

06-1582-CD
John Hardy vs Jai Freeman

2006-1582-CD
John Hardy vs Jai Freeman et al

06-1582 C.D.

Ally

David C. Mason

Jai C. Freeman

Lee Harris

Jai C. Freeman
12 South Centre Street
Philipsburg, PA 16866

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

John P. Hardy
(Plaintiff)

CIVIL ACTION

PO Box 28
(Street Address)

No. 06-1582-CD

Philipsburg Pa 16866
(City, State ZIP)

Type of Case: D.J. Appeal -

Type of Pleading: CIVIL

vs.

Jai Freeman
(Defendant)

Filed on Behalf of:

(Plaintiff) Defendant

12 S. Centre St.
(Street Address)

Philipsburg Pa 16866
(City, State ZIP)

David C. Mason
(Filed by)

PO Box 28, Philipsburg
(Address)

814 342 2240
(Phone)

David C. /
(Signature)

FILED Atty pd. 85.00
01307611
SEP 28 2006 Copy to:
Def
William A. Shaw
Prothonotary/Clerk of Courts
Maj Rudella
Atty Mason

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of

CLEARFIELD

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

06-1582-CJ

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case referenced below.

NAME OF APPELLANT <i>John P. HARDY</i>	MAG. DIST. NO.	NAME OF D.J. <i>MICHAEL RODELLE</i>
ADDRESS OF APPELLANT 125 CENTRE ST.	CITY <i>PHILOSBURG</i>	STATE <i>PA</i>
DATE OF JUDGMENT <i>8-29-06</i>	IN THE CASE OF (Plaintiff) <i>HARDY</i>	(Defendant) <i>FREEMAN</i>
DOCKET No. <i>CV-0140-06</i>	vs	
		SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT <i>JPC</i>
This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.		
If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action before a District Justice, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.		
Signature of Prothonotary or Deputy		

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa.R.C.P.D.J. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon _____

appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. _____)

) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or attorney or agent

RULE: To _____

, appellee(s)

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date: _____, 20____

Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing of the notice of appeal. Check applicable boxes.)

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF _____ ; ss .

AFFIDAVIT: I hereby (swear) (affirm) that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(date of service) _____, 20 _____, by personal service by (certified) (registered) mail,
sender's receipt attached hereto, and upon the appellee, (name) _____, on
_____, 20 _____, by personal service by (certified) (registered) mail,
sender's receipt attached hereto.

(SWORN) (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 20 _____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 20 _____

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of

CLEARFIELD

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

06-1582-CJ

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case referenced below.

NAME OF APPELLANT <i>John P. HARDY</i>	MAG. DIST. NO.	NAME OF D.J. <i>MICHAEL RODELL</i>
ADDRESS OF APPELLANT 12 S CENTRE ST.	CITY <i>PHILASBURG</i>	STATE <i>PA</i>
DATE OF JUDGMENT <i>8-29-06</i>	IN THE CASE OF (Plaintiff) <i>HARDY</i>	(Defendant) <i>FREEMAN</i>
DOCKET No. <i>CV-0140-06</i>	vs	
		SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT <i>JPL</i>
This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.		
If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action before a District Justice, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.		
_____ Signature of Prothonotary or Deputy		

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa.R.C.P.D.J. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon _____

appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. _____)

) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or attorney or agent

RULE: To _____

, appellee(s)

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date: _____, 20____

Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing of the notice of appeal. Check applicable boxes.)

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF _____ ; ss

AFFIDAVIT: I hereby (swear) (affirm) that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(date of service) _____, 20_____. by personal service by (certified) (registered) mail,
sender's receipt attached hereto, and upon the appellee, (name) _____, on
_____, 20_____. by personal service by (certified) (registered) mail,
sender's receipt attached hereto.

(SWORN) (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 20_____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 20_____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

MDJ Name: Hon.

MICHAEL A. RUDELLA
 Address: **131 ROLLING STONE ROAD**
PO BOX 210
KYLERTOWN, PA
 Telephone: **(814) 345-6789** **16847-0444**

ATTORNEY FOR PLAINTIFF :

DAVID C. MASON
409 N FRONT ST
PO BOX 28
PHILIPSBURG, PA 16866

THIS IS TO NOTIFY YOU THAT:**FOR DEFENDANT**Judgment: _____ (Date of Judgment) **8/29/06**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) FREEMAN, JAI	Amount of Judgment \$.00
<input checked="" type="checkbox"/> Judgment was entered against: (Name) HARDY, JOHN P. in the amount of \$.00	Judgment Costs \$.00
<input type="checkbox"/> Defendants are jointly and severally liable.	Interest on Judgment \$.00
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Attorney Fees \$.00
<input type="checkbox"/> This case dismissed without prejudice.	Total \$.00
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Post Judgment Credits \$ _____
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	Post Judgment Costs \$ _____
Certified Judgment Total \$ _____	

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

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

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

SEP 4 2006

Rudella
 8/29/06 Date *M. A. Rudella*, Magisterial District Judge

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

Date _____, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-06

DATE PRINTED: **8/29/06 4:33:00 PM**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY,

PLAINTIFF

VS.

JAI C. FREEMAN, LEE HARRIS

DEFENDANT

*
*
* No. Ol-1582-CD

*

*

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*

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*

* TYPE OF PLEADING: COMPLAINT

*

*

* FILED ON BEHALF OF:
* PLAINTIFF

*

* ATTORNEY FOR PLAINTIFF:
* David C. Mason, Esquire
* Supreme Court ID #39180
* MASON LAW OFFICE
* P.O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

*

FILED NO CC
10:31 AM
OCT 04 2006
WAS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY,

*

*

* No.

*

*

PLAINTIFF

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VS.

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JAI C. FREEMAN, LEE HARRIS

*

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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 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 AN LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

JKL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY

*

*

* No.

PLAINTIFF

*

*

vs.

*

*

JAI C. FREEMAN, LEE HARRIS

*

*

DEFENDANTS

*

COMPLAINT

1. Plaintiff is John P. Hardy, an individual, with a principal mailing address of P.O. Box 25, Philipsburg, Centre County, Pennsylvania, 16866.
2. Defendants are Jai C. Freeman, currently of 12 S. Centre Street, Philipsburg, Centre County, Pennsylvania, 16866, and Lee Robert Harris, an individual who is believed to be incarcerated at the Pennsylvania State Correctional Institution at Dallas, PA. The current address for Defendant Harris is Inmate No. GP – 3749, 1000 Follies Road, Dallas, PA, 18612.
3. Plaintiff is the owner of a certain premises situate at 500 Blanchard Street, Osceola Mills, Clearfield County, Pennsylvania.
4. Plaintiff entered into a written lease agreement with Lee Harris, a copy of said Lease Agreement attached hereto as Exhibit "A". It is believed and averred that Defendant Jai C. Freeman claims to have resided at this home also, with Defendant Harris and their child(ren).
5. In December, 2005, Defendant Harris was arrested by the Pennsylvania State

Police, and has been incarcerated since that time, and has not returned to the premises, however, Defendant Freeman continued to occupy the same, and would occasionally return to the premises.

6. Defendants refused to pay the rent due Plaintiff for their use and occupancy of the home, as well as refusing to pay the necessary and reasonable expenses of the utilities servicing the premises.

7. Upon entering the premises on December 10, 2006, Plaintiff discovered water running down through the ceiling from burst water pipes, and the Defendants left the premises without heat and they abandoned the leasehold premises.

8. Plaintiff has suffered damages in the amount of \$8,305.00 for loss of rent and for necessary repairs to said premises before the same could be rented again. An itemization of damages is shown on Exhibit "B", attached hereto.

WHEREFORE, Plaintiff demands that a judgment be entered in favor of Plaintiff and against Defendant in the amount of \$8,305.00, together with costs of suit and interest.

Respectfully submitted,

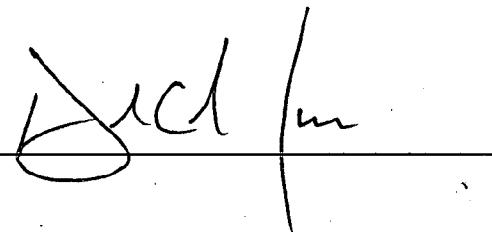
MASON LAW OFFICE

By: 

David C. Mason, Esquire
I.D. #39180
Attorney for Plaintiff

VERIFICATION

I, David Mason, attorney for the Plaintiff herein, verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. §4904 relating to unsworn falsification to authorities. This verification is made by the Plaintiff's attorney as the Plaintiff is outside the jurisdiction of the court and is unable to make this verification within the time limits required by the rules and law.

By: 

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY,

PLAINTIFF

VS.

JAI C. FREEMAN, LEE HARRIS

DEFENDANT

*
*
* No. 06-1582-CD

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* TYPE OF PLEADING: CERTIFICATE OF

* SERVICE

*

* FILED ON BEHALF OF:

* PLAINTIFF

*

* ATTORNEY FOR PLAINTIFF:

* David C. Mason, Esquire

* Supreme Court ID #39180

* MASON LAW OFFICE

* P.O. Box 28

* Philipsburg, PA 16866

* (814) 342-2240

*

FILED
OCT 04 2006
NO CC
M 103 601

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY,

*

* No.

PLAINTIFF

*

vs.

*

JAI C. FREEMAN, LEE HARRIS

*

DEFENDANT

*

CERTIFICATE OF SERVICE

I, DAVID C. MASON, Esquire, do hereby certify that I served a true and correct copy of PLAINTIFF'S COMPLAINT filed to the above captioned action, by placing the same in the United States mail, postage prepaid and addressed as follows:

Jai C. Freeman
12 S. Centre St
Philipsburg, PA 16866

Lee Robert Harris
Inmate No. GP 3749
SCI – Dallas
1000 Follies Road
Dallas, PA 18612

DATED: 10/3/06

MASON LAW OFFICE

By: DCM

David C. Mason, Esquire
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

MDJ Name: Hon.

MICHAEL A. RUDELLA
Address: **131 ROLLING STONE ROAD**
PO BOX 210
KYLERTOWN, PA

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

16847-0444

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

HARDY, JOHN P.
301 DRURY ST.
PHILIPSBURG, PA 16866

NAME and ADDRESS

DEFENDANT:

FREEMAN, JAI
12 S. CENTRE ST.
PHILIPSBURG, PA 16866

NAME and ADDRESS

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

Docket No.: **CV-0000140-06**

Date Filed: **4/27/06**

CROSS COMPLAINT **001**



do 1582-CD

THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR DEFENDANT**

(Date of Judgment) **8/29/06**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) FREEMAN, JAI	Amount of Judgment \$.00
<input checked="" type="checkbox"/> Judgment was entered against: (Name) HARDY, JOHN P. in the amount of \$.00	Judgment Costs \$.00
<input type="checkbox"/> Defendants are jointly and severally liable.	Interest on Judgment \$.00
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Attorney Fees \$.00
<input type="checkbox"/> This case dismissed without prejudice.	Total \$.00
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Post Judgment Credits \$ 0
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	Post Judgment Costs \$ 0
Certified Judgment Total \$ 0	

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

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FILED
07-33-06
OCT 04 2006
(64)

William A. Shaw
Prothonotary/Clerk of Courts

Rudella
8-29-06 Date *M. A. Rudella*

, Magisterial District Judge

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

10/3/06 Date *M. A. Rudella*, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-06

DATE PRINTED: **8/29/06** 4:33:00 PM

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY,

PLAINTIFF

VS.

JAI C. FREEMAN, LEE HARRIS

DEFENDANT

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* No. 06-1582-CD
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* TYPE OF PLEADING: Affidavit of Service
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*
* FILED ON BEHALF OF:
* PLAINTIFF
*
* ATTORNEY FOR PLAINTIFF:
* David C. Mason, Esquire
* Supreme Court ID #39180
* MASON LAW OFFICE
* P.O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240
*

FILED NO
013-34151
NOV 09 2006
WPS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY

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* No. 06-1582-CD

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JAI C. FREEMAN, LEE HARRIS

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DEFENDANTS

AFFIDAVIT OF SERVICE

I, DAVID C. MASON, Esquire, being duly sworn according to law do depose and state that I served upon the following individuals an Important Notice relative to the above captioned matter by mailing the same, certified mail, return receipt requested, (said return receipt cards attached hereto) to those named below by placing the same in the United States mail, postage-pre paid and addressed as follows:

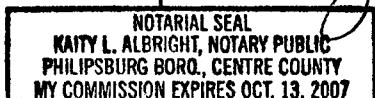
Jai C. Freeman
12 South Centre Street
Philipsburg, PA 16866

Lee Harris
Inmate No. GP-3749
1000 Follies Road
Dallas, PA 18612

SWORN TO and SUBSCRIBED
before me this 9th day of
November, 2006.

David C. Mason, Esquire

N P



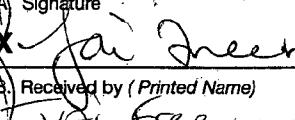
SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jai C. Freeman
12 South Centre Street
Philipsburg, PA 16866

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent Addressee

B. Received by (Printed Name) 

C. Date of Delivery 11-806

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

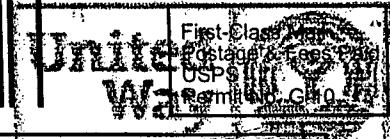
2. Article Number

(Transfer from service)

7001 1940 0003 1816 0766

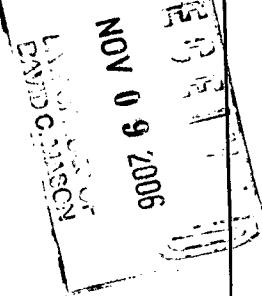
UNITED STATES POSTAL SERVICE
ALTOONA PA 166

08 NOV 6 2006 PM 3:17



• Sender: Please print your name, address, and ZIP+4 in this box.

Mason Law Office
PO Box 28
Philipsburg, PA 16866



001

|||||

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Lee Harris
Inmate No. GP-3749
1000 Follies Road
Dallas, PA 18612

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by (Printed Name) **X** NOV 03 2006 C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

RECEIVED
SOLO IN MEDIUM

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes**2. Article Number**

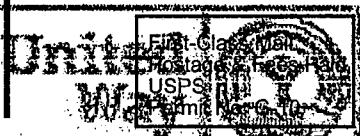
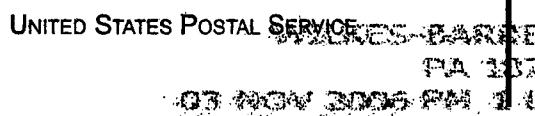
(Transfer from service label)

7001 15140 0003 1816 0773

PS Form 3811, February 2004

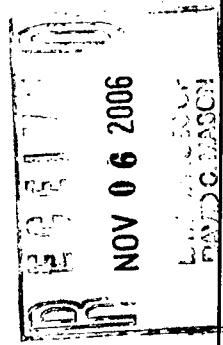
Domestic Return Receipt

102595-02-M-1540



• Sender: Please print your name, address, and ZIP+4 in this box •

Mason Law Office
PO Box 28
Philipsburg, PA 16866



FILED

NOV 09 2006

William A. Shaw
Prothonotary/Clerk of Courts

Ford 11-13-06 off

To: The office of the Court Administrator

Clearfield County Courthouse
Clearfield, PA 16830

Mr. David S. Meholic, Court Administrator.

FILED

NOV 16 2006

0/11-20
William A. Shaw

Prothonotary/Clerk of Courts

(GK)

Dear sir,

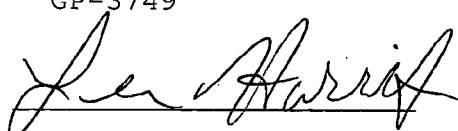
This correspondence is in reference to civil- Action No. 06-1582-CD. It is the contention of the respondent to defend against the action brought, as it is frivolous as well as baseless. The plaintiff in this case as it is agreed he was the former landlord of the tenant of which is mentioned the plaintiff has not sustained any damages by means of the defendant's. The damages to which the plaintiff alleges were pre existing and the plaintiff had been made aware of the damages prior to this action being brought. There was not nor has not been a rental agreement between the party's for at least three years. The owner of the property in question had entered the premise illegally on or about December 10, 2005, in which the plaintiff had removed items from the residence after climbing through an unlocked window and removing several items belonging to both the defendants. The plaintiff had alleged that the residence had been the victim of a burglary, but after being confronted by the PA. state Police the plaintiff's contention had changed to "he had the item's and they were being held for safe keeping". At no time was the premises abandoned as all of the defendants clothing and valuables had remained at the residence. The plaintiff had already had a judgement placed against him in small claims court in this same matter and is trying to get a different result than he got with the first two (2) judges. The damages that the plaintiff alleges were attempted to be repaired on at least two separate occasions prior to the month of December. The plaintiff had been made aware of the pre existing problem but had made no attempt to permanently fix the problem. Further on or about December 17, 2005 the plaintiff had illegally changed the locks barring re-entry to the premises, by which a notice to recover real property had not been filed effectuating an illegal lock-out. A lease had not been signed since Dec. 2002, at the conclusion the plaintiff did not deem it necessary to sign a new lease and thus we would operate on a month to month basis. To this date the plaintiff has refused to return property illegally obtained and judgement had been granted on behalf of the defendants. The plaintiff had not sought any monies until he was being sued by the defendants.

Prior to any claim being filed the plaintiff was contacted on many occasions in effort to retrieve stolen property, and the plaintiff had avoided all but one attempt prior to Dec. 17 2005 and would not return the calls of Mrs. Freemon or the attempts of the police officer involved. When i was contacted on or about the 17, of December when i was contacted by the PSP Clearfield Barracks and was questioned about the items in the house, i had explained that most of the items in the house were Mrs. Freemons and some were mine. When i was made aware that the plaintiff had my belongings and it was alledgedly for safe keeping, i had told the officer that i wanted the plaintiff charged for stealing our belongings, and that has not happened. In short the action is frivolous and is with out merit as there were no damages by the result of either defendant, and there is not nor was there a lease by which either party was bound. As it was a month to month agreement the issue of a lease is non existent. I nor had my wife signed an agreement of lease subsequent to November 23, 2002. Any other document alleging any thing else is untrue and if the plaintiff provides one with any other date it is a forgery.

It is also the wish of the defendant to move for immediate dismissal due to the Frivolous and unfounded basis for this action.

Thank You,
Respectfully,

Lee R. Harris
GP-3749



Signature

11/6/06
cc:file

NAME Lee Harris

NUMBER GP-3749

State Correctional Institution at Dallas
1000 Follies Road
Dallas, Pennsylvania 18612

INMATE MAIL
PA DEPT. OF CORRECTIONS

INMATE MAIL PA DOC

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\$ 00.39
1108/2006
mailed from 18612
U.S. POSTAGE

Office of the Court Administrator
Mr. David S. Meholic
230 E. Market st.
Clearfield, PA. 16830

1683042448-03 004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY

PLAINTIFF

*
*
* No. 06-1582-CD

VS.

JAI C. FREEMAN, LEE HARRIS

DEFENDANTS

*
* TYPE OF CASE: Civil Action
*
* TYPE OF PLEADING: Praeclipe for Entry of
* Default Judgment
*
* FILED ON BEHALF OF:
* Plaintiff
*
* COUNSEL OF RECORD FOR THIS PARTY:
*
* David C. Mason, Esq.
* Supreme Court No. 39180
* Attorney at Law
* P. O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

FILED pd \$0000 At
0/3/2006 Notice to deft:
NOV 21 2006 J. Freeman
UN Statement to ACC.
William A. Shaw
Prothonotary/Clerk of Courts
Atty Mason

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY

PLAINTIFF

*
*
* No. 06-1582-CD
*
*

VS.

JAI C. FREEMAN, LEE HARRIS

DEFENDANTS

*

PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT

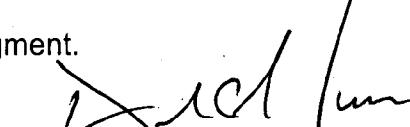
Would you kindly enter a Default Judgment in the above captioned matter against Defendant, Jai C. Freeman, and in favor of the Plaintiff in the amount of **\$8,305.00**, plus costs of suit.


David C. Mason, Esquire

Attorney for Plaintiff

I, DAVID C. MASON, Esquire, Attorney for Plaintiff in the above captioned matter hereby certify that pursuant to Pa. Rules of Civil Procedure 237.1, I mailed to the Defendants under date of November 1, 2006, the Important Notice required by law. Ten (10) days have now passed since the mailing of this Important Notice, a copy of which is attached to this Praecipe for Entry of Default Judgment.

DATED: Nov 21, 2006


David C. Mason, Esquire

Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY

PLAINTIFF

*
*
* No. 06-1582-CD
*

VS:

JAI C. FREEMAN, LEE HARRIS

DEFENDANTS

*
*
*
*

TO: Jai C. Freeman
12 South Centre Street
Philipsburg, PA 16866

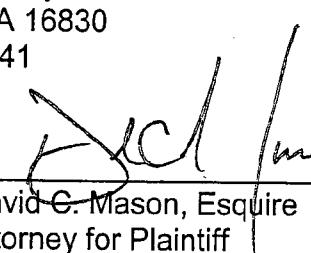
DATE OF NOTICE: November 1, 2006

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 OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR 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:

Office of the Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641



David C. Mason, Esquire
Attorney for Plaintiff
P. O. Box 28
Philipsburg, PA 16866
I.D. No. 39180

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN P. HARDY

PLAINTIFF

*

*

* No. 06-1582-CD

*

*

VS.

*

*

*

*

*

JAI C. FREEMAN, LEE HARRIS

DEFENDANTS

NOTICE

To: Jai C. Freeman

NOTICE is hereby given that a Judgment was entered against you on the 21st
day of November, 2006, in the amount of \$8,305.00, plus costs of suit.

Willie L. Shan, Jr.
Prothonotary of Clearfield County, PA.

Deputy

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

John P. Hardy
Plaintiff(s)

No.: 2006-01582-CD

Real Debt: \$8,305.00

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Jai C. Freeman
Lee Harris
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment against Jai C.
Freeman, ONLY

Date of Entry: November 21, 2006

Expires: November 21, 2011

Certified from the record this November 21, 2006



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney