

06-400-CD
Comm of PA vs Pierre Brossard

2006-400-CD
Comm of PA vs Pierre Brossard

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

COMMONWEALTH OF PENNSYLVANIA,
Plaintiff.

17

PIERRE BROSSARD,
Defendant.

No. 06 = 400 = CD

* Type of Pleading:

APPEAL FROM SUSPENSION OF OPERATOR'S LICENCE

* Filed on behalf of:
* Defendant

* Counsel of Record for
* this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 207 E. Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED 2cc
OJD:3364 Atty Nadder
MAR 17 2006 Atty pd 85.00
LJ
William A. Shaw
Notary/Clerk of Courts Copy to CIA

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

COMMONWEALTH OF PENNSYLVANIA

*

vs.

*

* No. 06 - - CD

PIERRE BROSSARD

*

*

*

APPEAL FROM SUSPENSION OF OPERATOR'S LICENSE

1. The Petitioner is Pierre Brossard who resides at 3164 Buck Run Road, Frenchville, PA 16836.

2. The Petitioner has been issued Pennsylvania Driver's License Number 22823528.

3. By letter dated February 16, 2006, Petitioner was advised that his driving privileges were being suspended for failing to respond to citation number 05T13670. A copy of said letter is attached as Exhibit "A".

4. The Petitioner paid citation number 05T13670 by check dated December 29, 2005. A copy of which is attached hereto as Exhibit "B".

5. The suspension of Petitioner's driving privilege by the Commonwealth of Pennsylvania is improper.

WHEREFORE, Petitioner requests Your Honorable Court to enter an Order setting aside the suspension.

Respectfully submitted this 17th day of March, 2006.

James A. Naddeo

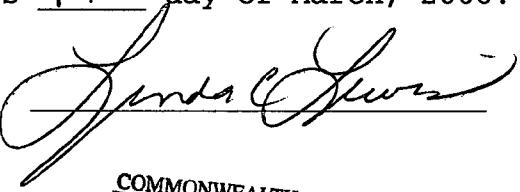
James A. Naddeo
Attorney for Petitioner

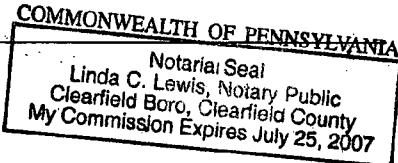
COMMONWEALTH OF PENNSYLVANIA)
ss
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared PIERRE BROSSARD, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Appeal are true and correct to the best of his knowledge, information and belief.


Pierre Brossard

SWORN and SUBSCRIBED before me this 17th day of March, 2006.





COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Mail Date: FEBRUARY 16, 2006

PIERRE HENRI BROSSARD
3164 BUCK RUN RD
FRENCHVILLE PA 16836

WID # D60406184576440 001
PROCESSING DATE 02/09/2006
DRIVER LICENSE # 22823528
DATE OF BIRTH 01/08/1958

Dear MR. BROSSARD:

This is an Official Notice of the Suspension of your Driving Privilege as authorized by Section 1533B of the Pennsylvania Vehicle Code. Your driving privilege will be suspended effective 03/23/2006 at 12:01 a.m. for failing to respond to citation number 05T13670 (Amount Owed 195.50) issued on 11/25/2005.

This suspension means that you will not be allowed to drive a motor vehicle on or after 03/23/2006 unless you are notified in writing by PennDOT that your driving privilege is restored.

PLEASE READ THIS LETTER IN ITS ENTIRETY. THIS IS A FINAL ORDER OF SUSPENSION. THE ONLY WAY TO AVOID THIS SUSPENSION IS TO COMPLETELY FOLLOW THE DIRECTIONS BELOW FOR RESPONDING TO THE CITATION BEFORE THE EFFECTIVE DATE. IF YOU DO NOT FOLLOW THESE DIRECTIONS, THIS SUSPENSION WILL GO INTO EFFECT ON 03/23/2006.

RESPONDING TO THE CITATION

If you respond to the citation BEFORE the suspension date, you will avoid this suspension. In order to respond to this citation, you must follow the steps below:

1. Contact the Court: WARREN CO DIST COURT
PO BOX 2170
925 CENTER STREET
BOWLING GREEN KY 42101
(502) 746-7400
2. Tell the Court, in person or by mail, whether you wish to plead 'guilty' or 'not guilty' to the violation.
Please Note: If you pay the fine without signing 'guilty' or 'not guilty,' it is considered an automatic plea of 'guilty.'
 - a. If you plead 'guilty,' pay all fines and costs. Mail your check or money order to the Court or appear in person and pay by cash, check or money order. It is your responsibility to make sure that

the Court receives your payment BEFORE 03/23/2006. Do not mail or bring your citation payment to PennDOT.

- b. If you wish to plead 'not guilty,' contact the Court for further information and instructions. It is your responsibility to make sure that the Court receives your payment BEFORE 03/23/2006. Do not mail or bring your citation payment to PennDOT.
- c. Contact the Court if this letter does not list an amount owed for the violation.
- d. If you have questions about this process or cannot afford to pay all fines and costs, contact the Court for assistance.

3. If your response to the citation is accepted by the Court BEFORE 03/23/2006, you will receive notice from PennDOT regarding restoration of your driving privilege.
4. **Please Note:** Responding to the citation before the suspension date excuses you from this suspension of your driving privilege, not the actual violation.

COMPLYING WITH THIS SUSPENSION

You must return any current Pennsylvania driver's license, learner's permit or temporary driver's license (camera card) in your possession. You will not receive credit toward serving any suspension until we receive your documents. Complete the following steps to acknowledge this suspension:

1. Return your current license, permit or camera card to the address below. If you do not have any of these items, complete and return one of the following:
 - A DL-16LC Acknowledgment form (available at any driver license center)
 - A notarized affidavit (letter) stating that you are aware of the suspension of your driving privilege
2. Be sure to sign the form or affidavit.
3. Return all items to:

Pennsylvania Department of Transportation
Bureau of Driver Licensing
P.O. Box 68693
Harrisburg, PA 17106-8693
4. If you do not receive a receipt from us within 3 weeks of mailing your documents, call our office immediately.

PAYING THE RESTORATION FEE

If you do not respond to the citation BEFORE the suspension date, you will be suspended and must pay a restoration fee to PennDOT to be restored. Complete the following steps:

060406184576440

1. Complete the enclosed Application for Restoration. The amount due is listed on the application.
2. Write your driver's license number (listed on the first page) on the check or money order to ensure proper credit.
3. Follow the payment and mailing instructions on the back of the application.

APPEAL

You have the right to appeal this suspension to the Court of Common Pleas (Civil Division) within 30 days of the mail date of this letter, FEBRUARY 16, 2006. After you file the appeal in the County Court, send a time-stamped certified copy of the appeal by certified mail to:

Pennsylvania Department of Transportation
Office of Chief Counsel
Third Floor, Riverfront Office Center
Harrisburg, PA 17104-2516

Remember, this is an OFFICIAL NOTICE OF SUSPENSION. You must respond before 03/23/2006.

Sincerely,



Janet L. Dolan, Acting Director
Bureau of Driver Licensing

INFORMATION 8:00 a.m. to 6:00 p.m.

IN STATE	1-800-932-4600	TDD IN STATE	1-800-228-0676
OUT-OF-STATE	717-412-5300	TDD OUT-OF-STATE	717-412-5380
WEB SITE ADDRESS	<u>www.dmv.state.pa.us</u>		

Mar. 16 06 06:36p

Current Date: March 16, 2006

Account Number: 2104149
Posted Date: January 06, 2006
Amount: \$195.50

PIERRE H BROSSARD
JOYCELYN A BROSSARD
3164 BUCK RUN RD
FRENCHVILLE PA 16836-7911

715

Pierre H. Brossard 05-713672
Joycelyn A. Brossard
3164 Buck Run Rd
Frenchville, PA 16836
814-263-7387

Dec. 29, 2005 60-627/313
DATE

PAY TO THE ORDER OF Warren District Court \$ 195.50
One hundred, ninety-five and 50/100 DOLLARS 00

CNB
COUNTY NATIONAL BANK
MAIN OFFICE, CLEARFIELD, PA

JUR. Certified # CC20620
003130627816 2-10414-91# 0715 0000019550

Joycelyn A. Brossard

0515544956
01062006
031000040 FRB-PHILA
ENT=0805 TRC=0809 PK=15 14 08
1127402302
0420-0043-7
01052006
20383574287 TRC=3509 PK=15 14 08
01-04-06
005 037 0000450

ROUTE # 083902646
FOR DEPOSIT ONLY
COMM'NWEALTH OF KENTUCKY
PATRICK ELLIGOOD, CLERK
ACCOUNT # 0231-6005

EXHIBIT "B"

CA

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

COMMONWEALTH OF PENNSYLVANIA, : 2006-400-CD
Plaintiff : No. 2001-1650-CD
:
vs. : License Suspension Appeal
:
PIERRE BROSSARD, : ORDER OF COURT
Defendant :
:
:
: Filed on Behalf of:
:
: COMMONWEALTH OF PENNSYLVANIA
: DEPARTMENT OF TRANSPORTATION
:
: Counsel of Record:
:
: William A. Kuhar, Jr., Esquire
: Assistant Counsel
: Pa.I.D. No. 38885
:
: Department of Transportation
: Office of Chief Counsel
: Firm No. 052
:
: 1209 State Office Building
: 300 Liberty Avenue
: Pittsburgh, PA 15222
: (412) 565-7555

FILED 1cc
07/4/2006 Atty: Kuhar
JUN 12 2006 Naddo

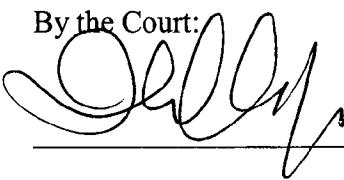
William A. Shaw
Prothonotary/Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA, :
Plaintiff :
vs. : No. 2006-400-CD
PIERRE BROSSARD, :
Defendant :
:

ORDER OF COURT

AND NOW, to wit: this 12 day of June, 2006, this appeal
by the defendant, Pierre Brossard, from an order of the Pennsylvania Department of
Transportation's Bureau of Driver Licensing for the indefinite suspension of the plaintiff's driving
privilege pursuant to 75 Pa.C.S. §1533(b) is, with the consent of the Bureau, remanded to the
Bureau to rescind the appealed indefinite suspension, if such action has not already been taken.

By the Court:


J.

Consented to


William A. Kuhar, Jr., Esquire
Attorney for the Bureau of Driver Licensing

FILED
JUN 12 2006

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 6/12/06

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: