

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

ETHEL E. JOHNSON,
Plaintiff,

v.

JAMES W. LUCAS,
Defendant.

No. 06-2152 -CD

CASE NUMBER: 06- -CD

TYPE OF PLEADING: COMPLAINT

FILED ON BEHALF OF: Plaintiff

COUNSEL FOR RECORD FOR THIS PARTY: R. Denning Gearhart, Esquire
Supreme Court ID#: 26540
207 East Market Street
Clearfield, PA 16830
814-765-1581

FILED 3ce
of 3:41 PM
DEC 28 2006 (m) Amy Gearhart
Atty pd. \$5.00
William A. Shaw
Prothonotary/Clerk of Courts

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

ETHEL E. JOHNSON,
Plaintiff,

v.

JAMES W. LUCAS,
Defendant.

No. 06-2152-CD

RULE RETURNABLE

AND NOW, this 2ND day of JAN, 2007, upon consideration of the attached Petition, a Rule is hereby issued upon JAMES W. LUCAS, to show cause why the Petition should not be granted. Rule Returnable the 12th day of January, 2007, at 3:00 p.m., in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

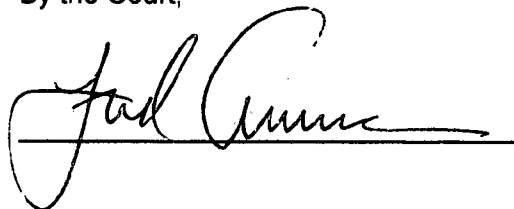
NOTICE

A PETITION OR MOTION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE PETITIONER OR MOVANT. YOU MAY LOSE 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.

COURT ADMINISTRATOR'S OFFICE
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
814-765-2641

By the Court,



FILED

01/30/07
JAN 02 2007

3cc
Atty Gearhart

William A. Shaw
Prothonotary/Clerk of Courts

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

ETHEL E. JOHNSON
Plaintiff

v.

JAMES W. LUCAS
Defendant

No. 03-11-CD

RULE RETURNABLE

AND NOW, this 1st day of January, 2007, upon consideration of the attached Petition, a Rule is hereby issued upon JAMES W. LUCAS, to show cause why the Petition should not be granted. Rule Returnable the 1st day of January, 2007, at 2:00 p.m. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

NOTICE

SET FORTH BELOW FIND OUT WHERE YOU CAN GET LEGAL HELP. NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO PETITIONER OR MOVANT YOU MAY LOSE RIGHTS IMPORTANT TO YOU. YOU BY THE COURT WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST MATTER SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE PETITION BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING A PETITION OR MOTION HAS BEEN FILED AGAINST YOU IN COURT. IF

COURT ADMINISTRATOR'S OFFICE
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
814-765-2641

By the Court,

DATE: 1/2/07

☒ You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

FILED

JAN 02 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

ETHEL E. JOHNSON,
Plaintiff,

v.

JAMES W. LUCAS,
Defendant.

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No. 06- -CD

COMPLAINT

AND NOW, comes the Plaintiff, ETHEL E. JOHNSON, by and through her attorney, R. Denning Gearhart, files this Complaint and avers as follows:

1. That the Plaintiff, ETHEL E. JOHNSON, is an adult individual who is presently residing at 424 Mann Road, Clearfield, Pennsylvania, 16830.
2. That the Defendant, JAMES W. LUCAS, is an adult individual who is presently residing at 150 Stronach Road, Grampian, Pennsylvania, 16838.
3. That the Plaintiff is the mother of Susan Wilsoncroft Lucas who passed away on February 19, 2006.
4. That the Defendant is the husband of Susan Wilsoncroft Lucas.

COUNT I – CONTRACT

5. That the Plaintiff incorporates Paragraphs one through four of the Complaint by reference and makes them a part thereof.
6. That the parties met with William Williams of the Chester C. Chidboy Funeral Home to arrange for the funeral of Susan Wilsoncroft Lucas.
7. That the Defendant later advised the Plaintiff by letter dated September 12, 2006, attached hereto as Exhibit "A", that he was prepared to pay Three Thousand

(\$3,000.00) Dollars for Susan Wilsoncroft Lucas' funeral even though he did not object to the Seven Thousand (\$7,000.00) Dollar funeral arrangement at the meeting involving the parties and Mr. Williams.

8. That the Seven Thousand One Hundred Eighty Five (\$7,185.00) Dollar funeral was paid by the Plaintiff by credit card as evidence by copy of credit card receipt attached hereto as Exhibit "B".

9. That the Plaintiff has made several demands of the Defendant for contributions, but to date has received none.

10. That the cost of the internment should have been the responsibility of the spouse.

WHEREFORE, Plaintiff prays your Honorable Court to award her the sum of Seven Thousand One Hundred Eighty Five (\$7,185.00) Dollars.

COUNT II – REPLEVIN

11. That the Plaintiff incorporates Paragraphs one through ten of the Complaint by reference and makes them a part thereof.

12. That immediately preceding her death, Susan Wilsoncroft Lucas had stored in various locations of property she owned jointly with the Defendant, personal property belonging to the Plaintiff, Susan's daughter, Susan's brother and Susan's nephew, as attached hereto in Exhibit "C".

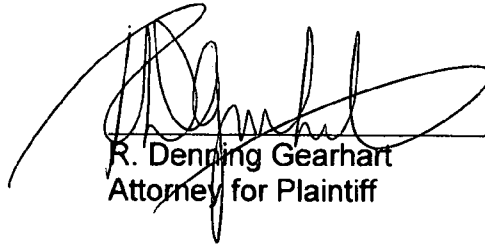
13. That despite the request of the Plaintiff, the Defendant has refused to allow these items to be collected.

14. Furthermore, prior to August 14, 2006, when she also unfortunately passed away, the daughter of Susan Wilsoncroft Lucas and the granddaughter of the

Plaintiff, Jenna Wilsoncroft Malone, returned on leave from the United States Army and was denied access or opportunity to collect any of these items by the Defendant.

WHEREFORE, Plaintiff prays your Honorable Court to issue a rule with hearing upon the Defendant to show cause why Plaintiff should not be allowed to collect the items listed herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Denning Gearhart', is written over a horizontal line. The signature is stylized with a large loop at the end.

R. Denning Gearhart
Attorney for Plaintiff

Date: **December 28, 2006**

Sept. 12-06

Ethel,

I assume You Mean The Property You Have Abandoned at My House, ~~that~~ That Consists of Your Doll & Case, Your Vanity, & Your Camper That I Paid half of, That Is Still at My House.

You May Come & Get these Three Things with The Police, Because You Are Not welcome in My Home & You Have Already Stole stuff That was Mine From My Car when you were Fighting with me Over My Car.

I Never Said I Wanted you to Put My Wifes Funeral On Your Credit Card Nor Did I Want you to. The Only Reason I had A \$7000.00 Funeral was Because you Put it On Your Card How

Could I Say No You Can't
Have That When You Paid For
It. I also Had Made Arrangements
With The Funeral Home Director
To Make Payments For The
Rest of My Life For A \$3,000
Funeral So Why Would I
Want You To Put it On
Your Credit Card. So
You Can Take Your
Legal Action Against Me.

Please Let Me Know When
The Police Can Come With
You To Get The Property
You Abandoned at My
Home In Your Next Letter.
Please Do Not Call Me or
Come To My Home.

James Lucas

CHESTER C. CHIDBOY
300 STATE ST
CURWENSVILLE PA 16833

TERMINAL I.D.: 91637201

MERCHANT #: 544068886916372

MASTERCARD
5488436003226427

SALE EXP.: 07/08
BATCH: 000019 INVOICE: 262638
DATE: FEB 20 06 TIME: 10:20
AUTH NO: R67948

TOTAL \$7185.00

ETHEL E JOHNSON
Ethel Johnson

I AGREE TO PAY ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
(MERCHANT AGREEMENT IF CREDIT VOUCHER)

Dresser	hot water bottle
picnic table	Pumpatawney Phil beanie
Sewing	eagle bobble head
Sleeping bags	high chair
dust mop	Casey's toys
flower pot stand	fishing rods
interlaminar center	Doel cradles
Casey dresser + garafce stand	swing
picture of kids	Black onyx ring
quilt hand made	folding table
magagne stand	sled
garabage can	pumpkin
lamp blue	Eagles picture
Jeff's stuff	heating pad
Walter's stuff	Desk 2 chairs
cow pictures in kitchen	cow clock
doel + Case	Senna's duffle bag
camper	Sea shell stuff
vanity dresser	Doel + Case
Daugh boy cookie jar	
wooden barrel	Jeff's - Jewelry box ^{separ}
cow chimes	Budda with kids on it
Casey's Toys & Eagles Bike	

washer Board game
wheel harrow

COMMONWEALTH OF PENNSYLVANIA :
:
:
COUNTY OF CLEARFIELD :

SS.

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared ETHEL E. JOHNSON, who being dully sworn according to law deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

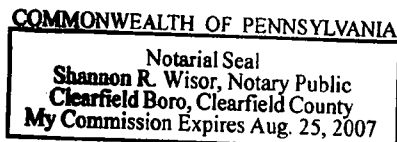
Ethel E. Johnson
Ethel E. Johnson

Sworn to and subscribed

before me, this 20th

day of December, 2006.

Shannon R. Wisor
Notary Public



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 10/10/01 BY 1043

1. The purpose of this document is to provide information regarding the status of the project. The project is currently in the planning stage and is expected to be completed by the end of the year. The project is being managed by the Project Manager and is being funded by the Department of the Interior. The project is being implemented by the Bureau of Land Management and is being monitored by the Project Manager. The project is being implemented in accordance with the terms of the contract and is being completed in accordance with the schedule. The project is being completed in accordance with the schedule and is being monitored by the Project Manager. The project is being completed in accordance with the schedule and is being monitored by the Project Manager.

2. The project is being implemented in accordance with the terms of the contract and is being completed in accordance with the schedule. The project is being completed in accordance with the schedule and is being monitored by the Project Manager. The project is being completed in accordance with the schedule and is being monitored by the Project Manager.

3. The project is being implemented in accordance with the terms of the contract and is being completed in accordance with the schedule. The project is being completed in accordance with the schedule and is being monitored by the Project Manager. The project is being completed in accordance with the schedule and is being monitored by the Project Manager.

4. The project is being implemented in accordance with the terms of the contract and is being completed in accordance with the schedule. The project is being completed in accordance with the schedule and is being monitored by the Project Manager. The project is being completed in accordance with the schedule and is being monitored by the Project Manager.

5. The project is being implemented in accordance with the terms of the contract and is being completed in accordance with the schedule. The project is being completed in accordance with the schedule and is being monitored by the Project Manager. The project is being completed in accordance with the schedule and is being monitored by the Project Manager.

6. The project is being implemented in accordance with the terms of the contract and is being completed in accordance with the schedule. The project is being completed in accordance with the schedule and is being monitored by the Project Manager. The project is being completed in accordance with the schedule and is being monitored by the Project Manager.

FILED
DEC 28 2006
William A. Shaw
Prothonotary/Clerk of Courts

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

ETHEL E. JOHNSON,
Plaintiff

vs.

JAMES W. LUCAS,
Defendant

No. 06-2152-CD

CASE NUMBER: No. 06-2152-CD

TYPE OF CASE: Civil

TYPE OF PLEADING: MOTION FOR CONTINUANCE

FILED ON BEHALF OF: Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

R. DENNING GEARHART, ESQUIRE
Supreme Court I. D. #26540
207 East Market Street
Clearfield, PA 16830
(814) 765-1581

FILED 4cc

JAN 11 2007

WAS

William A. Shaw
Prothonotary/Clerk of Courts

10:55 AM R. Denning Gearhart

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

ETHEL E. JOHNSON,
Plaintiff

Vs.

JAMES W. LUCAS,
Defendant

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: No. 06-2152-CD
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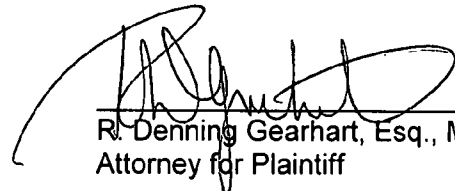
MOTION FOR CONTINUANCE OF HEARING

AND NOW, comes R. Denning Gearhart, Esq., Attorney for Plaintiff, who moves for a continuance of the Hearing, and in support thereof avers as follows:

1. That a Complaint was filed in the above captioned matter on December 28, 2006.
2. That a Rule Returnable hearing is scheduled for January 12, 2007, at 3:00 o'clock P.M., before this Honorable Court.
3. That as of January 11, 2007, the Sheriff's Office has not been able to obtain service of the Complaint on the Defendant.

WHEREFORE, your movant prays Your Honorable Court to reschedule the Rule Returnable Hearing to another date.

Respectfully submitted,


R. Denning Gearhart, Esq., Movant
Attorney for Plaintiff

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

ETHEL E. JOHNSON,
Plaintiff

vs.

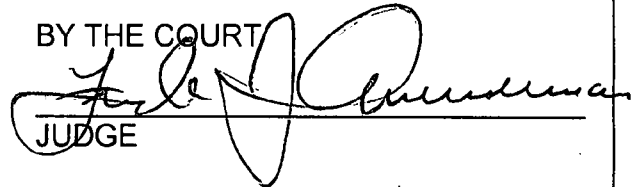
No. 06-2152-CD

JAMES W. LUCAS,
Defendant

ORDER

AND NOW, THIS 11th day of January, 2007, upon consideration of the foregoing Motion for Continuance, the Hearing scheduled for January 12, 2007, at 3:00 o'clock P.M., is hereby rescheduled for the 5th Day of February, 2007, at 10:00 O'clock A. M., in Courtroom No., 1, of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT


JUDGE

FILED
01/31/07
JAN 12 2007

4CC
Amy Gearhart
OK

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 1/21/07

☒ You are responsible for serving all appropriate parties.

☐ The Probationary's office has provided service to the following parties:

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

FILED

JAN 12 2007

William A. Shaw
Probationary/Clerk of Courts

FILED

JAN 11 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION No. 06-2152-CD

ETHEL E. JOHNSON,
Plaintiff

vs.

JAMES W. LUCAS,
Defendant

MOTION FOR CONTINUANCE & ORDER

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

Date: 2/6/2007

Clearfield County Court of Common Pleas

User: LMILLER

Time: 03:35 PM

ROA Report

Page 1 of 1

Case: 2006-02152-CD

Current Judge: Fredric Joseph Ammerman

Ethel E. Johnson vs. James W. Lucas

Civil Other

Date		Judge
12/28/2006	New Case Filed.	No Judge
	Filing: Civil Complaint Paid by: Gearhart, R. Denning (attorney for Johnson, Ethel E.) Receipt number: 1916970 Dated: 12/28/2006 Amount: \$85.00 (Check) 3CC Atty Gearhart.	No Judge
1/2/2007	Rule Returnable, AND NOW, this 2nd day of January 2007, upon consideration of the attached Petition, a Rule is hereby issued upon James W. Lucas, to show cause why the Petition should not be granted. Rule Returnable the 12th day of January 2007 at 3:00 p.m. in Courtroom NO. 1. BY THE COURT: /s/ Fredric J. Ammerman, P. Judge. 3CC Atty Gearhart.	Fredric Joseph Ammerman
1/11/2007	Motion for Continuance, filed by s/R. Denning Gearhart, Esq. Four CC Attorney Gearhart	Fredric Joseph Ammerman
1/12/2007	Order, NOW, this 11th day of Jan., 2007, upon consideration of the Motion for Continuance, the Hearing scheduled for Jan. 12, 2007 is rescheduled for the 5th Day of Feb., 2007, at 10:00 a.m. in Courtroom no. 1. By the Court, /s/ Fredric J. Ammerman, Pres. Judge. 4CC Atty. Gearhart	Fredric Joseph Ammerman
1/24/2007	Sheriff Return, January 23, 2007 at 11:21 am Served the within Complaint & Rule Returnable on James W. Lucas. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Gearhart \$51.75	Fredric Joseph Ammerman

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

ETHEL E. JOHNSON,
Plaintiff

vs.

JAMES W. LUCAS,
Defendant

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NO. 06-2152-CD

ORDER

NOW, this 5th day of February, 2007, this being the date set for hearing on the Plaintiff's Petition for Monetary Damages, and upon agreement of the parties, it is the ORDER of this Court as follows:

1. The parties agree that the Plaintiff Ethel E. Johnson is entitled to obtain certain items of personal property from the home of Defendant James W. Lucas;
2. Ethel E. Johnson shall be entitled to go to the Defendant's home on Saturday, February 10, 2007 at 1:00 p.m. in order to obtain the items in question;
3. Ethel E. Johnson shall be permitted to have a constable accompany her to the Defendant's residence. Any costs associated with the constable shall be paid by the Plaintiff;
4. The Plaintiff may be accompanied by Matthew Rubley and/or Tom and Andrew McDermott, who will assist in removing the items in question; and
5. In the event that there is any dispute over any particular item(s) as to ownership, that item(s) shall remain at the Defendant's home and be subject to potential further litigation.


FILED

01102007
FEB 07 2007

William A. Shaw
Prothonotary/Clerk of Courts

2cc
Atty Gearhart
ICC
Def. - 150 Stronach Rd.
Grampian, PA 16838
(6K)

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED

FEB 07 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 2/7/07

____ You are responsible for serving all appropriate parties.

☒ The Prothonotary's office has provided service to the following parties:

____ Plaintiff(s) ☒ Plaintiff(s) Attorney ____ Other

☒ Defendant(s) ____ Defendant(s) Attorney

____ Special Instructions: