

06-2056-CD
JJ Powell Inc vs Joel Glenny et al

2006-2056-CD
JJ Powell vs Joel Glenny et al

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

J.J. POWELL, INC.,

Plaintiff

No. 2006-2056-CD

vs.

JOEL GLENNY

d/b/a HICKORY HILL,

Defendant

Type of Case:
CIVIL

Type of Pleading:
COMPLAINT

Filed on Behalf of:
PLAINTIFF

Counsel for This Party:
Peter F. Smith, Esquire
Supreme Court ID #34291
P. O. Box 130
30 South Second Street
Clearfield, PA 16830
(814) 765-5595

At \$85.00 A/H
FILED 1CC A/H
9/12/2006 1CC Sh/H
DEC 11 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

J. J. POWELL , INC.,	:	
Plaintiff	:	No. 2006-
VS.	:	
JOEL GLENNY	:	
d/b/a HICKORY HILL,	:	
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 other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF
YOU DO NOT HAVE OR CANNOT AFFORD A LAWYER, GO TO OR
TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE
YOU CAN GET LEGAL HELP.**

Clearfield County Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830
(814) 765-2641, ext. 5982

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Clearfield County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

Clearfield County Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641, ext. 5982

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

J. J. POWELL, INC.,	:	
Plaintiff	:	No. 2006-
vs.	:	
JOEL GLENNY	:	
d/b/a HICKORY HILL,	:	
Defendant	:	

COMPLAINT

COMES NOW, J. J. Powell, Inc., by its attorney Peter F. Smith, who states in support of this complaint:

1. The Plaintiff, **J. J. POWELL, INC.**, is a Pennsylvania business corporation with principal office in Philipsburg (Chester Hill), Clearfield County, Pennsylvania and with mailing address of P.O. Box 30, Philipsburg, Pennsylvania 16866.
2. The name of the Defendant is **JOEL GLENNY d/b/a HICKORY HILL**, with business address of 871 Old Park Road, Lewistown, Mifflin County, Pennsylvania 17044.
3. Plaintiff sells gasoline, diesel fuel and petroleum products at the wholesale and retail levels.
4. Commencing on or before May 31, 2006, Plaintiff permitted the Defendant to charge the purchase of diesel fuel and gasoline. The balance due was to be paid at the end of each month. Unpaid balances accrue interest at the rate of 18% per annum.
5. By agreement dated April 28, 2006, the Defendant obtained a cardlock card. By using this card, the Defendant was able to purchase quantities of diesel fuel and gasoline at Plaintiff's self-service distribution sites. A true and correct copy of said agreement is attached

hereto and incorporated herein by reference as Plaintiff's Exhibit 1.

6. Balances due would be billed by Plaintiff on a monthly basis.
7. Bills were to be paid upon receipt.
8. All payments were to be made to the Plaintiff's office in Philipsburg, Clearfield County, Pennsylvania.

9. The agreement between Plaintiff and Defendant was not valid and enforceable until approved and accepted by Plaintiff at its office in Philipsburg, Clearfield County, Pennsylvania.

10. Amounts unpaid for more than thirty (30) days accrued interest at the rate of 18% per annum.

11. Paragraph 7 of the cardlock agreement permits the Plaintiff to recover reasonable attorney fees and court costs in the event of the customer Defendant's breach.

12. Paragraph 8 of the cardlock agreement permits the Plaintiff to select the venue for legal proceedings. Hence, suit has been brought in Plaintiff's home county.

13. A statement of the Defendant's account with the Plaintiff commencing on May 31, 2006 and continuing until November 15, 2006 is attached hereto and incorporated herein by reference as Plaintiff's Exhibit 2.

14. Written and oral demand have been made on the Defendant to pay the balance due, but he has failed to do so.

15. As of November 15, 2006, the amounts owed to Plaintiff by the Defendant for purchases of diesel fuel and gasoline pursuant to their agreement follows:

A)	Balance	\$25,033.28
B)	Finance Charges to 11/15/06	\$ 469.62
C)	Finance Charges accruing at \$6.18 per day from 11/15/06 (to be added)	\$ _____
D)	Attorney fees (to be added)	\$ _____

E)	Court costs (to be added)	\$ _____
PRELIMINARY TOTAL		\$25,502.90
	FINAL TOTAL	\$ _____

WHEREFORE, Plaintiff prays this Honorable Court to enter judgment in its favor and against the Defendant Joel Glenny d/b/a Hickory Hill in the amount of \$25,502.90 together with interest accruing after November 15, 2006, reasonable attorney fees and court costs.

