

05-1467-CD
Sheila Spuck et al vs Delbert McCullough et al

Sheila M. Spuck et al vs Delbert McCullough
2005-1467-CD

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
of Clearfield County, PA
JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS NO. 05-14607-CJ

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.	
Delbert C. L. McCullough and Amy F. McCullough		Patrick N. Ford 46-3-01	
ADDRESS OF APPELLANT		CITY	STATE ZIP CODE
1320 Hickory Road		Penfield	PA 15849
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)	
9/19/05	Sheila M. Spuck and Dawn E. Spuck	vs Delbert C. L. McCullough and Amy F. McCullough	
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CV 19 CV-301-05	David P. King, Esquire		
LT 19	<i>David P. King</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>_____ 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 Sheila M. Spuck and Dawn E. Spuck appellee(s), to file a complaint in this appeal

(Common Pleas No. 05-14607-CJ) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

David P. King
Signature of appellant or his attorney or agent

RULE: To Sheila M. Spuck and Dawn E. Spuck, 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: Sept. 23, 2005

William A. Shaw
Signature of Prothonotary or Deputy

Atty King pd. \$5.00
m/2005/2005 Copies to: Dawn Spuck
SEP 23 2005
William A. Shaw
Prothonotary/Clerk of Courts

Atty King
Atty Blakley
DJ Ford

COURT FILE TO BE FILED WITH PROTHONOTARY

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

PATRICK N. FORD

Address: **309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA**

Telephone: **(814) 371-5321 15801**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

**SPUCK, DAWN, ET AL.
182 SPUCK ROAD
DUBOIS, PA 15801**

NAME and ADDRESS

DEFENDANT:

**MCCULLOUGH, AMY F., ET AL.
1320 HICKORY ROAD
PENFIELD, PA 15849**

VS.

NAME and ADDRESS

**AMY F. MCCULLOUGH
1320 HICKORY ROAD
PENFIELD, PA 15849**

Docket No.: **CV-0000301-05**
Date Filed: **7/07/05**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **SPUCK, DAWN, ET AL.**

Judgment was entered against: (Name) **MCCULLOUGH, DELBERT C.L.**

in the amount of \$ **6,785.22** on: (Date of Judgment) **9/19/05**

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	\$ 6,606.70
Judgment Costs	\$ 178.52
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 6,785.22
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.

9/19/05 Date Patrick N. Ford-PNF, 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.:

46-3-01

MDJ 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:

SPUCK, DAWN, ET AL.
182 SPUCK ROAD
DUBOIS, PA 15801

NAME and ADDRESS

DEFENDANT:

MCCULLOUGH, AMY F, ET AL.
1320 HICKORY ROAD
PENFIELD, PA 15849

VS.

Docket No.: **CV-0000301-05**
Date Filed: **7/07/05**



05-1467-cd

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **SPUCK, DAWN, ET AL.**

Judgment was entered against: (Name) **MCCULLOUGH, AMY F**

in the amount of \$ **6,785.22** on: (Date of Judgment) **9/19/05**

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

Damages will be assessed on: **FILED**
M 14 00 AM
SEP 29 2005 (GR)

This case dismissed without prejudice.

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

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

Amount of Judgment	\$ 6,606.70
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Attorney Fees	\$.00
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Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

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9-19-05 Date Patrick N. Ford-PNF, 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.:

46-3-01

MDJ 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:

SPUCK, DAWN, ET AL.
182 SPUCK ROAD
DUBOIS, PA 15801

NAME and ADDRESS

DEFENDANT:

MCCULLOUGH, AMY F, ET AL.
1320 HICKORY ROAD
PENFIELD, PA 15849

VS.

NAME and ADDRESS

Docket No.: **CV-0000301-05**
Date Filed: **7/07/05**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **SPUCK, DAWN, ET AL.**

Judgment was entered against: (Name) **MCCULLOUGH, DELBERT C.L.**

in the amount of \$ **6,785.22** on: (Date of Judgment) **9/19/05**

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 \$ _____

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9-19-05 Date Patrick N. Ford-PNF, 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

CIVIL COMPLAINT

Mag. Dist. No.: 46-3-01

DJ Name:

PATRICK N. FORD
109 North Brady Street
P O Box 452
DuBois PA 15801

Telephone: (814) 371-5321

PLAINTIFF: NAME and ADDRESS

SHIELA M. SPUCK and DAWN E. SPUCK
182 Spuck Road
DuBois PA 15801

VS.

DEFENDANT: NAME and ADDRESS

DELBERT C. L. McCULLOUGH and AMY McCULLOUGH
1320 Hickory Road
DuBois, PA 15801

AMOUNT	DATE PAID
FILING COSTS \$ 130.50	7/14/05
SERVING COSTS \$ _____	1 / 1
TOTAL \$ _____	1 / 1

Docket No.: CV 30105
Date Filed: 7/7/05



TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 6,606.70 together with interest and costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Amount represents monies due on said of real property by Plaintiffs to Defendants located at Route 255, Huston Township, Clearfield County, PA (Greenridge Drive In)

I, Dawn E Spuck, 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.

Dawn E Spuck
(Signature of Plaintiff or Authorized Agent)

Plaintiff's

Attorney: Benjamin S. Blakley, III

Address: 90 Beaver Drive, Box 6

Telephone: (814) 371-2730

DuBois PA 15801

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT WILL 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 (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

FILED

DEC 24 2008

11:00 AM
William A. Shaw
Prothonotary/Clerk of Courts

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

SHIELA M. SPUCK and DAWN E.
SPUCK,

Plaintiffs,

vs.

DELBERT McCULLOUGH and AMY
McCULLOUGH,

Defendants.

-) NO. 05 - 1467- C.D.
-)
-) Type of Case: CIVIL ACTION
-)
-) Type of Pleading: PRAECIPE TO SETTLE,
-) DISCONTINUE AND END
-)
-) Filed on Behalf of:
-) PLAINTIFFS
-)
-) Counsel of Record:
-) BENJAMIN S. BLAKLEY, III
-) Supreme Court No. 26331
-)
-) BLAKLEY & JONES
-) 90 Beaver Drive, Box 6
-) DuBois, Pa 15801
-) (814) 371-2730

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

SHIELA M. SPUCK and DAWN E.) NO. 05 - 1467- C.D.
SPUCK,)
)
 Plaintiffs,)
)
)
 vs.)
)
)
 DELBERT McCULLOUGH and AMY)
 McCULLOUGH,)
)
)
 Defendants.)

PRAECIPE TO SETTLE, DISCONTINUE AND END

TO: WILLIAM A. SHAW, PROTHONOTARY

Please mark the above matter as settled, discontinued and ended.

Respectfully submitted,

BLAKLEY & JONES

Benjamin S. Blakley, III
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

This will certify that the undersigned served a copy of the foregoing Praeclipe to
Settle, Discontinue and End in the above-captioned matter on the following parties at the
addresses shown below by first-class U.S. Mail on the 23rd day of December, 2008:

David P. King, Esquire
23 Beaver Drive
DuBois PA 15801

Ms. Sheila Spuck
443 Parish Road
DuBois PA 15801

Ms. Dawn E. Spuck
2004 Ridge Top Drive
Round Rock TX 78664


Benjamin S. Blakley, III