

05-1940-CD

Clearfield-Lawrence Township

Clfd Lawrence Twp vs Brett James  
2005-1940-CD

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

CLEARFIELD-LAWRENCE TOWNSHIP  
JOINT AIRPORT AUTHORITY,  
Plaintiff

\*  
\*  
\* No. 05-1940CD

Vs.

BRETT K. JAMES,  
Defendant

## COMPLAINT IN LAW

Filed on behalf of:

**Plaintiff**

Counsel of Record for  
this Party:

David S. Ammerman  
Attorney-at-Law  
Pa. I.D. 06801

310 East Cherry Street  
Clearfield, PA 16830  
(814) 765-1701

Sept 1, 2000 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.   
Deputy Prothonotary

Deputy Prothonotary  
Reinstated/Reissued to Sherriff/Attorney  
Document  
for Service.

MARCH 17, 2006 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.  
Endell  
Deputy Prothonotary

FILED 2cc  
01/13/2001 Atty  
DEC 13 2005 Un Atty pd 85.00  
William A. Shaw  
Prothonotary/Clerk of Courts

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

CLEARFIELD-LAWRENCE TOWNSHIP  
JOINT AIRPORT AUTHORITY,

Plaintiff

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No. 05-

-CD

Vs.

BRETT K. JAMES,

Defendant

\*

\*

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 twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court 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  
Market & Second Street  
Clearfield, PA 16830  
(814) 765-2641, ext. 1300

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

## **COMPLAINT IN LAW**

NOW comes the Plaintiff, Clearfield-Lawrence Township Joint Airport Authority, by and through its Solicitor, David S. Ammerman, and for its complaint and cause of action sets forth the following:

1. The Plaintiff, Clearfield-Lawrence Joint Airport Authority (Authority) is a Pennsylvania municipal authority with its address at 800 Airport Road, Clearfield, Pennsylvania 16830.

2. The Defendant, Brett K. James (James) is an individual whose last known address is 209 East McClellan Avenue, Livingston, New Jersey 07039.

3. That the Plaintiff Authority is, and has during the time period set forth hereinafter, been the operator and manager of the Clearfield-Lawrence Airport, situate in Lawrence Township, Clearfield County, Pennsylvania.

4. That the Defendant, Brett K. James was, on or about September, 1997 the owner of a 1988 CASSUTT model aircraft being an experimental aircraft bearing FAA registration aircraft number N9XR.

5. That on or about said date Defendant landed his CASSUTT model aircraft at the Clearfield-Lawrence Airport and informed Ray Erensberger, the then airport fixed base operator, that he, the Defendant, was having engine problems and requested repair service and temporary storage, and thereafter left the airport premises.

6. That approximately one year later, a person who identified himself as the Defendant, Brett K. James, telephoned the airport and talked with Richard Shaffer, the newly appointed airport manager. Said caller inquired as to the airplane's status and was told by Mr. Shaffer that it was in a storage hanger at the airport.

7. That the Defendant informed Mr. Shaffer that he would be sending a lowboy to haul away the airplane. Defendant was then informed by Mr. Shaffer that Defendant would have to furnish proof of his identity as Brett K. James and tender a certified check for the storage costs, then amounting to \$2,000.00, before possession of the aircraft would be surrendered to Defendant.

8. That the Defendant, nor anybody claiming to be the Defendant, has been seen in person since September, 1997 nor heard from since September, 1998.

9. That Defendant's aircraft has been safely stored in airport hangers at the Clearfield-Lawrence Township Joint Airport since September, 1997.

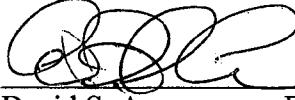
10. That a check of the current FAA registration for aircraft number N9XR shows Brett K. James as the registered owner of the CASSUTT aircraft. A true copy of the FAA registration being attached hereto as Exhibit "A".

11. That Plaintiff, at various times, has tried, without success, to contact Defendant concerning said aircraft and the bill for storage.

12. That Defendant has incurred storage costs for said aircraft from September, 1997 to date which, together with simple interest at 6%, as of October 1, 2005 amounts to \$10,811.00. A true copy of the current invoice being labeled Exhibit "B" and attached hereto.

13. That said sum of \$10,811.00 is lawfully due and owing Plaintiff by Defendant and which Defendant has failed to pay.

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$10,811.00, plus accrued charges from October 1, 2005, interest and costs of suit.



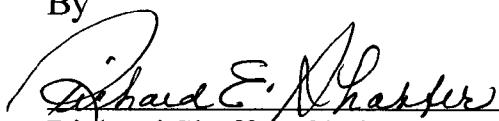
\_\_\_\_\_  
David S. Ammerman, Esquire  
Solicitor for Clearfield-Lawrence  
Township Joint Airport Authority

## VERIFICATION

I, RICHARD SHAFFER, Chairman of the Clearfield-Lawrence Township Joint Airport Authority, verify that the statements made in the foregoing Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsifications to authorities.

Clearfield-Lawrence Township  
Joint Airport Authority

By



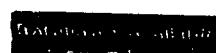
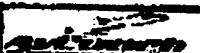
Richard E. Shaffer  
Richard Shaffer, Chairman

SEP-14-2005 03:08 PM  
N-number Database Search ResultP.01  
Page 1 of 3

## Section Index

Search  
Landings.com  
Aviation WebBrowse  
Aviation's  
DirectoryRegistrations  
US  
World  
PrefixCertifications  
Pilots  
A&P  
ExaminersAirports  
Information  
Flight-PlanRegulations  
FAA  
AirworthinessReports  
NTSB  
SDRsAircraft  
Performance  
CertificationRelated  
Calculators  
Add. Searches

## Landings: Search

SEARCH Entries  
ENTER Pilot Edition

## Results Returned

## N-number Database Search Result

Last Database Update: Mon Sep 12 15:56:31 2005

To print registration information, check the checkbox for each registration to be printed and click on "Retrieve Selected Entries" the bottom of the list.

 Check for printing

N-number	:	W922R
Aircraft Serial Number	:	A-8
Aircraft Manufacturer	:	AKINS RICHARD E
Model	:	CASSIUT
Engine Manufacturer	:	CORE MOTOR
Model	:	O-200 SERIES
Aircraft Year	:	1988
Owner Name	:	JAMES BRETT K
Owner Address	:	209 EAST MCCARTY AVE LIVINGSTON, NJ, 07039
Type of Owner	:	Individual
Registration Date	:	23-Jan-1995
Airworthiness Certificate Type	:	Experimental
Approved Operations	:	Amateur Built

 Send to Printer  Save to File

**Disclaimer:** No warranty or claims are made or implied regarding the accuracy or worthiness of information databases included or linked to via the Landings site. We are doing the best we can to ensure accurate information, however, the actual data may not be accurate, up-to-date, or it may be faulty to begin with (If you find formalizing problems, please let us know, but if you find inaccuracies please contact the source). Use these sources at your own risk. The FAA is the primary authority as to the "real" information.

**CLEARFIELD-LAWRENCE TOWNSHIP JOINT AIRPORT AUTHORITY**  
**800 AIRPORT ROAD**  
**CLEARFIELD, PENNSYLVANIA 16830**  
**TELEPHONE (814) 768-7710**  
**FAX (814) 768-9465**  
**EMAIL [flyfig@pennswoods.net](mailto:flyfig@pennswoods.net)**



1 OCTOBER 2005

TO :BRETT K. JAMES  
209 E.MC CLELLAN AVE.  
LIVINGSTON, NEW JERSEY 07039

HANGAR RENTAL FOR AIRCRAFT STORAGE SEPT 1997 TO SEPT. 2005.

TOTAL AMOUNT DUE: \$10,811.00

AIRCRAFT:N9XR

RICHARD E. SHAFFER  
Airport Manager

—Lap over margin—

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA CIVIL  
No. 05- -CD

CLEARFIELD-LAWRENCE  
TOWNSHIP JOINT AIRPORT  
AUTHORITY

v.

BRETT K. JAMES

COMPLAINT IN LAW

DAVID S. AMMERMAN  
Attorney at Law  
310 EAST CHERRY STREET  
CLEARFIELD, PA 16830

FILED

DEC 13 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

CLEARFIELD-LAWRENCE TOWNSHIP  
JOINT AIRPORT AUTHORITY, \*  
Plaintiff \*  
\* No. 05-1940-CD  
Vs. \*  
\*  
BRETT K. JAMES, \*  
Defendant \*

**PRAEICE FOR REINSTATEMENT OF COMPLAINT**

TO: WILLIAM A. SHAW, PROTHONOTARY

AND NOW this 16th day of March, 2006, Defendant having refused to accept service by certified mail of complaint, pursuant to R.C.P. 404 (Service outside the Commonwealth) and time for service having expired, please reinstate the complaint by marking the same "Reinstated".

David S. Ammerman, Esquire  
Solicitor for the Clearfield-Lawrence  
Township Joint Airport Authority

David S. Ammerman, Esquire  
Solicitor for the Clearfield-Lawrence  
Township Joint Airport Authority

FILED

MAR 17 2006

0/9:05 (u)  
William A. Shaw  
Prothonotary

2 (End to Art)

ISSUED TWO REINSTATEMENTS  
(COMPLAINTS TO

אַתָּה

William A. Shaw  
Prothonotary

MAR 7 2006

FILED

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

## **PRAEICE FOR REINSTATEMENT OF COMPLAINT**

TO: WILLIAM A. SHAW, PROTHONOTARY

AND NOW this 1st day of September, 2006, Defendant having refused to accept service by certified mail of complaint, pursuant to R.C.P. 404 (Service outside the Commonwealth) and time for service having expired, please reinstate the complaint by marking the same "Reinstated".



David S. Ammerman, Esquire  
Solicitor for the Clearfield-Lawrence  
Township Joint Airport Authority

FILED 

SEP 01 2006

0.1 ± 200

William A. Shaw

Prothonotary/Clerk of Courts  
2 CENTS TO ATT  
REINSTATE COUN. TO ATT

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

**MOTION FOR SERVICE OF COMPLAINT**  
**BY PUBLICATION PURSUANT TO SPECIAL ORDER**  
**OF COURT UNDER PA R.C.P. 430**

TO: THE HONORABLE PAUL A. CHERRY, J.

AND NOW COMES David S. Ammerman, Esquire, as solicitor for the Clearfield-Lawrence Township Joint Airport Authority, Plaintiff, and sets forth the following:

1. The Plaintiff, Clearfield-Lawrence Joint Airport Authority (Authority) is a Pennsylvania municipal authority with its address at 800 Airport Road, Clearfield, Pennsylvania 16830.

