

**Alfred Voyzey vs Mona Dillen
2006-71-CD**

**06-71-CD
Alfred Voyzey vs Mona I Dillen**

ALFRED T. VOYZEY,
Plaintiff
vs.
MONA J. DILLEN,
Defendant

: IN THE COURT OF COMMON PLEAS OF
: CLEARFIELD COUNTY, PENNSYLVANIA
:
: CIVIL DIVISION
:
: NO. 2006-71-C.D

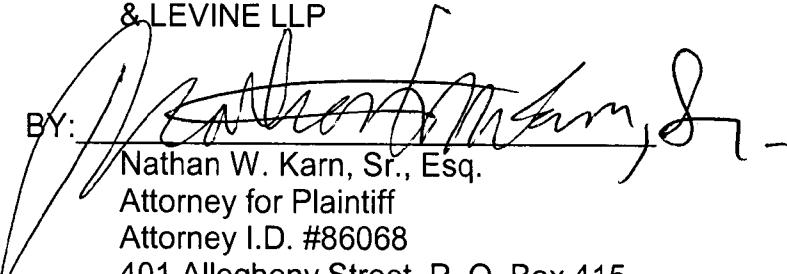
PRAECIPE FOR WRIT OF SUMMONS

TO: PROTHONOTARY OF CLEARFIELD COUNTY:

Enter my appearance for the Plaintiff and issue a Writ of Summons in the
above-captioned matter against the Defendant.

EVEY, ROUTCH, BLACK, DOREZAS, MAGEE
& LEVINE LLP

BY:


Nathan W. Karn, Sr., Esq.

Attorney for Plaintiff

Attorney I.D. #86068

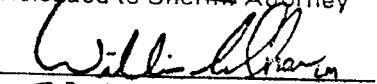
401 Allegheny Street, P. O. Box 415

Hollidaysburg, PA 16648

(814) 695-7581

Dated: 1/12/06

3-14-05
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

FILED
1/12/06 LM cc Atty
JAN 13 2006 Atty
Rec'd at Sheriff
PA \$85.00 Atty

William J. Karn, Jr.
Prothonotary

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION**

SUMMONS

Alfred T. Voyzey

Vs.

NO.: 2006-00071-CD

Mona J. Dillen

TO: MONA J. DILLEN

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 01/13/2006

William A. Shaw
Prothonotary

Issuing Attorney:

Nathan W. Karn Esq
401 Allegheny Street
Hollidaysburg, PA 16648

ALFRED T. VOYZEY,
Plaintiff : IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
:
CIVIL DIVISION
:
vs.
MONA J. DILLEN,
Defendant : NO. 2006-⁷¹~~72~~-CD

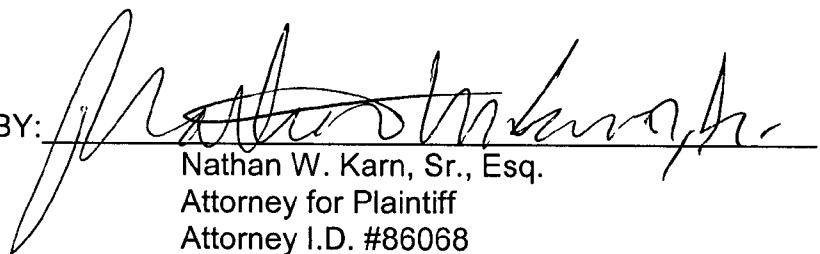
**PRAECIPE TO REISSUE
WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please reissue a Writ of Summons directed to the above-named Defendant.

EVEY, BLACK, DOREZAS, MAGEE, LEVINE,
ROSENSTEEL & MAUK, LLP

BY:


Nathan W. Karn, Sr., Esq.

Attorney for Plaintiff

Attorney I.D. #86068

401 Allegheny Street, P. O. Box 415

Hollidaysburg, PA 16648

(814) 695-7581

Dated: March 10, 2006

FILED No CC
M 12:13 PM MAR 14 2006 Atty pd. 7.00
Writ Reissued to
William A. Shaw
Prothonotary/Clerk of Courts
Atty

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION

CC

SUMMONS

Alfred T. Voyzey

Vs.

