

06-1257-CD

Carl A. Belin Jr vs PNC Bank et al

2006-1257-CD

Carl Belin vs PNC Bank

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

CARL A. BELIN, JR., :  
Plaintiff :  
: No. 06 - 1257 - CD  
vs. :  
: PRAECIPE TO TRANSFER  
PNC BANK, NATIONAL ASSOCIATION :  
SUCCESSOR TRUSTEE FOR THE :  
N. T. ARNOLD ESTATE, :  
Defendant :  
:

Filed on Behalf of:  
Plaintiff

Counsel of Record for  
This Party:

Carl A. Belin, Jr., Esquire  
PA I.D. #06805

BELIN, KUBISTA & RYAN LLP  
15 North Front Street  
P.O. Box 1  
Clearfield, PA 16830  
(814) 765-8972

*Shaw*  
**FILED** PA \$15.00  
10.45 am JUN 05 2008  
1CC to A.H. Belin  
William A. Shaw  
Prothonotary/Clerk of Courts

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

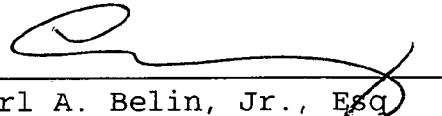
CARL A. BELIN, JR., :  
Plaintiff :  
: No. 06 - 1257 - CD  
vs. :  
: PNC BANK, NATIONAL ASSOCIATION :  
: SUCCESSOR TRUSTEE FOR THE :  
: N. T. ARNOLD ESTATE, :  
Defendant :  
:

PRAECIPE TO TRANSFER

TO THE PROTHONOTARY:

Sir, please transfer the above-captioned case to the Elk  
County Court of Common Pleas per the Order of the Court dated  
June 4, 2008.

BELIN, KUBISTA & RYAN LLP

By   
Carl A. Belin, Jr., Esq.

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

CARL A. BELIN, JR.,

Plaintiff

vs.

PNC BANK, et al,

Defendants

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\*

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NO. 06-1257-CD

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ORDER

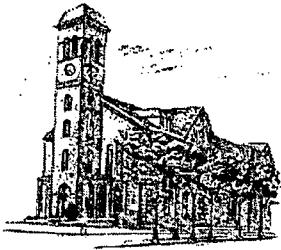
NOW, this 4<sup>th</sup> day of June, 2008, in regard to the Preliminary Objections filed on January 25, 2007 on behalf of the Plaintiff, it is the ORDER of this Court as follows:

1. Upon agreement of the parties the Preliminary Objections as to jurisdiction of the person and venue and as to indispensable party are hereby granted;
2. The Prothonotary shall cause the case to be transferred to the Court of Common Pleas of Elk County pursuant to the Motion for Transfer as set forth in the said Preliminary Objections;
3. The Preliminary Objection Motion to Strike/Subject Matter jurisdiction is hereby dismissed;
4. Costs of the transfer shall be paid by the Plaintiff Carl A. Belin, Jr.

BY THE COURT

  
FREDRIC J. AMMERMAN  
President Judge

RECEIVED  
JUN 04 2008  
FILED  
JUN 04 2008  
William A. Shaw  
Prothonotary/Clerk of Courts  
ICC Attns:  
Belin  
Leah  
GR



## Clearfield County Office of the Prothonotary and Clerk of Courts

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

**Jacki Kendrick**  
Deputy Prothonotary/Clerk of Courts

**Bonnie Hudson**  
Administrative Assistant

**David S. Ammerman**  
Solicitor

PO Box 549, Clearfield, PA 16830 ■ Phone: (814) 765-2641 Ext. 1330 ■ Fax: (814) 765-7659 ■ [www.clearfieldco.org](http://www.clearfieldco.org)

**COPY**

June 6, 2008

Carl A. Belin, Jr., Esq.  
Belin & Kubista  
PO Box 1  
Clearfield, PA 16830

Scott R. Leah, Esq.  
Tucker Arensberg, P.C.  
1500 One PPG Place  
Pittsburgh, PA 15222

Re: Carl A. Belin, Jr. vs. PNC Bank, National Association,  
Successor Trustee for the N.T. Arnold Estate  
Clearfield County Case No. 06-1257-CD

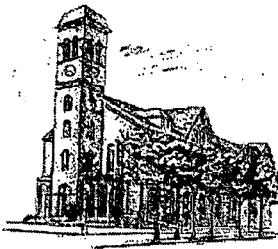
Dear Counsel:

Please be advised the above-captioned case has been transferred to Elk County this date, pursuant to the Honorable President Judge Fredric J. Ammerman's Order of June 4, 2008, and Attorney Carl A. Belin, Jr.'s Praecipe to Transfer the Record filed June 5, 2008.

Sincerely,

William A. Shaw  
Prothonotary

Cc: Honorable President Judge Fredric J. Ammerman



## Clearfield County Office of the Prothonotary and Clerk of Courts

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

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June 6, 2008

David A. Frey  
Elk County Prothonotary  
Main & Court Street  
Ridgway, PA 15853

Re: Carl A. Belin, Jr. vs. PNC Bank, National Association,  
Successor Trustee for the N.T. Arnold Estate  
Clearfield Co. Case 06-1257-CD

Dear Mr. Frey:

Enclosed, please find the above captioned case, transferred to your county per the Honorable President Judge Fredric J. Ammerman's Order of June 4, 2008. Please acknowledge your receipt of the case by signing the copy of the letter enclosed and returning it to me in the self-addressed stamped envelope I have provided. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw  
Prothonotary

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06-1257-CD

Carl A. Belin, Jr. vs. PNC Bank, National Association, et al

On \_\_\_\_\_, 200\_\_\_\_, I have received the above-captioned case,  
transferred to Elk County.

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

Carl A. Belin Jr.

Vs.

CASE #2006-01257-CD

PNC Bank, National Association,  
Successor Trustee for the N. T. Arnold Estate

CERTIFICATION OF DOCKET ENTRIES

I, William A. Shaw, Prothonotary of the Court of Common Pleas of Clearfield County, Pennsylvania, do hereby certify that the attached is a certified and full copy of the docket entries in the above captioned case.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Court, on the 6th day of June, 2008.

William A. Shaw  
Prothonotary  
BY: William A. Shaw  
Deputy

Date: 6/6/2008  
Time: 01:15 PM  
Page 1 of 2

**Clearfield County Court of Common Pleas**

User: BHUDSON

ROA Report

Case: 2006-01257-CD

Current Judge: Fredric Joseph Ammerman

Carl A. Belin Jr. vs. PNC Bank, N. T. Arnold Estate

**Civil Other-COUNT**

Date	Judge
3/4/2006	New Case Filed. No Judge
	Filing: Civil Complaint Paid by: Belin & Kubista Receipt number: 1915014 No Judge Dated: 08/04/2006 Amount: \$85.00 (Check) 3 Cert. to Atty.
9/22/2006	Sheriff Return, August 4, 2006, Sheriff of Allegheny County was deputized. No Judge August 15, 2006 at 2:59 pm Served the within Complaint on PCN Bank, National Association. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Belin \$31.00 Allegheny Co. Costs pd by Belin \$50.00 Sheilia O'Brien costs pd by Belin \$5.00
10/9/2006	Preliminary Objections To Complaint, filed by s/Scott R. Leah, Esquire. 1CC Atty. No Judge
10/11/2006	Scheduling Order, NOW, this 11th day of Oct., 2006, argument on Preliminary Objections is scheduled for Dec. 4, 2006 at 10:30 a.m. in Room 3 of the Clfd. Co. Courthouse. A Brief in Support of the Preliminary Objections shall be filed by Dec. 4, 2006, and a Brief in Opposition shall be filed by Dec. 4, 2006. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC to Atty. Fredric Joseph Ammerman
10/13/2006	Praecipe, filed by Atty. Belin 3 Cert. to Atty. Request for C/A to schedule and argument for the consideration of the P/O. No Judge
12/7/2006	Order, this 4th day of Dec., 2006, relative the Preliminary Objections filed on behalf of the Def., it is the Order of this Court as follows: 1. The Preliminary Objection relative failure to attach writing upon which the claim is based has been resolved; 2. Plaintiff has confirmed he is not suing PnC Bank individually and that PNC Bank cannot be held individually liable in this matter; 3. It is the Order of this Court that the Defendants Preliminary objection relative the claim for unjust enrichment is dismissed. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty's; Belin, Leah Fredric Joseph Ammerman
1/5/2007	Answer and New Matter filed, filed by Atty. Hunt no cert. copies. Fredric Joseph Ammerman
1/25/2007	Preliminary Objections, filed by s/ Carl A. Belin Jr Esq. 2CC Atty Belin. Fredric Joseph Ammerman
2/9/2007	Answer to Preliminary Objections to New Matter, filed by s/ Scott R. Leah Esq. 1CC Leah. Fredric Joseph Ammerman
8/7/2007	Order, this 7th day of August, 2007, argument on Preliminary Objections is scheduled for Sept. 14, 2007, at 2:30 p.m. in Courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty's: Belin, Leah Fredric Joseph Ammerman
9/18/2007	Order, this 14th day of Sept., 2007, following argument on the Plaintiff's Preliminary Objections to Defendants' New Matter, with the parties being in agreement that the issue concerns only that of Subject matter jurisdiction, it is Ordered that the parties submit an appropriate letter brief to the Court within no more than 20 days from this date. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty's: Belin, Leah Fredric Joseph Ammerman
10/3/2007	Order, NOW, this 2nd day of Oct., 2007, upon the request of the parties for an extension of time in which to submit letter briefs, it is Ordered that the parties submit an appropriate letter brief to the Court no later than Nov. 8, 2007. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty's: Belin, Leah Fredric Joseph Ammerman
11/7/2007	Motion to Postpone Filing of Brief, filed by s/ Carl A. Belin, Jr., Esquire. 2CC Atty. Belin Fredric Joseph Ammerman

Date: 6/6/2008

Time: 01:15 PM

Page 2 of 2

**Clearfield County Court of Common Pleas**

User: BHUDSON

ROA Report

Case: 2006-01257-CD

Current Judge: Fredric Joseph Ammerman

Carl A. Belin Jr. vs. PNC Bank, N. T. Arnold Estate

Civil Other-COUNT

Date	Judge	
11/8/2007	Order, this 8th day of Nov., 2007, upon consideration of the Motion to Postpone Filing of Briefs in regard to Plaintiff's preliminary objections it is Ordered that said motion is granted and the schedule for filing briefs as to Plaintiff's preliminary objections is hereby extended indefinitely. Should the parties reach an impasse in their negotiation, they will request the Court to enter a new briefing schedule. By the Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty. Belin	Fredric Joseph Ammerman
4/29/2008	Order, this 25th day of April, 2008, upon request of the Plaintiff to establish a new briefing schedule relative the Plaintiff's Preliminary Objections file Jan. 25, 2007, it is Order of this Court that the parties have no more than 20 days to submit appropriate letter brief to the Court. by the Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty: Belin, Leah	Fredric Joseph Ammerman
6/4/2008	Order, this 4th day of June, 2008, in regard to Preliminary Objections filed on Jan. 25, 2007 on behalf of Plaintiff, it is Ordered: Upon agreement of the parties the Preliminary Objections as to jurisdiction of the person and venue and as to indispensable party are hereby granted. The Proth. shall cause the case to be transferred to the Court of Common Pleas of Elk County. The Preliminary Objection Motion to Strike/Subject Matter jurisdiction is dismissed. Costs of the transfer shall be paid by the Plaintiff. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty: Belin, Leah	Fredric Joseph Ammerman
6/5/2008	Filing: Praeclipe to Transfer Paid by: Belin, Carl A. Jr. (attorney for Belin, Carl A. Jr.) Receipt number: 1924362 Dated: 6/5/2008 Amount: \$15.00 (Check) filed by s/Carl A. Belin, Jr., Esq. One CC Attorney Belin	Fredric Joseph Ammerman

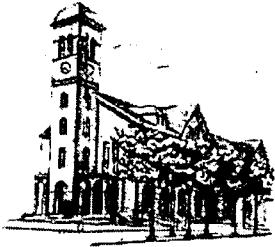
I hereby certify this to be a true and attested copy of the original statement filed in this case.

JUN 06 2008

Attest.



William L. Shan  
Prothonotary/  
Clerk of Courts



## Clearfield County Office of the Prothonotary and Clerk of Courts

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William A. Shaw

Prothonotary/Clerk of Courts

Jacki Kendrick

Deputy Prothonotary/Clerk of Courts

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June 6, 2008

David A. Frey  
Elk County Prothonotary  
Main & Court Street  
Ridgway, PA 15853

Re: Carl A. Belin, Jr. vs. PNC Bank, National Association,  
Successor Trustee for the N.T. Arnold Estate  
Clearfield Co. Case 06-1257-CD

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Sincerely,

William A. Shaw  
Prothonotary

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06-1257-CD

Carl A. Belin, Jr. vs. PNC Bank, National Association, et al

On 6/11, 2008, I have received the above-captioned case,  
transferred to Elk County.

Deputy Prothonotary

FILED

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JUN 12 2008

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William A. Shaw  
Prothonotary/Clerk of Courts

No 2008-572