2. The Defendant, Brett K. James (James) is an individual whose last known address is 209 East McClellan Avenue, Livingston, New Jersey 07039.

3. Plaintiff, on December 13, 2005 filed a complaint against Defendant Brett K. James for storage costs incurred and due Plaintiff from on or about September, 1997 when Defendant as the owner of a 1988 CASSUT aircraft bearing FAA Registration No. N9XR landed his aircraft at the Clearfield-Lawrence Airport and requested repair services and temporary storage and thereafter left the airport premises; approximately 1 year later a person identifying himself as Brett K. James telephone Richard Shaffer, Authority member and airport manager, and said he, the alleged Brett K. James, intended to remove the aircraft from the airport premises. Airport Manager Shaffer informed the caller that upon proper identity and payment of storage costs to date, then \$2,000.00, possession of the aircraft would be delivered to the Defendant. Nothing was ever heard from the Defendant or anyone on his behalf since the telephone call to the Airport Manager in 1998. The aircraft has remained in storage and storage costs have now exceeded the sum of \$10,000.00.

FILED  
SEP 01 2006  
01/11:00 AM  
William A. Shaw  
Prothonotary/Clerk of Courts

4. Plaintiff, at various times, has attempted to obtain the service of the complaint upon the Defendant but has been unable to complete service as the whereabouts of the Defendant is unknown. Attached hereto and made a part hereof is an affidavit stating the nature and extent of the investigation which was made to determine the whereabouts of Defendant and the reasons why service cannot be made.

WHEREFORE, Plaintiff moves your Honorable Court to issue an order authorizing service of the complaint by publication pursuant to PA R.C.P. 430.

Respectfully submitted,



David S. Ammerman, Esquire  
Solicitor for Plaintiff

9/1/06

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

## AFFIDAVIT

AND NOW this 1st day of September, 2006 comes David S. Ammerman, Attorney at Law, as Affiant and under oath and intending to be legally bound hereby, sets forth the following:

That on December 13, 2005 your Affiant filed a civil complaint at the above term and number for the Plaintiff and against the Defendant Brett K. James for aircraft storage charges in an amount in excess of \$10,000.00;

That Defendant had given his address to Plaintiff as 209 East McClellan Avenue, Livingston, New Jersey 07039;

That Plaintiff confirmed the above address by search of FAA records of the registration of the CASSUT aircraft in storage;

That by certified mail/return receipt requested dated December 19, 2005 Plaintiff sent a certified copy of the complaint to Defendant:

That on January 5, 2006 the complaint was returned to your Affiant by the postal service as never picked up by the addressee;

That on February 15, 2006 Affiant's office conducted a people search via the internet for Brett K. James and found a B. James with an address in Basking Ridge, New Jersey:

That on February 24, 2006 Affiant mailed the complaint by certified mail/return receipt requested to Brett K. James at the Basking Ridge, New Jersey address:

That on March 4, 2006 the postal service returned said complaint marked "refused" with the occupant being identified as "Bert" James:

That on March 16, 2006 the complaint was reinstated by the Prothonotary:

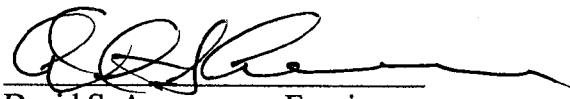
On April 7, 2006 Affiant's office again did a people search via the internet and found an address for a Brett James in Hewitt, New Jersey;

On May 9, 2006 a certified copy of the reinstated complaint was sent via certified mail/return receipt requested to Brett K. James at 695 Shore Road, East Hewitt, New Jersey;

On May 13, 2006 the complaint was returned by the postal service to Affiant's office as "undeliverable" and upon inquiry to the postal service, Affiant was informed that the occupant had moved and left no forwarding address;

Affiant subsequently again tried to contact Defendant at the 209 East McClellan Avenue, Livingston, New Jersey by obtaining, at Affiant's expense, additional information from the people search and subsequently made a telephone call to the occupant who answered the phone with a foreign accent and stated that Brett K. James no longer resided there.

Attached hereto and made a part hereof are the original certified mail receipts and envelopes showing the failed attempts to make service upon the Defendant.



\_\_\_\_\_  
David S. Ammerman, Esquire  
Solicitor for Plaintiff

SWORN to and SUBSCRIBED  
before me this 1<sup>st</sup> day of  
September, 2006.



\_\_\_\_\_  
Notary Public

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2010  
Clearfield Co., Clearfield, PA

U.S. POSTAL SERVICE  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only. No Insurance Coverage Provided)

5371 5371 5371  
6639 6639 6639  
0002 0002 0002  
2510 2510 2510  
7001 7001 7001

**OFFICIAL USE**

BASKING RIDGE NJ 07920

Postage	\$ 0.63
Certified Fee	\$2.40
Return Receipt Fee (Endorsement Required)	\$1.85
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 4.88

0830  
14  
Basking Ridge  
02/24/2006  
CERTIFIED

Sent To  
Brett K. James  
Street, Apt. No.  
or PO Box No. 14 Stoneview Court  
City, State, ZIP+4  
Basking Ridge, NJ 07920-3607

PS Form 3800, January 2001  
See Reverse for Instructions

**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

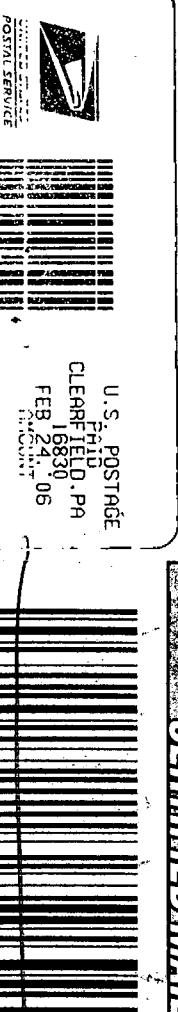
**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is *not* available for class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

**DAVID S. AMMERMAN**

ATTORNEY AT LAW  
310 EAST CHERRY STREET  
CLEARFIELD, PENNSYLVANIA 16830



RETURN RECEIPT  
REQUESTED

UNABLE TO FORWARD

TELE 6E99 2000 0152-1002

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Brett K. James  
14 Stoneview Court  
Basking Ridge, NJ 07920-3607

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature	<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Addressee
X		
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

3. Service Type

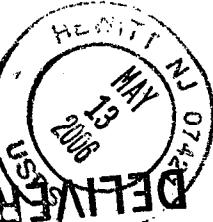
Certified Mail    Express Mail  
 Registered    Return Receipt for Merchandise  
 Insured Mail    C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label)	7001 2510 0002 6639 5371
PS Form 29	102595-02-11-1034
Domestic Return Receipt	



RESTITUTED



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Brett K. James  
695, Shore Road East  
Hewitt, New Jersey 07421

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name)  C. Date of Delivery  
MAY 15, 2006

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

RESTITUTED



12. Article Number  
(Transfer from service label)

Delivery Receipt

102595-02-M-1540

**DAVID S. AMMERMAN**

ATTORNEY AT LAW

310 EAST CHERRY STREET  
CLEARFIELD, PENNSYLVANIA 16830



**CERTIFIED MAIL**

PLACE STICKER  
ON THE RETURN ADDRESS

**RESTRICTED  
DELIVERY**

U.S. POSTAGE  
PHOTO  
CLEARFILED PH  
16830  
19.05  
AMOUNT  
\$8.15  
not r. mail in the  
Office in BOSTON  
209 LIVINGSTON, NO  
00623-07

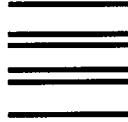


**HOLD**

1st Notice 12/21  
2nd Notice 12/21  
Return 12/21

*[Large handwritten signature]*

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- **Sender:** Please print your name, address, and ZIP+4 in this box •

**David S. Ammerman, Esquire**  
310 East Cherry Street  
Clearfield, PA 16830

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Brett K. James  
209 East McClellan Avenue  
Livingston, NJ 07039

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  
If YES, enter delivery address below:  
 Yes  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label) 7001 2510 0002 6639 5364

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035



**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

OFFICIAL USE

7001 2510	0002 6639	5623
<b>HEWITT NJ 07421</b>		
Postage	\$ 10.63	
Certified Fee	\$2.40	
Return Receipt Fee (Endorsement Required)	\$1.85	0830 01 Postmark PA Hewitt MAY 9 2006
Restricted Delivery Fee (Endorsement Required)	\$3.70	05/09/2006 U.S.
Total Postage & Fees	\$ 8.58	
Sent To Brett K. James Street, Apt. No. or PO Box No. 695 Shore Road East		
City, State, ZIP+4 Hewitt, NJ 07421		

PS Form 3800 (January 2001)

See Reverse for Instructions

**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only, No Insurance Coverage Provided)*

**OFFICIAL USE**

Postage	\$ 0.60	0830 07 Postmark Here
Certified Fee	\$2.30	
Return Receipt Fee (Endorsement Required)	\$1.75	
Restricted Delivery Fee (Endorsement Required)	\$3.50	
Total Postage & Fees	\$ 8.15	12/19/2005

Sent To **Brett K. James**  
Street, Apt. No.; 209 East McClelland Avenue  
or PO Box No.  
City, State, ZIP+4 **Livingston, NJ 07039**

**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

**Important Reminders:**

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- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

DAVID S. AMMERMAN  
Attorney at Law

— Lap over margin —

DAVID S. AMMERMAN  
Attorney at Law  
310 EAST CHERRY STREET  
CLEARFIELD, PA 16830

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

CLEARFIELD-LAWRENCE TOWNSHIP  
JOINT AIRPORT AUTHORITY,  
Plaintiff

\*  
\*  
\*  
\* No. 05-1940-CD  
\*  
\*

Vs.

BRETT K. JAMES,  
Defendant

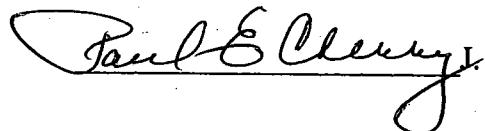
\*

**ORDER OF COURT AUTHORIZING SERVICE OF  
COMPLAINT UPON DEFENDANT BY PUBLICATION**

AND NOW this 15<sup>th</sup> day of September, 2006 this Court, upon motion of Plaintiff for service upon Defendant by publication pursuant to PA R.C.P. 430 and being satisfied that Plaintiff's attempt to serve the complaint upon the Defendant, an out of state resident, as set forth by affidavit filed, attempted service at Defendant's last known address without success and thereafter having conducted online people searches for Defendant and sending further complaints by certified mail/return receipt requested to Defendant at different addresses, which letters have been returned, and further that inquiries with U.S. Postal Service have indicated that although Defendant appears to have resided at the East Hewitt New Jersey address, Defendant has moved and left no forwarding address.

NOW THEREFORE, this Court being satisfied that the Plaintiff has complied with the requirements of PA R.C.P. 430 and showing good faith attempts by various means has diligently sought to locate and serve the complaint upon the Defendant, it is hereby ORDERED AND DECREED that the Plaintiff hereby is authorized to serve the complaint upon the Defendant by publication one (1) time in the Clearfield County Legal Journal and one (1) time in the Clearfield Progress.

BY THE COURT:



FILED *cc Atty*  
09/07/06 Ammerman  
SEP 06 2006 *(CR)*

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 9-6-2006

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

FILED

SEP 06 2006

William A. Shaw  
Prothonotary/Clerk of Courts

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

CLEARFIELD-LAWRENCE TOWNSHIP  
JOINT AIRPORT AUTHORITY,  
Plaintiff

\*

\*

\*

No. 05-1940-CD

Vs.

\*

\*

\*

BRETT K. JAMES,  
Defendant

\*

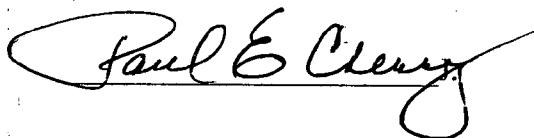
\*

**ORDER OF COURT**

AND NOW this 7<sup>th</sup> day of March, 2007 it appearing the Plaintiff has properly  
complied with the order of this Court authorizing service of the complaint upon Defendant by  
publication pursuant to the requirements of PA R.C.P. 430 and that more than 30 days have  
passed since the publication has appeared in the Clearfield Progress and in the Clearfield County  
Legal Journal with no action taken by the Defendant personally or by representation to respond  
to Plaintiff's complaint.

NOW THEREFORE it is the order of this Court that judgment be entered against the  
Defendant Brett K. James for the sum of \$10,811.00 plus storage, interest and costs.

BY THE COURT:



**FILED**

MAR 07 2007

014001/C

William A. Shaw

Prothonotary/Clerk of Courts

(CR)

1 CLEARY TO ATT

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

**MOTION FOR JUDGMENT**

TO: THE HONORABLE PAUL E. CHERRY, J.

AND NOW COMES David S. Ammerman, Esquire, as solicitor for the Clearfield-Lawrence Township Joint Airport Authority, Plaintiff, and sets forth the following:

1. That on September 1, 2006 your Honorable Court by order authorized service of the complaint upon the Defendant by publication pursuant to PA R.C.P. 430.
2. That Plaintiff prepared a notice to Defendant in the form and manner as required by PA R.C.P. 430 and submitted the same to the Clearfield Progress and the Clearfield County Legal Journal for publication.
3. That said legal notice was published in the Clearfield Progress on November 14, 2006 and in the Clearfield County Legal Journal on November 24, 2006. Originals of said publications being labeled Exhibit "A" and Exhibit "A1" and being attached hereto and made a part hereof.
4. That more than 30 days have elapsed since the notice to the Defendant has been published and no action has been taken by the Defendant either personally or by representation on the record or otherwise to defend the lawsuit filed by Plaintiff.

WHEREFORE, Plaintiff hereby requests the Court to enter judgment for the Plaintiff against the Defendant for the sum of \$10,811.00 plus storage, interest and costs.

Respectfully submitted,

  
David S. Ammerman, Esquire  
Solicitor for Plaintiff

IN THE COURT OF COMMON  
PLEAS OF CLEARFIELD  
COUNTY, PENNSYLVANIA  
CIVIL DIVISION  
CLEARFIELD-LAWRENCE  
TOWNSHIP JOINT AIRPORT AU-  
THORITY, Plaintiff  
VS.  
BRETT K. JAMES, Defendant  
No. 05-1940-CD  
SERVICE OF COMPLAINT AT LAW  
UPON DEFENDANT  
BY PUBLICATION PURSUANT TO  
COURT ORDER  
TO: BRETT K. JAMES, DEFEN-  
DANT

The following is a summary of the  
lawsuit against you:

The Plaintiff Authority operates the Clearfield-Lawrence Airport. In September, 1997 Defendant, the owner of a 1988 CASSUT aircraft landed at the airport and requested repair services and temporary storage for the aircraft more than a year later. The airport manager received a telephone call from a party identifying himself as Defendant and stated that he intended to pick up the aircraft. After being informed of accrued storage charges of approximately \$2,000.00 the caller terminated the telephone call and has never been heard from since. The aircraft still remains in storage at the airport with accrued costs of \$10,811.00 as of October 1, 2005. Many attempts including internet searches made by the Plaintiff to locate and serve the complaint upon Defendant have been futile. Upon motion filed, the Honorable Paul E. Cherry, Judge, has authorized this service of the complaint upon Defendant by publication pursuant to R.C.P. 430.

David Ammerman, Esquire  
Attorney for Plaintiff  
310 East Cherry Street  
Clearfield, Pennsylvania 16830

NOTICE  
TO: BRETT K. JAMES, DEFEN-  
DANT

If you wish to defend, you must enter a written appearance personally or by an attorney and file your defenses or objections in writing with the court. You are warned that if you failed to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PA-  
PER TO A LAWYER AT ONCE. IF  
YOU DO NOT HAVE A LAWYER,  
GO TO OR TELEPHONE THE OF-  
FICE SET FORTH BELOW. THIS  
OFFICE CAN PROVIDE YOU WITH  
INFORMATION ABOUT HIRING A  
LAWYER.

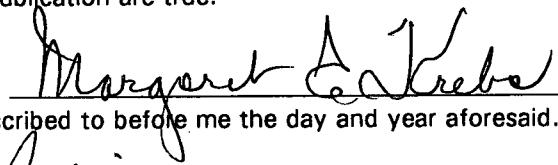
IF YOU CANNOT AFFORD TO  
HIRE A LAWYER, THIS OFFICE  
MAY BE ABLE TO PROVIDE YOU  
WITH INFORMATION ABOUT  
AGENCIES THAT MAY OFFER LE-  
GAL SERVICES TO ELIGIBLE  
PERSONS AT A REDUCED FEE  
OR NO FEE.

Clearfield County  
Court Administrator  
Clearfield County Courthouse  
Suite 228, 230 East Market Street  
Clearfield, PA 16830  
(814) 765-2641

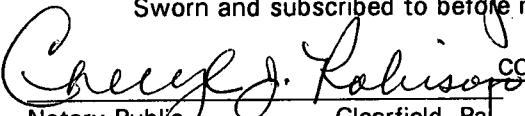
## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

On this 28th day of November, A.D. 2006, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in the regular issues of November 14, 2006. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.



Sworn and subscribed to before me the day and year aforesaid.



Notary Public

Clearfield, Pa.

My Commission Expires  
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

Exhibit "A"

**Co.**

Gene Hagens, Chairperson

**O.**

Terry Collins,  
Chairperson

**nbus**

Clyde Ransel,  
Chairperson

**ire Co. #1**

Bill Armstrong,  
Chairperson

**all**

Doug Zazworsky, Chairperson

**Co.**

Key Fire Co.  
Chairperson

**urch**

Katie Murawski,  
Chairperson

**sh Center**

Jack Archer,

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

:

On this 24th day of November AD 2006, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of November 24, 2006, Vol. 18 No. 47. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire  
Editor

Sworn and subscribed to before me the day and year aforesaid.

Sharon J. Pusey  
Notary Public  
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

David S Ammerman  
310 E Cherry St  
Clearfield PA 16830

of November 7, 2006, under the provisions of the Pennsylvania Non-Profit Corporation Law of 1988.

Wm. Lynn Hollen, Esquire, 1633 E. Pleasant Valley Blvd., Altoona, PA 16602, (814) 942-1131.

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

CLEARFIELD-LAWRENCE TOWNSHIP  
JOINT AIRPORT AUTHORITY, Plaintiff vs.  
BRETT K. JAMES, Defendant

No. 05-1940-CD

SERVICE OF COMPLAINT AT LAW  
UPON DEFENDANT BY PUBLICATION  
PURSUANT TO COURT ORDER

TO: BRETT K. JAMES, DEFENDANT

The following is a summary of the  
lawsuit against you:

The Plaintiff Authority operates the Clearfield-Lawrence Airport. In September 1997 Defendant, the owner of a 1988 CASSUT aircraft landed at the airport and requested repair services and temporary storage for the aircraft. More than a year later, the airport manager received a telephone call from a party identifying himself as Defendant and stated that he intended to pick up the aircraft. After being informed of accrued storage charges of approximately \$2,000.00 the caller terminated the telephone call and has never been heard from since. The aircraft still remains in storage at the airport with accrued costs of \$10,811.00 as of October 1, 2005. Many attempts including internet searches made by the Plaintiff to locate and serve the complaint upon Defendant have been futile. Upon motion filed, the Honorable Paul E. Cherry, Judge, has authorized this service of the complaint upon Defendant by publication pursuant to R.C.P. 430.

David S. Ammerman Esquire, Attorney for Plaintiff, 310 East Cherry Street, Clearfield, Pennsylvania 16830.

**NOTICE**

TO: BRETT K. JAMES, DEFENDANT

If you wish to defend, you must enter a written appearance personally or by an attorney and file your defenses or objections in writing with the court. You are warned that if you failed to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO

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

Clearfield County Court Administrator, Clearfield County Courthouse, Suite 228, 230 East Market Street, Clearfield, PA 16830, (814) 765-2641.

DAVID S. AMMERMAN, 310 East Cherry Street, Clearfield, PA 16830.

**ADOMIS, MARJORIE R.**, Dec'd  
Late of Morris Township  
Executor: **GAIL E. OHL**  
563 Eagle Street  
Morrisdale, PA 16858

Second Publication

**FULLINGTON, JOHN RICHARD SR.**, Dec'd  
a/k/a **J. RICHARD FULLINGTON SR.**

Late of Clearfield  
Executrix: **AERIAL F. WEISMAN**  
Attorney: **CARL A. BELIN, JR.**  
PO Box 1  
15 North Front Street  
Clearfield, PA 16830

**WACHTER, JAMES R.**, Dec'd  
a/k/a **JAMES RUDOLPH WACHTER**  
Late of Grampian

Account, it will be Confirmed Absolutely, as of course, without further notice, by the Court in 10 days.

Rose P. Bungo, Administratrix, Estate of Mark F. Kitko a/k/a Mark Kitko, late of Ramey Clearfield, County.

Lynn N. Spackman, Executor, Estate of Eveline L. Gardner, late of Curwensville, Clearfield County.

Sally A. Learn, Executrix, Estate of Jane Marie Derrick a/k/a Jane M. Derrick, late of Clearfield, Clearfield County.

Dorothy Kelly, Administratrix, Estate of Michael Robert Babick, late of Frenchville, Clearfield County.

Lyle F. Domico, Executor, Estate of Margaret M. Tice, late of Curwensville, Clearfield County.

Terry L. Green, Thomas Green, Dennis Green and Harold, Co-Administrators, Estate of Sylvia A. Green, late of Woodland, Clearfield County.

James H. Freyer, Executor, Estate of Isaac A. Freyer, a/k/a Isaac Freyer, a/k/a Ike Freyer, late of Clearfield, Clearfield County.

Susan Gail Duttry, Executrix Estate of John L. Bailey, late of Rockton, Clearfield County.

Wanda Holmes, Administratrix, Estate of Julia E. Whipkey, late of DuBois, Clearfield County.

Irene McMichael, Executrix Estate of Louis J. Brunswick, late of DuBois, Clearfield County.

Mona Stephanian, Executrix, Estate of Carl R. Penman, late of Sandy Township, Clearfield County.

Michael C. P. Breck, Executor, Estate of Stephen Breck, late of Sandy Township, Clearfield County.

Paula M. Cherry, Executrix, Estate of Raymond H. Marsh, late of DuBois, Clearfield County.

Third & Partial Account of S & T Bank, Trustee of J. Clyde Martin T/U/W, late of DuBois, Clearfield County.

S & T Bank, Executor, Estate of Elsie Mae Marshall, late of DuBois, Clearfield County.

**KAREN L. STARCK, REGISTER OF WILLS & CLERK OF ORPHANS COURT, PO Box 361, Clearfield, PA 16830.**

ADV: NOVEMBER 17 & 24, 2006.

#### NOTICE OF INCORPORATION

Notice is hereby given that EVANGELICAL BAPTIST CHURCH OF OSCEOLA MILLS, INC. has been incorporated as a Non-Profit Corporation as

Lap over margin

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

CLEARFIELD-LAWRENCE  
TOWNSHIP JOINT AIRPORT  
AUTHORITY, Plaintiff

v.

BRETT K. JAMES, Defendant

MOTION FOR JUDGMENT

DAVID S. AMMERMAN  
Attorney at Law  
310 EAST CHERRY STREET  
CLEARFIELD, PA 16830

FILED  
MAR 06 2007  
William A. Shaw  
Prothonotary/Clerk of Courts

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

CLEARFIELD-LAWRENCE TOWNSHIP  
JOINT AIRPORT AUTHORITY,  
Plaintiff

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

No. 05-1940-CD

Vs.

BRETT K. JAMES,  
Defendant

**PRAECIPE FOR ENTRY OF JUDGMENT**

TO: WILLIAM A. SHAW, Prothonotary:

Pursuant to Order of Court dated March 7, 2007, please enter judgment for the Plaintiff and  
against the Defendant in the above captioned action in the amount of \$10,811.00.



David S. Ammerman, Esquire  
Attorney for Plaintiff

**FILED**

APR 30 2008  
6/9/08

William A. Shaw  
Prothonotary/Clerk of Courts  
NOTICE TO DEF.  
STATEMENT  
ATT

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Clearfield-Lawrence Township Joint Airport  
Authority

Vs.

No. 2005-01940-CD

Brett K. James

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered  
against you in the amount of \$10,811.00 on April 30, 2008.

William A. Shaw  
Prothonotary

---

William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

Clearfield-Lawrence Township Joint Airport  
Authority  
Plaintiff(s)

No.: 2005-01940-CD

Real Debt: \$10,811.00

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Brett K. James  
Defendant(s)

Entry: \$20.00

Instrument: Court Ordered Judgment

Date of Entry: April 30, 2008

Expires: April 30, 2013

Certified from the record this April 30, 2008

---

William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

---

Plaintiff/Attorney

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

**CLEARFIELD-LAWRENCE TOWNSHIP  
JOINT AIRPORT AUTHORITY,  
Plaintiff** \* \* \* \* No. 05-1940-CD

vs.

BRETT K. JAMES,  
Defendant

## **PRAECIPE FOR WRIT OF EXECUTION**

TO: WILLIAM A. SHAW, Prothonotary:

Issue writ of execution in the above matter:

(1) directed to the Sheriff of Clearfield County

(2) against Brett K. James, Defendant;

(3) against N/A, garnishee:

(4) and enter this writ in the judgment index:

(a) against Brett K. James, Defendant;

(b) against N/A, garnishee, as a lis pendens against real property of the Defendant in name of garnishee as follows:

NA

(5) Amount due ..... \$10,811.00

Interest from March 22, 2008 ..... 702.00

Costs to be added ..... 270.00

Total ..... \$11,783.00



David S. Ammerman, Esquire  
Attorney for Plaintiff

FILED  
APR 30 2008  
0/9-001(w)  
William A. Shaw  
Prothonotary/Clerk of Courts  
6 write to ATT  
NO CEN.

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Clearfield-Lawrence Township Joint Airport Authority  
Plaintiff

Vs.

