

05-901-CD
Richard L Mann Jr vs Kristie L Dixon

Richard Mann v. Kristie Dixon
2005-901-CD

NOTICE OF APPEAL

COURT OF COMMON PLEAS

Clearfield County JUDICIAL DISTRICT

Michael A. Rudella
46-3-03

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

05-901-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		MAG. DIST. NO. OR NAME OF D.J.	
Dixon, Kristie L.		46-3-03	
ADDRESS OF APPELLANT		CITY	
29 Vanettas Lane, Osceola Mills, PA 16666			
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff) (Defendant)		
06/06/05	Mann, Richard (Jr) Lynn vs. Dixon, Kristie L.		
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
TA 19 CV-0000105-05	Kristie L. <i>[Signature]</i>		
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>			
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 Richard Lynn Mann, Jr., appellee(s), to file a complaint in this appeal
(Name of appellee(s))
(Common Pleas No. 05-901-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

*Kristie L. *[Signature]**
Signature of appellant or his attorney or agent

RULE: To Richard Lynn Mann, Jr., 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: June 23, 2005

*William A. Shaw *[Signature]**
Signature of Prothonotary or Deputy

FILED *Def. pd.*
06/12/2005 85.00
JUN 23 2005 *Copy to: Plff*
 William A. Shaw *up* *Def*
 Prothonotary/Clerk of Courts *DJ Rudella*

6010283

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_____.

W. Smith

6010283

NOTICE OF APPEAL

COURT OF COMMON PLEAS
 Clearfield County JUDICIAL DISTRICT
 Michael A. Rudella
 46-3-03

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

05-901-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		MAG. DIST. NO. OR NAME OF D.J.	
Dixon, Kristie L.		46-3-03	
ADDRESS OF APPELLANT		CITY	STATE
29 Vanettas Lane, Osceola Mills, PA 16666		ZIP CODE	
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff) (Defendant)		
06/06/05	Mann, Richard (Jr) Lynn vs. Dixon, Kristie L.		
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
TA 19 CV-0000105-05 LT 19	<i>Kristie L. Lynn</i>		
<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><i>Signature of Prothonotary or Deputy</i></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 Richard Lynn Mann, Jr., appellee(s), to file a complaint in this appeal
 (Name of appellee(s))
 (Common Pleas No. 05-901-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Kristie L. Lynn
 Signature of appellant or his attorney or agent

RULE: To Richard Lynn Mann, Jr., 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: June 23, 2005

William L. Lynn
 Signature of Prothonotary or Deputy

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_____.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

MDJ Name: Hon.

MICHAEL A. RUDELLA

Address: **131 ROLLING STONE ROAD
PO BOX 210
KYLERTOWN, PA**

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

16847-0444

**KRISTIE L. DIXON
29 VANETTAS LANE
OSCEOLA MILLS, PA 16666**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

**MANN, RICHARD (JR) LYNN
400 SARAH ST.
OSCEOLA MILLS, PA 16666**

NAME and ADDRESS

DEFENDANT:

**DIXON, KRISTIE L.
29 VANETTAS LANE
OSCEOLA MILLS, PA 16666**

NAME and ADDRESS

Docket No.: **CV-0000105-05**
Date Filed: **5/02/05**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **MANN, RICHARD (JR) LYNN**

Judgment was entered against: (Name) **DIXON, KRISTIE L.**

in the amount of \$ **3,083.00** on: (Date of Judgment) **6/06/05**

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	\$ 3,000.00
Judgment Costs	\$ 83.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,083.00

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.

6-6-05 Date

M A Rudella

, 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

AOPC 315-05

DATE PRINTED: **6/06/05 12:31:46 PM**

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

MDJ Name: Hon.

MICHAEL A. RUDELLA

Address: **131 ROLLING STONE ROAD
PO BOX 210
KYLERTOWN, PA**

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

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

MANN, RICHARD (JR) LYNN
400 SARAH ST.
OSCEOLA MILLS, PA 16666

NAME and ADDRESS

DEFENDANT:

DIXON, KRISTIE L.
29 VANETTAS LANE
OSCEOLA MILLS, PA 16666

NAME and ADDRESS

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

Docket No.: **CV-0000105-05**
Date Filed: **5/02/05**



05-901-CD

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **MANN, RICHARD (JR) LYNN**

Judgment was entered against: (Name) **DIXON, KRISTIE L.**

in the amount of \$ **3,083.00** on: (Date of Judgment) **6/06/05**

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

Damages will be assessed on:

FILED NO
0123361 CC
JUN 29 2005 @

This case dismissed without prejudice.

William A. Shaw
Prothonotary/Clerk of Courts

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	\$ 3,000.00
Judgment Costs	\$ 83.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,083.00
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ 3083.00	

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.

6-6-05 Date

M A Rudella

, Magisterial District Judge

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

6/24/05 Date

M Rudella

, Magisterial District Judge

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

SEAL

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

Richard L. Mann Jr.

Plaintiff/ Appellant

Vs

CASE NO. 05-901-CD

Kristie L. Dixon

Defendant/ Appellee

Type of Pleading:

COMPLAINT

Filed on behalf of

PLAINTIFF

Plaintiff's address:

400 Sarah Street
Osceola Mills, PA 16666
(814) 339-7562

FILED *no cc*
7/18/05
JUL 18 2005 *CR*

William A. Shaw
Prothonotary/Clerk of Courts

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

Richard L. Mann Jr

Plaintiff/ Appellant

VS

District Justice Appeal
CASE NO. 05-901-CD

Type of Pleading:
COMPLAINT

Kristie L. Dixon

Defendant/ Appellee

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 (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 defense or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed 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
230 East Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641, extension 1300

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

Richard L. Mann Jr

Plaintiff/ Appellant

VS

District Justice Appeal
CASE NO. 05-901-CD

Type of Pleading:
COMPLAINT

Kristie L. Dixon

Defendant/ Appellee

COMPLAINT

NOW, comes the **Plaintiff, Richard L. Mann Jr** who hereby avers as follows:

1. Richard L. Mann Jr. is an adult individual whose address is 400 Sarah Street, Osceola Mills, Pennsylvania 16666.
2. Defendant is Kristie L. Dixon, an adult individual, whose address is 29 Vanettas Lane, Osceola Mills, Pennsylvania 16666.
3. On or about September 11, 2003, Richard L. Mann Jr. and Kristie L. Dixon consolidated (2) personal loans into (1) loan with Clearfield Bank and Trust Co.
4. At the date and place above referenced, Defendant agreed to consolidate loan# 696870/ \$ 4061.70 with Plaintiff's loan # 832405/ \$ 2392.61 for the purpose of lowering the interest rate.
5. At the date and place above referenced, loan # 696870 and 832405 were consolidated for a total of approximately \$7000.00, not including insurance and finance charges, into loan # 944793.
6. Plaintiff and Defendant jointly paid approximately (20) payments on above mentioned loan# 944793. Leaving a balance of approximately \$5800.00
7. On April 11, 2005, loan # 944793 was paid in full in the amount of \$5469.52.

- a. Payments were based on a 7.500 % interest rate at \$ 143.20 per month.
- b. \$79.41 went to the principal balance per payment for an approximate total of \$1588.20
- c. One half of above mentioned payments came to approximately \$795.00
- d. Above mentioned \$795.00 was deducted from Defendants original loan # 696870/ \$4061.70 for a balance of \$3266.70.
- e. Defendant paid approximately \$300.00 after loan #944793 was paid in full and stated she was not paying remainder of her responsibility of said loan.

8. As a direct result of Defendants negligence to pay her responsibility of said loan, Plaintiff is requesting reimbursement for payoff.

Wherefore, Plaintiff demands judgment against Defendant in the amount of \$3000.00, plus interest, court costs and such other reasonable costs as the court may allow.



Richard P. M. Smith
Plaintiff

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

Richard L. Mann Jr

Plaintiff/ Appellant

District Justice Appeal
CASE NO. 05-901-CD

VS

Kristie L. Dixon

Defendant/ Appellee

CERTIFICATE OF SERVICE

I, Richard L. Mann Jr, Plaintiff above named, do hereby certify that on the 15 day of July, 2005, I caused a certified copy of the Complaint to be mailed, first class- postage prepaid, to the Defendant at her address as follows:

Kristie L. Dixon
29 Vanettas Lane
Osceola Mills, Pennsylvania 16666


RICHARD L. MANN JR.

VERIFICATION

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


RICHARD L. MANN JR.