



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

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION,  
Appellee

vs.

Robert Andrew Leonard,  
Appellant

- \*
  - \* NO.: 2007-348-CD
  - \*
    - \* Type of Case: Drivers' License
    - \*
      - \* Type of Pleading: Appeal of Suspension
      - \*
        - \* Filed on Behalf of: Robert Leonard
        - \*
          - \* Counsel of Record for this Party:
          - \* Robin Jean Foor, Esquire
          - \*
            - \* Supreme Court No.: 41520
            - \*
              - \* MidPenn Legal Services
              - \* 211 East Locust Street
              - \* Clearfield, PA 16839
              - \* (814)765-9646

**FILED**

03:50 P.M. GK

MAR 07 2007 4CL TO ATTY

William A. Shaw  
Prothonotary/Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA	:
DEPARTMENT OF TRANSPORTATION	:
Appellee	:
	:
vs.	: No.
	:
ROBERT ANDREW LEONARD,	:
Appellant	:

PETITION FOR APPEAL OF  
RECALL OF DRIVING PRIVILEGES

1. Appellant is Robert Andrew Leonard, an adult individual, of 89 Mill Run Road,  
PO Box 98, Force, Clearfield County, Pennsylvania.

2. Appellee is Commonwealth of Pennsylvania, Department of Transportation,  
Bureau of Driver Licensing, Third Floor, Riverfront Office Center, Harrisburg,  
Pennsylvania.

3. Appellant has been notified of the suspension of his commercial driving  
privileges due to an adjudication of a citation for violation of section 3745 of title 75 of  
the Pennsylvania Statutes. A copy of said notice attached hereto and incorporated herein  
by reference as though set forth in full.

4. The mailing date of said Notice is February 8, 2007.

5. The effective date of the suspension is March 15, 2007.

6. This Court has venue of the instant proceeding as the county of residence of the  
appellant.

7. Appellant's operating privileges have been recalled for one year pursuant to  
Section 1611(a) of the Vehicle Code.

8. The said suspension is improper as appellant, although having plead guilty and paying the fine, did so without any knowledge or notice that citation included leaving the scene of an accident. Appellant maintains that he did not knowingly leave the scene of an accident.

WHEREFORE, the Appellant request the Court for an Order sustaining the appeal and dismissing the recall of the operating privileges.



---

Robin Jean Foor  
PA ID # 41520  
MidPenn Legal Services Inc.  
211 East Locust Street  
Clearfield. PA 16803  
(814)765-9646

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
Bureau of Driver Licensing  
Harrisburg, PA 17123  
FEBRUARY 08, 2007

ROBERT ANDREW LEONARD  
89 MILL RUN RD  
P O BOX 98  
FORCE PA 15841

WID # 070329283812453 001  
PROCESSING DATE 02/01/2007  
DRIVER LICENSE # 17597307  
DATE OF BIRTH 01/31/1957

Dear Motorist:

This is an Official Notice of Disqualification of your commercial driving privilege as authorized by Section 1611A of the Pennsylvania Vehicle Code as a result of your pre-adjudication, conviction, administrative adjudication, or refusal in Pennsylvania.

Your driving record reflects one of the above adjudications on 01/31/2007 of 3745, of the Pennsylvania Statutes, LEAVING SCENE OF ACCIDENT on 08/17/2006.

Your commercial driving privilege is disqualified for a period of 1 YEAR(S) effective 03/15/2007 at 12:01 A.M.

In order to comply with this sanction you are required to return any current driver's license, learner's permit and/or temporary driver's license (camera card) in your possession no later than the effective date listed. If you cannot comply with the requirements stated above, you are required to submit a DL16LC Form or a sworn affidavit stating that you are aware of the sanction against your driving privilege. Failure to comply with this notice shall result in this Bureau referring this matter to the Pennsylvania State Police for prosecution under SECTION 1571(a)(4) of the Vehicle Code.

Although the law mandates that your driving privilege is under disqualification even if you do not surrender your license, Credit will not begin until all current driver's license product(s), the DL16LC Form, or a letter acknowledging your sanction is received in this Bureau.

WHEN THE DEPARTMENT RECEIVES YOUR LICENSE OR ACKNOWLEDGEMENT, WE WILL SEND YOU A RECEIPT. IF YOU DO NOT RECEIVE THIS RECEIPT WITHIN 15 DAYS CONTACT THE DEPARTMENT IMMEDIATELY. OTHERWISE, YOU WILL NOT BE GIVEN CREDIT TOWARD SERVING THIS SANCTION.

070329283812453

Please see the enclosed application for restoration fee information.

While your commercial driving privilege is disqualified, the Vehicle Code permits a driver to obtain a noncommercial Class C or M license, if the driver possesses the motorcycle qualification, to drive noncommercial motor vehicles. If you wish to obtain this license, please complete the enclosed application as instructed and return it to the Department.

Please be aware that if you elect to obtain this noncommercial Class C or M license, you are still prohibited from operating a commercial motor vehicle. If you do so, you are subject to additional penalties, including possible lifetime disqualification of your commercial driving privilege.

You have the right to appeal the Department's action to the Court of Common Pleas (Civil Division) within 30 days of the mail date (FEBRUARY 08, 2007) of this notice. You must still send in your license before the effective date of disqualification unless you appear in person before a Judge and receive an order permitting you to continue to drive. PLEASE NOTE that this Civil Appeal is in addition to any appeal you have to file from the criminal conviction.

AFTER THE APPEAL HAS BEEN FILED IN THE COUNTY COURT, A TIME-STAMPED CERTIFIED COPY OF THE APPEAL MUST BE SENT BY CERTIFIED MAIL TO:

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
OFFICE OF CHIEF COUNSEL  
THIRD FLOOR, RIVERFRONT OFFICE CENTER  
HARRISBURG, PA. 17104

Sincerely,



Janet L. Dolan, Director  
Bureau of Driver Licensing

070329283812453

SEND FEE/LICENSE/DL-16LC/TO:  
Department of Transportation  
Bureau of Driver Licensing  
P.O. Box 68693  
Harrisburg, PA 17106-8693

INFORMATION (8:00 AM TO 6:00 PM)  
IN STATE 1-800-932-4600  
OUT-OF-STATE 717-412-5300  
TDD IN STATE 1-800-228-0676  
TDD OUT-OF-STATE 717-412-5380

## VERIFICATION

I verify that the statements made in the Petition to Appeal of Recall of Driving Privileges are true and correct. I understand that false statements herein are made subject to the penalties of Pa.C.S. 4904, relating to unsworn falsification to authorities.

Robert Leonard S ✓  
Robert Leonard



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

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Appellee

vs.

ROBERT ANDREW LEONARD,  
Appellant

No. 2007-348-CD

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, Robert Andrew Leonard having filed a Petition appealing the Order of the Department of Transportation suspending his motor vehicle operating privileges, it is ORDERED that the Court Administrator's Office is directed to schedule the matter for the next available License Suspension Appeal hearing date.

It is further ORDERED that the defendant herein shall send a certified copy of this Order and of the Petition of Appeal by certified mail to Pennsylvania Department of Transportation, Office of Chief Counsel, Third Floor, Riverfront Office Center, Harrisburg, PA. 17104-2516.

BY THE COURT:

\_\_\_\_\_  
Judge

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

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION,  
Appellee

vs.

Robert Andrew Leonard,  
Appellant

\*  
\*  
\* NO.: 2007-348-CD  
\*  
\* Type of Case: Drivers' License  
\*  
\* Type of Pleading: Request for  
\* Supersedeas  
\*  
\* Filed on Behalf of: Robert Leonard  
\*  
\* Counsel of Record for this Party:  
\* Robin Jean Foor, Esquire  
\*  
\* Supreme Court No.: 41520  
\*  
\* MidPenn Legal Services  
\* 211 East Locust Street  
\* Clearfield, PA 16839  
\* (814)765-9646

**FILED**

0 3:51 PM GK  
MAR 07 2007

William A. Shaw  
Prothonotary/Clerk of Courts

4 CC TO ATTY  
(GK)

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

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Appellee

vs.

No. 07-348-CD

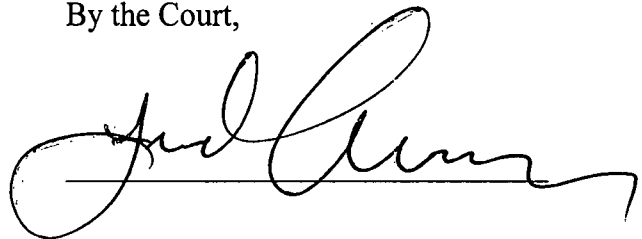
ROBERT ANDREW LEONARD,

Appellant

ORDER GRANTING SUPERSEDEAS

And now, this 8 day of March, 2007 upon consideration of the foregoing petition, it is ORDERED that appellant's request for supersedeas is granted and that he shall retain his commercial vehicle operating privileges until the appeal is resolved.

By the Court,



FILED 402  
010:55 PM  
MAR 09 2007  
Atty For  
CP

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 3/9/07

☒ 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**

**MAR 09 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA	:
DEPARTMENT OF TRANSPORTATION	:
Appellee	:
	:
vs.	: No.
	:
ROBERT ANDREW LEONARD,	:
Appellant	:

PETITION REQUESTING SUPERSEDEAS

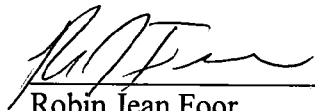
Robert Andrew Leonard, appellant, by and through his attorneys, Robin Jean Foor, Esquire and MidPenn Legal Services, requests a supersedeas and alleges as follows:

1. In January, 2007, appellant received notice of three citations that were the result of an incident from August, 2006.
2. The incident involved scrape falling off commercial vehicle.
3. Appellant was hauling scrape on the date and road in the citation.
4. Appellant is aware of other vehicles hauling scrape on that date and road.
5. Appellant does not recall scrape falling from his vehicle.
6. However, as he was not sure he pled guilty to the citations and paid the fines.
7. One of the citations was for "accident involving damage to unattended vehicle or property." The information in the citation said that appellant's vehicle was over height and struck an overpass. The information on the summons did not say anything about leaving the scene of an accident.
8. Appellant did not knowingly leave the scene of an accident and would have not pled guilty to a summons that said that he had.

9. Appellant is a commercial truck driver.

10. If his commercial driver's license is suspended, he will not be able to pursue his livelihood.

Wherefore, appellant requests the court to grant him a supersedeas so that he might retain his commercial vehicle operating privileges pending the outcome of this appeal.



---

Robin Jean Foor  
Attorney for Appellant  
MidPenn Legal Services  
211 East Locust Street  
Clearfield, PA 16830  
(814)765-9646

# VERIFICATION

I verify that the statements made in the Petition for Supersedeas are true and correct. I understand that false statements herein are made subject to the penalties of Pa.C.S. 4904, relating to unsworn falsification to authorities.

Robert Leonard Sr  
Robert Leonard

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Civil Division

Commonwealth of PA  
Department of Transportation,  
Appellee

vs.

Robert Andrew Leonard,  
Appellant

\*

\* No.: 2007-348-CD

\*

\*

\* TYPE OF CASE: Driver's License  
\* Suspension

\*

\* TYPE OF PLEADING: Certificate of Service

\*

\*

\* FILED ON BEHALF OF: Appellant

\*

\* COUNSEL OF RECORD FOR THIS PARTY:  
\* Robin Jean Foor, Esquire

\*

\* SUPREME COURT NO.: 41520

\*

\* MidPenn Legal Services  
\* 211 East Locust Street  
\* Clearfield, Pennsylvania 16830  
\* (814) 765-9646

\*

\*

FILED

012:51/61  
MAR 16 2007

William A. Shaw  
Prothonotary/Clerk of Courts  
ICC Atty Foor



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

Commonwealth of PA  
Department of Transportation,  
Appellee

vs.

Robert Andrew Leonard,  
Appellant

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\* No.: 2007-348-CD  
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CERTIFICATE OF SERVICE

I, Robin Jean Foor, Esquire, hereby certify that on the 14<sup>th</sup> day of March, 2007, I served a copy of the Appeal of Suspension filed in the above-captioned case to the following individual by certified mail, return receipt requested:

Pennsylvania Department of Transportation  
Office of Chief Counsel  
Third Floor  
Riverfront Office Center  
Harrisburg, Pennsylvania 17104

The return receipt card signed by Scott A. Klouser is attached.

  
\_\_\_\_\_  
Robin Jean Foor, Esquire

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature <b>X</b> <div style="text-align: right;"> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee </div>	
1. Article Addressed to: Pennsylvania Dept. of Transportation Office of Chief Counsel Third Floor Riverfront Office Center Harrisburg, Pennsylvania 17104		B. Received by (Printed Name) <div style="float: right;"> C. Date of Delivery  <b>MAR 14 2007</b> </div>	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div style="text-align: center;">   <b>Scott A. Klouser</b> </div>	
		3. Service Type <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.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7003 1680 0005 6731 9594			
PS Form 3811, August 2001      Domestic Return Receipt      102595-02-M-1540			

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

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

vs.

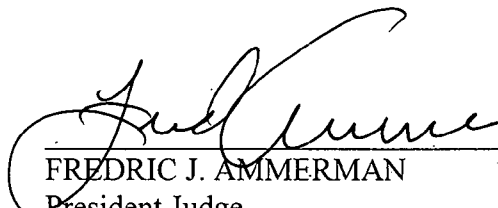
No. 07-348-CD

ROBERT ANDREW LEONARD

**ORDER**

AND NOW, this 1 day of May, 2007, it is the ORDER of the Court that hearing on Defendant's Appeal of Suspension of Commercial Motor Vehicle Operating Privileges in the above matter has been scheduled for Tuesday, June 12, 2007 at 10:30 A.M. before the Honorable John K. Reilly, Jr., Senior Judge, Specially Presiding, in the Clearfield County Courthouse, Clearfield, PA. Please report to the Court Administrator's Office. You will be directed from there where this hearing will be heard.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge

FILED

01 3:40 PM  
MAY 01 2007

William A. Shaw  
Prothonotary/Clerk of Courts

3 CC to  
Atty Muhar  
to serve  
(per CIA)

CR

1 CC Atty For 5/21/07  
per CIA

**FILED**

**MAY 01 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 5/1/07

☒ 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:

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

Commonwealth of PA  
Department of Transportation,  
Plaintiff

vs.

Robert Andrew Leonard,  
Defendant

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\*  
\*  
\* NO.: 2007-348-CD  
\*  
\* Type of Case: Driver's License  
\* Suspension  
\* Type of Pleading: Petition for  
\* Continuance  
\*  
\* Filed on Behalf of: Robert Leonard  
\*  
\* Counsel of Record for this Party:  
\* Robin Jean Foor, Esquire  
\*  
\* Supreme Court No.: 41520  
\*  
\* MidPenn Legal Services  
\* 211 East Locust Street  
\* Clearfield, PA 16839  
\* (814)765-9646

FILED acc AH4  
0/10:30 am Foor  
MAY 23 2007  
UN

William A. Shaw  
Prothonotary/Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
Appellee

vs.

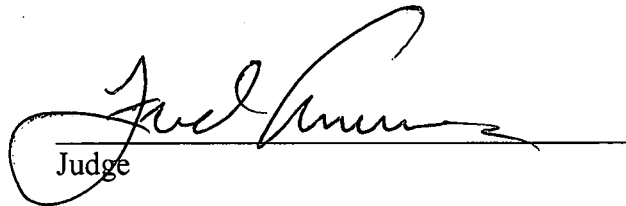
ROBERT ANDREW LEONARD,  
Appellant

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: No. 07-348-CD  
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ORDER

AND NOW, this 23 day of May, 2007, upon the Petition of  
Counsel for Andrew Leonard the hearing scheduled for June 12, 2007 is continued, it is  
ORDERED that the Court Administrator's Office is directed to re-schedule the matter for  
the next available License Suspension Appeal hearing date.

BY THE COURT:

  
Judge

FILED *ace Amy*  
*0/2:01 Lm* *For*  
MAY 24 2007 *GR*

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 5-24-2007

☒ 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**

**MAY 24 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

Robin Jean Foor  
Attorney for the Appellant



UA

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

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

vs.

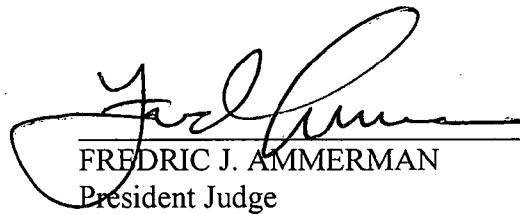
No. 07-348-CD

ROBERT ANDREW LEONARD

**ORDER**

AND NOW, this 1 day of October, 2007, it is the ORDER of the Court that hearing on Defendant's Appeal of Suspension of Commercial Motor Vehicle Operating Privileges in the above matter has been scheduled for **Friday, October 12, 2007 at 2:30 P.M.** before the Honorable Fredric J. Ammerman in Courtroom No. 1., in the Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge

FILED  
OCT 01 2007

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Foor  
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William A. Shaw  
Prothonotary/Clerk of Courts

FILED

OCT 01 2007

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 10/1/07

     You are responsible for serving all appropriate parties.

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

     Plaintiff(s) X Plaintiff(s) Attorney      Other

     Defendant(s) X Defendant(s) Attorney

     Special Instructions:

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COMMONWEALTH OF  
PENNSYLVANIA DEPARTMENT OF  
TRANSPORTATION

-VS-

No. 07-348-CD

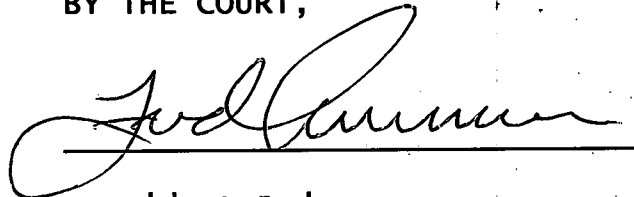
ROBERT ANDREW LEONARD

O R D E R

AND NOW, this 12th day of October, 2007, upon agreement of the parties in the above-captioned License Suspension Appeal Hearing, it is the ORDER of this Court as follows:

1. The Appeal is dismissed;
2. The Court recommends a four (4) month delay in reinstatement of the suspension of operating privileges in order to allow the Petitioner, Robert Andrew Leonard, an opportunity to appeal the underlying Summary Conviction.

BY THE COURT,



President Judge

FILED 5CC Atty  
0/3:02cm Four  
OCT 12 2007 (will serve)  
(GR)

William A. Shaw  
Prothonotary/Clerk of Courts