NO.: 2005-01940-CD

Brett K. James  
Defendant

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against CLEARFIELD-LAWRENCE TOWNSHIP JOINT AIRPORT AUTHORITY, Plaintiff(s) from BRETT K. JAMES, , Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

as garnishee(s):

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

(4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$10,811.00  
INTEREST FROM: March 22, 2008 - \$702.00  
ATTY'S COMM: \$  
DATE: 4/30/2008

PROTH. COSTS PAID: \$139.00  
SHERIFF: \$  
OTHER COSTS: \$270.00

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Sheriff

---

William A. Shaw  
Prothonotary/Clerk Civil Division

Requesting Party: David S. Ammerman, Esq.  
310 East Cherry Street  
Clearfield, PA 16830  
814-765-1701

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20778  
NO: 05-1940-CD

PLAINTIFF: CLEARFIELD-LAWRENCE TOWNSHIP JOINT AIRPORT AUTHORITY  
VS.  
DEFENDANT: BRETT K. JAMES

Execution PERSONAL PROPERTY

**SHERIFF RETURN**

DATE RECEIVED WRIT: 5/2/2008

LEVY TAKEN 6/10/2008 @ 1:32 PM

POSTED 6/17/2008 @ 1:58 PM

SALE HELD 8/22/2008

SOLD TO AND AMOUNT GERALD BUMBARGER

SOLD TOTAL AMOUNT \$6,000.00 PLUS COSTS

WRIT RETURNED 9/5/2008

**FILED**  
09-01-08  
SEP 05 2008  
WM  
William A. Shaw  
Prothonotary/Clerk of Courts

**SERVICES**

6/17/2008 @ SERVED BRETT K. JAMES

SERVED BRETT K. JAMES, DEFENDANT, BY MAIL TO 209 EAST MCCLELLAN AVENUE, LIVINGSTON, NJ 07039

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, AUGUST 22, 2008 SOLD PERSONAL PROPERTY (1988 CASSUTT AIRPLANE) TO GERALD BUMBARGER, 410 E. LOCUST STREET, CLEARFIELD, PA AND RECEIVED PAYMENT IN FULL.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, SEPTEMBER 5, 2008 PAID COSTS AND RETURN WRIT AS SALE COMPLETED.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM / HER THE CONTENTS THEREOF.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20778  
NO: 05-1940-CD

PLAINTIFF: CLEARFIELD-LAWRENCE TOWNSHIP JOINT AIRPORT AUTHORITY

vs.

DEFENDANT: BRETT K. JAMES

Execution PERSONAL PROPERTY

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$222.68

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

*Chester A. Hawkins*  
*By: Anthony Butterworth*  
Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Clearfield-Lawrence Township Joint Airport Authority  
Plaintiff

Vs.

NO.: 2005-01940-CD

Brett K. James  
Defendant

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against CLEARFIELD-LAWRENCE TOWNSHIP JOINT AIRPORT AUTHORITY, Plaintiff(s) from BRETT K. JAMES, , Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

as garnishee(s):

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

(4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$10,811.00  
INTEREST FROM: March 22, 2008 - \$702.00  
ATTY'S COMM: \$  
DATE: 4/30/2008

PROTH. COSTS PAID: \$139.00  
SHERIFF: \$  
OTHER COSTS: \$270.00

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 2nd day  
of May A.D. 2008  
At 11:30 A.M./P.M.

Chester A. Waukehs  
Sheriff by Centree Butler-Augheral

Requesting Party: David S. Ammerman, Esq.  
310 East Cherry Street  
Clearfield, PA 16830  
814-765-1701

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME BRETT K. JAMES

NO. 05-1940-CD

NOW, September 04, 2008, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on August 22, 2008, I exposed the within described real estate of Brett K. James to public venue or outcry at which time and place I sold the same to GERALD BUMBARGER he/she being the highest bidder, for the sum of \$6,000.00 plus costs and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR SERVICE	9.00	DEBT-AMOUNT DUE	10,811.00
MILEAGE	9.00	INTEREST @ %	0.00
LEVY	2.00	FROM TO 08/22/2008	
MILEAGE	2.00	PROTH SATISFACTION	
POSTING	9.00	LATE CHARGES AND FEES	
CSDS		COST OF SUIT-TO BE ADDED	
COMMISSION	120.00	FORECLOSURE FEES	
POSTAGE	1.68	ATTORNEY COMMISSION	
HANDBILLS	10.00	REFUND OF ADVANCE	
DISTRIBUTION		REFUND OF SURCHARGE	20.00
ADVERTISING		SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
DEED		PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	702.00
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY		<b>TOTAL DEBT AND INTEREST</b>	<b>\$11,533.00</b>
BID AMOUNT	6,000.00		
RETURNS/DEPUTIZE		<b>COSTS:</b>	
COPIES	15.00	ADVERTISING	0.00
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS	20.00	DUE	
<b>TOTAL SHERIFF COSTS</b>	<b>\$222.68</b>	LIEN SEARCH	
		ACKNOWLEDGEMENT	
ACKNOWLEDGEMENT		DEED COSTS	0.00
REGISTER & RECORDER		SHERIFF COSTS	222.68
TRANSFER TAX 2%	0.00	LEGAL JOURNAL COSTS	0.00
<b>TOTAL DEED COSTS</b>	<b>\$0.00</b>	PROTHONOTARY	139.00
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$361.68</b>

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff