

07-1333-CD

Nikki L. Lee vs Kirt McGary

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Lee, Nikki L.

(Plaintiff)

497 Naulton Rd.

(Street Address)

Curwensville, PA

(City, State ZIP)

16833

CIVIL ACTION

No. 07-1333-CD

Type of Case: Civil

Type of Pleading: JUDGEMENT  
\$4316.00

Filed on Behalf of: Plaintiff

Nikki L. LEE

(Plaintiff/Defendant)

vs.

McGARY, KIRT

(Defendant)

1293 Grice Road

(Street Address)

Chanta, PA 16863

(City, State ZIP)

Nikki L. LEE

(Filed by)

497 Naulton Rd.

(Address)

236-1458

(Phone)

Nikki L. Lee  
(Signature)

**FILED** piff pd 20.00  
01048701 Notice to Def.  
AUG 20 2007 Statement to

William A. Shaw  
Prothonotary/Clerk of Courts

piff

No CC

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-02**

MDJ Name: Hon.

**RICHARD A. IRELAND**  
Address: **650 LEONARD ST**  
**STE 113**  
**CLEARFIELD, PA**

Telephone: **(814) 765-5335**      **16830**

**NIKKI L. LEE**  
**497 NAULTON ROAD**  
**CURWENSVILLE, PA 16833**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**LEE, NIKKI L**  
**497 NAULTON ROAD**  
**CURWENSVILLE, PA 16833**

NAME and ADDRESS

DEFENDANT:

**MCGARY, KIRT**  
**1293 GRICE ROAD**  
**OLANTA, PA 16863**

NAME and ADDRESS

Docket No.: **CV-000008-07**  
Date Filed: **1/08/07**



**THIS IS TO NOTIFY YOU THAT:**

**FOR PLAINTIFF**

(Date of Judgment) **2/12/07**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) <b>LEE, NIKKI L</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Amount of Judgment</td> <td style="width: 70%;">\$ <b>4,189.00</b></td> </tr> <tr> <td>Judgment Costs</td> <td>\$ <b>127.50</b></td> </tr> <tr> <td>Interest on Judgment</td> <td>\$ <b>.00</b></td> </tr> <tr> <td>Attorney Fees</td> <td>\$ <b>.00</b></td> </tr> <tr> <td><b>Total</b></td> <td>\$ <b>4,316.50</b></td> </tr> <tr> <td>Post Judgment Credits</td> <td>\$ _____</td> </tr> <tr> <td>Post Judgment Costs</td> <td>\$ _____</td> </tr> <tr> <td colspan="2"><b>Certified Judgment Total</b> \$ _____</td> </tr> </table>	Amount of Judgment	\$ <b>4,189.00</b>	Judgment Costs	\$ <b>127.50</b>	Interest on Judgment	\$ <b>.00</b>	Attorney Fees	\$ <b>.00</b>	<b>Total</b>	\$ <b>4,316.50</b>	Post Judgment Credits	\$ _____	Post Judgment Costs	\$ _____	<b>Certified Judgment Total</b> \$ _____	
Amount of Judgment		\$ <b>4,189.00</b>															
Judgment Costs	\$ <b>127.50</b>																
Interest on Judgment	\$ <b>.00</b>																
Attorney Fees	\$ <b>.00</b>																
<b>Total</b>	\$ <b>4,316.50</b>																
Post Judgment Credits	\$ _____																
Post Judgment Costs	\$ _____																
<b>Certified Judgment Total</b> \$ _____																	
<input checked="" type="checkbox"/> Judgment was entered against: (Name) <b>MCGARY, KIRT</b> in the amount of \$ <b>4,316.50</b>																	
<input type="checkbox"/> Defendants are jointly and severally liable.																	
<input type="checkbox"/> Damages will be assessed on Date & Time _____																	
<input type="checkbox"/> This case dismissed without prejudice.																	
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____																	
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____																	

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

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

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

**FEB 12 2007** Date Richard Ireland, Magisterial District Judge

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

**8-2007** Date Richard Ireland, Magisterial District Judge

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

SEAL

AOPC 315-06

DATE PRINTED: **2/15/07** **3:22:00 PM**

NOTICE OF JUDGMENT

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Nikki L. Lee

Vs.

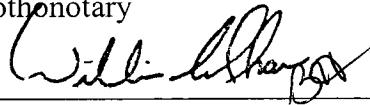
No. 2007-01333-CD

Kirt McGary

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$4,316.50 on August 20, 2007.

William A. Shaw  
Prothonotary

  
\_\_\_\_\_  
William A. Shaw

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

COPY

Nikki L. Lee  
Plaintiff(s)

No.: 2007-01333-CD

Real Debt: \$4,316.50

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Kirt McGary  
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: August 20, 2007

Expires: August 20, 2012

Certified from the record this 20th day of August, 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 ACTION - LAW

NIKKI L. LEE,

Plaintiff,

v.

KIRT McGARY  
1293 Grice Road  
Olanta PA 16863,

Defendant,

and

TIMBERLAND FEDERAL CREDIT  
UNION  
821 Beaver Drive  
DuBois, PA 15801,

Garnishee Defendants.

) NO. 2007-01333- CD  
)  
) Type of Pleading: PRAECIPE FOR  
) WRIT OF EXECUTION  
)  
) Filed on Behalf of: PLAINTIFF  
)  
) Counsel of Record:  
) BENJAMIN S. BLAKLEY, III  
)  
) Supreme Court No. 26331  
)  
) BLAKLEY & JONES  
) 90 Beaver Drive, Box 6  
) DuBois, PA 15801  
) (814) 371-2730  
)  
)  
)

FILED Atty pd. 20.00  
01/55/04  
SEP 18 2007 ICC Atty

William A. Shaw  
Prothonotary/Clerk of Courts  
PC documents  
to Sheriff  
(60)

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
Plaintiff, )  
v. )  
KIRT McGARY )  
1293 Grice Road )  
Olanta PA 16863, )  
Defendant, )  
and )  
TIMBERLAND FEDERAL CREDIT )  
UNION )  
821 Beaver Drive )  
DuBois, PA 15801, )  
Garnishee Defendants. )

**PRAECIPE FOR WRIT OF EXECUTION**

TO: WILLIAM A. SHAW, SR., PROTHONOTARY

Please issue Writ of Execution in the above matter:

1. Directed to the Sheriff of Clearfield County;
2. Against Kirt McGary, Defendant in the above captioned matter;
3. Against Timberland Federal Credit Union, Garnishee; and
4. Index this Writ against
  - (a) Kirt McGary, Defendant; and
  - (b) Timberland Federal Credit Union, Garnishee,
5. Amount due: \$ 4,316.50

6. Interests from 8/20/07: \$ \_\_\_\_\_

7. Costs: \$ \_\_\_\_\_

Total: \$ \_\_\_\_\_

40.00

Prothonotary costs

BY:

BLAKLEY & JONES

Benjamin S. Blakley, III, Esquire  
Attorney for Plaintiff

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

NIKKI L. LEE,

) NO. 2007-01333- CD

Plaintiff,

) Type of Pleading: WRIT OF EXECUTION

v.

) Filed on Behalf of: PLAINTIFF

KIRT McGARY  
1293 Grice Road  
Olanta PA 16863,

) Counsel of Record:

) BENJAMIN S. BLAKLEY, III

)

) Supreme Court No. 26331

Defendant,

) BLAKLEY & JONES

) 90 Beaver Drive, Box 6

) DuBois, PA 15801

) (814) 371-2730

and

TIMBERLAND FEDERAL CREDIT  
UNION  
821 Beaver Drive  
DuBois, PA 15801,

)

)

)

Garnishee Defendants. )

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KIRT McGARY )  
 1293 Grice Road )  
 Olanta PA 16863, )  
 )  
 Defendant, )  
 )  
 and )  
 )  
 TIMBERLAND FEDERAL CREDIT )  
 UNION )  
 821 Beaver Drive )  
 DuBois, PA 15801, )  
 )  
 Garnishee Defendants. )

**NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to Court ready to explain your exemption. If you do not come to Court and prove your exemption, you may lose some of your property.

**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.**

Daniel J. Nelson  
Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830  
(814) 765-2641

**COPY**

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KIRT McGARY )  
 1293 Grice Road )  
 Olanta PA 16863, )  
 )  
 Defendant, )  
 )  
 and )  
 )  
 TIMBERLAND FEDERAL CREDIT )  
 UNION )  
 821 Beaver Drive )  
 DuBois, PA 15801, )  
 )  
 Garnishee Defendants. )

**WRIT OF EXECUTION**

*COMMONWEALTH OF PENNSYLVANIA* :  
 : SS.  
*COUNTY OF CLEARFIELD* :  
 :

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against KIRT McGARY, Defendant:

(1) you are directed to levy upon the property of the Defendants and to sell their interest therein;

(2) you are also directed to attach the property of the Defendants not levied upon in the possession of Timberland Federal Credit Union as Garnishee, all accounts including checking and savings, and to notify the garnishee that

(a) an attachment has been issued;

(b) the garnishee is enjoined from paying any debt to or for the account of the Defendant and from delivering any property of the Defendant or otherwise disposing thereof.

(3) If property of the Defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due: \$ 4,316.50

Interests from 8/20/07: \$ \_\_\_\_\_

Costs: \$ \_\_\_\_\_

Total: \$ \_\_\_\_\_

40.00 Prothonotary costs

  
\_\_\_\_\_  
William A. Shaw, Sr., Prothonotary

DATE: 9/8/07

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

## **MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KIRT McGARY )  
 1293 Grice Road )  
 Olanta PA 16863, )  
 )  
 Defendant, )  
 )  
 and )  
 )  
 TIMBERLAND FEDERAL CREDIT )  
 UNION )  
 821 Beaver Drive )  
 DuBois, PA 15801, )  
 )  
 Garnishee Defendants. )

**CLAIM FOR EXEMPTION**

TO THE CLEARFIELD COUNTY SHERIFF:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be:

(I) set aside in kind (*specify property be set aside in kind*):

(ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (*specify property and basis of exemption*):

(2) From my property that is in the possession of a third party, I claim the following exemptions:

(a) my \$300 statutory exemption: \_\_\_\_\_ in cash; \_\_\_\_\_  
in kind (*specify property*):

(b) Social Security benefits on deposit in the amount of \$ \_\_\_\_\_;

(c) other (*specify amount and basis of exemption*):

I request a prompt Court hearing to determine the exemption. Notice of the hearing should be given to me at: \_\_\_\_\_  
(*address and telephone number*)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Defendant

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY:

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

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
Plaintiff, )  
v. )  
KIRT McGARY ) Type of Pleading: INTERROGATORIES  
1293 Grice Road ) TO GARNISHEE  
Olanta PA 16863, )  
Defendant, ) Filed on Behalf of: PLAINTIFF  
and )  
TIMBERLAND FEDERAL CREDIT ) Counsel of Record:  
UNION ) BENJAMIN S. BLAKLEY, III  
821 Beaver Drive )  
DuBois, PA 15801, ) Supreme Court No. 26331  
Garnishee Defendants. )  
BLAKLEY & JONES  
90 Beaver Drive, Box 6  
DuBois, PA 15801  
(814) 371-2730

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
Plaintiff, )  
v. )  
KIRT McGARY )  
1293 Grice Road )  
Olanta PA 16863, )  
Defendant, )  
and )  
TIMBERLAND FEDERAL CREDIT )  
UNION )  
821 Beaver Drive )  
DuBois, PA 15801, )  
Garnishee Defendants. )

**INTERROGATORIES TO GARNISHEE**

**IMPORTANT NOTICES TO GARNISHEE!**

- A. You are required to file answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.
- B. The term "Defendant(s)" means the individual(s) (or entities) against whom the Writ of Execution issued.
- C. "You" means the main office and all branch offices of Timberland Federal Credit Union.
- D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which was then in your possession, custody or control was attached, including all property of the Defendant(s) which comes into your possession thereafter.

## **INTERROGATORIES IN ATTACHMENT**

1. At the time you were served with these Interrogatories or any subsequent time, did you owe the Defendant(s) any money, were you liable to them on any negotiable or other written instrument, or did he (they) claim that you owed him(them) any money or were liable to them for any reason?
2. At the time you were served with these Interrogatories or at any subsequent time, was there in your possession, custody or control or in the joint possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the Defendant(s)?
3. At the time you were served with these Interrogatories or at any subsequent time, did you hold legal title to any property of any nature owed solely or in part by the Defendant(s) or in which Defendant(s) held or claim any interest?
4. At the time you were served with these Interrogatories or at any subsequent time, did the Defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and, if so, what was the consideration therefor?

5. At the time you were served with these Interrogatories, did you pay, transfer or deliver any money or property to the Defendant(s), to any person or place pursuant to Defendant(s)' direction, or otherwise discharge any claim of the Defendant(s) against you?

6. At the time you were served with these Interrogatories or at any subsequent time, did you have any safe deposit boxes, pledges, documents of title, securities, notes, coupons, receivables, collateral, checking, savings, tax, or other accounts or deposits in which Defendant(s) has (have) an interest?

7. At the time you were served with these Interrogatories or at any subsequent time, did you hold as fiduciary any property in which the Defendant(s) has (have) any interest?

8. At the time you were served with these Interrogatories or at any subsequent time, did you hold any Treasury Bill, repurchase Agreement or any other type of investment or commercial paper in which the Defendant(s) has (have) any interest?

9. At the time you were served with these Interrogatories or at any subsequent time, did you have property of the Defendant(s) or property in which he (they) has (have) any interest on deposit or otherwise in your possession, custody or control other than that property indicated in your answers to the previous Interrogatories?

10. Have you ever owed money to Defendant(s) or held any property belonging to Defendant(s)? If so, state when you either satisfied the debt or disposed of the property and in what manner, for what consideration, and to whom?

BLAKLEY & JONES

By:

Benjamin S. Blakley, III, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103209  
NO: 07-1333-CD  
SERVICE # 1 OF 1  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: NIKKI L. LEE  
vs.  
DEFENDANT: KIRT McGARY  
TO: TIMBERLAND FEDERAL CREDIT UNION

SHERIFF RETURN

---

NOW, September 28, 2007 AT 11:00 AM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON TIMBERLAND FEDERAL CREDIT UNION, Garnishee DEFENDANT AT 821 BEAVER DRIVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JENN SPINDA, COLLECTION OFFICER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	BLAKLEY	4503	10.00
SHERIFF HAWKINS	BLAKLEY	4503	39.34

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2007

So Answers,

*Chester A. Hawkins*  
Chester A. Hawkins  
Sheriff

FILED  
03:00 PM  
OCT 01 2007  
WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

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

NIKKI L. LEE,

) NO. 2007-01333- CD

Plaintiff,

) Type of Pleading: WRIT OF EXECUTION

v.

) Filed on Behalf of: PLAINTIFF

KIRT McGARY  
1293 Grice Road  
Olanta PA 16863,

) Counsel of Record:

Defendant,

) BENJAMIN S. BLAKLEY, III

and

) Supreme Court No. 26331

TIMBERLAND FEDERAL CREDIT  
UNION  
821 Beaver Drive  
DuBois, PA 15801,

) BLAKLEY & JONES

) 90 Beaver Drive, Box 6

) DuBois, PA 15801

) (814) 371-2730

Garnishee Defendants. )

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
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 Plaintiff, )  
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 v. )  
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 1293 Grice Road )  
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Daniel J. Nelson  
Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830  
(814) 765-2641

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
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 Plaintiff, )  
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 v. )  
 )  
 KIRT McGARY )  
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 Olanta PA 16863, )  
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 Defendant, )  
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 and )  
 )  
 TIMBERLAND FEDERAL CREDIT )  
 UNION )  
 821 Beaver Drive )  
 DuBois, PA 15801, )  
 )  
 Garnishee Defendants. )

**WRIT OF EXECUTION**

*COMMONWEALTH OF PENNSYLVANIA* :  
 : SS.  
*COUNTY OF CLEARFIELD* :

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against KIRT McGARY, Defendant:

(1) you are directed to levy upon the property of the Defendants and to sell their interest therein;

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(a) an attachment has been issued;

(b) the garnishee is enjoined from paying any debt to or for the account of the Defendant and from delivering any property of the Defendant or otherwise disposing thereof.

(3) If property of the Defendant not levied upon and subject o attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

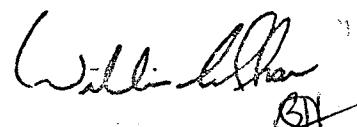
Amount due: \$ 4,316.50

Interests from 8/20/07: \$ \_\_\_\_\_

Costs: \$ \_\_\_\_\_

Total: \$ \_\_\_\_\_

40.00 Prothonotary costs



William A. Shaw, Sr., Prothonotary

DATE: 9/8/07

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

## **MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

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5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KIRT McGARY )  
 1293 Grice Road )  
 Olanta PA 16863, )  
 )  
 Defendant, )  
 )  
 and )  
 )  
 TIMBERLAND FEDERAL CREDIT )  
 UNION )  
 821 Beaver Drive )  
 DuBois, PA 15801, )  
 )  
 Garnishee Defendants. )

**CLAIM FOR EXEMPTION**

TO THE CLEARFIELD COUNTY SHERIFF:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be:

(I) set aside in kind (*specify property be set aside in kind*):

(ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (*specify property and basis of exemption*):

(2) From my property that is in the possession of a third party, I claim the following exemptions:

(a) my \$300 statutory exemption: \_\_\_\_\_ in cash; \_\_\_\_\_  
in kind (*specify property*):

(b) Social Security benefits on deposit in the amount of \$ \_\_\_\_\_;

(c) other (*specify amount and basis of exemption*):

I request a prompt Court hearing to determine the exemption. Notice of the hearing should be given to me at: \_\_\_\_\_  
(*address and telephone number*)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Defendant

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY:

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

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

NIKKI L. LEE,

) NO. 2007-01333- CD

Plaintiff,

) Type of Pleading: WRIT OF EXECUTION

v.

) Filed on Behalf of: PLAINTIFF

KIRT McGARY  
1293 Grice Road  
Olanta PA 16863,

) Counsel of Record:

Defendant,

) BENJAMIN S. BLAKLEY, III

and

) Supreme Court No. 26331

TIMBERLAND FEDERAL CREDIT  
UNION  
821 Beaver Drive  
DuBois, PA 15801,

) BLAKLEY & JONES

) 90 Beaver Drive, Box 6

) DuBois, PA 15801

) (814) 371-2730

Garnishee Defendants. )

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
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 821 Beaver Drive )  
 DuBois, PA 15801, )  
 )  
 Garnishee Defendants. )

**NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to Court ready to explain your exemption. If you do not come to Court and prove your exemption, you may lose some of your property.

**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.**

Daniel J. Nelson  
Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830  
(814) 765-2641

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

NIKKI L. LEE, ) NO. 2007-01333- CD  
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 )  
 Garnishee Defendants. )

**WRIT OF EXECUTION**

*COMMONWEALTH OF PENNSYLVANIA* :  
 : SS.  
*COUNTY OF CLEARFIELD* :  
 :

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against KIRT McGARY, Defendant:

(1) you are directed to levy upon the property of the Defendants and to sell their interest therein;

(2) you are also directed to attach the property of the Defendants not levied upon in the possession of Timberland Federal Credit Union as Garnishee, all accounts including checking and savings, and to notify the garnishee that

(a) an attachment has been issued;

(b) the garnishee is enjoined from paying any debt to or for the account of the Defendant and from delivering any property of the Defendant or otherwise disposing thereof.

(3) If property of the Defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

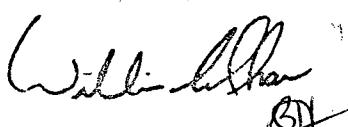
Amount due: \$ 4,316.50

Interests from 8/20/07: \$ \_\_\_\_\_

Costs: \$ \_\_\_\_\_

Total: \$ \_\_\_\_\_

40.00 Prothonotary costs

  
\_\_\_\_\_  
William A. Shaw, Sr., Prothonotary

DATE: 9/18/07

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

## **MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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Date: \_\_\_\_\_

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