

07-1317-CD

F. Buckingham vs J. Dolan et al

212g

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

Francis Allen Buckingham

Appellant

v.

Janet L. Dolan, Director,
Bureau of Driver Licensing,
Pennsylvania Department of
Transportation

Respondent

No. 07-1317-CD

FILED
01/31/08
AUG 15 2007

William A. Shaw
Prothonotary/Clerk of Courts
ICC Atty Pletcher
Atty pd 85.00

PETITION FOR APPEAL

1. The Clearfield County Court of Common Pleas has jurisdiction to hear this appeal under 42 Pa. C.S. § 933 Appeals from Government Agencies, and 75 Pa. C.S. § 1550 Right of Judicial Review.

2. The Clearfield County Court of Common Pleas also has jurisdiction to hear this appeal in that the incident which caused this appeal to be filed occurred in the City of Dubois, which is located in Clearfield County, PA.

3. Francis Allen Buckingham, **appellant**, lives at 12711 William Penn Hwy., P.O. Box 154, Mill Creek, PA 17060.

4. Janet L. Dolan, Director of the Bureau of Driver Licensing, Pennsylvania Department of Transportation, **respondent**, sent an Official Notice of Suspension of Driving Privilege (Notice) to Francis Allen Buckingham.

5. A copy of the Notice is attached to this petition.

6. The Mail Date of the Notice is July 24, 2007.

7. The Notice indicates the Driving License Suspension is for a violation of §3802A2 of the Vehicle Code, DUI BAC .08- $<$.10, which the Notice indicates occurred on March 17, 2006.

Original
upstairs

orig

CP

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

Francis Allen Buckingham

Appellant

v.

Janet L. Dolan, Director,
Bureau of Driver Licensing,
Pennsylvania Department of
Transportation

Respondent

No. 07-1317-CD

PETITION FOR APPEAL

FILED

03:40 PM
AUG 15 2007

William A. Shaw
Prothonotary/Clerk of Courts

ICC Atty Pletcher
Atty pd 85.00

1. The Clearfield County Court of Common Pleas has jurisdiction to hear this appeal under 42 Pa. C.S. § 933 Appeals from Government Agencies, and 75 Pa. C.S. § 1550 Right of Judicial Review.

2. The Clearfield County Court of Common Pleas also has jurisdiction to hear this appeal in that the incident which caused this appeal to be filed occurred in the City of Dubois, which is located in Clearfield County, PA.

3. Francis Allen Buckingham, **appellant**, lives at 12711 William Penn Hwy., P.O. Box 154, Mill Creek, PA 17060.

4. Janet L. Dolan, Director of the Bureau of Driver Licensing, Pennsylvania Department of Transportation, **respondent**, sent an Official Notice of Suspension of Driving Privilege (Notice) to Francis Allen Buckingham.

5. A copy of the Notice is attached to this petition.

6. The Mail Date of the Notice is July 24, 2007.

7. The Notice indicates the Driving License Suspension is for a violation of §3802A2 of the Vehicle Code, DUI BAC .08- \leq .10, which the Notice indicates occurred on March 17, 2006.

8. The Notice also indicates that the driving privilege suspension is effective on August 28, 2007 and remains in effect for a period of one year.

9. Francis Allen Buckingham objects to the Notice on the basis that the Defendant is appealing his case to the Superior Court of Pennsylvania to overturn the Court's verdict of Guilty. A copy of the Defendant's Notice of Appeal is attached.

WHEREFORE, the Defendant respectfully requests this Honorable Court to overturn and dismiss the Notice of Suspension of Driving Privilege and preclude the Pennsylvania Department of Transportation, Bureau of Driver Licensing from suspending Francis Allen Buckinghams's driving privileges in this matter.

Respectfully submitted,



Scott N. Pletcher, Esq.

Law Office of Scott N. Pletcher
119 S. Burrowes St., Suite 101
State College, PA 16801
(814) 272-0303(O)
(814) 441-0001(C)
(814) 238-1875(F)
PA Attorney ID # 86910
Attorney for Appellant

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing
Mail Date: JULY 24, 2007

FRANCIS ALLEN BUCKINGHAM
12711 WILLIAM PENN HWY
P O BOX 154
MILL CREEK PA 17060

WID # 07198657157784 001
PROCESSING DATE 07/17/2007
DRIVER LICENSE # 25166076
DATE OF BIRTH 07/09/1979

917 248 8146

Dear MR. BUCKINGHAM:

This is an Official Notice of the Suspension of your Driving Privilege as authorized by Section 3804E2I of the Pennsylvania Vehicle Code. As a result of your 05/22/2007 conviction of violating Section 3802A2 of the Vehicle Code DUI BAC .08-<.10 on 03/17/2006:

- Your driving privilege is SUSPENDED for a period of 1 YEAR(S) effective 08/28/2007 at 12:01 a.m.

Before PennDOT can restore your driving privilege, you must follow the instructions in this letter for COMPLYING WITH THIS SUSPENSION, PAYING THE RESTORATION FEE and PROVIDING PROOF OF INSURANCE. You should follow ALL instructions very carefully. Even if you have served all the time on the suspension/revocation, we cannot restore your driving privilege until all the requirements are satisfied.

COMPLYING WITH THIS SUSPENSION

You must return all current Pennsylvania driver's licenses, learner's permits, temporary driver's licenses (camera cards) in your possession on or before 08/28/2007. You may surrender these items before, 08/28/2007, for earlier credit; however, you may not drive after these items are surrendered.

YOU MAY NOT RETAIN YOUR DRIVER'S LICENSE FOR IDENTIFICATION PURPOSES. However, you may apply for and obtain a photo identification card at any Driver License Center for a cost of \$10.00. You must present two (2) forms of proper identification (e.g., birth certificate, valid U.S. passport, marriage certificate, etc.) in order to obtain your photo identification card.

You will not receive credit toward serving any suspension until we receive your license(s). Complete the following steps to acknowledge this suspension.

071986571579784

1. Return all current Pennsylvania driver's licenses, learner's permits and/or camera cards to PennDOT. If you do not have any of these items, send a sworn notarized letter stating you are aware of the suspension of your driving privilege. You must specify in your letter why you are unable to return your driver's license. Remember: You may not retain your driver's license for identification purposes. Please send these items to:

Pennsylvania Department of Transportation
Bureau of Driver Licensing
P.O. Box 68693
Harrisburg, PA 17106-8693

2. Upon receipt, review and acceptance of your Pennsylvania driver's license(s), learner's permit(s), and/or a sworn notarized letter, PennDOT will send you a receipt confirming the date that credit began. If you do not receive a receipt from us within 3 weeks, please contact our office. Otherwise, you will not be given credit toward serving this suspension. PennDOT phone numbers are listed at the end of this letter.
3. If you do not return all current driver license products, we must refer this matter to the Pennsylvania State Police for prosecution under SECTION 1571(a)(4) of the Pennsylvania Vehicle Code.

PRISON RELEASE REQUIREMENT

The Court of CLEARFIELD CTY, Court Number 462, Court Term 2006 has sentenced you to serve a prison term for this violation. Pursuant to Section 1541(a.1) of the Vehicle Code, you will not receive credit for this suspension/revocation or any additional suspension/revocation until you complete your prison term and you have complied with the requirements listed in this letter. The Court must certify your completion to PennDOT. You may wish to contact your probation officer and/or the Court after your release to make sure that PennDOT is properly notified.

IGNITION INTERLOCK

Before your driving privilege can be restored you are required by law to have all vehicle(s) owned by you to be equipped with an Ignition Interlock System. This is a result of your conviction for Driving Under the Influence. You will receive more information regarding this requirement approximately 30 days before your eligibility date.

071986571579784

PROVIDING PROOF OF INSURANCE

Within the last 30 days of your suspension/revocation, we will send you a letter asking that you provide proof of insurance at that time. This letter will list acceptable documents and what will be needed if you do not own a vehicle registered in Pennsylvania.

IMPORTANT: Please make sure that PennDOT is notified if you move from your current address. You may notify PennDOT of your address change by calling any of the phone numbers listed at the end of this letter.

APPEAL

You have the right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the mail date, JULY 24, 2007, of this letter. If you file an appeal in the County Court, the Court will give you a time-stamped certified copy of the appeal. In order for your appeal to be valid, you must send this time-stamped certified copy of the appeal by certified mail to:

Pennsylvania Department of Transportation
Office of Chief Counsel
Third Floor, Riverfront Office Center
Harrisburg, PA 17104-2516

Remember, this is an **OFFICIAL NOTICE OF SUSPENSION**. You must return all current Pennsylvania driver license products to PennDOT by 08/28/2007.

Sincerely,



Janet L. Dolan, Director
Bureau of Driver Licensing

INFORMATION 8:00 a.m. to 6:00 p.m.

IN STATE

1-800-932-4600

TDD IN STATE

1-800-228-0676

OUT-OF-STATE

717-412-5300

TDD OUT-OF-STATE

717-412-5380

WEB SITE ADDRESS

www.dmv.state.pa.us

[illegible]

VS.

No. CP-17-CR-462-2006

Notice is hereby given that Francis Buckingham, Defendant above-named, hereby appeals to the Superior Court of Pennsylvania from the order entered in this matter on the 22nd of day of May, 2007. These orders have been entered in the docket as evidenced by the attached copy of the docket entry.

A Notice of Appeal having been filed in this matter, the official court reporter is hereby ordered to produce, certify and file the transcript in this matter in conformity with Rule 1922 of the Pennsylvania Rules of Appellate Procedure.

Scott N. Pletcher, Esquire
Law Office of Scott N. Pletcher
119 S. Burrowes St., Suite 101
State College, PA 16801
814-272-0303 (o)
814-238-1875 (f)

22/2/2017

William L. Brown
Prothonotary/
Clerk of Court

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

DOCKET

Docket Number: CP-17-CR-0000462-2006

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Francis Allen Buckingham

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CASE INFORMATION

Cross Court Docket Nos: CR-0000150-06

Judge Assigned: Cherry, Paul E.

OTN: L2835162

Initial Issuing Authority: Patrick N Ford

Arresting Agency: Dubois Psp

Case Local Number Type(s)

Date Filed: 05/04/2006

Initiation Date: 03/23/2006

Lower Court Docket No: CR-0000150-06

Final Issuing Authority: Patrick N Ford

Arresting Officer: Yohe, Randy A.

Case Local Number(s)

STATUS INFORMATION

Case Status: Adjudicated

Processing Status:

Awaiting Filing of Information

Awaiting Formal Arraignment

Awaiting Formal Arraignment

Awaiting PSI Completion

Awaiting Pre-Trial Conference

Awaiting Sentencing

Awaiting Sentencing

Complaint Date: 03/23/2006

CALENDAR EVENTS

<u>Case Calendar Event</u> <u>Type</u>	<u>Schedule</u> <u>Start Date</u>	<u>Start</u> <u>Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>
Formal Arraignment	05/17/2006	1:30 pm	Hearing Room 1	David Sean Meholic	Cancelled
Motions Court	02/27/2007	2:00 pm	Courtroom #2	Judge Paul E. Cherry	Scheduled
Sentencing	05/22/2007	9:00 am	Courtroom #2	Judge Paul E. Cherry	Scheduled

DEFENDANT INFORMATION

Date Of Birth: 07/09/1979

City/State/Zip: Mill Creek, PA 17060

CASE PARTICIPANTS

Participant Type

Defendant

Name

Buckingham, Francis Allen

Printed: 06/09/2007

AOPC 2220 - Rev 06/09/2007

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the Court of Common Pleas nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these docket sheets. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

DOCKET

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Francis Allen Buckingham

BAIL INFORMATION

Buckingham, Francis Allen

Nebbia Status: None

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Percentage</u>	<u>Amount</u>	<u>Bail Posting Status</u>	<u>Posting Date</u>
Set	04/28/2006	Unsecured		\$1,000.00	Posted	04/28/2006

CHARGES

<u>Sequence</u>	<u>Grade</u>	<u>Section/ Description</u>	<u>Statute Description</u>	<u>Offense Date</u>	<u>OTN</u>
1	M	75 § 3802 §SA1**	DUI: Gen Imp/Inc of Driving Safely - 2nd Off	03/17/2006	L2835162
2	M	75 § 3802 §SA2**	DUI: Gen Imp (BAC .08 - .10) 2nd Off	03/17/2006	L2835162
3	S	75 § 4302 §SA1	Period For Requiring Lighted Lamps	03/17/2006	L2835162

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

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DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Final Disposition

Section

Credit For Time Served

Start Date

Lower Court Proceeding (generic)

Lower Court Disposition

1 / DUI: Gen Imp/Inc of Driving Safely - 2nd Off

04/28/2006

Held for Court (Lower Court)

Not Final

75 § 3802 §§A1**

2 / DUI: Gen Imp (BAC .08 - .10) 2nd Off

Held for Court (Lower Court)

75 § 3802 §§A2**

3 / Period For Requiring Lighted Lamps

Held for Court (Lower Court)

75 § 4302 §§A1

Proceed to Court

Information Filed

1 / DUI: Gen Imp/Inc of Driving Safely - 2nd Off

05/12/2006

Proceed to Court

Not Final

75 § 3802 §§A1**

2 / DUI: Gen Imp (BAC .08 - .10) 2nd Off

Proceed to Court

75 § 3802 §§A2**

3 / Period For Requiring Lighted Lamps

Proceed to Court

75 § 4302 §§A1

COMMONWEALTH INFORMATION

Name: Clearfield County District Attorney's
Office
Prosecutor

Supreme Court No:

Phone Number(s):

(814) 765-2641 (Phone)

Address:

230 East Market Street
Clearfield PA 16830

ATTORNEY INFORMATION

Name: Scott Nathan Pletcher, Esq.
Private

Supreme Court No: 086910

Counsel Status: Active

Phone Number(s):

(814) 272-0303 (Phone)

(814) 238-1875 (Fax)

Address:

Law Office of Scott N. Pletcher
119 S Burrowes St
State College PA 16801

Representing: Buckingham, Francis Allen

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

DOCKET

Docket Number: CP-17-CR-0000462-2006

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Francis Allen Buckingham

ENTRIES

<u>Document/Sequence</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Title</u>			
<u>Comments</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
<u>Service To</u>		<u>Service By</u>	
<u>Registry Entry</u>			
1	05/04/2006		Court of Common Pleas - Clearfield County
Original Papers Received from Lower Court			
3	05/04/2006		Pletcher, Scott Nathan
Arraignment Waiver Form			
1	05/12/2006		Commonwealth of Pennsylvania
Information Filed			
1	02/09/2007	02/08/2007	Cherry, Paul E.
Jury Selection			
NOW, Feb. 8, 2007, following criminal pretrial conference in the matter, it is the ORDER of this Court that the case proceed to jury selection at 9:00 am on Feb. 15, 2007, in CtRm 1, at which time the Def and his counsel shall be present. Jury trial shall commence on Monday, March 22, 2007 at 9:00 am, CtRm 2. BY THE COURT/s/PEC cc: CA, DA, PO, Pletcher			
2	02/20/2007		Commonwealth of Pennsylvania
Omnibus Pre-Trial Motion			
		3 cc Pletcher	

Printed: 06/09/2007

AOPC 2220 - Rev 06/09/2007

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COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

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ENTRIES

<u>Document/Sequence</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Title</u>			
<u>Comments</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
<u>Service To</u>		<u>Service By</u>	
<u>Registry Entry</u>			
1	02/21/2007		Cherry, Paul E.
Rule to Show Cause			
2-20-07, Omnibus Pre-trial Motion, Rule Returnable on 2-27-07 at 2:00 PM. /s/ PEC			
CA DA Pletcher			

2	02/21/2007		Clearfield County District Attorney's Office
Commonwealth's Motion in Limine			
3 cc DA			

1	02/23/2007	02/21/2007	Cherry, Paul E.
Rule to Show Cause			
2/21/07 - upon consideration of the Cmmwlth's Motion in Limine - Rule granted on Def - Rule returnable for answer by			
Def & hearing on Motion Feb. 27, 2007 at 2:00 PM, CtRm 2. BY THE COURT/s/PEC			
cc: 3 DA			

1	03/02/2007		Clearfield County District Attorney's Office
Praeipce to Tax Costs			
Praeipce Tax Costs - \$22.20 Transcription of Preliminary Hearing.			
cc: DA			

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

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Court Case



Commonwealth of Pennsylvania

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Francis Allen Buckingham

ENTRIES

<u>Document/Sequence</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Title</u>			
<u>Comments</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
<u>Service To</u>		<u>Service By</u>	
<u>Registry Entry</u>			

1 03/09/2007 03/09/2007 Cherry, Paul E.
Order Scheduling Bench Trial

NOW, March 9, 2007, following argument of the Cmmwth's Motion to Cancel Jury Trial in the matter and proceed to Bench Trial; the Court being satisfied that the Def is not entitled to a Jury Trial, it is the Order of this Court that Jury Trial scheduled for March 22, 2007 shall be and is hereby CANCELLED. Bench Trial in this matter shall be held on March 22, 2007, beginning at 9:00 am, CtRm 2. BY THE COURT/s/PEC
cc: CA, DA, PO, Pletcher

2 03/09/2007 03/09/2007 Cherry, Paul E.
Order Denying Motion in Limine

NOW, March 9, 2007, following argument on Cmmwth's Motion in Limine it is the ORDER of this Court that said Motion shall be and is hereby DENIED. BY THE COURT/s/PEC
cc: CA, DA, Pletcher, PO

3 03/09/2007 03/09/2007 Cherry, Paul E.
Order Denying Omnibus Pre-Trial Motion

NOW, March 9, 2007, following argument on Def's Omnibus Pre-Trial Motion, the Court being satisfied the issue raised therein are now moot in light of the Court removing this matter from Jury Trial & proceeding to Bench Trial, it is the Order of this Court that motion shall be Denied. BY THE COURT/s/PEC
cc: CA, DA, PO, Pletcher

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

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ENTRIES

<u>Document/Sequence</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Title</u>			
<u>Comments</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
<u>Service To</u>		<u>Service By</u>	
<u>Registry Entry</u>			

1	03/26/2007	03/22/2007	Cherry, Paul E.
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Pre-Sentence Investigation Ordered

NOW, March 22, 2007, following bench trial on the charge of Driving Under the Influence, it is the decision of this Court that, on the charge of Driving Under the Influence, it is the decision of this Court that, on the charge of Driving Under the Influence, the Def, shall be and is hereby found guilty. On the Summary Offense of Period for Required Lighted Lamps, it is the decision of this Court that he be and is hereby found guilty. It is the ORDER of this Court that the Adult Probation Dept. forthwith prepare appro. pre-sentence investigation and the Ct. Admin. schedule the matter for sentencing before the Court within no more than 60 days from this date. BY THE COURT/s/PEC
cc: CA, DA, PO, Pletcher

1	06/01/2007	05/22/2007	Cherry, Paul E.
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Order/Bail Pending Appeal

5-22-07, Oral motion by Defense Counsel, Order of Court, Defendant's bail pending appeal. The Defendant's bail shall remain as is. /s/ PEC

CA DA PO Pletcher

CASE FINANCIAL INFORMATION

Last Payment Date:

Total of Last Payment: \$0.00

Buckingham, Francis Allen
Defendant

Assessment

Payments

Adjustments

Non Monetary
Payments

Total

Costs/Fees

Printed: 06/09/2007

AOPC 2220 - Rev 06/09/2007

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COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

DOCKET

Docket Number: CP-17-CR-0000462-2006

CRIMINAL DOCKET

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Buckingham, Francis Allen
Defendant

Tax as Costs (Clearfield)

Costs/Fees Totals:

Grand Totals:

Assessment

Payments

Adjustments

Non Monetary
Payments

Total

\$22.20

\$0.00

\$0.00

\$0.00

\$22.20

\$22.20

\$0.00

\$0.00

\$0.00

\$22.20

\$22.20

\$0.00

\$0.00

\$0.00

\$22.20

** - Indicates assessment is subrogated

CERTIFICATE OF SERVICE

I hereby certify that I, on this day, served the foregoing document upon the persons or offices in the manner indicated below, which service satisfies the requirements of Pennsylvania Rule of Appellate Procedure 906.

NOTICE OF APPEAL AND REQUEST FOR TRANSCRIPT

Service by personal delivery as follows:

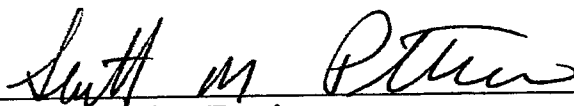
The Honorable Paul E. Cherry
Judges Chambers
Clearfield County Courthouse
230 East Market St.
Clearfield, PA 16830

The Honorable William A. Shaw, Jr.
Clearfield County District Attorney
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830

Clearfield County Court Reporter
Clearfield County Courthouse
230 E. Market St.
Clearfield, PA 16830

Dan Nelson
Clearfield County Court Administrator
Clearfield County Courthouse
230 E. Market St.
Clearfield, PA 16830

Date: _____



Scott N. Pletcher, Esquire
Attorney for Francis Buckingham

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

v.

FRANCIS ALLEN BUCKINGHAM

:
: No. 07-1317-CD
:
:
: Appeal from Suspension
: of Operating Priveleges

ORDER

AND NOW, this _____ day of _____, 2007, upon
consideration of the within Petition for Appeal from Suspension of Operating Privileges and on
motion of Scott N. Pletcher, attorney for Petitioner, Francis Allen Buckingham, the
_____ day of _____, 2007, at _____ M., in
Courtroom No. _____ of the Clearfield County Courthouse at Clearfield, Pennsylvania, is hereby
fixed as the time and place for hearing of the within Petition.

Written notice of the time and place of hearing shall be given to the Director of the
Bureau of Driver Licensing, Commonwealth of Pennsylvania Department of Transportation, no
later than thirty (30) days prior to the hearing.

Supersedeas of the suspension of the operating privileges of Petitioner, as set forth in the
Official Notice of the Director of the Bureau of Driver Licensing, Commonwealth of Pennsylvania
Department of Transportation, mail date _____, is hereby granted.

BY THE COURT:

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

v.

FRANCIS ALLEN BUCKINGHAM

No. 07-1317-CD

Appeal from Suspension
of Operating Privileges

ORDER

AND NOW, this _____ day of _____, 2007, upon
consideration of the within Petition for Appeal from Suspension of Operating Privileges and on
motion of Scott N. Pletcher, attorney for Petitioner, Francis Allen Buckingham, the
_____ day of _____, 2007, at _____ M., in
Courtroom No. _____ of the Clearfield County Courthouse at Clearfield, Pennsylvania, is hereby
fixed as the time and place for hearing of the within Petition.

Written notice of the time and place of hearing shall be given to the Director of the
Bureau of Driver Licensing, Commonwealth of Pennsylvania Department of Transportation, no
later than thirty (30) days prior to the hearing.

Supersedeas of the suspension of the operating privileges of Petitioner, as set forth in the
Official Notice of the Director of the Bureau of Driver Licensing, Commonwealth of Pennsylvania
Department of Transportation, mail date _____, is hereby granted.

BY THE COURT:

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

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

vs.


FRANCIS A. BUCKINGHAM

:
:
:
: No. 07-1317-CD
:
:

ORDER

AND NOW, this 22nd day of April, 2008, it is the ORDER of the Court that hearing on Defendant's License Suspension Appeal in the above matter has been scheduled for **Tuesday, June 24, 2008 at 1:45 P.M.** before the Honorable John K. Reilly, Jr., Senior Judge, Specially Presiding, in Courtroom #2 of the Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:


FREDRIC J. AMMERMAN
President Judge

FILED
019:20/64
APR 23 2008
William A. Shaw
Prothonotary/Clerk of Courts
cc Atty:
Pletcher
Kuhar
(62)

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

COMMONWEALTH OF PENNSYLVANIA :

VS.

: NO. 07-1317-CD

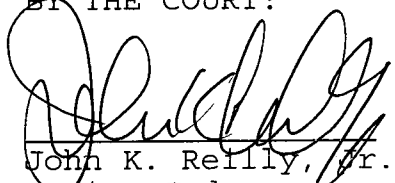
FRANCIS A. BUCKINGHAM

: License Suspension Appeal

O R D E R

NOW, this 24th day of June, 2008, this being the day and date set for hearing into the above-captioned Appeal from License Suspension; Appellant having failed to appear in person or by counsel, he having received due and proper notice thereof; the Commonwealth having presented a prima facie case in support of the suspension, it is the ORDER of this Court that the Defendant/Appellant be found guilty, said appeal be dismissed and the action of the Department in suspending the Appellant's license affirmed.

BY THE COURT:


John K. Reilly, Jr.
Senior Judge
Specially Presiding

FILED

07/4:00/84
JUN 26 2008

William A. Shaw
Prothonotary/Clerk of Courts

2cc Atty's:
Kuhar
Aletcher

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