

2006-1308-CD
Richard Jolley et al vs Joseph Pannette

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

RICHARD C. JOLLEY AND ANN B. JOLLEY,
husband and wife,

Plaintiff

vs.

No. D6-13C8-CD

JOSEPH G. PANETTE,

Defendant

FILED *Att'y pd.
M 12:34 p.m. 89.00
AUG 15 2006 2ccshff*

COMPLAINT IN CIVIL ACTION - LAW

TO: THE ABOVE-NAMED DEFENDANT:

William A. Shaw
Prothonotary/Clerk of Courts

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 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 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. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Second and Market Streets
Clearfield, Pennsylvania 16830
(814) 765.2641 Ext. 50-51

ORIGINAL

CERTIFIED COPY

I hereby certify that the within is a true and correct copy of the original document filed in this matter.

PIETRAGALLO, BOSICK & GORDON, LLP

By: *RFM*

Richard F. Morocco, Attorney for Plaintiff
PA I.D. # 74693

SERVE ALL PAPERS ON:

Richard F. Morocco, Esquire
PIETRAGALLO, BOSICK & GORDON, LLP

54 Buhl Boulevard

Sharon, Pennsylvania 16146

Jan. 16, 2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

LL
Deputy Prothonotary

Oct. 13, 2006 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

LL
Deputy Prothonotary

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

RICHARD C. JOLLEY AND ANN	:	
B. JOLLEY, husband and wife	:	
	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	No. _____
	:	
JOSEPH G. PANNETTE	:	
	:	
Defendant	:	

ACTION TO OBTAIN POSSESSION OF LAND SOLD AT JUDICIAL SALE

1. Plaintiffs, Richard C. Jolley and Ann B. Jolley, are husband and wife, residing at 10758 Atlantic Road, Atlantic, Pennsylvania 16111-1406 (hereinafter collectively the "Plaintiff").
2. Defendant, Joseph G. Pannette, is an individual residing at 470 Treasure Lake, Dubois, Pennsylvania 15801 (the "Defendant").
3. Plaintiff is the owner of a property located at 470 Treasure Lake, Dubois, Pennsylvania 15801, and more fully described as Lot No. 98, Section No. 2, "Santa Cruz", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office Miscellaneous Docket Map File No. 25.
4. Plaintiff acquired title to the property by purchasing it at a Sheriff sale conducted by the Sheriff of Clearfield County on 7 April 2006.
5. The Sheriff sale was conducted by virtue of a Writ or Execution issued on 20 December 2005 arising out of the suit of National City Bank of Pennsylvania, successor in interest to Keystone National Bank vs. Joseph G. Pannette, individually and as Surviving Spouse of Janet L. Pannette, Deceased and the United States of America at term and number 02-994-CD.

6. The Deed from the Sheriff to Plaintiff is dated 12 June 2006 and has been recorded in the Office of the Recorder of Deeds of Clearfield County at Instrument Number 200609613. A copy of the Sheriff's Deed is attached hereto as Exhibit "A".

7. The Defendant is in possession of the property and despite being notified of Plaintiff's title to the property, Defendant has refused to surrender possession.

WHEREFORE, Plaintiff prays that this Court enter an Order awarding possession of the above described property to Plaintiff, and awarding such other relief as the Court may deem appropriate.

Respectfully submitted,

PIETRAGALLO, BOSICK & GORDON, LLP

By: _____

Richard F. Moroco, Esquire
PA I.D.# 74693
54 Buhl Boulevard
Sharon, Pennsylvania 16146
Email: RFM@pbandg.com
Telephone: 724.981.1397
Telecopier: 724.981.1398

Counsel for Plaintiff, Richard C. Jolley and Ann B. Jolley, husband and wife

Dated: 11 August 2006

EXHIBIT A

Deed - Roll.

No.	Ches ter A. H a w k i n s	RICHARD C. JOLLEY AND ANN B. JOLLEY	S H E R I F F D E E D	Dated June 12, 2006	Sold as the property of	JOSEPH G. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L. PANNETTE, DECEASED	Sold on 02-994-CD
	High Sheriff of Clearfield County TO	10758 ATLANTIC ROAD ATLANTIC, PA 16111-1406		For \$55,000.00 + COSTS			

CLEARFIELD COUNTY RECORDER OF DEEDS

Karen L. Starck, Recorder

Maurene Inlow - Chief Deputy

P.O. Box 361

1 North Second Street, Suite 103

Clearfield, Pennsylvania 16830

AFFIDAVIT No. 39422

***RETURN DOCUMENT TO:**

CLEARFIELD CO SHERIFF

Instrument Number - 200609613

Recorded On 6/12/2006 At 1:41:54 PM

* Instrument Type - DEED

* Total Pages - 5

Invoice Number - 150041

* Grantor - CLEARFIELD CO SHERIFF

* Grantee - JOLLEY, RICHARD C

* Customer - CLEARFIELD CO SHERIFF

*** FEES**

STATE TRANSFER TAX	\$1,378.69
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$10.00
RECORDING FEES -	\$14.50
RECORDER	
RECORDER IMPROVEMENT	\$3.00
FUND	
COUNTY IMPROVEMENT FUND	\$2.00
DUBOIS AREA SCHOOLS	\$689.35
REALTY TAX	
SANDY TOWNSHIP	\$689.34
TOTAL	\$2,787.38

I hereby CERTIFY that this document
is recorded in the Recorder's Office of
Clearfield County, Pennsylvania.



Karen L. Starck

**Karen L. Starck
Recorder of Deeds**

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

SHERIFF'S DEED
ACT OF 1905

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$55,000.00 plus costs, to me in hand, do hereby grant and convey to RICHARD C. JOLLEY AND ANN B. JOLLEY, the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of Joseph G. Pannette, individually and as surviving spouse of Janet L. Pannette, Deceased, of, in and to

ALL THAT CERTAIN tract of land designated as Lot No. 98, Section No. 2, "Santa Cruz", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous Docket Map File No. 25.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure lake, Inc., recorded in Misc. Book Vol. 146, page 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreation facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantees, their heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

Tax Parcel No. D02-002-00098-00-21

BEING the same premises which C. Duane Fossler and Carol Fossler, his wife, by their deed dated October 31, 1990 and recorded November 8, 1990 in the office of the CLEARFIELD County Recorder of Deeds in Deed Book Volume 1373 Page 181 granted and conveyed to Joseph G. Pannette and Janet L. Pannette. Janet L. Pannette died on July 28, 2001, leaving her spouse, Joseph G. Pannette, sole owner by operation of law.

SEIZED, taken in execution and sold as the property of JOSEPH G. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L. PANNEPTE, DECEASED, at the suit of NATIONAL CITY BANK OF PENNSYLVANIA, SUCCESSOR IN INTEREST TO KEYSTONE NATIONAL BANK. JUDGMENT NO. 02-994-CD;

Now, June 12, 2006 the same having been sold by me to the said grantee on April 07, 2006 after due advertisement according to law, under and by virtue of writ of execution issued on December 20, 2006 out of the Court of Common Pleas of said County of Clearfield as of case number 02-994-CD at the suit of

NATIONAL CITY BANK OF PENNSYLVANIA SUCCESSOR IN INTEREST TO
KEystone NATIONAL BANK

against

JOSEPH G. PANETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET
L. PANETTE, DECEASED AND THE UNITED STATES OF AMERICA

IN WITNESS WHEREOF, I have hereunto affixed by signature the day June 12, 2006




The seal is circular with the text "CLEARFIELD COUNTY PENNSYLVANIA" around the perimeter. In the center, it says "SHERIFF'S OFFICE" and "CLEARFIELD COUNTY PENNSYLVANIA". Below the center text, it says "SHERIFF" and "SADDLEBACK".

State of Pennsylvania
County of Clearfield

On June 12, 2006 before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins**, High Sheriff of the State of Pennsylvania known to me, (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity reinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

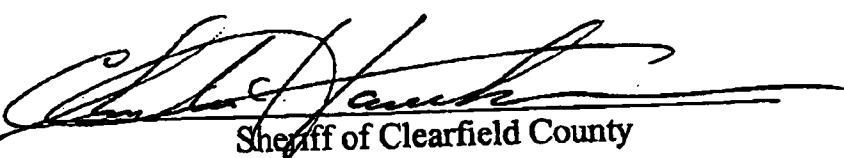


Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2010
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the percise Residence of the Grantee or Grantees is,



Sheriff of Clearfield County

RICHARD C. JOLLEY AND ANN B. JOLLEY
10758 ATLANTIC ROAD
ATLANTIC, PA 16111-1406

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME JOSEPH G. PANETTE, ET AL

NO 02-994-CD

NOW, June 26, 2006, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on April 07, 2006, I exposed the within described real estate of Joseph G. Pannette, individually And As Surviving Spouse Of Janet L. Pannette, Deceased And The United States Of America to public venue or outcry: which time and place I sold the same to RICHARD C. JOLLEY AND ANN B. JOLLEY he/she being the highest bidder, for the sum \$55,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	16.91
LEVY	15.00
MILEAGE	16.91
POSTING	15.00
CSDS	10.00
COMMISSION	1,100.00
POSTAGE	15.70
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	55,000.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$1,344.52

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	30.00
TRANSFER TAX 2%	2,757.38
TOTAL DEED COSTS	\$2,787.38

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	37,705.12
INTEREST @ %	0.00
FROM TO 04/07/2006	
PROTH SATISFACTION	
LATE CHARGES AND FEES	211.85
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	2,855.87
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	3,545.31
PROPERTY INSPECTIONS	
INTEREST	1,086.67
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$45,424.82

COSTS:

ADVERTISING	882.30
TAXES - COLLECTOR	846.57
TAXES - TAX CLAIM	
DUE	100.00
LIEN SEARCH	
ACKNOWLEDGEMENT	5.00
DEED COSTS	2,787.38
SHERIFF COSTS	1,344.52
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	141.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$6,290.77

*Additional Proceeds to Commonwealth
OF PA*

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN TEN (10) DAYS FROM THIS DATE.

CHESTER A. HAWKINS, Sheriff

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

101827

RICHARD C. JOLLEY and ANN B. JOLLEY

Case # 06-1308-CD

vs.

JOSEPH G. PANNETTE

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW September 26, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO JOSEPH G. PANNETTE, DEFENDANT. SEVERAL ATTEMPTS NOT HOME.

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PIETRAGALLO	1004	10.00
SHERIFF HAWKINS	PIETRAGALLO	1004	64.73

FILED
04:00 cm *LS*
SEP 26 2006

Sworn to Before me This

____ Day of _____ 2006

So Answers,

William A. Shaw
Prothonotary/Clerk of Courts

Ches A. Hawkins
by Marilyn Harris
Chester A. Hawkins
Sheriff

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

RICHARD C. JOLLEY AND ANN B. JOLLEY,
husband and wife,

Plaintiff :
vs. : No. 06-138-CD

JOSEPH G. PANETTE,

Defendant :

COMPLAINT IN CIVIL ACTION - LAW

TO: THE ABOVE-NAMED 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 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 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. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Second and Market Streets
Clearfield, Pennsylvania 16830
(814) 765.2641 Ext. 50-51

ORIGINAL CERTIFIED COPY

I hereby certify that the within is a true and correct copy of the original document filed in this matter.

PIETRAGALLO, BOSICK & GORDON, LLP

By: 

Richard F. Moroco, Attorney for Plaintiff
PA I.D. # 74693

SERVE ALL PAPERS ON:

Richard F. Moroco, Esquire
PIETRAGALLO, BOSICK & GORDON, LLP
54 Buhl Boulevard
Sharon, Pennsylvania 16146

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

AUG 15 2006

Attest.


William J. Shan
Prothonotary/
Clerk of Courts

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

RICHARD C. JOLLEY AND ANN	:	
B. JOLLEY, husband and wife	:	
	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	No. _____
	:	
JOSEPH G. PANETTE	:	
	:	
Defendant	:	

ACTION TO OBTAIN POSSESSION OF LAND SOLD AT JUDICIAL SALE

1. Plaintiffs, Richard C. Jolley and Ann B. Jolley, are husband and wife, residing at 10758 Atlantic Road, Atlantic, Pennsylvania 16111-1406 (hereinafter collectively the "Plaintiff").
2. Defendant, Joseph G. Pannette, is an individual residing at 470 Treasure Lake, Dubois, Pennsylvania 15801 (the "Defendant").
3. Plaintiff is the owner of a property located at 470 Treasure Lake, Dubois, Pennsylvania 15801, and more fully described as Lot No. 98, Section No. 2, "Santa Cruz", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office Miscellaneous Docket Map File No. 25.
4. Plaintiff acquired title to the property by purchasing it at a Sheriff sale conducted by the Sheriff of Clearfield County on 7 April 2006.
5. The Sheriff sale was conducted by virtue of a Writ or Execution issued on 20 December 2005 arising out of the suit of National City Bank of Pennsylvania, successor in interest to Keystone National Bank vs. Joseph G. Pannette, individually and as Surviving Spouse of Janet L. Pannette, Deceased and the United States of America at term and number 02-994-CD.

6. The Deed from the Sheriff to Plaintiff is dated 12 June 2006 and has been recorded in the Office of the Recorder of Deeds of Clearfield County at Instrument Number 200609613. A copy of the Sheriff's Deed is attached hereto as Exhibit "A".

7. The Defendant is in possession of the property and despite being notified of Plaintiff's title to the property, Defendant has refused to surrender possession.

WHEREFORE, Plaintiff prays that this Court enter an Order awarding possession of the above described property to Plaintiff, and awarding such other relief as the Court may deem appropriate.

Respectfully submitted,

PIETRAGALLO, BOSICK & GORDON, LLP

By: _____


Richard F. Moroco, Esquire
PA I.D.# 74693
54 Buhl Boulevard
Sharon, Pennsylvania 16146
Email: RFM@pbang.com
Telephone: 724.981.1397
Telecopier: 724.981.1398

Counsel for Plaintiff, Richard C. Jolley and Ann B. Jolley, husband and wife

Dated: 11 August 2006

EXHIBIT A

Deed - #911.

No.	Chester A. Hawkins High Sheriff of Clearfield County TO
-----	---

RICHARD C. JOLLEY AND ANN B. JOLLEY
10758 ATLANTIC ROAD
ATLANTIC, PA 16111-1406

SHERIFF DEED

Dated June 12, 2006

For \$55,000.00 + COSTS

Sold as the property of
**JOSEPH G. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L.
PANNETTE, DECEASED**

Sold on 02/09/04-CD

CLEARFIELD COUNTY RECORDER OF DEEDS

Karen L. Starck, Recorder
 Maurene Inlow - Chief Deputy
 P.O. Box 361
 1 North Second Street, Suite 103
 Clearfield, Pennsylvania 16830

AFFIDAVIT NO. 39422

***RETURN DOCUMENT TO:**
CLEARFIELD CO SHERIFF

Instrument Number - 200609613
 Recorded On 6/12/2006 At 1:41:54 PM
 * Instrument Type - DEED
 * Total Pages - 5
 Invoice Number - 150041
 * Grantor - CLEARFIELD CO SHERIFF
 * Grantee - JOLLEY, RICHARD C
 * Customer - CLEARFIELD CO SHERIFF

 * FEES
 STATE TRANSFER TAX \$1,378.69
 STATE WRIT TAX \$0.50
 JCS/ACCESS TO JUSTICE \$10.00
 RECORDING FEES - \$14.50
 RECORDER
 RECORDER IMPROVEMENT \$3.00
 FUND
 COUNTY IMPROVEMENT FUND \$2.00
 DUBOIS AREA SCHOOLS \$689.35
 REALTY TAX
 SANDY TOWNSHIP \$689.34
 TOTAL \$2,787.38

I hereby CERTIFY that this document is recorded in the Recorder's Office of Clearfield County, Pennsylvania.



Karen L. Starck

Karen L. Starck
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

SHERIFF'S DEED
ACT OF 1905

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$55,000.00 plus costs, to me in hand, do hereby grant and convey to RICHARD C. JOLLEY AND ANN B. JOLLEY, the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of Joseph G. Pannette, individually and as surviving spouse of Janet L. Pannette, Deceased, of, in and to

ALL THAT CERTAIN tract of land designated as Lot No. 98, Section No. 2, "Santa Cruz", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous Docket Map File No. 25.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure lake, Inc., recorded in Misc. Book Vol. 146, page 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreation facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantees, their heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

Tax Parcel No. D02-002-00098-00-21

BEING the same premises which C. Duane Fossler and Carol Fossler, his wife, by their deed dated October 31, 1990 and recorded November 8, 1990 in the office of the CLEARFIELD County Recorder of Deeds in Deed Book Volume 1373 Page 181 granted and conveyed to Joseph G. Pannette and Janet L. Pannette. Janet L. Pannette died on July 28, 2001, leaving her spouse, Joseph G. Pannette, sole owner by operation of law.

SEIZED, taken in execution and sold as the property of JOSEPH G. PANETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L. PANETTE, DECEASED, at the suit of NATIONAL CITY BANK OF PENNSYLVANIA, SUCCESSOR IN INTEREST TO KEYSTONE NATIONAL BANK. JUDGMENT NO. 02-994-CD

Now, June 12, 2006 the same having been sold by me to the said grantee on April 07, 2006 after due advertisement according to law, under and by virtue of writ of execution issued on December 20, 2006 out of the Court of Common Pleas of said County of Clearfield as of case number 02-994-CD at the suit of

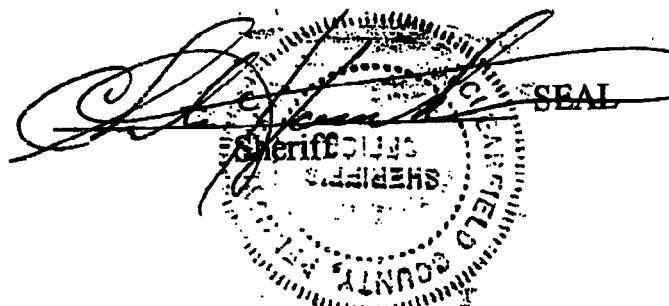
NATIONAL CITY BANK OF PENNSYLVANIA SUCCESSOR IN INTEREST TO
KEystone NATIONAL BANK

against

JOSEPH G. PANETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET
L. PANETTE, DECEASED AND THE UNITED STATES OF AMERICA

IN WITNESS WHEREOF, I have hereunto affixed by signature the day June 12, 2006

State of Pennsylvania
County of Clearfield



On June 12, 2006 before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins**, High Sheriff of the State of Pennsylvania known to me, (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity reinstated and for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

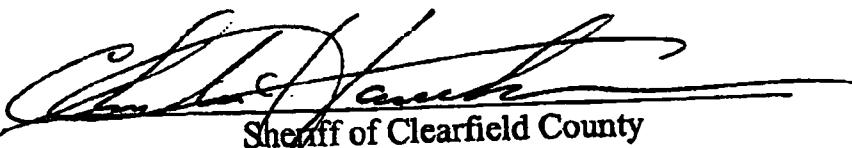


Prothonotary, Title of Officer

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2010
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the percise Residence of the Grantee or Grantees is,



Sheriff of Clearfield County

RICHARD C. JOLLEY AND ANN B. JOLLEY
10758 ATLANTIC ROAD
ATLANTIC, PA 16111-1406

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME JOSEPH G. PANNETTE, ET AL NO 02-994-CD

NOW, June 26, 2006, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on April 07, 2006, I exposed the within described real estate of Joseph G. Pannette, individually And As Surviving Spouse Of Janet L. Pannette, Deceased And The United States Of America to public venue or outcry; which time and place I sold the same to RICHARD C. JOLLEY AND ANN B. JOLLEY he/she being the highest bidder, for the sum \$55,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	16.91
LEVY	15.00
MILEAGE	16.91
POSTING	15.00
CSDS	10.00
COMMISSION	1,100.00
POSTAGE	15.70
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	55,000.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$1,344.52

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	30.00
TRANSFER TAX 2%	2,757.38
TOTAL DEED COSTS	\$2,787.38

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	37,705.12
INTEREST @ %	0.00
FROM TO 04/07/2006	
PROTH SATISFACTION	
LATE CHARGES AND FEES	211.85
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	2,855.87
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	3,545.31
PROPERTY INSPECTIONS	
INTEREST	1,086.67
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$45,424.82

COSTS:

ADVERTISING	882.30
TAXES - COLLECTOR	846.57
TAXES - TAX CLAIM	
DUE	100.00
LIEN SEARCH	5.00
ACKNOWLEDGEMENT	
DEED COSTS	2,787.38
SHERIFF COSTS	1,344.52
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	141.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$6,290.77

*Additional Proceeds to Commonwealth
of PA*

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN TEN (10) DAYS FROM THIS DATE.

CHESTER A. HAWKINS, Sheriff

COPY

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

RICHARD C. JOLLEY AND ANN B. JOLLEY,
husband and wife,

Plaintiff

vs.

No. *de-1308 CD*

JOSEPH G. PANETTE,

Defendant

COMPLAINT IN CIVIL ACTION - LAW

TO: THE ABOVE-NAMED 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 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 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. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Second and Market Streets
Clearfield, Pennsylvania 16830
(814) 765.2641 Ext. 50-51

ORIGINAL

CERTIFIED COPY

I hereby certify that the within is a true and correct copy of the original document filed in this matter.

PIETRAGALLO, BOSICK & GORDON, LLP

By: *[Signature]*

Richard F. Moroco, Attorney for Plaintiff
PA I.D. # 74693

SERVE ALL PAPERS ON:

Richard F. Moroco, Esquire
PIETRAGALLO, BOSICK & GORDON, LLP
54 Buhl Boulevard
Sharon, Pennsylvania 16146

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

AUG 15, 2006

Attest.

William L. Litter
Prothonotary/
Clerk of Courts

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

RICHARD C. JOLLEY AND ANN
B. JOLLEY, husband and wife

Plaintiff : CIVIL ACTION

v. : No. _____

JOSPEH G. PANETTE

Defendant :

ACTION TO OBTAIN POSSESSION OF LAND SOLD AT JUDICIAL SALE

1. Plaintiffs, Richard C. Jolley and Ann B. Jolley, are husband and wife, residing at 10758 Atlantic Road, Atlantic, Pennsylvania 16111-1406 (hereinafter collectively the "Plaintiff").

2. Defendant, Joseph G. Pannette, is an individual residing at 470 Treasure Lake, Dubois, Pennsylvania 15801 (the "Defendant").

3. Plaintiff is the owner of a property located at 470 Treasure Lake, Dubois, Pennsylvania 15801, and more fully described as Lot No. 98, Section No. 2, "Santa Cruz", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office Miscellaneous Docket Map File No. 25.

4. Plaintiff acquired title to the property by purchasing it at a Sheriff sale conducted by the Sheriff of Clearfield County on 7 April 2006.

5. The Sheriff sale was conducted by virtue of a Writ or Execution issued on 20 December 2005 arising out of the suit of National City Bank of Pennsylvania, successor in interest to Keystone National Bank vs. Joseph G. Pannette, individually and as Surviving Spouse of Janet L. Pannette, Deceased and the United States of America at term and number 02-994-CD.

6. The Deed from the Sheriff to Plaintiff is dated 12 June 2006 and has been recorded in the Office of the Recorder of Deeds of Clearfield County at Instrument Number 200609613. A copy of the Sheriff's Deed is attached hereto as Exhibit "A".

7. The Defendant is in possession of the property and despite being notified of Plaintiff's title to the property, Defendant has refused to surrender possession.

WHEREFORE, Plaintiff prays that this Court enter an Order awarding possession of the above described property to Plaintiff, and awarding such other relief as the Court may deem appropriate.

Respectfully submitted,

PIETRAGALLO, BOSICK & GORDON, LLP

By: 

Richard F. Moroco, Esquire
PA I.D.# 74693
54 Buhl Boulevard
Sharon, Pennsylvania 16146
Email: RFM@pbang.com
Telephone: 724.981.1397
Telecopier: 724.981.1398

Counsel for Plaintiff, Richard C. Jolley and Ann B. Jolley, husband and wife

Dated: 11 August 2006

EXHIBIT A

Deed - Roll.

No.	
	Chester A. Hawkins High Sheriff of Clearfield County TO

RICHARD C. JOLLEY AND ANN B. JOLLEY
10758 ATLANTIC ROAD
ATLANTIC, PA 16111-1406

SHERIFF DEED

Dated June 12, 2006

For \$55,000.00 + COSTS

Sold as the property of
JOSEPH G. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L.
PANNETTE, DECEASED

Sold on 02-994-CD

CLEARFIELD COUNTY RECORDER OF DEEDS

Karen L. Starck, Recorder
 Maurene Inlow - Chief Deputy
 P.O. Box 361
 1 North Second Street, Suite 103
 Clearfield, Pennsylvania 16830

AFFIDAVIT NO. *39422*

***RETURN DOCUMENT TO:**
CLEARFIELD CO SHERIFF

Instrument Number - 200609613
 Recorded On 6/12/2006 At 1:41:54 PM
 * Instrument Type - DEED
 * Total Pages - 5
 Invoice Number - 150041
 * Grantor - CLEARFIELD CO SHERIFF
 * Grantee - JOLLEY, RICHARD C
 * Customer - CLEARFIELD CO SHERIFF

 * FEES
 STATE TRANSFER TAX \$1,378.69
 STATE WRIT TAX \$0.50
 JCS/ACCESS TO JUSTICE \$10.00
 RECORDING FEES - \$14.50
 RECORDER
 RECORDER IMPROVEMENT \$3.00
 FUND
 COUNTY IMPROVEMENT FUND \$2.00
 DUBOIS AREA SCHOOLS \$689.35
 REALTY TAX
 SANDY TOWNSHIP \$689.34
 TOTAL \$2,737.38

I hereby CERTIFY that this document
is recorded in the Recorder's Office of
Clearfield County, Pennsylvania.



Karen L. Starck

Karen L. Starck
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

SHERIFF'S DEED
ACT OF 1905

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$55,000.00 plus costs, to me in hand, do hereby grant and convey to RICHARD C. JOLLEY AND ANN B. JOLLEY, the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of Joseph G. Pannette, individually and as surviving spouse of Janet L. Pannette, Deceased, of, in and to

ALL THAT CERTAIN tract of land designated as Lot No. 98, Section No. 2, "Santa Cruz", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous Docket Map File No. 25.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure lake, Inc., recorded in Misc. Book Vol. 146, page 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreation facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantees, their heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

Tax Parcel No. D02-002-00098-00-21

BEING the same premises which C. Duane Fossler and Carol Fossler, his wife, by their deed dated October 31, 1990 and recorded November 8, 1990 in the office of the CLEARFIELD County Recorder of Deeds in Deed Book Volume 1373 Page 181 granted and conveyed to Joseph G. Pannette and Janet L. Pannette. Janet L. Pannette died on July 28, 2001, leaving her spouse, Joseph G. Pannette, sole owner by operation of law.

SEIZED, taken in execution and sold as the property of JOSEPH G. PANETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L. PANETTE, DECEASED, at the suit of NATIONAL CITY BANK OF PENNSYLVANIA, SUCCESSOR IN INTEREST TO KEYSTONE NATIONAL BANK. JUDGMENT NO. 02-994-CD

Now, June 12, 2006 the same having been sold by me to the said grantee on April 07, 2006 after due advertisement according to law, under and by virtue of writ of execution issued on December 20, 2006 out of the Court of Common Pleas of said County of Clearfield as of case number 02-994-CD at the suit of

**NATIONAL CITY BANK OF PENNSYLVANIA SUCCESSOR IN INTEREST TO
KEystone NATIONAL BANK**

against

**JOSEPH G. PANETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET
L. PANETTE, DECEASED AND THE UNITED STATES OF AMERICA**

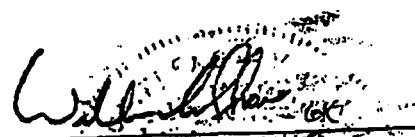
IN WITNESS WHEREOF, I have hereunto affixed by signature the day June 12, 2006



State of Pennsylvania
County of Clearfield

On June 12, 2006 before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins**, High Sheriff of the State of Pennsylvania known to me, (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity reinstated and for the purposes therein contained.

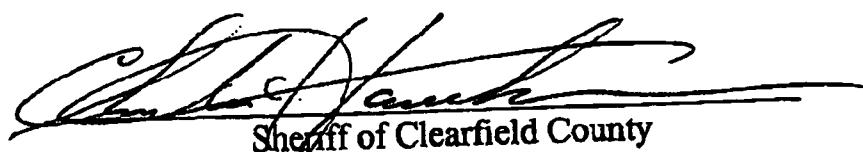
In witness whereof, I have hereunto set my hand and official seal.



Prothonotary, Title of Officer
WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2010
Clearfield Co., Clearfield, PA

CERTIFICATE OF RESIDENCE

"I hereby Certify that the percise Residence of the Grantee or Grantees is,



Sheriff of Clearfield County

RICHARD C. JOLLEY AND ANN B. JOLLEY
10758 ATLANTIC ROAD
ATLANTIC, PA 16111-1406

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME JOSEPH G. PANNETTE, ET AL NO 02-994-CD

NOW, June 26, 2006, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on April 07, 2006, I exposed the within described real estate of Joseph G. Pannette, individually And As Surviving Spouse Of Janet L. Pannette, Deceased And The United States Of America to public venue or outcry; which time and place I sold the same to RICHARD C. JOLLEY AND ANN B. JOLLEY he/she being the highest bidder, for the sum \$55,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR	15.00	DEBT-AMOUNT DUE	37,705.12
SERVICE	15.00	INTEREST @ %	0.00
MILEAGE	16.91	FROM TO 04/07/2006	
LEVY	15.00		
MILEAGE	16.91	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	211.85
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	1,100.00	FORECLOSURE FEES	
POSTAGE	15.70	ATTORNEY COMMISSION	2,856.87
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	20.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE	15.00	ESCROW DEFICIENCY	3,545.31
DEED	30.00	PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	1,086.67
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY		TOTAL DEBT AND INTEREST	\$45,424.82
BID AMOUNT	55,000.00		
RETURNS/DEPUTIZE		COSTS:	
COPIES	15.00	ADVERTISING	882.30
	5.00	TAXES - COLLECTOR	846.57
BILLING/PHONE/FAX	5.00	TAXES - TAX CLAIM	
CONTINUED SALES		DUE	100.00
MISCELLANEOUS		LIEN SEARCH	5.00
TOTAL SHERIFF COSTS	\$1,344.52	ACKNOWLEDGEMENT	2,787.38
DEED COSTS:		DEED COSTS	1,344.52
ACKNOWLEDGEMENT	5.00	SHERIFF COSTS	144.00
REGISTER & RECORDER	30.00	LEGAL JOURNAL COSTS	141.00
TRANSFER TAX 2%	2,757.38	PROTHONOTARY	40.00
TOTAL DEED COSTS	\$2,787.38	MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	\$6,290.77

*Additional Proceeds to Commonwealth
of Pa*

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN TEN (10) DAYS FROM THIS DATE.

CHESTER A. HAWKINS, Sheriff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY AND ANN B. CIVIL DIVISION
JOLLEY, husband and wife,

Plaintiff

No. 06-1308-CV

v.

JOSEPH G. PANNETTE,

Defendant

**PRAECIPE TO REINSTATE
COMPLAINT**

Filed on Behalf of Plaintiff

Counsel of Record for this Party:

Richard F. Moroco
PA ID. #74693

Pietragallo, Bosick & Gordon
54 Buhl Boulevard
Sharon, PA 16146

Tel.: 724.981.1397
Fax: 724.981.1398

FILED
OCT 13 2006
012301 (2)
William A. Shaw
Prothonotary/Clerk of Courts
NO CLERK - COPY
ISSUED REINSTATE
COMPLAINT

FILED BY:
John D. Holliday
JOHN D. HOLLOWAY
10-13-06

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY AND ANN B. No.
JOLLEY, husband and wife,

Plaintiff

v.

JOSEPH G. PANNETTE,

Defendant

PRAECIPE TO REINSTATE COMPLAINT

TO: Clearfield County Prothonotary

Kindly reinstate the Complaint in connection with the above-captioned matter.

Respectfully submitted,

PIETRAGALLO, BOSICK & GORDON



By:

Richard F. Moroco
PA ID. #74693

Pietragallo, Bosick & Gordon
54 Buhl Boulevard
Sharon, PA 16146

Tel.: 724.981.1397

Fax: 724.981.1398

Attorneys for the Plaintiff

William A. Shaw
Prothonotary/Clerk of Courts

OCT 13 2006

FILED

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY AND ANN B.
JOLLEY, husband and wife,

CIVIL DIVISION

Plaintiff

No. 06-1308-CD

v.

JOSEPH G. PANNETTE,

Defendant

**PRAECIPE TO REINSTATE
COMPLAINT**

Filed on Behalf of Plaintiff

Counsel of Record for this Party:

Richard F. Morocco
PA ID. #74693

Pietragallo, Bosick & Gordon
54 Buhl Boulevard
Sharon, PA 16146

Tel.: 724.981.1397
Fax: 724.981.1398

FILED

JAN 16 2007
m/120/0
William A. Shaw
Prothonotary/Clerk of Courts

I send w/maior
commece to
atty

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

RICHARD C. JOLLEY AND ANN B.
JOLLEY, husband and wife,

No.

Plaintiff

v.

JOSEPH G. PANNETTE,

Defendant

PRAECIPE TO REINSTATE COMPLAINT

TO: Clearfield County Prothonotary

Kindly reinstate the Complaint in connection with the above-captioned matter.

Respectfully submitted,

PIETRAGALLO, BOSICK & GORDON



By:

Richard F. Moroco
PA ID. #74693

Pietragallo, Bosick & Gordon
54 Buhl Boulevard
Sharon, PA 16146

Tel.: 724.981.1397

Fax: 724.981.1398

Attorneys for the Plaintiff

FILED

JAN 16 2007

*William A. Shaw
Prothonotary/Clerk of Courts*

F.I.L.E.D.
JAN 16 2007
*William A. Shaw
Prothonotary/Clerk of Courts*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praeclipe to Reinstate
Complaint was, on this 12th day of Jan 2007, served by the Sheriff of Clearfield
County on:

Joseph G. Pannette
470 Treasure Lake
Dubois, PA 15801



By:

Richard F. Morocco
PA ID. #74693

FILE COPY

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

RICHARD C. JOLLEY AND ANN B. JOLLEY,
husband and wife,

vs.

Plaintiff

No. 06-1308-CD

JOSEPH G. PANNETTE,

Defendant

COMPLAINT IN CIVIL ACTION - LAW

TO: THE ABOVE-NAMED DEFENDANT:

FILED

AUG 15 2006

William A. Shaw
Prothonotary/Clerk of Courts

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 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 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. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Second and Market Streets
Clearfield, Pennsylvania 16830
(814) 765.2641 Ext. 50-51

ORIGINAL

CERTIFIED COPY

I hereby certify that the within is a true and correct copy of the original document filed in this matter.

PIETRAGALLO, BOSICK & GORDON, LLP

By: 

Richard F. Morocco, Attorney for Plaintiff
PA I.D. # 74693

SERVE ALL PAPERS ON:

Richard F. Morocco, Esquire
PIETRAGALLO, BOSICK & GORDON, LLP
54 Buhl Boulevard
Sharon, Pennsylvania 16146

JAN. 16, 2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Deputy Prothonotary

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

RICHARD C. JOLLEY AND ANN	:	
B. JOLLEY, husband and wife	:	
	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	No. _____
	:	
JOSEPH G. PANNETTE	:	
	:	
Defendant	:	

ACTION TO OBTAIN POSSESSION OF LAND SOLD AT JUDICIAL SALE

1. Plaintiffs, Richard C. Jolley and Ann B. Jolley, are husband and wife, residing at 10758 Atlantic Road, Atlantic, Pennsylvania 16111-1406 (hereinafter collectively the "Plaintiff").
2. Defendant, Joseph G. Pannette, is an individual residing at 470 Treasure Lake, Dubois, Pennsylvania 15801 (the "Defendant").
3. Plaintiff is the owner of a property located at 470 Treasure Lake, Dubois, Pennsylvania 15801, and more fully described as Lot No. 98, Section No. 2, "Santa Cruz", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office Miscellaneous Docket Map File No. 25.
4. Plaintiff acquired title to the property by purchasing it at a Sheriff sale conducted by the Sheriff of Clearfield County on 7 April 2006.
5. The Sheriff sale was conducted by virtue of a Writ or Execution issued on 20 December 2005 arising out of the suit of National City Bank of Pennsylvania, successor in interest to Keystone National Bank vs. Joseph G. Pannette, individually and as Surviving Spouse of Janet L. Pannette, Deceased and the United States of America at term and number 02-994-CD.

6. The Deed from the Sheriff to Plaintiff is dated 12 June 2006 and has been recorded in the Office of the Recorder of Deeds of Clearfield County at Instrument Number 200609613. A copy of the Sheriff's Deed is attached hereto as Exhibit "A".

7. The Defendant is in possession of the property and despite being notified of Plaintiff's title to the property, Defendant has refused to surrender possession.

WHEREFORE, Plaintiff prays that this Court enter an Order awarding possession of the above described property to Plaintiff, and awarding such other relief as the Court may deem appropriate.

Respectfully submitted,

PIETRAGALLO, BOSICK & GORDON, LLP

By: 

Richard F. Moroco, Esquire
PA L.D.# 74693
54 Buhl Boulevard
Sharon, Pennsylvania 16146
Email: RFM@pbang.com
Telephone: 724.981.1397
Telecopier: 724.981.1398

Counsel for Plaintiff, Richard C. Jolley and Ann B. Jolley, husband and wife

Dated: 11 August 2006

EXHIBIT A

Deed - Roll.

No.

Chester A. Hawkins
High Sheriff of Clearfield County
TO

RICHARD C. JOLLEY AND ANN B. JOLLEY
10758 ATLANTIC ROAD
ATLANTIC, PA 16111-1406

SHERIFF DEED

Dated June 12, 2006

For \$55,000.00 + COSTS

Sold as the property of
JOSEPH G. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L.
PANNETTE, DECEASED

Sold on 02.994.CD

CLEARFIELD COUNTY RECORDER OF DEEDS

Karen L. Starck, Recorder
 Maurene Inlow - Chief Deputy
 P.O. Box 361
 1 North Second Street, Suite 103
 Clearfield, Pennsylvania 16830

AFFIDAVIT NO. 39422

***RETURN DOCUMENT TO:**
CLEARFIELD CO SHERIFF

Instrument Number - 280609613
 Recorded On 6/12/2006 At 1:41:54 PM
 * Instrument Type - DEED
 * Total Pages - 5
 Invoice Number - 150041
 * Grantor - CLEARFIELD CO SHERIFF
 * Grantee - JOLLEY, RICHARD C
 * Customer - CLEARFIELD CO SHERIFF

 * FEES
 STATE TRANSFER TAX \$1,978.69
 STATE WRIT TAX \$0.50
 JCS/ACCESS TO JUSTICE \$10.00
 RECORDING FEES - \$14.50
 RECORDER
 RECORDER IMPROVEMENT \$3.00
 FUND
 COUNTY IMPROVEMENT FUND \$2.00
 DUBOIS AREA SCHOOLS \$689.35
 REALTY TAX
 SANDY TOWNSHIP \$689.34
 TOTAL \$2,787.38

I hereby CERTIFY that this document
is recorded in the Recorder's Office of
Clearfield County, Pennsylvania.



Karen L. Starck

Karen L. Starck
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

SHERIFF'S DEED
ACT OF 1905

Know all Men by these Presents,

That I, Chester A. Hawkins, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$55,000.00 plus costs, to me in hand, do hereby grant and convey to RICHARD C. JOLLEY AND ANN B. JOLLEY, the following described property, to wit:

DEED DESCRIPTION

All the right, title, interest and claim of Joseph G. Pannette, individually and as surviving spouse of Janet L. Pannette, Deceased, of, in and to

ALL THAT CERTAIN tract of land designated as Lot No. 98, Section No. 2, "Santa Cruz", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous Docket Map File No. 25.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure lake, Inc., recorded in Misc. Book Vol. 146, page 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreation facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantees, their heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

Tax Parcel No. D02-002-00098-00-21

BEING the same premises which C. Duane Fossler and Carol Fossler, his wife, by their deed dated October 31, 1990 and recorded November 8, 1990 in the office of the CLEARFIELD County Recorder of Deeds in Deed Book Volume 1373 Page 181 granted and conveyed to Joseph G. Pannette and Janet L. Pannette. Janet L. Pannette died on July 28, 2001, leaving her spouse, Joseph G. Pannette, sole owner by operation of law.

SEIZED, taken in execution and sold as the property of JOSEPH G. PANMETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L. PANMETTE, DECEASED, at the suit of NATIONAL CITY BANK OF PENNSYLVANIA, SUCCESSOR IN INTEREST TO KEYSTONE NATIONAL BANK. JUDGMENT NO. 02-994-CO

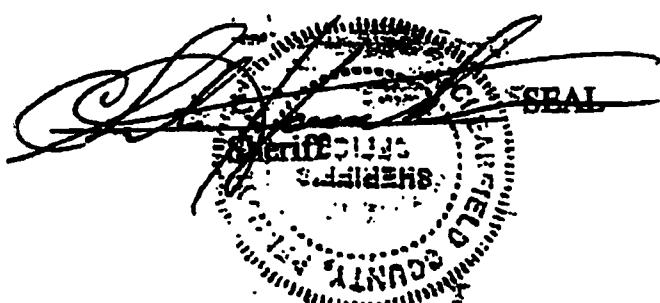
Now, June 12, 2006 the same having been sold by me to the said grantee on April 07, 2006 after due advertisement according to law, under and by virtue of writ of execution issued on December 20, 2006 out of the Court of Common Pleas of said County of Clearfield as of case number 02-994-CD at the suit of

**NATIONAL CITY BANK OF PENNSYLVANIA SUCCESSOR IN INTEREST TO
KEYSTONE NATIONAL BANK**

against

**JOSEPH G. PANETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET
L. PANETTE, DECEASED AND THE UNITED STATES OF AMERICA**

IN WITNESS WHEREOF, I have hereunto affixed by signature the day June 12, 2006



**State of Pennsylvania
County of Clearfield**

On June 12, 2006 before me a Prothonotary, the undersigned officer personally appeared, Chester A. Hawkins, High Sheriff of the State of Pennsylvania known to me, (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity reinstated and for the purposes therein contained.

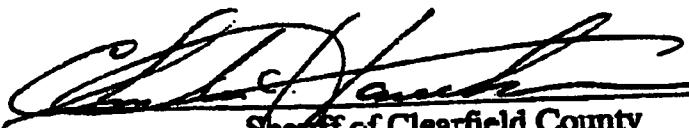
In witness whereof, I have hereunto set my hand and official seal.

Prothonotary Title of Office

WILSON A. JOLLEY
Prothonotary
No. of Commission
101000000000000000
Date Issued 10 Jun 2006
Clearfield Co., Pennsylvania

CERTIFICATE OF RESIDENCE

"I hereby Certify that the percise Residence of the Grantee or Grantees is,


Sheriff of Clearfield County

RICHARD C. JOLLEY AND ANN B. JOLLEY
10758 ATLANTIC ROAD
ATLANTIC, PA 16111-1406

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME JOSEPH G. PANNETTE, ET AL NO 02-894-CD

WOW, June 26, 2006, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on April 07, 2006, I exposed the within described real estate of Joseph G. Pannette, individually And As Surviving Spouse Of Janet L. Pannette, Deceased And The United States Of America to public venue or outcry: which time and place I sold the same to RICHARD C. JOLLEY AND ANN B. JOLLEY he/she being the highest bidder, for the sum \$55,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	16.81
LEVY	15.00
MILEAGE	16.91
POSTING	15.00
CSDS	10.00
COMMISSION	1,100.00
POSTAGE	15.70
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	55,000.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$1,344.52

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	30.00
TRANSFER TAX 2%	2,767.38
TOTAL DEED COSTS	\$2,787.38

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	37,705.12
INTEREST @ %	0.00
FROM TO 04/07/2006	
PROTH SATISFACTION	
LATE CHARGES AND FEES	211.85
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	2,855.87
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	3,545.31
PROPERTY INSPECTIONS	
INTEREST	1,068.67
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$45,424.82
COSTS:	
ADVERTISING	882.30
TAXES - COLLECTOR	846.57
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	2,767.38
SHERIFF COSTS	1,344.52
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	141.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$6,290.77

*Additional Proceeds to Commonwealth
of PA*

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN TEN (10) DAYS FROM THIS DATE.

CHESTER A. HAWKINS, Sheriff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,

Plaintiff,

v.

JOSEPH G. PANETTE,

Defendant.

CIVIL ACTION

NO. 06-1308-CD

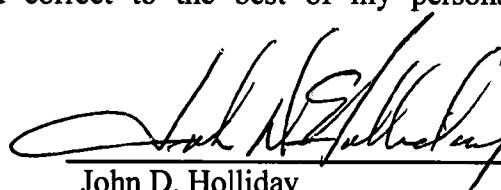
AFFIDAVIT OF JOHN D. HOLLIDAY

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MERCER

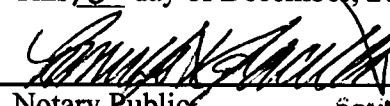
I, John D. Holliday ("Mr. Holliday"), being duly sworn according to law, hereby depose and say as follows:

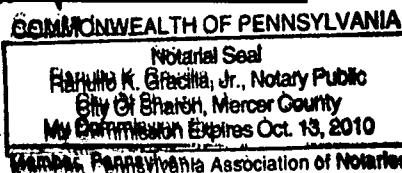
1. I am a competent adult individual.
2. I served Defendant, Joseph G. Pannette ("Mr. Pannette") with process on Friday, October 13, 2006.
3. Process was served by hand delivering a copy of the Complaint and Notice to Defend in this matter to Mr. Pannette at the Dubois Mall in Dubois Pennsylvania.
4. The foregoing is true and correct to the best of my personal knowledge, information, and belief.



John D. Holliday

Sworn to and subscribed before me
This 15 day of December, 2006


Notary Public



FILED
m t r
DEC 20 2006
cc
m

William A. Shaw
Prothonotary/Clerk of Courts

CERTIFICATE OF SERVICE

I, Richard F. Morocco, Esquire, certify that I caused a copy of the *Affidavit of John D. Holliday* to be served this day by U.S. first class mail, postage prepaid, upon the following interested parties:



Richard F. Morocco
PA I.D. #74963

Dated: 15 December 2006

Counsel for the Plaintiffs

FILED

DEC 20 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,
Plaintiff,

vs.

JOSEPH G. PANETTE,
Defendant.

CIVIL ACTION

NO. 06-1308-CD

FILED NOCC
M 11.13.06
DEC 21 2006
S

William A. Shaw
Prothonotary/Clerk of Courts

TEN-DAY NOTICE OF DEFAULT

To: Joseph G. Pannette
470 Treasure Lake
Dubois, Pennsylvania 15801

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE YOU RECEIVE THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Second and Market Streets
Clearfield, Pennsylvania 16830
814.765.2641 Ext. 50-51

Respectfully Submitted:

PIETRAGALLO, LOSICK & GORDON LLP

By: _____

Richard F. Morocco
PA I.D. # 74693

Dated 18 December 2006

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,
Plaintiff,

vs.

JOSEPH G. PANNETTE,
Defendant.

CIVIL ACTION

NO. 06-1308-CD

CERTIFICATE OF SERVICE

I, Richard F. Moroco, Esquire, certify that I caused a copy of the *Ten Day Notice of Default* to be served this 18th day of December 2006 by U.S. first class mail, postage prepaid, upon the following interested parties:

Joseph G. Pannette
470 Treasure Lake
Dubois, Pennsylvania 15801

PIETRAGALLO, BOSICK & GORDON LLP



By: _____

Richard F. Moroco
PA I.D. #74693

Dated: 18 December 2006

Counsel for the Plaintiffs

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,
Plaintiff,

vs.

JOSEPH G. PANETTE,
Defendant.

CIVIL ACTION

NO. 06-1308-CD

TEN-DAY NOTICE OF DEFAULT

To: Joseph G. Pannette
470 Treasure Lake
Dubois, Pennsylvania 15801

FILED *NO CC*
M 12 22 2007
MAR 05 2007
WS

William A. Shaw
Prothonotary/Clerk of Courts

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE YOU RECEIVE THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Second and Market Streets
Clearfield, Pennsylvania 16830
814.765.2641 Ext. 50-51

Respectfully Submitted:

PIETRAGALLO, BOSICK & GORDON LLP

By:

Richard F. Morocco
PA I.D. # 74693

Dated: 2 March 2007

CERTIFICATE OF SERVICE

I, Richard F. Moroco, Esquire, certify that I caused a copy of the *Ten Day Notice of Default* to be served this 2nd day of March 2007 by U.S. first class mail, postage prepaid, upon the following interested parties:

Joseph G. Pannette
470 Treasure Lake
Dubois, Pennsylvania 15801



Richard F. Moroco
PA I.D. #74963
Counsel for the Plaintiffs

Dated: 2 March 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102391
NO: 06-1308-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: RICHARD C. JOLLEY and ANN B. JOLLEY husband & wife
vs.
DEFENDANT: JOSEPH G. PANETTE

SHERIFF RETURN

NOW, February 09, 2007 AT 2:25 PM SERVED THE WITHIN COMPLAINT ON JOSEPH G. PANETTE
DEFENDANT AT WORK: J COLLECTABLES, DUBOIS MALL, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA,
BY HANDING TO JERRY PANETTE, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL
COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / DEHAVEN

FILED

MAR 23 2007
0/2/45
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PIETRAGALLO	1046	10.00
SHERIFF HAWKINS	PIETRAGALLO	1046	27.82

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

*Chester A. Hawkins
by Marilyn Haskin*

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

FILED NO CC
MARCH 22 2007
(6K)

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANETTE,

Defendant.

CIVIL ACTION - LAW

NO. 06-1308-CD

**MOTION TO EXPEDITE FILING OF
PROOF OF SERVICE BY SHERIFF
&
PRAECIPE TO EXPEDITE
DISPOSITION**

Filed on behalf of:

Plaintiff, Richard C. Jolley and Ann B.
Jolley

Counsel of Record for Plaintiff:

Richard F. Morocco

PA74693

PIETRAGALLO, BOSICK & GORDON
54 Buhl Blvd
Sharon, PA 16146

(724) 981-1397

William A. Shaw
Prothonotary/Clerk of Courts

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

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANETTE,

Defendant.

CIVIL ACTION – LAW

NO. 06-1308-CD

PRAECIPE FOR EXPEDITED DISPOSITION

TO THE COURT ADMINISTRATOR:

Expedited Disposition of the attached *Motion to Expedite the Filing of Proof of Service*
By the Sheriff is requested for the following reasons:

1. Plaintiff's purchased the property at issue almost 1 year ago;
2. Service of process was not made until February 9, 2007;
3. The Sheriff's Office is currently filing proof of service for January 9, 2007 and is unable to estimate when it will, in the ordinary course, file proof of service for February 9, 2007 or this case;
4. Plaintiffs' property is at risk of waste or destruction.

FOR COURT ADMINISTRATOR ACTION ONLY _____ MOTION OR PETITION
ASSIGNED. _____ COUNSEL FOR MOVING PARTY NOTIFIED OF JUDICIAL
ASSIGNMENT

Respectfully submitted,

PIETRACALLI, BOECK & GORDON, LLP



Date: March 21, 2007

By: Richard F. Moroco
PA74693
54 Buhl Boulevard
Sharon, PA 16146
(724) 981-1397

Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANETTE,

Defendant.

CIVIL ACTION - LAW

NO. 06-1308-CD

ORDER

AND NOW, this ____ day of _____, 2007, upon consideration of Plaintiffs' *Motion To Expedite Filing Of Proof Of Service By Sheriff*, it is hereby ordered that:

1. the Motion is GRANTED; and
2. The Sheriff of Clearfield County shall file proof of the service of process that was effectuated on February 9, 2007 in this case within 24 hours of receipt of this Order.

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANETTE,

Defendant.

CIVIL ACTION - LAW

NO. 06-1308-CD

FILED

MAR 22 2007

William A. Shaw
Prothonotary/Clerk of Courts

MOTION TO EXPEDITE FILING OF PROOF OF SERVICE BY SHERIFF

Plaintiffs, Richard C. Jolley and Ann B. Jolley (jointly the "Mr. & Mrs. Jolley"), by and through their attorneys, Pietragallo Bosick & Gordon, LLP, move the Court to compel the Sheriff's Office to expedite the filing of the proof of service of process with the Court and, in support thereof, aver as follows:

1. On August 15, 2006, Mr. & Mrs. Jolley filed a Complaint to obtain possession of land they purchased at judicial sale on April 7, 2006.
2. Plaintiffs were not able to effectuate service of process on the Defendant, Joseph G. Pannette ("Mr. Pannette").
3. On January 16, 2007, Mr. & Mrs. Jolley reinstated the Complaint so that service of process could be attempted again.
4. On February 9, 2007, the Clearfield County Sheriff's office effectuated service of process on Mr. Pannette.
5. Mr. Pannette failed to respond to the Complaint.
6. On March 2, 2007, Mr. & Mrs. Jolley served Defendant with a 10 day notice of intent to take default judgment.
7. Mr. Pannette failed to respond to the 10 day notice.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Motion to Expedite Filing of Proof of Service By Sheriff* has been served upon the following via First Class U.S. Mail, postage pre-paid, this ____ day of March 2007.

Joseph G. Pannette
470 Treasure Lake
Dubois, PA 15801

Clearfield County Sheriff's Office
Courthouse Suite 116
1 North 2nd Street
Clearfield, PA 16830



Richard F. Morocco, Esquire

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

RICHARD C. JOLLEY, et al,
Plaintiffs

*

*

vs.
JOSEPH G. PANETTE,
Defendant

*

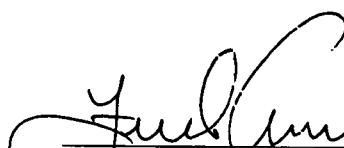
*

NO. 06-1308-CD

ORDER

NOW, this 26th day of March, 2007, the Court noting the difficulties caused relative no Sheriff's Return having yet been filed with the Prothonotary, and in consideration of Pa. R.C.P. 405 (a) and the Plaintiff's Motion to Expedite Filing of Proof of Service by Sheriff and Praeclipe to Expedite Disposition, it is the ORDER of this Court that the Sheriff cause a Return of Service to be filed with the Prothonotary by no later than 3:30 p.m. on Wednesday, March 28, 2007. The Prothonotary shall notify the Court as to the filing of the return.

BY THE COURT,


FREDRIC J. AMMERMAN

President Judge

FILED 1CC Boris 10
8/215 LM Judge Ammerman
MAR 26 2007 to serve SHCC
2CC Atty Morco

William A. Shaw
Prothonotary/Clerk of Courts

DATE 3/26/07
You are hereby served with a copy of the above title parties.
 The Plaintiff(s) has/have given service to the following parties:
 Plaintiff(s) Attorney Other
 Defendant(s) Attorney
 Other
Served by Mail Hand Subpoena Other

FILED

MAR 26 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANETTE,

Defendant.

CIVIL ACTION – LAW

NO. 06-1308-CD

**PRAECIPE TO ENTER JUDGMENT
BY DEFAULT**

Filed on behalf of:

**Plaintiff, Richard C. Jolley and Ann B.
Jolley**

Counsel of Record for Plaintiff:

Richard F. Morocco

PA74693

**PIETRAGALLO BOSICK & GORDON
54 Buhl Blvd
Sharon, PA 16146**

Phone: 724.981.1397

Facsimile: 724.981.1398

FILED Atty pd. 20.00
2012:50 PM
APR 02 2007 Notice to
Def.

William A. Shaw
Prothonotary/Clerk of Courts





IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANETTE,

Defendant.

CIVIL ACTION – LAW

NO. 06-1308-CD

PRAECIPE TO ENTER JUDGMENT BY DEFAULT

TO: PROTHONCTARY

Pursuant to Pa.R.C.P. No. 1037(b), please enter judgment by default against Defendant, Joseph G. Pannette (“Pannette”) and in favor of Plaintiff, Richard C. Jolley and Ann B. Jolley. (jointly the “Jolleys”) for failure to file within the required time a pleading to the Complaint, which contained a notice to defend.

The undersigned hereby certifies that, pursuant to Pa.R.C.P. Nos. 237.1, a *Notice of Praecipe to Enter Judgment by Default* was served on Defendant, Pannette on or about March 2, 2007. A copy of the notice is attached as Exhibit “A” and incorporated by reference.

Respectfully submitted,

PIETRAGALLO BOSICK & GORDON, LLP



Date: March 29, 2007

By:

Richard F. Morocco
PA74693
54 Buhl Boulevard
Sharon, PA 16146
Phone: 724. 981.1397
Facsimile: 724.981.1398
Attorneys for Plaintiff

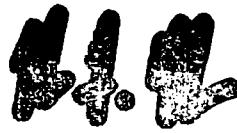
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Praecipe To Enter Default Judgment* has been served upon the following via First Class U.S. Mail, postage pre-paid, this 29 day of March 2007.

Joseph G. Pannette
470 Treasure Lake
Dubois, PA 15801

By: _____

Richard F. Moroco, Esquire



FILE COPY

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,
Plaintiff,

vs.

JOSEPH G. PANETTE,
Defendant.

CIVIL ACTION

NO. 06-1308-CD

*FILED
MAY 06 2007
C*
William A. Shaw
Prothonotary/Clerk of Courts

TEN-DAY NOTICE OF DEFAULT

To: Joseph G. Pannette
470 Treasure Lake
Dubois, Pennsylvania 15801

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE YOU RECEIVE THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Second and Market Streets
Clearfield, Pennsylvania 16830
814.765.2641 Ext. 50-51

Respectfully Submitted:

PIETRAGALLO, BOSICK & GORDON LLP

By: *R.F. M*

Richard F. Morocco
PA I.D. # 74693

Dated: 2 March 2007

*RECEIVED
EXHIBIT "A"*

CERTIFICATE OF SERVICE

I, Richard F. Morocco, Esquire, certify that I caused a copy of the *Ten Day Notice of Default* to be served this 2nd day of March 2007 by U.S. first class mail, postage prepaid, upon the following interested parties:

Joseph G. Pannette
470 Treasure Lake
Dubois, Pennsylvania 15801



Richard F. Morocco
PA I.D. #74963
Counsel for the Plaintiffs

Dated: 2 March 2007

84

FILED

APR 02 2007

William A. Shaw
Prothonotary/Clerk of Courts

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Richard C. Jolley and Ann B. Jolley

Vs.

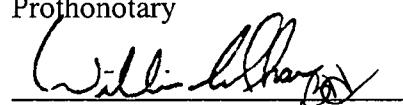
No. 2006-01308-CD

Joseph G. Pannette

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered
against you on April 2, 2007.

William A. Shaw
Prothonotary



William A. Shaw

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANNETTE,

Defendant.

CIVIL ACTION - LAW

NO. 06-1308-CD

**PRAECIPE FOR WRIT OF
POSSESSION**

Filed on behalf of:

Plaintiff, Richard C. Jolley and Ann B.
Jolley

Counsel of Record for Plaintiff:

Richard F. Morocco
PA74693

PIETRAGALLO BOSICK & GORDON
54 Buhl Boulevard
Sharon, PA 16146
Telephone: 724.981.1397
Facsimile: 724.981.1398

FILED ⁽⁶⁾
1CC&1writ
m/12/502007 to Atty
APR 02 2007
Atty pd,
William A. Shaw
Prothonotary/Clerk of Courts 20.00

CENT to SURF
4-16-07

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANNETTE,

Defendant.

CIVIL ACTION - LAW

NO. 06-1308-CD

PRAECIPE FOR WRIT OF POSSESSION

TO: PROTHONOTARY

Pursuant to Pa.R.C.P. Nos. 3161.1 and 3254, please issue a writ of possession in the above matter. A proposed writ of possession is attached for your convenience.

Respectfully submitted,

PIETRAGALLO BOSICK & GORDON, LLP



Date: March 29, 2007

By:

Richard F. Moroco

PA74693

54 Buhl Boulevard

Sharon, PA 16146

Telephone: 724.981.1397

Facsimile: 724.981.1398

Attorneys for Plaintiff

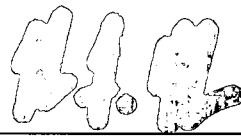
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Praeclipe for Writ of Possession* has been served upon the following via First Class U.S. Mail, postage pre-paid, this 29 day of March 2007.

Joseph G. Pannette
470 Treasure Lake
Dubois, PA 15801

By: _____

Richard F. Moroco, Esquire



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102659
NO: 06-1308-CD
SERVICE # 1 OF 1
WRIT OF POSSESSION

PLAINTIFF: RICHARD C. JOLLEY et al
vs.
DEFENDANT: JOSEPH G. PANETTE

SHERIFF RETURN

NOW, April 25, 2007 AT 10:00 AM SERVED THE WITHIN WRIT OF POSSESSION ON JOSEPH G. PANETTE DEFENDANT AT LOT 98 SEC. 2, TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JOSEPH G. PANETTE, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF POSSESSION AND MADE KNOWN THE CONTENTS THEREOF. LOCKOUT PERFORMED 4/25/07.

SERVED BY: NEVLING / COUDRIET

FILED

01/01/07
APR 27 2007

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PIETRAGALLO	1062	10.00
SHERIFF HAWKINS	PIETRAGALLO	1062	66.82

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

*Chester A. Hawkins
by Marilyn Harris*
Chester A. Hawkins
Sheriff