

06-364-CD

Leslie Smith vs Lori Smith et al

2006-364-CD

Leslie Smith vs Lori Smith et al

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Leslie H. Smith  
(Plaintiff)

385 Leconte's Mills RD  
(Street Address)

Frenchville, Pa 16836  
(City, State ZIP)

CIVIL ACTION

No. CV 0000154-05  
AO-304-CD

Type of Case: Judgment

Type of Pleading: \_\_\_\_\_

vs.

Lori L. Smith  
(Defendant)

Filed on Behalf of:

Leslie H. Smith  
(Plaintiff/Defendant)

(Street Address)

Hyde Pa  
(City, State ZIP)

Rodney G. Smith  
385 Leconte's Mills RD  
Frenchville Pa 16836

Leslie H. Smith  
(Filed by)

385 Leconte's Mills RD  
(Address) Frenchville Pa 16836

814-26-4982  
(Phone)

**FILED** Plff pd. 20.00  
19:11 AM  
MAR 09 2006 Statement to Plff  
LM  
William A. Shaw  
Prothonotary/Clerk of Courts  
Notice to Defs.  
Def. ~~Leconte's Mills RD~~  
Frenchville ~~address~~  
1 per Def. to Box 3321  
Bald Hill Rd., Frenchville

Leslie H. Smith  
(Signature)

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**

Address: **131 ROLLING STONE ROAD  
PO BOX 210  
KYLERTOWN, PA**

Telephone: **(814) 345-6789**

**16847-0444**

**MICHAEL A. RUDELLA  
131 ROLLING STONE ROAD  
PO BOX 210  
KYLERTOWN, PA 16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**SMITH, LESLIE H  
385 LECONTE'S MILLS  
RD  
FRENCHVILLE, PA 16836**

NAME and ADDRESS

DEFENDANT:

**SMITH, LORI L, ET AL.  
BALD HILL RD  
BOX 332  
FRENCHVILLE, PA 16836**

NAME and ADDRESS

Docket No.: **CV-0000154-05**  
Date Filed: **6/29/05**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR PLAINTIFF**

Judgment was entered for: (Name) **SMITH, LESLIE H**

Judgment was entered against: (Name) **SMITH, RODNEY G.**

in the amount of \$ **8,122.50** on: (Date of Judgment) **8/02/05**

Defendants are jointly and severally liable.

(Date & Time) \_\_\_\_\_

Damages will be assessed on:

Amount of Judgment	\$ <b>8,000.00</b>
Judgment Costs	\$ <b>122.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>8,122.50</b>

This case dismissed without prejudice.

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b>	\$ <b>8122.50</b>

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ \_\_\_\_\_

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

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

8-2-05

Date

M A Rudella

, Magisterial District Judge

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

3/6/06

Date

M A Rudella

, Magisterial District Judge

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

SEAL

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**  
Address: **131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA**  
Telephone: **(814) 345-6789**

**16847-0444**

**MICHAEL A. RUDELLA**  
**131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA 16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**SMITH, LESLIE H**  
**385 LECONTE'S MILLS**  
**RD**  
**FRENCHVILLE, PA 16836**

NAME and ADDRESS

DEFENDANT:

**SMITH, LORI L, ET AL.**  
**BALD HILL RD**  
**BOX 332**  
**FRENCHVILLE, PA 16836**

NAME and ADDRESS

Docket No.: **CV-0000154-05**  
Date Filed: **6/29/05**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR PLAINTIFF**

Judgment was entered for: (Name) **SMITH, LESLIE H**

Judgment was entered against: (Name) **SMITH, LORI L**

in the amount of \$ **8,122.50** on: (Date of Judgment) **8/02/05**

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

Damages will be assessed on: \_\_\_\_\_

This case dismissed without prejudice. \_\_\_\_\_

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ \_\_\_\_\_

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

Amount of Judgment	\$ <b>8,000.00</b>
Judgment Costs	\$ <b>122.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
Total	\$ <b>8,122.50</b>
Post Judgment Credits	\$ <b>—</b>
Post Judgment Costs	\$ <b>—</b>
<b>Certified Judgment Total \$ 8122.50</b>	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

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8-2-05 Date

M A Rudella, Magisterial District Judge

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

3/1/06 Date

M A Rudella, Magisterial District Judge

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

SEAL

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Leslie H. Smith

Vs.

No. 2006-00364-CD

Lori L. Smith and Rodney G. Smith

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$8,122.50 on March 9, 2006.

William A. Shaw  
Prothonotary

  
\_\_\_\_\_  
William A. Shaw

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

Leslie H. Smith  
Plaintiff(s)

No.: 2006-00364-CD

Real Debt: \$8,122.50

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Lori L. Smith  
Rodney G. Smith  
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: March 9, 2006

Expires: March 9, 2011

Certified from the record this 9th day of March, 2006.

---

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

LESLIE H. SMITH,

vs.

LORI L. SMITH and RODNEY G. SMITH,

)  
 ) No. 2006-000364-CD  
 )  
 ) Type of Case: Entry of Judgment  
 )  
 ) Type of Pleading: Praecipe to Strike  
 ) Judgment  
 )  
 ) Filed on Behalf of:  
 ) Defendant Lori L. Smith  
 )  
 ) Counsel for This Party:  
 )  
 ) Brian K. Marshall, Esquire  
 ) I.D. No.: PA87331  
 ) MILLER, KISTLER, CAMPBELL,  
 ) MILLER, WILLIAMS & BENSON, INC.  
 ) 124 N. Allegheny Street  
 ) Bellefonte, PA 16823  
 ) 814-355-5474

**FILED**

*Em*  
MAR 23 2006

*m/12.05 (ms)*

William A. Shaw  
Prothonotary/Clerk of Courts

*1 copy to Att'y*

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

LESLIE H. SMITH )  
 ) No. 2006-00364-CD  
 )  
 vs. )  
 )  
 LORI L. SMITH and RODNEY G. SMITH )

**PRAECIPE TO STRIKE JUDGMENT**

TO THE PROTHONOTARY:

Please strike and remove from the record the judgment in the amount of \$8,122.50 entered in the above-captioned matter on March 9, 2006. The underlying decision rendered by Magisterial District Judge Rudella has been appealed, and is currently on appeal in the Court of Common Pleas of Clearfield County at 05-1338-CD.



---

Brian K. Marshall, Esquire  
I.D. No.: PA87331

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 N. Allegheny Street  
Bellefonte, PA 16823  
814-355-5474

Counsel for Defendant Lori L. Smith

Date: 3/22/06

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

LESLIE H. SMITH, )  
vs. ) No. 2006-000364-CD  
LORI L. SMITH and RODNEY G. SMITH, )

**CERTIFICATE OF SERVICE**

I, Brian K. Marshall, Esquire, of the law firm of MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC., hereby certify that the foregoing Praeclipe to Strike Judgment was served this 22<sup>nd</sup> day of March, 2006 by mailing same first class United States mail, postage prepaid, addressed to:

Leslie H. Smith  
385 Lecontes Mills Roac  
Frenchville, PA 16836

Rodney Smith  
385 Lecontes Mills Road  
Frenchville, Pa 16836

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

  
\_\_\_\_\_  
Brian K. Marshall, Esq.

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

LESLIE H. SMITH, )  
Plaintiff ) No. 2006-000364-CD  
vs. )  
LORI L. SMITH and RODNEY G. SMITH, )  
Defendants )

Upon filing of the Praecept to strike the judgment in the amount of \$8,122.50 entered in the above-captioned matter on March 9, 2006, and upon the undersigned confirming that the underlying decision of Magisterial District Judge Michael Rudella is currently on appeal at 05-1338-CD in the Court of Common Pleas of Clearfield County, said judgment is hereby STRICKEN from the record.



---

William A. Shaw, Prothonotary

FILED

MAR 23 2006 *fw*  
0/ 12-101w  
William A. Shaw  
Prothonotary/Clerk of Courts  
cert. to ATTY  
&  
cert. mail to  
PLFF.

LAW OFFICES OF  
MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC.  
A PROFESSIONAL CORPORATION

JOHN R. MILLER, JR.  
RICHARD L. CAMPBELL  
JOHN R. MILLER, III  
TERRY J. WILLIAMS  
TRACEY G. BENSON\*  
SCOTT C. ETTER, Ph.D.  
DAVID B. CONSIGLIO\*\*  
STACY PARKS MILLER  
JULIA R. CRONIN  
BRIAN K. MARSHALL

\*ALSO ADMITTED IN WEST VIRGINIA  
\*\*ALSO ADMITTED IN MARYLAND

PLEASE REPLY TO:  
BELLEFONTE OFFICE

March 22, 2006

124 NCRTH ALLEGHENY STREET  
BELLEFONTE, PA. 16823-1695  
(814) 355-5474  
GENERAL FAX (814) 355-5340  
REAL ESTATE FAX (814) 357-0264  
AND  
720 SCUTH ATHERTON STREET  
STATE COLLEGE, PA. 16801-4628  
(814) 234-1500  
FAX (814) 234-1549

COUNSEL TO THE FIRM  
ROBERT K. KISTLER

William Shaw, Prothonotary  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830

RE: Leslie H. Smith v. Lori L. Smith and Rodney G. Smith  
No. 2006-000364-CD (Clearfield County, PA)

Dear Mr. Shaw:

Enclosed please find an original and one copy of Defendant Lori Smith's Praecept to Strike Judgment in the above-captioned case. Also enclosed is a proposed document for the Prothonotary's signature stating that the judgment has been stricken of record.

Please file the original Praecept, and return a time-stamped copy to me in the enclosed self-addressed stamped envelope.

Thank you.

Very truly yours,

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Brian K. Marshall

BKM/lac

cc: Leslie Smith, w/enc.  
Rodney Smith, w/enc.  
Lori Smith, w/enc.