
JAMES TODD, *
Plaintiff *
*
vs * No. 2005-509-C.D.
*
JIM HILE t/d/b/a COLORS GALORE, *
Defendant *

CERTIFICATE OF SERVICE

This is to certify that on the 19th day of May
2005, the undersigned served written Notice of Intent to File
Praecipe for Judgment of Non Pros, copy of said Notice being
attached hereto, upon:

Mr. James Todd
809 Edward Street, Apt. 2
Osceola Mills PA 16666

Service was made by first class mail, postage prepaid.


Chris A. Bentz, Esquire
Attorney for Defendant
I. D. # 39232
207 East Market Street
P. O. Box 552
Clearfield PA 16830
814 765-4000

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

TO: JAMES TODD:
(Plaintiff)

Date of Notice: May 18, 2005

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

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 AGENCIES THAT MAY OFFER LEGAL SERVICES
TO ELIGIBLE PERSONS AT REDUCED FEE OR NO FEE.

Office of Court Administrator
230 East Market Street
Clearfield PA 16830
814 765-2641

Chris A. Pentz, Esquire
207 East Market Street
Clearfield PA 16830

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

JAMES TODD, *
Plaintiff *
*
vs * No. 2005-509-C.D.
*
*
*
*
JIM HILE t.d.b.a COLORS GALORE, *
Defendant *
*

NOTICE

PROTHONOTARY

By W. D. A.