



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

LAURA J. MOYER

DONALD R. MOYER  
(Plaintiff)

1272 PIFER RD  
(Street Address)

CLEARFIELD PA 16830  
(City, State ZIP)

CIVIL ACTION

No. 05-1179-CD  
~~0000059-05~~

Type of Case: Civil

Type of Pleading: Appeal

VS. MIKE GRAHAM  
PENNY BOWSER  
(Defendant)

Filed on Behalf of:

Plaintiff  
(Plaintiff/Defendant)

1003 DOREY ST  
(Street Address)

CLEARFIELD PA 16830  
(City, State ZIP)

DONALD R. & LAURA J MOYER  
(Filed by)

1272 PIFER RD CLEARFIELD, PA 16830  
(Address)

(814) 765-4108  
(Phone)

**FILED** *Plff*  
*0194230* *pd-85.00*  
AUG 10 2005 *Copies*  
*mailed to:*  
*Def*  
William A. Shaw *St Hawkins*  
Prothonotary/Clerk of Courts  
*copy to Plff*

Donald R Moyer Laura J Moyer  
(Signature)

COURT OF COMMON PLEAS

FROM

JUDICIAL DISTRICT

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 05-1179-CD

46<sup>th</sup>

## 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.

Donald R + Laura J Mayer

46-3-04

NAME OF APPELLANT

MAG. DIST. NO. OR NAME OF D.J.

1272 Pifer Rd Clearfield

PA

16830

ADDRESS OF APPELLANT

CITY

STATE

ZIP CODE

8-1-05

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

(Defendant)

DONALD R + LAURA J MAYER

vs

MIKE GRAHAM + Penny Bowser

CLAIM NO.

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

CV  
LT

0000059-05

Laura J Mayer, Donald R Mayer

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 \_\_\_\_\_, 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 \_\_\_\_\_, 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: August 10, 2005.

Will [Signature] [Signature]  
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 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 \_\_\_\_\_, \_\_\_\_\_

COURT OF COMMON PLEAS

FROM

JUDICIAL DISTRICT

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 05-1179-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.

David R + LAURA J MOYER

46-3-04

NAME OF APPELLANT

MAG. DIST. NO. OR NAME OF D.J.

1272 Pifer Rd Clearfield

PA

16830

ADDRESS OF APPELLANT

CITY

STATE

ZIP CODE

8-1-05

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

(Defendant)

DONALD R. LAURA J MOYER vs MIKE GRAHAM &amp; Penny Bowser

CLAIM NO.

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

CV  
LT

0000059-05

Laura J Moyer, Donald R Moyer

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 \_\_\_\_\_, 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 \_\_\_\_\_, 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. 16830

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: Aug. 10, 2005.

(814) 765-4108 William L. Latham III  
Signature of Prothonotary or Deputy

619.4230

Donald R. Moyer  
Laura J. Moyer

## 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

HIS \_\_\_\_\_ 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.:

**46-3-04**

MDJ Name: Hon.

**JAMES L. HAWKINS**

Address:

**251 SPRING ST  
PO BOX 362**

**HOUTZDALE, PA**

Telephone:

**(814) 378-7160**

**16651-0362**

**LAURA J. MOYER**

**1272 PIFER RD**

**CLEARFIELD, PA 16830**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS

**MOYER, DONALD R, ET AL.**

**1272 PIFER RD**

**CLEARFIELD, PA 16830**

**VS.**

DEFENDANT:

NAME and ADDRESS

**GRAHAM, MIKE, ET AL.**

**603 DOREY ST**

**CLEARFIELD, PA 16830**

Docket No.: **CV-0000059-05**

Date Filed: **6/02/05**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR DEFENDANT**



Judgment was entered for:

(Name)

**BOWSER, PENNY**



Judgment was entered against: (Name)

**MOYER, DONALD R, ET AL.**

in the amount of \$ **.00** on:

(Date of Judgment)

**8/01/05**



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	\$ <b>.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ .00</b>
Post Judgment Credits	\$
Post Judgment Costs	\$
<b>Certified Judgment Total</b>	<b>\$</b>

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 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 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.

**8-1-05** Date

*James L. Hawkins*

, 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

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

Mag. Dist. No.:

**46-3-04**

MDJ Name: Hon.

**JAMES L. HAWKINS**

Address:

**251 SPRING ST**

**PO BOX 362**

**HOUTZDALE, PA**

Telephone: **(814) 378-7160**

**16651-0362**

PLAINTIFF:

NAME and ADDRESS

**MOYER, DONALD R, ET AL.**

**1272 PIFER RD**

**CLEARFIELD, PA 16830**

**VS.**

DEFENDANT:

NAME and ADDRESS

**GRAHAM, MIKE, ET AL.**

**603 DOREY ST**

**CLEARFIELD, PA 16830**

**LAURA J. MOYER**

**1272 PIFER RD**

**CLEARFIELD, PA 16830**

Docket No.: **CV-0000059-05**

Date Filed: **6/02/05**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR DEFENDANT**



Judgment was entered for:

(Name) **GRAHAM, MIKE**



Judgment was entered against: (Name)

**MOYER, DONALD R, ET AL.**

in the amount of \$ **.00** on:

(Date of Judgment) **8/01/05**



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	\$ <b>.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>.00</b>

Post Judgment Credits \$

Post Judgment Costs \$

**Certified Judgment Total** \$

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Date

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, Magisterial District Judge

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Date

, Magisterial District Judge

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

SEAL



Mag. Dist. No.:

**46-3-04**

MDJ Name: Hon.

**JAMES L. HAWKINS**

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Telephone: **(814) 378-7160**

**16651-0362**

**JAMES L. HAWKINS  
251 SPRING ST  
PO BOX 362  
HOUTZDALE, PA 16651-0362**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS

**MOYER, DONALD R, ET AL.  
1272 PIFER RD  
CLEARFIELD, PA 16830**

VS.

DEFENDANT:

NAME and ADDRESS

**GRAHAM, MIKE, ET AL.  
603 DOREY ST  
CLEARFIELD, PA 16830**

Docket No.: **CV-0000059-05**

Date Filed: **6/02/05**



**2005-1179-C0**

**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR DEFENDANT**



Judgment was entered for:

(Name) **BOWSER, PENNY**



Judgment was entered against: (Name)

**MOYER, DONALD R, ET AL.**

in the amount of \$ **.00** on:

(Date of Judgment) **8/01/05**



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 \$

**FILED**

**AUG 12 2005**

W. J. Shaw  
Prothonotary/Clerk of Courts

Amount of Judgment	\$ <b>.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
Total	\$ <b>.00</b>
Post Judgment Credits	\$
Post Judgment Costs	\$
<b>Certified Judgment Total</b>	<b>\$</b>

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**8-1-05** Date

*James L. Hawkins*

, Magisterial District Judge

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

**8-11-05** Date

*James L. Hawkins*

, Magisterial District Judge

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

SEAL

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

Mag. Dist. No.:

**46-3-04**

MDJ Name: Hon.

**JAMES L. HAWKINS**

Address:

**251 SPRING ST**

**PO BOX 362**

**HOUTZDALE, PA**

Telephone: **(814) 378-7160**

**16651-0362**

PLAINTIFF:

NAME and ADDRESS

**MOYER, DONALD R, ET AL.**

**1272 PIFER RD**

**CLEARFIELD, PA 16830**

VS.

DEFENDANT:

NAME and ADDRESS

**GRAHAM, MIKE, ET AL.**

**603 DOREY ST**

**CLEARFIELD, PA 16830**

**JAMES L. HAWKINS**

**251 SPRING ST**

**PO BOX 362**

**HOUTZDALE, PA 16651-0362**

Docket No.: **CV-0000059-05**

Date Filed: **6/02/05**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR DEFENDANT**



Judgment was entered for:

(Name) **GRAHAM, MIKE**



Judgment was entered against: (Name)

**MOYER, DONALD R, ET AL.**

in the amount of \$ **.00** on:

(Date of Judgment) **8/01/05**



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	\$ <u><b>.00</b></u>
Judgment Costs	\$ <u><b>.00</b></u>
Interest on Judgment	\$ <u><b>.00</b></u>
Attorney Fees	\$ <u><b>.00</b></u>
<b>Total</b>	\$ <u><b>.00</b></u>

Post Judgment Credits \$ \_\_\_\_\_

Post Judgment Costs \$ \_\_\_\_\_

**Certified Judgment Total** \$ \_\_\_\_\_

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**8-1-05** Date

*James L. Hawkins*

, Magisterial District Judge

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

**8-11-05** Date

*James L. Hawkins*

, Magisterial District Judge

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

SEAL