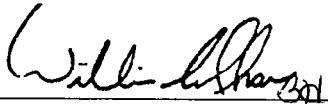
NO.: 2006-00071-CD

Mona J. Dillen

TO: MONA J. DILLEN

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 01/13/2006



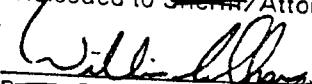
William A. Shaw

Prothonotary

Issuing Attorney:

Nathan W. Karn Esq
401 Allegheny Street
Hollidaysburg, PA 16648

3-14-06 Document
Reinstated/Reissued to Sheriff/Attorney
for service.



William A. Shaw
Deputy Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

101167

ALFRED T. VOYZEY

Case # 06-71-CD

vs.

MONA J. DILLEN

TYPE OF SERVICE SUMMONS

SHERIFF RETURNS

NOW March 17, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN SUMMONS "NOT FOUND" AS TO MONA J. DILLEN, DEFENDANT. MOVED TO: PO BOX 343, PHILIPSBURG,PA.,CENTRE CO..

SERVED BY: /

Return Costs

| PURPOSE | VENDOR | CHECK # | AMOUNT |
|-----------------|--------|---------|--------|
| SURCHARGE | EVEY | 25154 | 10.00 |
| SHERIFF HAWKINS | EVEY | 25154 | 24.18 |

Sworn to Before me This

____ Day of _____ 2006

So Answers,


by Marilynn L. Hause
Chester A. Hawkins
Sheriff

019-18-0111
3/17/2006

John A. Shaw
Court Clerk, Clearfield County

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION**

SUMMONS

Alfred T. Voyzey

Vs.

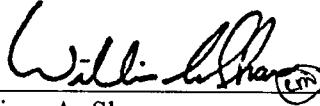
NO.: 2006-00071-CD

Mona J. Dillen

TO: MONA J. DILLEN

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 01/13/2006



William A. Shaw
Prothonotary

Issuing Attorney:

Nathan W. Karn Esq
401 Allegheny Street
Hollidaysburg, PA 16648

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101350
NO: 06-71-CD
SERVICE # 1 OF 1
SUMMONS

PLAINTIFF: ALFRED T. VOYZEY
vs.
DEFENDANT: MONA J. DILLEN

SHERIFF RETURN

NOW, March 17, 2006, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON MONA J. DILLEN.

NOW, March 22, 2006 AT 5:33 PM SERVED THE WITHIN SUMMONS ON MONA J. DILLEN, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

01:42 PM
APR 24 2006
LM

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101350
NO: 06-71-CD
SERVICES 1
SUMMONS

PLAINTIFF: ALFRED T. VOYZEY
vs.
DEFENDANT: MONA J. DILLEN

SHERIFF RETURN

RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE | EVEY | 25659 | 10.00 |
| SHERIFF HAWKINS | EVEY | 25659 | 19.15 |
| CENTRE CO. | EVEY | 25658 | 47.00 |

Sworn to Before Me This

____ Day of _____ 2006

So Answers,


Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE

CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

| | |
|--|---|
| 1. Plaintiff(s) | 2. Case Number |
| <u>Alfred T. Voyzay</u> | <u>06-71-CD</u> |
| 3. Defendant(s) | 4. Type of Writ or Complaint: |
| <u>Mona J. Dillon</u> | <u>Summons</u> |
| SERVE → 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. <u>Mona J. Dillon</u> AT 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) <u>407 - 10th st. Philipsburg, PA 16866</u> | |
| 7. Indicate unusual service: | Reg Mail Certified Mail Deputyze Post Other |

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. _____ Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

| | | |
|---|----------------------|----------|
| 9. Print/Type Name and Address of Attorney/Originator | 10. Telephone Number | 11. Date |
| | 12. Signature | |

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above. } SIGNATURE of Authorized CCSD Deputy of Clerk and Title 14. Date Filed 15. Expiration/Hearing Date

TO BE COMPLETED BY SHERIFF

16. Served and made known to Mona J. Dillon, on the 22 day of March,
20 06, at 5:33 o'clock, PM m., at SAME AS ABOVE, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.

Adult family member with whom said Defendant(s) resides(s). Relationship is _____

Adult in charge of Defendant's residence.

Manager/Clerk of place of lodging in which Defendant(s) resides(s).

Agent or person in charge of Defendant's office or usual place of business.

and officer of said Defendant company.

Other _____

On the _____ day of _____, 20 _____, at _____ o'clock, _____ M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks:

| | | | | | | | | | |
|---------------|-------------|-------------|------------|-------------|--------------|--------------|-------------|--------------|---------------------|
| Advance Costs | Docket | Service | Sur Charge | Affidavit | Mileage | Postage | Misc. | Total Costs | Costs Due or Refund |
| <u>75.00</u> | <u>9.00</u> | <u>9.00</u> | <u>—</u> | <u>2.50</u> | <u>25.00</u> | <u>\$.50</u> | <u>1.00</u> | <u>47.00</u> | <u>28.00</u> |

17. AFFIRMED and subscribed to before me this 27

So Answer.

20. day of March 20 06

18. Signature of Dep. Sheriff

23. Carmen Peters

Terry W.

Notary Public

My Commission Expires Sept 5, 2009

24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE
OF AUTHORIZED AUTHORITY AND TITLE.

My Commission Expires Sept 5, 2009

19. Date

3/23/06

22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd. Page

25. Date Received



CHESTER A. HAWKINS
SHERIFF

**Sheriff's Office
Clearfield County**

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 101350

TERM & NO. 06-71-CD

ALFRED T. VOYZEY

SUMMONS

vs.

MONA J. DILLEN

SERVE BY: 04/13/06

**MAKE REFUND PAYABLE TO
EVEY, BLACK, DOREZAS, MAGEE, LEVINE, ROSENSTEEL & MAUK, LLP**

SERVE: MONA J. DILLEN

ADDRESS: 407-10TH ST., PHILIPSBURG, PA 16866

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depuitize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Députation being made at the request and risk of the Plaintiff this day, March 17, 2006.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

2013-770
1

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ALFRED T. VOYZEY,
Plaintiff

vs.

MONA J. DILLEN,
Defendant

Civil Division

No. 2006-71-CD

Type of Pleading: Complaint

Filed on Behalf of Plaintiff

Counsel of Record for this Party:

Nathan W. Karn, Sr., Esq.
Pennsylvania I.D. No: 86068

Evey, Black, Dorezas, Magee, Levine
Rosensteel & Mauk, LLP
P.O. Box 415
401 Allegheny Street
Hollidaysburg, PA 16648-0415

(814) 695-7581

FILED NOCC
7/10/3841
JUN 08 2006
LS

William A. Shaw
Prothonotary/Clerk of Courts

ALFRED T. VOYZEY,
Plaintiff : IN THE COURT OF COMMON PLEAS OF
vs. : CLEARFIELD COUNTY, PENNSYLVANIA
MONA J. DILLEN,
Defendant : : CIVIL DIVISION
: : NO. 2006-71-CD

NOTICE

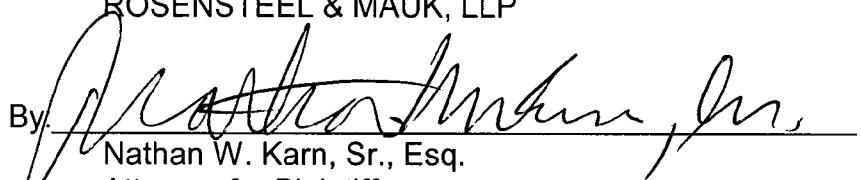
You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses 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 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, 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 Court House
Clearfield, PA 16830

Phone: (814) 765-2641 Ext. 5982

EVEY, BLACK, DOREZAS, MAGEE, LEVINE,
ROSENSTEEL & MAUK, LLP

By 
Nathan W. Karn, Sr., Esq.
Attorney for Plaintiff
401 Allegheny St., P. O. Box 415
Hollidaysburg, PA 16648
(814) 695-7581
Pa. I.D.# 86068

ALFRED T. VOYZEY, Plaintiff : IN THE COURT OF COMMON PLEAS OF
vs. : CLEARFIELD COUNTY, PENNSYLVANIA
MONA J. DILLEN, Defendant : : CIVIL DIVISION
: : NO. 2006-71-CD
:

COMPLAINT

AND NOW, comes the Plaintiff, Alfred T. Voyzey, by and through his attorneys, Evey, Black, Dorezas, Magee, Levine, Rosensteel & Mauk, LLP, and files the following Complaint:

1.

Plaintiff, Alfred T. Voyzey, is an adult individual residing at 147 Adams Avenue, Apt. 303, Tyrone, Blair County, Pennsylvania 16686-2151.

2.

Defendant, Mona J. Dillen, is an adult individual residing at 407-10th Street, Philipsburg, Centre County, Pennsylvania 16866.

3.

On or about March 19, 2004, Plaintiff was the owner of a 2002 Buick Century motor vehicle which was involved in the accident described herein.

4.

On that date, Defendant was the owner of a 1989 Chevrolet Beretta motor vehicle which was involved in the accident described herein.

5.

On the aforesaid date, at approximately 11:00 a.m., Plaintiff was operating his vehicle in a careful, lawful and prudent manner on Fredville Road, West Decatur, Clearfield

County, Pennsylvania.

6.

On the aforesaid date and time, Defendant was operating his motor vehicle in a careless, reckless and negligent manner when making a left turn into driveway from Fredville Road, West Decatur, Clearfield County, Pennsylvania.

7.

As the motor vehicle being operated by Defendant approached Plaintiff's vehicle, said motor vehicle, suddenly and without warning, carelessly, negligently and recklessly came into violent contact and collision with the front end of the motor vehicle of the Plaintiff, causing damages as more specifically set forth below.

8.

The motor vehicle of the Plaintiff was damaged solely, directly and entirely as a result of the aforesaid collision in the amount of \$2,031.67, being less than the fair market value of the motor vehicle of the Plaintiff at the time of the collision.

COUNT I

PLAINTIFF V. MONA J. DILLEN

9.

Paragraphs 1-8 are incorporated by reference herein as if the same had been set forth at length.

10.

The aforesaid accident was directly and proximately caused by the carelessness, recklessness and negligence of the Defendant, which consisted of the following:

a. Failing to have the motor vehicle under proper, adequate, and reasonable control under the circumstances and conditions then and there existing;

- b. Operating his motor vehicle at an excessive rate of speed under the circumstances;
- c. Operating the motor vehicle without due regard for the right, safety and position of the motor vehicle of the Plaintiff at the time and place aforesaid;
- d. Failing to see and observe the motor vehicle of the Plaintiff in sufficient time to avoid the damages to said motor vehicle of the Plaintiff;
- e. Being inattentive and disregarding the condition and circumstances then and there existing;
- f. Operating a motor vehicle in such a way as to negligently and carelessly collide with the motor vehicle of the Plaintiff;
- g. Failing to take evasive action in order to avoid impacting with Plaintiff's vehicle;
- h. Failing to apply his brakes in sufficient time to avoid striking Plaintiff's vehicle;
- i. Failing to yield the right-of-way to the vehicle driven by Plaintiff when Defendant entered and/or crossed such roadway in violation of 75 Pa. C.S.A. §3324;
- j. Driving his vehicle with careless disregard for the safety of persons or property in violation of 75 Pa.C.S.A. §3714;
- k. Operating his vehicle on a highway when it was not insured in violation of 75 Pa. C.S.A. § 1786(e) and (f);
- l. Failing to properly yield the right-of-way when turning left to Plaintiff as provided in 75 Pa.C.S.A. §3322;
- m. Failing to keep his vehicle within the lane of travel in violation of 75 Pa. C.S.A. §3309;

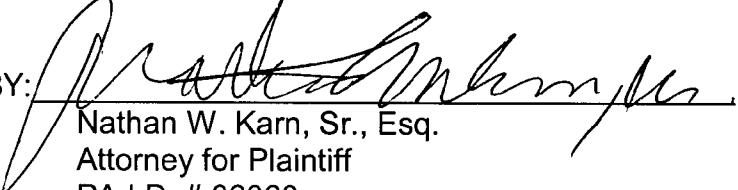
n. Failing to operate his vehicle in such a manner so as to be able to stop within the assured clear distance ahead in violation of Pa. 75 C.S.A. §3361; and

o. Violating the laws and statutes of the Commonwealth of Pennsylvania pertaining to the control of speed, management, and operation of the motor vehicle in the Commonwealth.

WHEREFORE, Plaintiff claims damages of Defendant in the amount of Two Thousand Thirty-One and 67/100 (\$2,031.67) Dollars, together with interest plus costs of suit.

Respectfully Submitted,

EVEY, BLACK, DOREZAS, MAGEE, LEVINE,
ROSENSTEEL & MAUK, LLP

BY: 

Nathan W. Karn, Sr., Esq.
Attorney for Plaintiff
PA I.D. # 86068
401 Allegheny Street
Hollidaysburg, Pennsylvania

(814) 695-7581

VERIFICATION

The undersigned, ALFRED T. VOYZEY, avers that the statements of fact contained in the foregoing Complaint are true and correct to the best of his knowledge, information and belief, and are made subject to the penalties of 18 Pa. Con. Stat. Ann. Section 4904 relating to unsworn falsification to authorities.

A. Alfred T. Voyzey
Alfred T. Voyzey

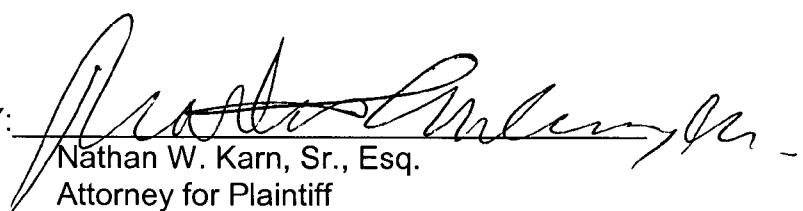
DATED: 6/05/06

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the 7th day of June, 2006, by United States Mail, First Class, postage prepaid, addressed to the following:

Mona J. Dillen
407-10th Street
Philipsburg, PA 16866

EVEY, BLACK, DOREZAS, MAGEE, LEVINE,
ROSENSTEEL & MAUK, LLP

BY: 

Nathan W. Karn, Sr., Esq.
Attorney for Plaintiff

ALFRED T. VOYZEY : IN THE COURT OF COMMON PLEAS OF
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
vs. :
MONA J. DILLEN, : CIVIL DIVISION
Defendant. : No. 2006-71-CD

PRAECIPE FOR DISCONTINUANCE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please mark the above matter settled and discontinued of record.

EVEY, BLACK, DOREZAS, MAGEE, LEVINE,
ROSENSTEEL & MAUK, LLP

BY:


Nathan W. Karn, Sr., Esquire
Attorney for Plaintiff
Pa. ID# 86068
401-03 Allegheny Street
P.O. Box 415
Hollidaysburg, PA 16648-0415
(814) 695-7581

Dated: August 1, 2006

FILED
M 1:50pm
AUG - 2 2006
ICL Cert
of disc issued
to Atty Karn
copy to c/a

William A. Shaw
Prothonotary

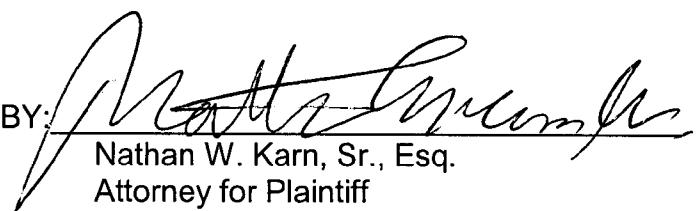
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the 1st day of *Aug*; 2006, by U.S. Mail, first class, postage prepaid, addressed to the following:

John R. Lhota, Esq.
110 North Second Street
Clearfield, PA 16830

EVEY, BLACK, DOREZAS, MAGEE, LEVINE,
ROSENSTEEL & MAUK, LLP

BY:


Nathan W. Karn, Sr., Esq.
Attorney for Plaintiff

401-03 ALLEGHENY STREET
P. O. BOX 415
HOLLIDAYSBURG, PA 16648
(814) 695-7581
FAX: (814) 695-1750

ROARING SPRING OFFICE:
99 NASON DRIVE
P. O. BOX 5
ROARING SPRING, PA 16673
(814) 224-5162

ATTORNEYS

REPLY TO HOLLIDAYSBURG OFFICE

CLYDE O. BLACK, II BENJAMIN I. LEVINE, JR.
J. MICHAEL DOREZAS MICHAEL B. MAGEE
AMY ORR ROSENSTEEL KATHY J. MAUK
WILLIAM R. BRENNER NATHAN W. KARN, SR.
JEFFREY A. MURICEAK

WWW.EVEYBLACK.COM

MERLE K. EVEY
OF COUNSEL

August 1, 2006

William Shaw, Prothonotary
230 E. Market St.
Clearfield, PA 16830

RE: VOYZEY v. DILLEN

Dear Mr. Shaw:

Enclosed for filing is the original Praeclipe for Discontinuance. Please time-stamp the enclosed copy and return the same to me in the provided self-addressed stamped envelope.

Thank you for your attention to this matter.

Sincerely,



Nathan W. Karn, Sr.

NWK:jmm

Enclosure

pc: John R. Lhota, Esq. [w/enclosure]

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Alfred T. Voyzey

Vs.
Mona J. Dillen

No. 2006-00071-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on August 2, 2006, marked:

Settled and discontinued

Record costs in the sum of \$92.00 have been paid in full by Nathan W. Karn Sr. Esq..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 2nd day of August A.D. 2006.



William A. Shaw, Prothonotary