Respectfully submitted,

Date:

12/8/06

Peter F. Smith
Peter F. Smith, Esquire
Attorney for Plaintiff

VERIFICATION

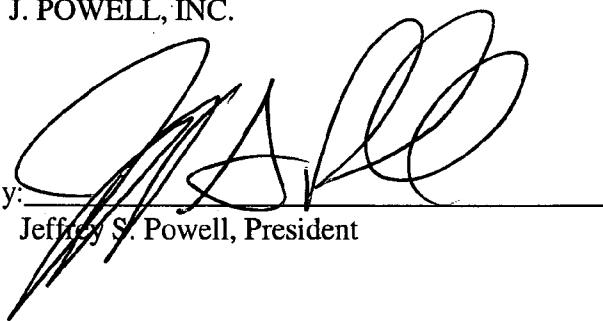
I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

J. J. POWELL, INC.

Dated: 12/6/2006

By:

Jeffrey S. Powell, President

A handwritten signature in black ink, appearing to read "J. S. Powell", is written over a horizontal line. The line starts under the "J." and ends under the "Powell".

1-800-432-0866
914-342-6483 (fax)
pacificpride@jjpowell.com
www.jjpowell.com

JJ Powell, Inc.

PO Box 30

59

Philipsburg, PA 16866 11460

Date 4-28-06

Approved
AC 4/28/06

FIRM ADDRESS

Company Name	Hickory Hill	Telephone Number	717-248-3797	Fax Number	717-248-3816
Mailing Address	871 Old Park Road	City	Lewistown	State	PA
Street Address	SAME	City		State	
Home Address	Same	City		State	

Are you presently a Pacific Pride or Amerinet Cardholder? Yes No If yes, when did you last use your card?

CHECK APPROPRIATE BOX AND PROVIDE INFORMATION REQUESTED

Single Entity - Not a subsidiary

Corporation
State _____

Partnership

Other

Federal ID # 043734586

How Long in Business? 5 years

What Type of Business?

Excavation & Construction

LEGAL STRUCTURE

List names of partners or corporate officers	Joel Glenny Owner		
----------------------------------------------	-------------------	--	--

If in business less than 1 year please give name, address & length of time of employment for previous employment:

PERSONAL

Owner or Officer	Title	Spouse's Name	
Joel Glenny	Owner		
Home Address	City	State	Zip
871 Old Park Road	Lewistown	PA	17044

How Long?
Own Renting
Buying

Previous Address	City	State	Zip	How Long?
------------------	------	-------	-----	-----------

Name of nearest relative not living with you	Relationship	Telephone Number
	SS # 190 50 9940	

Home Phone	Driver License Number	Social Security Number	Date of Birth
717-248-3808	19376104	Fed ID # 043734586	8/22/60

Where?

REFERENCES

Bank Name & Branch	City	State	Zip
Citizens Bank	Burnham	Pa	
Bank Officer	Eric	Account Number	Telephone Number
	10213105-221-7	1-800-862-10200	
Trade Reference	Orchard Pump	Account Number	Telephone Number
Estimated Monthly Usage in Gallons	Call Mith	117-523-1111	
2000 - 5000	Joel Glenny	717-248-3797	Extension
Person to Contact Regarding Cards	Telephone Number		

I have made the above statements for the purpose of obtaining credit. I certify they are true and authorize you to make a credit investigation. Billing shall be issued twice each month and payment will be due in full within 10 days of invoice date. I agree to pay a late charge of 1 1/2 % per month (18% annually) or 1 cent minimum on any delinquent balances. THIS AGREEMENT INCLUDES THE TERMS AND CONDITIONS BELOW.

2:02PM

11-2001 TMC
717-248-3816

Withstanding that this account is established in the name of a company,
personally guarantee payment of the account.

All purchases made on this account will be for commercial use.

Signed

Printed Name

Date

No. 8574

P. 2

John G. Glenn
John G. Glenn

4-28-02

ADDITIONAL TERMS CARDLOCK USE

1. Purchaser will be for vehicles owned and operated by the Purchaser.
2. Purchaser shall be responsible for all purchases by Purchaser or any other person using cardlock cards issued to Purchaser regardless or whether use by any other person is unauthorized or fraudulent.
3. If there is any change in the ownership of Purchaser or if substantially all of the assets of Purchaser are sold, Purchaser shall promptly notify Supplier of such sale and Supplier shall have a lien on all the assets of Purchaser and a lien on the proceeds of such sale to secure payment of all outstanding sums owing to Supplier.
4. Purchaser represents that it and any person using the cardlock cards delivered to Purchaser are and shall be aware of the proper use of the cardlock system and shall use safe practices in compliance with the regulations of the local Fire Code in handling of the fuels dispensed from the cardlock system. Purchaser agrees to indemnify and hold Supplier harmless from any claims and costs including but expressly not limited to, those for bodily injury and property damage which may be occasioned by the negligence or misuse of the cardlock system by Purchaser or any person using the cardlock system with cardlock cards delivered to Purchaser hereunder.
5. Supplier shall use its best efforts to maintain the cardlock system in good working order and condition at its expense provided however, Supplier shall not be responsible for any damage or loss which may result from its failure to provide fuel or the failure of the cardlock system in any manner whatsoever. Purchaser agrees that it and any person using the cardlock cards delivered to Purchaser shall promptly notify Supplier of any malfunctioning of the cardlock system of which Purchaser or such person is aware.
6. Purchaser's right to purchase fuel through the cardlock system may be terminated immediately upon any breach of any of the terms hereof or of any other agreement with Supplier. Upon termination, Purchaser agrees to immediately surrender all cardlock cards issued to Purchaser and to immediately pay all outstanding sums owing to Supplier.
7. In the event of a breach of any of the terms of this agreement, or any other agreement between Purchaser and Supplier, including but expressly not limited to the failure to pay sums owing to Supplier when due, then in addition to any other sums due or payable to Supplier by Purchaser, Purchaser agrees to pay the reasonable attorney fees and costs incurred by Supplier in the enforcement of Supplier's rights even though no suit or action is filed and if suit or action is filed to enforce the rights of Supplier, then such further sum as the court may adjudge reasonable as attorney fees at trial or on appeal of such suit or action in addition to all other sums provided by law.
8. In the event that any legal action is required to collect on this account, venue for such legal matters will be determined by Supplier.
9. All terms and conditions of this agreement and Guaranty are intended to cover Purchaser's account as well as all of Purchaser's branch accounts, whether set up now or in the future.
10. A handling fee will be charged for all checks returned from the bank for any reason.

PACIFIC PRIDE FUEL CARD ORDER FORM (FOR MORE CARDS, ATTACH LIST)

CANADA: INTERNATIONAL CARD

PLEASE COMPLETE CARD INFORMATION AND CHECK THE PRODUCTS THE CARD IS AUTHORIZED TO PURCHASE.

UNIT DESCRIPTION	DIESEL	UNLEADED	MID-GRADE	PREMIUM	OFF-ROAD
97 Ford F250	X 3535947	3535950	3535950	3535950	3535950
99 Sterling	X	3535951	3535951	3535951	3535951
81e Ford Cab Over	X	3535952	3535952	3535952	3535952
2000 Mack Vision	X	3535953	3535953	3535953	3535953
Crawler Loader	3535954	3535954	3535954	3535954	3535954
Backhoe	3535955	3535955	3535955	3535955	3535955
Skidloader	3535956	3535956	3535956	3535956	3535956

Aging Periods: S9 SPECIAL SM BILLING

Customer # 11460

Aging Date: 11/15/06 Aged by Trans. Date

Comments: No

Original Document					Net	Future &				
Type	Doc#	Date	Amount	Quantity	Reference	Receivable	11/15/06	10/31/06	10/15/06	09/30/06
11460	HICKORY HILL	717-248-3797	JOEL GLENNY	4,000.00/Last payment					/Credit limit (B S9) Salesperson 99	
Inv	6151	05/31/06	3,230.52	1,103.1		0.00				
Inv	6166	06/14/06	3,863.92	1,288.0		0.00				
Pmt	66055	06/26/06	1,500.00-		1134	0.00				
F/C	6181	06/30/06	12.98		Finance Charge	0.00				
Inv	6181	06/30/06	4,895.82	1,654.8		0.00				
Pmt	66193	07/05/06	1,500.00-		1145	0.00				
Inv	6196	07/14/06	3,615.35	1,202.7		0.00				
F/C	6196	07/15/06	30.71		Finance Charge	0.00				
F/C	6212	07/31/06	67.43		Finance Charge	0.00				
Inv	6212	07/31/06	3,408.08	1,110.0		0.00				
Pmt	66889	08/03/06	1,000.00-		1167	0.00				
Inv	6227	08/13/06	4,079.52	1,285.7		0.00				
Pmt	67277	08/14/06	4,000.00-		1176	0.00				
F/C	6227	08/15/06	57.04		Finance Charge	0.00				
F/C	6243	08/31/06	82.60		Finance Charge	0.00				
Inv	6243	08/31/06	4,633.41	1,464.8		477.38				477.38
Pmt	67957	09/12/06	5,000.00-		1198	0.00				
Inv	6258	09/13/06	2,785.82	973.7		2,785.82				2,785.82
F/C	6258	09/15/06	75.80		Finance Charge	75.80				75.80
Inv	6273	09/29/06	3,170.63	1,213.6		3,170.63				3,170.63
F/C	6273	09/30/06	110.55		Finance Charge	110.55				110.55
Pmt	68351	10/03/06	4,500.00-		1224	0.00				
Pmt	68618	10/11/06	2,000.00-		1232	0.00				
Inv	6288	10/13/06	5,917.06	2,286.5		5,917.06				5,917.06
F/C	6288	10/15/06	83.43		Finance Charge	83.43				83.43
Inv	6304	10/31/06	9,050.37	3,476.1		9,050.37				9,050.37
F/C	6304	10/31/06	107.21		Finance Charge	107.21				107.21
Pmt	69065	11/01/06	4,000.00-		1270	0.00				
Pmt	69106	11/03/06	4,000.00-		1275	0.00				
Inv	6319	11/09/06	3,632.02	1,424.7		3,632.02	3,632.02			
F/C	6319	11/15/06	92.63		Finance Charge	92.63	92.63			
11460 Total.....					25,502.90	3,724.65	9,157.58	6,000.49	6,620.18	

NOTE: Customer credit codes are printed in this order: Terms, Statement cycle, and Credit flag. Example: (A MO 3)

Active Accounts	25,502.90	9,157.58	6,620.18
	3,724.65	6,000.49	

Arrears daily flc = \$6.18

2006/11/29 11:21:55

Aged Trial Balance - Original Documents

Page 2

Aging Periods: S9 SPECIAL SM BILLING

Customer # 11460

Aging Date: 11/15/06 Aged by Trans. Date

Comments: No

Original Document				Net	Future &			
Type	Doc#	Date	Amount	Receivable	11/15/06	10/31/06	10/15/06	09/30/06

* Total All Accounts *	25,502.90	9,157.58	6,620.18
	3,724.65		6,000.49
* Total Uninvoiced *	0.00	0.00	0.00
* Total Unpaid F/C *	469.62	107.21	186.35
	92.63		83.43

PETER F. SMITH
ATTORNEY
30 SOUTH SECOND STREET
P.O. BOX 130
CLEARFIELD, PENNSYLVANIA 16830

(814) 765-5595
FAX (814) 765-6662

E-mail
pfsatty@uplink.net

December 8, 2006

HAND DELIVER
William A. Shaw, Prothonotary
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

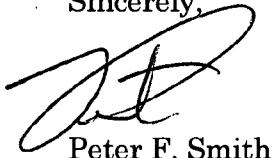
Re: J. J. Powell, Inc. v. Joel Glenny d/b/a Hickory Hill

Dear Mr. Shaw:

I enclose an original and two copies of a Complaint along with a check in the amount of \$85.00 for the filing fee.

Please file the original and certify the two copies. Forward one copy to Sheriff Hawkins along with the enclosed envelope and return the remaining copy to me.

Sincerely,



Peter F. Smith

PFS/hab

Enclosures

cc: Jeffrey S. Powell, J. J. Powell, Inc.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102234
NO: 06-2056-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: J.J. POWELL INC.
vs.
DEFENDANT: JOEL GLENNY d/b/a HICKORY HILL

SHERIFF RETURN

NOW, December 12, 2006, SHERIFF OF MIFFLIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON JOEL GLENNY d/b/a HICKORY HILL.

NOW, December 15, 2006 AT 3:35 PM SERVED THE WITHIN COMPLAINT ON JOEL GLENNY d/b/a HICKORY HILL, DEFENDANT. THE RETURN OF MIFFLIN COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

FILED
01/30/07
MAR 13 2007
WM

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102234
NO: 06-2056-CD
SERVICES 1
COMPLAINT

PLAINTIFF: J.J. POWELL INC.

vs.

DEFENDANT: JOEL GLENNY d/b/a HICKORY HILL

SHERIFF RETURN

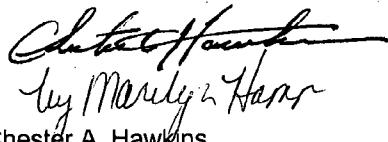
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	POWELL	29347	10.00
SHERIFF HAWKINS	POWELL	29347	21.00
MIFFLIN CO.	POWELL	29348	34.00

Sworn to Before Me This

____ Day of _____ 2007

So Answers,


by Marilyn Hays

Chester A. Hawkins
Sheriff

Joseph A. Bradley, Sheriff
 Baron K. Lewis, Chief Deputy
 Laurie J. Kozak, Deputy
 Christopher S. Shade, Deputy
 Charles L. Angney, Deputy



David W. Molek, Solicitor
 (717) 248-9656

SHERIFF'S OFFICE

MIFFLIN COUNTY

20 North Wayne Street
 Lewistown, PA 17044

(717) 242-1105 ** (717) 242-1808

Fax: (717) 248-2907

Plaintiff: J.J. POWELL, INC.		Court Number: 2056-06
		County: CLEARFIELD COUNTY
Defendant: JOEL GLENNY d/b/a HICKORY HILL		Type of Writ or Complaint: <input type="checkbox"/> Writ <input checked="" type="checkbox"/> Complaint
Serve At	Name: JOEL GLENNY d/b/a	Address: 871 OLD PARK ROAD, LEWISTOWN, PA. 17044.
	Name:	Address:

Indicate Unusual Service: Comm. of Pa. Deputation Other

Now _____, 20_____, I, SHERIFF OF MIFFLIN COUNTY, PA. do hereby depelize the Sheriff of _____ County to execute this Writ and make return thereof according to law. This depelization is made at the request and risk of plaintiff. **X**

Sheriff of Mifflin Co.

Special Instructions or other information that will assist in expediting service:

Attorney or other Organization requesting service: SHERIFF'S OFFICE CLEARFIELD COUNTY	Telephone No: (814) 765-2641	Date Filed: 12/11/2006
I acknowledge receipt of the Writ or Complaint as indicated above: X <i>Joseph A. Bradley</i>	Date Received: 12/15/2006	Exp. Date: 1/11/2007

I hereby CERTIFY and RETURN that I have personally served. have legal evidence of service as shown in "Remarks", have executed as shown in "Remarks", the Writ or Complaint described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., at the address inserted below, handing a TRUE and ATTESTED copy thereof.

I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., name above. (See Remarks below.)

Name and Title of individual served: SERVED JOEL GLENNY	<input type="checkbox"/> A person of suitable age and discretion then residing at the defendant's usual place of abode.
-------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------

Address where served (complete only if different than shown above) Date of Service: 12/15/2006 Time: 3:35 PM

Attempts	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.
1	12/15/2006	10	JRB						
Advance Costs	Service Costs	Mileage		Postage	Surcharge	Notary	Total	Refund	
\$75.00	\$18.00	\$10.00		\$1.00	\$0.00	\$5.00	\$34.00	\$41.00	

Remarks: (See other side)

Sworn to and subscribed before me this _____

X

Notary Public

NOTARIAL SEAL
PATRICIA A. WILSON, Notary Public
Lewistown Boro, Mifflin County
My Commission Expires March 31, 2007

Notarial Seal

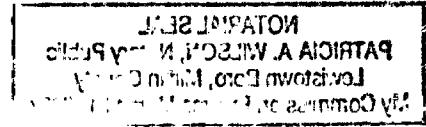
So Answers:

Deputy Sheriff X <i>James R. Bell</i>	JAMES R. BELL	12/15/2006
Sheriff X <i>Joseph A. Bradley</i>	Joseph A. Bradley	12/15/2006

FILED

MAR 13 2007

William A. Shaw
Prothonotary/Clerk of Courts



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

J.J. POWELL, INC.,

Plaintiff

: No. 2006-2056-CD

vs.

JOEL GLENNY

d/b/a HICKORY HILL,

Defendant

: Type of Case:
CIVIL

: Type of Pleading:
**PRAECIPE FOR ENTRY
OF DEFAULT JUDGMENT**

: Filed on Behalf of:
PLAINTIFF

: Counsel for This Party:
Peter F. Smith, Esquire
Supreme Court ID #34291
P. O. Box 130
30 South Second Street
Clearfield, PA 16830
(814) 765-5595

FILED Piff pd.20.00
03/5/2007 No CC
MAR 21 2007

BB
William A. Shaw
Prothonotary/Clerk of Courts
Notice to Def.
Statement to
Atty Smith

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

J. J. POWELL , INC., :
Plaintiff : No. 2006-2056-CD
:
vs. :
:
JOEL GLENNY :
d/b/a HICKORY HILL, :
Defendant :
:

PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT

To: William A. Shaw, Sr., Prothonotary

Dear Sir:

1. I certify that on February 8, 2007, I sent by First Class Mail, postage prepaid, the notice required by Pa.R.C.P. 237.1 of our intent to enter a default judgment against the Defendant. Attached hereto and incorporated herein is a true and correct copy of said Notice.

2. This Notice was sent to the Defendant at the following address:

Joel Glenny
d/b/a Hickory Hill
871 Old Park Road
Lewistown, PA 17044

3. More than ten days have elapsed since the mailing of said Notice, but Defendant is still in default of an Answer or other responsive pleading.

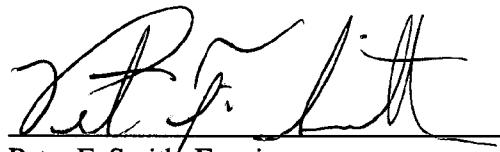
4. Please enter judgment in favor of the Plaintiff and against the Defendant in the amount of **\$25,502.90** plus interest and costs of suit.

A)	Balance	\$25,033.28
B)	Finance Charges to 11/15/06	\$ 469.62
C)	Finance Charges accruing at \$6.18 per day from 11/15/06 (to be added)	\$ _____

D)	Attorney fees (to be added)	\$ _____
E)	Court costs (to be added)	\$ _____
PRELIMINARY TOTAL		\$25,502.90
FINAL TOTAL		\$ _____

Date: 3/15/07

Respectfully submitted:



Peter F. Smith, Esquire
Attorney for Plaintiff
P. O. Box 130, 30 South Second Street
Clearfield, PA 16830
(814) 765-5595

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

J. J. POWELL, INC.,
Plaintiff

No. 2006-2056-CD

VS.

JOEL GLENNY
d/b/a HICKORY HILL,
Defendant

TO: **JOEL GLENNY**
d/b/a HICKORY HILL
871 Old Park Road
Lewistown, PA 17044

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN 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 TO A 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 TEN (10) DAY PERIOD SHALL EXPIRE ON FEBRUARY 19, 2007.

COURT ADMINISTRATOR
Clearfield County Courthouse
One North Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 5982

Date: February 8, 2007



Peter F. Smith
Attorney for Plaintiff
P. O. Box 130, 30 South Second St.
Clearfield, PA 16830
(814) 765-5595

cc: J. J. Powell, Inc.

COPY

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

J. J. POWELL , INC.,	:	
Plaintiff	:	No. 2006-2056-CD
vs.	:	
JOEL GLENNY	:	
d/b/a HICKORY HILL,	:	
Defendant	:	

Notice is given that a judgment has been entered of record in Clearfield County against JOEL GLENNY d/b/a HICKORY HILL, Defendant, and in favor of the Plaintiff in the amount of **\$25,502.90**, plus interest and costs.

Prothonotary

By Willie Shan, Deputy

Rule of Civil Procedure No. 236

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

COPY

J. J. Powell, Inc.
Plaintiff(s)

No.: 2006-02056-CD

Real Debt: \$25,502.90

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Joel Glenny d/b/a
Hickory Hill
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 21, 2007

Expires: March 21, 2012

Certified from the record this 21st day of March, 2007.



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

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

J. J. POWELL, INC.

Plaintiff

: No. 2006-2056-CD

vs.

JOEL GLENNY

d/b/a HICKORY HILL,

Defendant

:

CERTIFICATE OF ADDRESS

I, Peter F. Smith, attorney for Plaintiff, certify that to the best of my information, knowledge and belief, the correct name and address of the Plaintiff and last known address of the Defendant are:

Plaintiff: J. J. Powell, Inc.
P. O. Box 30
Philipsburg, PA 16866

Defendant: Joel Glenny
d/b/a Hickory Hill
871 Old Park Road
Lewistown, PA 17044

Date:

3/15/07


Peter F. Smith, Esquire
Attorney for Plaintiff
P. O. Box 130, 30 South Second Street
Clearfield, PA 16830
(814) 765-5595

FILED *No. 07-5824*
03/15/07
MAR 21 2007

WAS
William A. Shaw
Prothonotary/Clerk of Courts

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

J. J. POWELL , INC., : Plaintiff : No. 2006-2056-CD
vs. : :
JOEL GLENNY : :
d/b/a HICKORY HILL, : :
Defendant : :

PRAECIPE

To: William A. Shaw, Prothonotary

Dear Sir:

Kindly prepare and certify a complete copy of the docket in this matter. A Praecipe to Transfer Judgment will be filed with the Mifflin County Prothonotary against the Defendant Joel Glenny d/b/a Hickory Hill and in favor of J. J. Powell, Inc.

Respectfully submitted,

Date: 3/15/07



Peter F. Smith, Esquire
Attorney for Plaintiff
30 South Second Street
P. O. Box 130
Clearfield, PA 16830
(814) 765-5595

FILED
OCT 3 2007 \$15.00
MAR 21 2007

200
William A. Shaw
Prothonotary/Clerk of Courts
Certification
Entries with
Judgment to
Atty Smith (per
his request he will forward)

COPY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
OFFICE OF THE PROTHONOTARY

J. J. Powell, Inc.

Vs.

NO. 2006-02056-CD

**Joel Glenny d/b/a
Hickory Hill**

CERTIFICATION OF DOCKET ENTRIES AND JUDGMENT

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

I further certify that a Judgment was entered in the above captioned matter in favor of J.J. Powell, Inc. and against Joel Glenny d/b/a Hickory Hill on March 21, 2007, in the amount of \$25,502.90.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the said Court, on the 21st day of March, A.D., 2007.

William A. Shaw
Prothonotary

BY: William A. Shaw
Deputy

Date: 03/21/2007

Time: 04:31 PM

Page 1 of 1

Clearfield County Court of Common Pleas

User: BHUDSON

ROA Report

Case: 2006-02056-CD

Current Judge: No Judge

J. J. Powell, Inc. vs. Joel Glenny, Hickory Hill

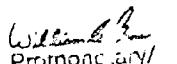
Civil Other

Date	Civil Other	Judge
12/11/2006	New Case Filed. Filing: Civil Complaint Paid by: Smith, Peter F. (attorney for J. J. Powell, Inc.) Receipt number: 1916740 Dated: 12/11/2006 Amount: \$85.00 (Check) 1 CC atty and 1CC shff.	No Judge
03/13/2007	Sheriff Return, December 12, 2006, Sheriff of Mifflin County was deputized. No Judge December 15, 2006 at 3:35 pm Served the within Complaint on Joel Glenny d/b/a Hickory Hill. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Powell \$31.00 Mifflin Co. costs pd by Powell \$34.00	No Judge
03/21/2007	Filing: Praeclipe for Entry of Default Judgment Paid by: J. J. Powell, Inc. (plaintiff) Receipt number: 1918152 Dated: 03/21/2007 Amount: \$20.00 (Check) filed by s/Peter F. Smith, Esq. No CC Notice to Defendant Judgment entered in favor of Plaintiff and against Defendants in the amount of \$25,502.90. Filing: Praeclipe, Re: Exemplified Record Paid by: J. J. Powell, Inc. (plaintiff) Receipt number: 1918153 Dated: 03/21/2007 Amount: \$15.00 (Check) filed by s/Peter F. Smith, Esq. Certification of Docket Entries with Judgment to Attorney Smith Certificate of Address, filed by s/Peter F. Smith, Esq. No CC	No Judge
		No Judge

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

MAR 21 2007

Attest.


William B.
Prothonotary/
Clerk of Courts

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

J.J. POWELL, INC., :
Plaintiff : No. 2006-2056-CD
vs. :
JOEL GLENNY :
d/b/a HICKORY HILL, :
Defendant :
:

PRAECIPE FOR WRIT OF REVIVAL

To: William A. Shaw, Sr., Prothonotary of Clearfield County

Please issue Writ of Revival of the judgment entered in this Court at the above-captioned matter and index against JOEL GLENNY, d/b/a HICKORY HILL in the amount of \$25,502.90 with interest and costs from November 15, 2006.

Dated: 2-16-12



Peter F. Smith, Esquire
Attorney for Plaintiff

Rule 3032

FILED
0949/01 80.00
FEB 23 2012
S 1 Writ to A/H
William A. Shaw
Prothonotary/Clerk of Court
6K

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

J.J. POWELL, INC.,	:	
Plaintiff	:	No. 2006-2056-CD
vs.		
JOEL GLENNY	:	
d/b/a HICKORY HILL,	:	
Defendant	:	

WRIT OF REVIVAL

TO: Joel Glenny
d/b/a Hickory Hill
871 Old Park Road
Lewistown, PA 17044

1. You are notified that the plaintiff has commenced a proceeding to revive and continue the line of the judgment entered to 2006-2056-CD.

2. The Plaintiff claims that the amount due and unpaid is \$25,502.90 with interest from November 15, 2006.

3. You are required within twenty (20) days after service of this writ to file an answer or otherwise plead to this writ. If you fail to do so judgment of revival will be entered.

Date: 2/23/12



Prothonotary

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

J.J. POWELL, INC., :
Plaintiff : No. 2006-2056-CD
vs. :
JOEL GLENNY :
d/b/a HICKORY HILL, :
Defendant :
:

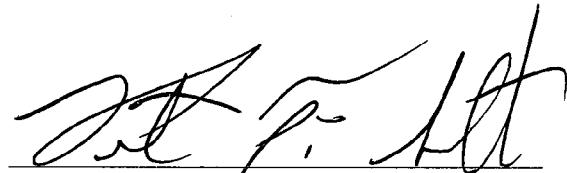
CERTIFICATE OF ADDRESS

I, Peter F. Smith, attorney for Plaintiff, certify that to the best of my information, knowledge and belief, the correct name and address of the Plaintiff and last known address of the Defendant are:

Plaintiff: J. J. Powell, Inc.
P. O. Box 30
Philipsburg, PA 16866

Defendant: Joel Glenny
d/b/a Hickory Hill
871 Old Park Road
Lewistown, PA 17044

Date: 2-22-12



Peter F. Smith, Esquire
Attorney for Plaintiff
P. O. Box 130, 30 South Second Street
Clearfield, PA 16830
(814) 765-5595

FILED
01/4/2012 NO
S FEB 23 2012 CC
William A. Shaw
Prothonotary/Clerk of Courts
66

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

J.J. POWELL, INC., :
Plaintiff : No. 2006-2056-CD
vs. :
JOEL GLENNY :
d/b/a HICKORY HILL, :
Defendant :
:

CERTIFICATE OF SERVICE

I, Peter F. Smith, Counsel for the Plaintiff in the above-captioned matter, being duly sworn according to law, depose and say that I sent by U. S. Certified Mail, as directed by Pa.R.C.P. 3028 pursuant to Pa.R.C.P. 403 as follows:

Joel Glenny
d/b/a Hickory Hill
871 Old Park Road
Lewistown, PA 17044

Attached hereto and incorporated herein by reference is a true and correct copy of the Certified Mail Receipt.

Date: 2-16-12


Peter F. Smith, Counsel for Plaintiff
30 South Second Street
P.O. Box 130
Clearfield, PA 16830
(814) 765-5595

S
FILED No. cc
01/10/2007
APR 02 2012
William A. Shaw
Prothonotary/Clerk of Courts


U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

LEWISTOWN PA 17044

OFFICIAL USE

Postage	\$ 0.45	0830
Certified Fee	\$ 2.95	
Return Receipt Fee (Endorsement Required)	\$ 2.35	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 5.75	

0830
CLEARFIELD PA 16830
Postmark
Here
MAR 21 2012
03/21/2012
USPS

Sent To
JOEL GLENNY, d/b/a HICKORY HILL
Street, Apt. No.,
or PO Box No. 871 OLD PARK ROAD
City, State, ZIP/44
LEWISTOWN, PA 17044

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse, so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Joel Mater</u> C. Date of Delivery <u>3-29-12</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p><u>P.O. Box 820</u> <u>Baker FL 32531</u></p>	
<p>1. Article Addressed to:</p> <p>JOEL GLENNY d/b/a HICKORY HILL 871 OLD PARK ROAD LEWISTOWN, PA 17044</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7006 0100 0003 4232 9854</p>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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

J.J. POWELL, INC.,
Plaintiff

No. 2006-2056-CD

vs.

JOEL GLENNY
d/b/a HICKORY HILL,
Defendant

FILED

APR 10 2012

William A. Shaw
Prothonotary/Clerk of Courts

1 Cmt 1-477

PRAECIPE TO DISCONTINUE & TERMINATED

TO: Clearfield County Prothonotary

Dear Sir:

As counsel for Plaintiff in the above-captioned matter I appear and direct that the matter be marked **DISCONTINUED & TERMINATED**. The Defendant's obligation has been discharged by Bankruptcy proceedings.

Respectfully submitted,



Peter F. Smith, Esquire
Attorney for Plaintiff
P.O. Box 130, 30 S. 2nd St.
Clearfield, PA 16830
(814) 765-5595

Date: 4-6-12