



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. 06-1308-CD

JOSEPH G. PANNETTE,

Defendant

COMPLAINT IN CIVIL ACTION - LAW

TO: THE ABOVE-NAMED DEFENDANT:

FILED  
m 12:30 PM 89.00  
AUG 15 2006  
2006 Shff

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. Moroco

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

Jan. 16, 2007 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.  
William A. Shaw  
Deputy Prothonotary

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

v.

JOSEPH G. PANNETTE

Defendant

CIVIL ACTION

No. \_\_\_\_\_

**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 of 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](mailto: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.**

**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 \$2,787.38****I hereby CERTIFY that this document  
is recorded in the Recorder's Office of  
Clearfield County, Pennsylvania.****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. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L. PANNETTE, DECEASED, at the suit of NATIONAL CITY BANK OF PENNSYLVANIA, SUCCESSOR IN INTEREST TO KEYSTONE NATIONAL BANK. JUDGMENT NO. 02-994-CD



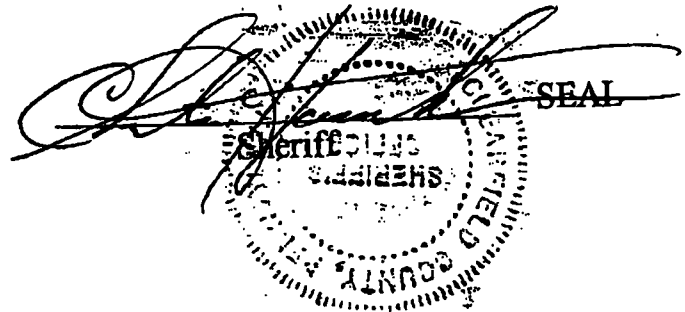
Now, June 12, 2006 the same having been sold by me to the said grantee on April 07, 2006 after due advertisement according to law, under and by virtue of writ of execution issued on December 20, 2006 out of the Court of Common Pleas of said County of Clearfield as of case number 02-994-CD at the suit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

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

against

JOSEPH G. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET  
L. PANNETTE, 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 thereinstated and for the purposes therein contained.

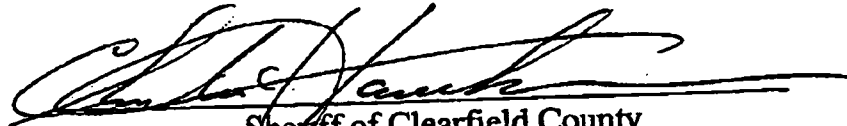
In witness whereof, I have hereunto set my hand and official seal.

  
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	18.91
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
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**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	2,856.87
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
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**COSTS:**

ADVERTISING	882.30
TAXES - COLLECTOR	846.57
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
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
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*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 pm  
SEP 26 2006

Sworn to Before me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2006

So Answers,

William A. Shaw  
Prothonotary/Clerk of Courts

*Chester 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-D

JOSEPH G. PANNETTE,

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) 765.264/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.

[Signature]  
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

v.

JOSEPH G. PANNETTE

Defendant

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CIVIL ACTION

No. \_\_\_\_\_

**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 of 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](mailto: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 - Poll.**

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 \$2,787.38****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.**

SHERIFFS 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. PANNETTE, 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

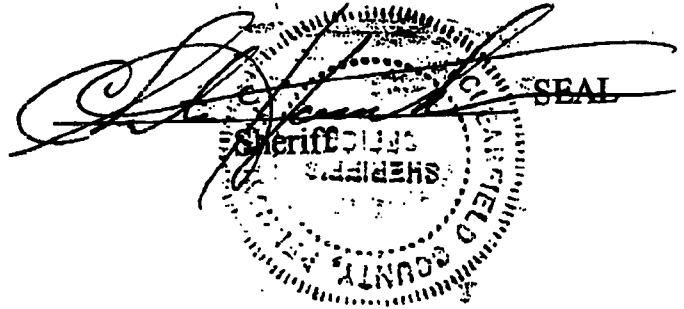
NATIONAL CITY BANK OF PENNSYLVANIA SUCCESSOR IN INTEREST TO  
KEYSTONE NATIONAL BANK

against

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

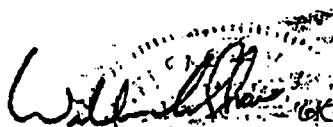
IN WITNESS WHEREOF, I have hereunto affixed by signature the day June 12, 2006

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 thereinstated and for the purposes therein contained.

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

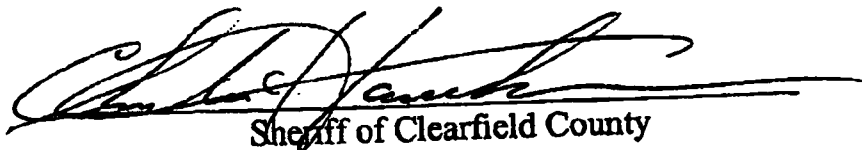


Prothonotary, Title of Officer

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 02-894-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	
<b>TOTAL SHERIFF COSTS</b>	<b>\$1,344.52</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	30.00
TRANSFER TAX 2%	2,757.36
<b>TOTAL DEED COSTS</b>	<b>\$2,787.36</b>

**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	2,856.87
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	3,545.31
PROPERTY INSPECTIONS	
INTEREST	1,086.67
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$45,424.82</b>

**COSTS:**

ADVERTISING	882.30
TAXES - COLLECTOR	846.57
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
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	
<b>TOTAL COSTS</b>	<b>\$6,290.77</b>

*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. 06-1308 CD

JOSEPH G. PANNETTE,

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) 765.264/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

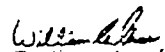
**SERVE ALL PAPERS ON:**

**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.

  
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

v.

JOSEPH G. PANNETTE

Defendant

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CIVIL ACTION

No. \_\_\_\_\_

**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 of 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](mailto: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 - Poll.**

**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 \$2,797.38****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. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L. PANNETTE, 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. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET  
L. PANNETTE, 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 thereinstated and for the purposes therein contained.

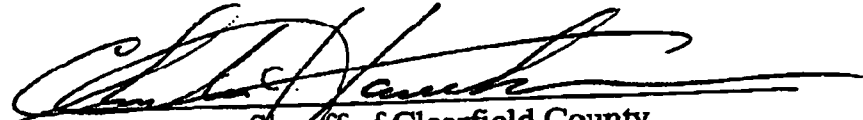
In witness whereof, I have hereunto set my hand and official seal.

  
Prothonotary, Title of Officer

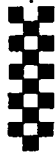
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2010  
Clearfield Co., Clearfield, PA

#### 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	
<b>TOTAL SHERIFF COSTS</b>	<b>\$1,344.52</b>

**DEED COSTS:**

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

**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	2,856.87
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	3,545.31
PROPERTY INSPECTIONS	
INTEREST	1,086.67
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$45,424.82</b>

**COSTS:**

ADVERTISING	882.30
TAXES - COLLECTOR	846.57
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
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	
<b>TOTAL COSTS</b>	<b>\$6,290.77</b>

*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.  
JOLLEY, husband and wife,

Plaintiff

v.

JOSEPH G. PANNETTE,

Defendant

CIVIL DIVISION

No. 06-1308-CV

**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** (2)

OCT 13 2006

0/12:30 (2)  
William A. Shaw  
Prothonotary/Clerk of Courts  
NO CHG. - COPY  
ISSUED REINSTATE  
COMPLAINT.

Filed By:  
*John D. Holliday*  
JOHN D. HOLLIDAY  
10-13-06

**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*

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,

Plaintiff

v.

JOSEPH G. PANNETTE,

Defendant

CIVIL DIVISION

No. 06-1308-CD

**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** (E)

JAN 16 2007

W/1-20-07  
William A. Shaw  
Prothonotary/Clerk of Courts

1 sent w/ reinstatement  
complaint to  
Hwy

**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. Morocco  
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

**FILED**  
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 Praecipe to Reinstate Complaint was, on this 12<sup>th</sup> day of Jan. 2007, served by the Sheriff of Clearfield County on:

Joseph G. Pannette  
470 Treasure Lake  
Dubois, PA 15801



By: \_\_\_\_\_

Richard F. Moroco  
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,**

**Plaintiff**

**vs.**

**JOSEPH G. PANNETTE,**

**Defendant**

No. 01-1308-CD

**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. Moroco

**Richard F. Moroco, Attorney for Plaintiff  
PA LD. # 74693**

**SERVE ALL PAPERS ON:**

**Richard F. Moroco, 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**

**v.**

**JOSEPH G. PANNETTE**

**Defendant**

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**CIVIL ACTION**

**No. \_\_\_\_\_**

**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 LD.# 74693  
54 Buhl Boulevard  
Sharon, Pennsylvania 16146  
Email: [RFM@rbandg.com](mailto:RFM@rbandg.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 - Poll.**

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. 59422**

**\*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**

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

**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. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET L. PANNETTE, DECEASED, at the suit of NATIONAL CITY BANK OF PENNSYLVANIA, SUCCESSOR IN INTEREST TO KEYSTONE NATIONAL BANK. JUDGMENT NO. 02-994-CD

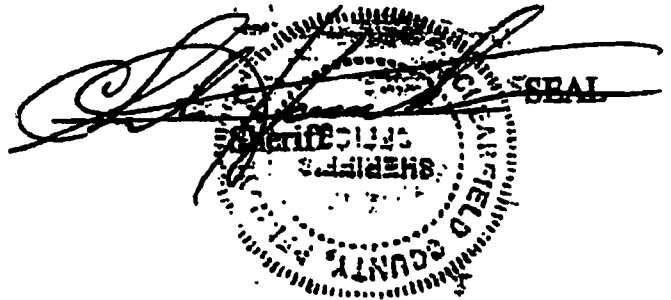
Now, June 12, 2006 the same having been sold by me to the said grantee on April 07, 2006 after due advertisement according to law, under and by virtue of writ of execution issued on December 20, 2006 out of the Court of Common Pleas of said County of Clearfield as of case number 02-994-CD at the suit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

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

against

JOSEPH G. PANNETTE, INDIVIDUALLY AND AS SURVIVING SPOUSE OF JANET  
L. PANNETTE, 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 thereinstated and for the purposes therein contained.

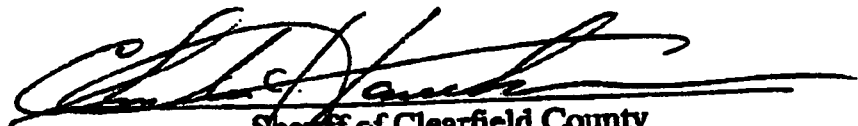
In witness whereof, I have hereunto set my hand and official seal.

  
Prothonotary, Title of Office

WILLIAM A. GONYEA  
Prothonotary  
My Office 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 02-894-CD

VOW, June 28, 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	
<b>TOTAL SHERIFF COSTS</b>	<b>\$1,344.52</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	30.00
TRANSFER TAX 2%	2,757.38
<b>TOTAL DEED COSTS</b>	<b>\$2,792.38</b>

**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	1,066.67
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$45,424.82</b>

**COSTS:**

ADVERTISING	882.30
TAXES - COLLECTOR	848.57
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
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** **\$8,290.77***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. PANNETTE,

Defendant.

CIVIL ACTION

NO. 06-1308-CD

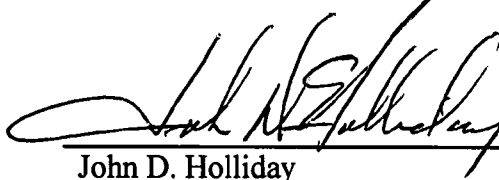
**AFFIDAVIT OF JOHN D. HOLLIDAY**

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.

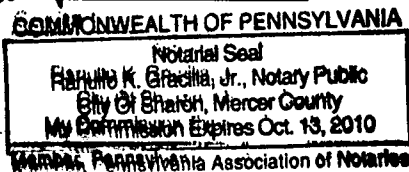


John D. Holliday

Sworn to and subscribed before me  
This 15<sup>th</sup> day of December, 2006



Notary Public

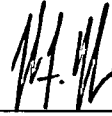


**FILED** <sup>no</sup>cc  
MTT:18/604  
DEC 20 2006 

William A. Shaw  
Prothonotary/Clerk of Courts

**CERTIFICATE OF SERVICE**

I, Richard F. Moroco, 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. Moroco  
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. PANNETTE,  
Defendant.

CIVIL ACTION

NO. 06-1308-CD

**FILED** *no cc*  
*11:13 AM*  
**DEC 21 2006** 

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, MOSICK & GORDON LLP

By: 

Richard F. Moroco  
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 18<sup>th</sup> 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. PANNETTE,  
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 PM*  
MAR 05 2007 *(S)*

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: *RFM*

Richard F. Moroco  
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. PANNETTE

SHERIFF RETURN

NOW, February 09, 2007 AT 2:25 PM SERVED THE WITHIN COMPLAINT ON JOSEPH G. PANNETTE  
DEFENDANT AT WORK: J COLLECTABLES, DUBOIS MALL, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA,  
BY HANDING TO JERRY PANNETTE, 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 Harris*

Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

FILED NO CC  
MT 11-0364  
MAR 22 2007 @

William A. Shaw  
Prothonotary/Clerk of Courts

RICHARD C. JOLLEY, et al.,

Plaintiffs,

v.

JOSEPH G. PANNETTE,

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. Moroco  
PA74693  
PIETRAGALLO, BOSICK & GORDON  
54 Buhl Blvd  
Sharon, PA 16146

(724) 581-1397

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 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,

PIETRACAPOLI, 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. PANNETTE,

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. PANNETTE,

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 2<sup>nd</sup> Street  
Clearfield, PA 16830

A stylized, high-contrast black and white image of a handwritten signature, appearing to read 'R. Moroco'.

---

Richard F. Moroco, Esquire

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

RICHARD C. JOLLEY, et al,  
Plaintiffs

vs.

JOSEPH G. PANETTE,  
Defendant

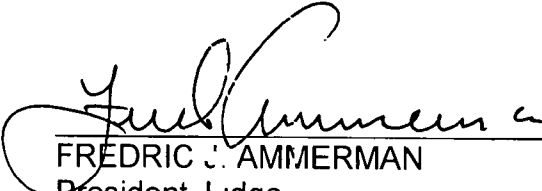
\*  
\*  
\*  
\*

NO. 06-1308-CD

**ORDER**

NOW, this 26<sup>th</sup> 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 Praecept 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**

9/2:15LM  
MAR 26 2007

William A. Shaw  
Prothonotary/Clerk of Courts

ICC Boris 10  
Judge Ammerman's  
office  
to save space  
2CC Atty Morocco  
(60)

DATE: 3-26-07

\_\_\_\_ You are hereby notified that the following party or parties:

☒ The Plaintiff \_\_\_\_\_ has provided service to the following parties:

☒ Defendant(s) ☒ Defendant(s) Attorney \_\_\_\_\_ Other \_\_\_\_\_

\_\_\_\_ Defendant(s) Attorney \_\_\_\_\_

\_\_\_\_ Defendant(s) Attorney \_\_\_\_\_

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. PANNETTE,**

**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. Moroco  
PA74693  
PIETRAGALLO BOSICK & GORDON  
54 Buhl Blvd  
Sharon, PA 16146**

**Phone: 724.981.1397  
Facsimile: 724.981.1398**

**FILED** *Att'y pd. 20.00*  
*m/2:50/81*  
**APR 02 2007** *Notice to*  
*Def.*

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

**(CR)**

**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 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:

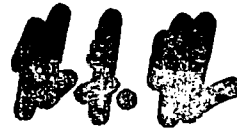
  
\_\_\_\_\_  
Richard F. Moroco  
PA74693  
54 Buhl Boulevard  
Sharon, PA 16146  
Phone: 724.981.1397  
Facsimile: 724.981.1398  
*Attorneys for Plaintiff*

**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:

A stylized, handwritten signature in black ink, appearing to read 'R. F. Morocco'.

---

Richard F. Morocco, Esquire

**FILE COPY**

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

**RICHARD C. JOLLEY, et al.,  
Plaintiff,**

**CIVIL ACTION**

**vs.**

**NO. 06-1308-CD**

**JOSEPH G. PANNETTE,  
Defendant.**

**TEN-DAY NOTICE OF DEFAULT**

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

**FILED**  
**COPIES**  
**MAR 26 2007**  
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. Moroco  
PA I.D. # 74693**

**Dated: 2 March 2007**

**EXHIBIT "A"**

## **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

17

**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.

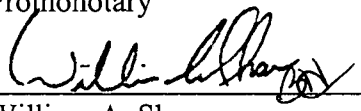
No. 2006-01308-CD

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. Moroco  
PA74693  
PIETRAGALLO BOSICK & GORDON  
54 Buhl Boulevard  
Sharon, PA 16146  
Telephone: 724.981.1397  
Facsimile: 724.981.1398

**FILED** <sup>(60)</sup>  
m/12:50 to Atty  
APR 02 2007  
Atty pd.  
20.00

William A. Shaw  
Prothonotary/Clerk of Courts

CERT to SUFF

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 *Praecipe 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. PANNETTE

SHERIFF RETURN

NOW, April 25, 2007 AT 10:00 AM SERVED THE WITHIN WRIT OF POSSESSION ON JOSEPH G. PANNETTE DEFENDANT AT LOT 98 SEC. 2, TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JOSEPH G. PANNETTE, 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

07/10/07  
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