

05-1984-CD
W.Cunningham et vs Tara Finley

Wallace Cunningham et vs Tara Finley
2005-1984-CD

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # 101107

WALLACE L. CUNNINGHAM, JOHN T. MARETT & CRAIG R. MARETT

Case # 05-1984-CD

vs.

TARA FINLEY

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW March 15, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO TARA FINLEY, DEFENDANT. MOVED TO FLORIDA.

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	BLAKLEY	4395	10.00
SHERIFF HAWKINS	BLAKLEY	4395	31.28

Sworn to Before me This

So Answers,

____ Day of _____ 2006

*Chester A. Hawkins
by Marilyn Harr*
Chester A. Hawkins
Sheriff
FILED
03:15 pm *UP*
MAR 15 2006

William A. Shaw
Prothonotary

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

WALLACE L. CUNNINGHAM,) NO. 05-1984-C.D.
JOHN T. MARETT and CRAIG R.)
MARETT,) Type of Case: CIVIL ACTION
Plaintiff,)
) Type of Pleading: COMPLAINT
vs.)
TARA FINLEY,) Filed on Behalf of:
Defendant.) Plaintiff
)
) Counsel of Record:
) BENJAMIN S. BLAKLEY, III, ESQ.
) Supreme Court no. 26331
)
) BLAKLEY & JONES
) 90 Beaver Drive, Box 6
) Du Bois, Pa 15801
) (814) 371-2730

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

DEC 22 2005

Attest.

William L. Blair
Prothonotary/
Clerk of Courts

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

WALLACE L. CUNNINGHAM, JOHN) NO. 05- -C.D.
T. MARETT and CRAIG R. MARETT,)
)
)
Plaintiff,)
)
)
vs.)
)
)
TARA FINLEY,)
)
)
Defendant.)
)
)

NOTICE TO DEFEND

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 IS SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY 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 AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT REQUESTED BY 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.

David S. Meholic,
Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641

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

WALLACE L. CUNNINGHAM, JOHN) NO. 05- -C.D.
T. MARETT and CRAIG R. MARETT,)
)
)
Plaintiff,)
)
)
vs.)
)
)
TARA FINLEY,)
)
)
Defendant.)
)
)

COMPLAINT

AND NOW comes the Plaintiffs, **WALLACE L. CUNNINGHAM, JOHN T. MARETT and CRAIG R. MARETT**, by and through his attorneys, **BLAKLEY & JONES**, and file the following Complaint against the Defendant, **TARA FINLEY**, of which the following is a statement:

1. Plaintiffs are **WALLACE L. CUNNINGHAM, JOHN T. MARETT and CRAIG R. MARETT**, partners, with their business address being located at 117 East Leasure Avenue, New Castle, Lawrence County, Pennsylvania, 16101.
2. Defendant is **TARA FINLEY**, an adult individual residing at 335 Kiwanis Trail, DuBois, Clearfield County, Pennsylvania.
3. At all times material hereto, the Plaintiffs were the owners of real property located in the Township of Sandy, Clearfield County, Pennsylvania, and located at 1202 South Brady Street, DuBois, Clearfield County, Pennsylvania.

4. By agreement dated December 7, 2004, the Plaintiffs and Defendant entered into a lease, whereby the Defendant did agree to lease from the Plaintiffs their real property located at 1202 South Brady Street, DuBois, Clearfield County, Pennsylvania, for a period of one (1) year, commencing January 1, 2005, and concluding December 31, 2005, for the monthly rental amount of \$2,162.00. A copy of said lease agreement is attached hereto and made a part hereof and is marked Plaintiff's Exhibit A.

5. The Defendant took possession of the property and made monthly rental payments to the Plaintiffs until July, 2005, at which time, the Defendant ceased paying to the Plaintiffs monthly rental payments pursuant to her lease agreement of December 7, 2004, with the Plaintiffs.

6. Further, Defendant did terminate her occupancy of the said premises on or during the month of September, 2005.

7. The actions of the Defendant in failing to pay her monthly rental obligation constitutes a breach of the Defendant's lease of December 7, 2004, with the Plaintiffs.

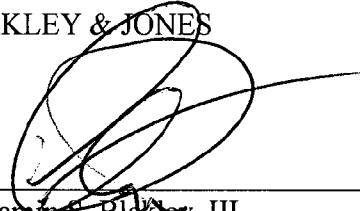
8. As the result of her breach of the lease agreement of December 7, 2004, Defendant is liable over unto the Plaintiffs for monthly rental for the months of July, 2005, through December, 2005, for a total obligation of \$12,972.00.

9. Despite requests for payment of the amounts due and owing the Plaintiffs, the Defendant has failed and refused to pay the rents due and owing the Plaintiffs under the parties' lease agreement of December 7, 2004.

WHEREFORE, Plaintiffs demand judgment against the Defendant in the amount of \$12,972.00, together with interest from July 1, 2005, and costs of suit.

Respectfully Submitted,

BLAKLEY & JONES



Benjamin S. Blakley, III
Attorney for Plaintiff

VERIFICATION

I, WALLACE L. CUNNINGHAM, JOHN T. MARRETT and CRAIG R. MARRETT, hereby state that I am the Plaintiff in this action and verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information, and belief. I understand that the statements therein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Dated: 12/14/05

Wallace L Cunningham
WALLACE L. CUNNINGHAM

Dated: 12/14/05

J. T. Marrett
JOHN T. MARRETT

Dated: 12/14/05

Craig R. Marrett
CRAIG R. MARRETT

FILED

MAR 15 2006

William A. Shaw
Prothonotary

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

WALLACE L. CUNNINGHAM,
JOHN T. MARETT and CRAIG R.
MARETT,

Plaintiff,

vs.

TARA FINLEY,

Defendant.

) NO. 05- 1984-C.D.
)
)
Type of Case: CIVIL ACTION
)
)
Type of Pleading: COMPLAINT
)
)
Filed on Behalf of:
)
Plaintiff
)
Counsel of Record:
)
BENJAMIN S. BLAKLEY, III, ESQ.
)
Supreme Court no. 26331
)
)
BLAKLEY & JONES
)
90 Beaver Drive, Box 6
)
Du Bois, Pa 15801
)
(814) 371-2730

FILED *Atty pd.*
019:29 AM 85.00
DEC 22 2005
Clerk of Courts
William A. Shaw
Prothonotary/Clerk of Courts
4CC Atty

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

WALLACE L. CUNNINGHAM, JOHN) NO. 05- -C.D.
T. MARETT and CRAIG R. MARETT,)
)
)
Plaintiff,)
)
)
vs.)
)
)
TARA FINLEY,)
)
)
Defendant.)
)

NOTICE TO DEFEND

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 IS SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY 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 AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT REQUESTED BY 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.

David S. Meholic,
Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641

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

WALLACE L. CUNNINGHAM, JOHN) NO. 05- -C.D.
T. MARETT and CRAIG R. MARETT,)
)
)
Plaintiff,)
)
)
vs.)
)
)
TARA FINLEY,)
)
)
Defendant.)
)
)

COMPLAINT

AND NOW comes the Plaintiffs, **WALLACE L. CUNNINGHAM, JOHN T. MARETT and CRAIG R. MARETT**, by and through his attorneys, **BLAKLEY & JONES**, and file the following Complaint against the Defendant, **TARA FINLEY**, of which the following is a statement:

1. Plaintiffs are **WALLACE L. CUNNINGHAM, JOHN T. MARETT and CRAIG R. MARETT**, partners, with their business address being located at 117 East Leasure Avenue, New Castle, Lawrence County, Pennsylvania, 16101.
2. Defendant is **TARA FINLEY**, an adult individual residing at 335 Kiwanis Trail, DuBois, Clearfield County, Pennsylvania.
3. At all times material hereto, the Plaintiffs were the owners of real property located in the Township of Sandy, Clearfield County, Pennsylvania, and located at 1202 South Brady Street, DuBois, Clearfield County, Pennsylvania.

4. By agreement dated December 7, 2004, the Plaintiffs and Defendant entered into a lease, whereby the Defendant did agree to lease from the Plaintiffs their real property located at 1202 South Brady Street, DuBois, Clearfield County, Pennsylvania, for a period of one (1) year, commencing January 1, 2005, and concluding December 31, 2005, for the monthly rental amount of \$2,162.00. A copy of said lease agreement is attached hereto and made a part hereof and is marked Plaintiff's Exhibit A.

5. The Defendant took possession of the property and made monthly rental payments to the Plaintiffs until July, 2005, at which time, the Defendant ceased paying to the Plaintiffs monthly rental payments pursuant to her lease agreement of December 7, 2004, with the Plaintiffs.

6. Further, Defendant did terminate her occupancy of the said premises on or during the month of September, 2005.

7. The actions of the Defendant in failing to pay her monthly rental obligation constitutes a breach of the Defendant's lease of December 7, 2004, with the Plaintiffs.

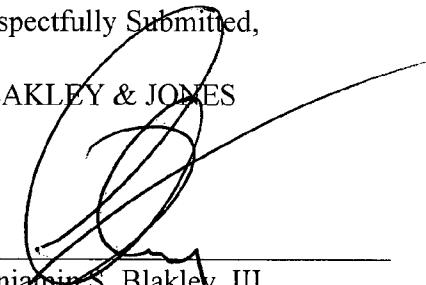
8. As the result of her breach of the lease agreement of December 7, 2004, Defendant is liable over unto the Plaintiffs for monthly rental for the months of July, 2005, through December, 2005, for a total obligation of \$12,972.00.

9. Despite requests for payment of the amounts due and owing the Plaintiffs, the Defendant has failed and refused to pay the rents due and owing the Plaintiffs under the parties' lease agreement of December 7, 2004.

WHEREFORE, Plaintiffs demand judgment against the Defendant in the amount of \$12,972.00, together with interest from July 1, 2005, and costs of suit.

Respectfully Submitted,

BLAKLEY & JONES



Benjamin S. Blakley, III
Attorney for Plaintiff

VERIFICATION

I, WALLACE L. CUNNINGHAM, JOHN T. MARKETT and CRAIG R. MARKETT, hereby state that I am the Plaintiff in this action and verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information, and belief. I understand that the statements therein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Dated: 12/14/05

Wallace L Cunningham
WALLACE L. CUNNINGHAM

Dated: 12/14/05

John T. Markett
JOHN T. MARKETT

Dated: 12/14/05

Craig R. Markett
CRAIG R. MARKETT

Notice of Proposed Termination of Court Case

February 1, 2012

RE: 2005-01984-CD

Wallace L. Cunningham
John T. Marett
Craig R. Marett

Vs.

Tara Finley

FILED
FEB 01 2012
William A. Shaw
Prothonotary/Clerk of Courts

To All Parties and Counsel:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830**. The Statement of Intention to Proceed must be filed on or before April 2, 2012.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

F. Cortez Bell, III
F. Cortez Bell, III, Esq.
Court Administrator

Blakley
Def

FILED
FEB 01 2012

William A. Shaw
Prothonotary/Clerk of Courts

Notice of Proposed Termination of Court Case

February 1, 2012

RE: 2005-01984-CD

Wallace L. Cunningham
John T. Maret
Craig R. Maret

Vs.

Tara Finley

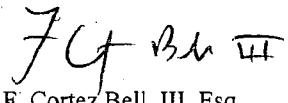
To All Parties and Counsel:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830. The Statement of Intention to Proceed must be filed on or before April 2, 2012.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,


F. Cortez Bell, III, Esq.
Court Administrator

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

WALLACE L. CUNNINGHAM, JOHN T. MARETT, and
CRAIG R. MARETT,
Plaintiffs
vs.
TARA FINLEY
Defendant

* NO. 2005-1984-CD

△ CC to Blakley

FILED

0/9/32/KK

↓
Defendant

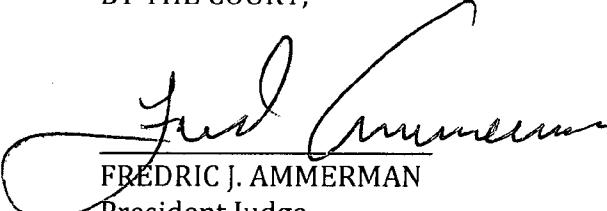
MAR 25 2013

9
William A. Shaw KC
Prothonotary/Clerk of Courts

ORDER

NOW, this 15th day of March, 2013, upon the Court's review of the record, with the Court noting from the docket there has been no activity in the case since March, 2006, and that a Notice of Proposed Termination of Court Case had been mailed to the parties February 1, 2012 with no response having been received, pursuant to the provisions of Rule of Judicial Administration 1901 the case is hereby DISMISSED for inactivity. The Prothonotary shall code the case in Full Court as Z-1901A.

BY THE COURT,


FREDRIC J. AMMERMAN

President Judge

Plaintiff
Atty Benjamin S. Blakley III

Defendant

Tara Finley
335 Kiwanis Trail
DuBois, PA 15801

FILED

MAR 25 2013

William A. Shaw
Prothonotary/Clerk of Courts

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

WALLACE L. CUNNINGHAM, JOHN T. MARETT, and * NO. 2005-1984-CD
CRAIG R. MARETT,

Plaintiffs
vs.
TARA FINLEY
Defendant

* NO. 2005-1984-CD

FILED
01/9/2013 KK
MAR 11 2013

William A. Shaw *KK*
Prothonotary/Clerk of Courts

ORDER

NOW, this 15th day of March, 2013, upon the Court's review of the record, with the Court noting from the docket there has been no activity in the case since March, 2006, and that a Notice of Proposed Termination of Court Case had been mailed to the parties February 1, 2012 with no response having been received, pursuant to the provisions of Rule of Judicial Administration 1901 the case is hereby DISMISSED for inactivity. The Prothonotary shall code the case in Full Court as Z-1901A.

BY THE COURT,

FREDERIC J. AMMERMAN
President Judge

I hereby certify this to be a true and attested copy of the original statement filed in this case.

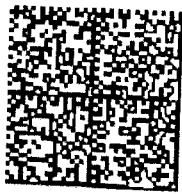
MAR 25 2013

Attest,

William L. Brown
Prothonotary/
Clerk of Courts

William A. Shaw
Prothonotary
P.O. Box 549
Clearfield, PA 16830

016H26524836
\$00.460
03/25/2013
Mailed From 16830
US POSTAGE



Hastier

Tara Finley
335 Kiwanis Trail
DuBois, PA 15801

NOT DELIVERABLE AS ADDRESSED
RECEIVED BY MAIL

PC: 1683005449 * 1013-05118-75-43

1583005449

Prothonotary/Clerk of Courts
William A. Shaw
M/ 2:46 PM

APR 01 2013

LED

