

07-1720 CD
Chester Ogden vs Pike Township al

Date: 4/17/2008
Time: 09:28 AM
Page 1 of 2

Clearfield County Court of Common Pleas

User: LMILLER

ROA Report

Case: 2007-01720-CD

Current Judge: J. Michael Williamson

Chester A. Ogden vs. Supervisors of Pike Township, Lester Neeper, Betty Neeper

Civil Other-COUNT

Date	Judge
10/23/2007	New Case Filed.
	<input checked="" type="checkbox"/> Filing: Petition of Redress of Grievance Paid by: Ogden, Chester A. (plaintiff) Receipt number: 1921166 Dated: 10/23/2007 Amount: \$85.00 (Check) 3CC plff.
11/15/2007	<input checked="" type="checkbox"/> Entry of Appearance, filed by Atty. Zicolello 1 Cert. to Atty. Enter appearance of Michael J. Zicolello on behalf of Supervisors of Pike Township.
11/19/2007	<input checked="" type="checkbox"/> Preliminary Objections, filed by Atty. Zicolello 1 Cert. to Atty.
11/30/2007	<input checked="" type="checkbox"/> Answer to Petitioner's Petition for Redress of Grievance, New Matter and Counterclaim, filed by s/ Frederick M. Neiswender, Esquire. 4CC Atty. Neiswender
12/10/2007	<input checked="" type="checkbox"/> Order, NOW, this 4th day of Dec., 2007, it is Ordered: Preliminary Objections of Pike Township with respect to all allegations in Plaintiff's Complaint with the exception of those allegations set forth in Paragraphs 25 and 26 are Sustained and those claims are Dismissed. Plaintiff shall, within 20 days of this date, file a more specific pleading with respect to Paragraphs 25 and 26, setting forth the following: a. The dates when Defendants have caused water to flow onto Plaintiff's property. b. The manner in which Defendants have caused water to flow onto Plaintiff's property. By The Court, /s/ J. Michael Williamson, Judge Copies previously distributed
1/28/2008	<input checked="" type="checkbox"/> Challenge Order of Court, filed by Plaintiff, no cert. copies.
	<input checked="" type="checkbox"/> Motion for Summary Judgment, filed by Plaintiff. no cert. copies.
2/5/2008	<input checked="" type="checkbox"/> Notice of Praceipe to Enter Judgment by Default (ten-day notice) to Chester Ogden dated February 5, 2008, filed by s/ Frederick M. Neiswender Esq. 4CC Atty Neiswender.
2/6/2008	<input checked="" type="checkbox"/> Order, NOW, this 1st day of Feb., 2008, 1. Plaintiff's Motion for Summary Judgment is Denied. 2. Plaintiff's "Challenge of Court" is dismissed. By The Court, /s/ J. Michael Williamson, President Judge, Specially Presiding, 25th Judicial District of Pennsylvania. Copies have been distributed.
2/8/2008	<input checked="" type="checkbox"/> Sheriff Return, October 30, 2007 at 8:28 am Served the within Petition for Redress of Grievance on Supervisors of Pike Township by handing to Patrick Morgan. October 29, 2007 at 10:38 am Served the within Petition for Redress of Grievance on Lester and Betty Neeper by handing to Lester Neeper. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Ogden \$56.05
2/15/2008	<input checked="" type="checkbox"/> Important Notice, ten-day notice, dated February 13, 2008 to Chester A. Odgen, filed by s/ Michael J. Zicolello Esq. No CC.
2/20/2008	<input checked="" type="checkbox"/> Important Notice, ten-day notice, dated February 19, 2008 to Chester A. Ogden, filed by s/ Frederick M. Neiswender Esq. 3CC Atty Neiswender.
2/21/2008	<input checked="" type="checkbox"/> Entry of Appearance, filed by Chester Ogden 1 Cert. to Chester Ogden Enter appearance Pro Se.
	<input checked="" type="checkbox"/> Motion for Safe Harbor, filed by Chester Ogden 1 Cert. to Chester Ogden.
2/22/2008	<input checked="" type="checkbox"/> Motion for Judgment on the Pleadings, filed by s/Frederick M. Neiswender, Esq. Four CC Attorney Neiswender

Date: 4/17/2008

Clearfield County Court of Common Pleas

User: LMILLER

Time: 09:28 AM

ROA Report

Page 2 of 2

Case: 2007-01720-CD

Current Judge: J. Michael Williamson

Chester A. Ogdenvs. Supervisors of Pike Township, Lester Neeper, Betty Neeper

Civil Other-COUNT

Date	Judge
2/25/2008	✓ Order, this 22nd day of Feb., 2008, Plaintiff's Motion for Safe Harbor is denied. By The Court, /s/ J. Michael Williamson, Specially Presiding. 5CC to C/A to distribute J. Michael Williamson
3/5/2008	✓ Rule Returnable, NOW, this 5th day of March 2008, upon consideration of the Motion for Judgment on the Pleadings, a Rule Returnable for Answer by the Respondent and hearing on said Motion to be held on the 23rd day of April 2008, at 1:15 p.m. in Courtroom No. 1. BY THE COURT: /s/ Paul E. Cherry, Judge. 4CC Atty Neiswender and 1CC Judge Williamson (without memo) Paul E. Cherry
3/28/2008	✓ Notice of Praeclipe to enter Judgment by Non Pros, filed by s/Michael J. Zicolello, Esquire. 1CC to Atty. J. Michael Williamson

4-21-2008 Praeclipe to enter Judgment by non pros

4-21-2008 Request for Extension of time

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

CHESTER A. OGDEN
Petitioner

* NO. 2007-1720-CD

vs.

SUPERVISORS OF PIKE
TOWNSHIP and LESTER AND
BETTY NEEPER

Defendants

Type of action

* Petition for redress of grievance

* Submitted by Petitioner

* Chester A. Ogden
* 512 Hartshorn Road
* Clearfield, Pa. 16830
* (814) 765-4682

FILED

OCT 23 2007

0/3-051 was
William A. Shaw
Prothonotary/Clerk of Courts

3 cent. to PUFF. *W.M.*

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

CHESTER A. OGDEN	*	
Petitioner	*	
	*	
vs.	*	NO.
	*	-CD
SUPERVISORS OF PIKE	*	
TOWNSHIP and LESTER AND	*	
BETTY NEEPER	*	
Defendants	*	

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the petitioner. You may lose money or property or other 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.

William A. Shaw, Prothonotary/Clerk of Courts

Clearfield County Courthouse

Market and Second Streets

Clearfield, Pa. 16830

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

CHESTER A. OGDEN *
Petitioner *
VS. * NO.
*
SUPERVISORS OF PIKE TOWNSHIP, * Jury Trial
AND LESTER AND BETTY NEEPER *
Defendant *

PETITION FOR REDRESS OF GRIEVANCE

NOW, comes Chester A. Ogden, pursuant to law under Constitution
of The United States and files the following grievance in a civil action
against Supervisors of Pike Township and Lester and Betty Neeper upon
causes of action, whereof the following are statements.

1. The petitioner, Chester Ogden, is an adult individual retired and residing at 512 Hartshorn Road, Pike Township, Clearfield County, Pennsylvania 16830.
2. The Defendant, Supervisors of Pike Township, regulate official action of Pike Township. Clearfield County, with business address of PO Box 219, Curwensville, Pennsylvania 16833. and
3. The Defendant, Lester and Betty Neeper husband and wife, are adult individuals residing at 769 Ridge Avenue, Curwensville, Pennsylvania, 16833, and
4. Lester and Betty Neeper also own a parcel of land in Pike Township adjacent to land of Chester Ogden which is subject of the Grievance now placed before the Court.

5. The accused Supervisors of Pike Township and Lester and Betty Neeper are charged with conspiracy in commission of unlawful and criminal act and whereby have caused injury to person and property of Chester Ogden.

5. The accused have violated law and personal honesty and ethics throughout the past twenty-seven (27) years by entering onto private property of Chester Ogden without authorization.

6. In 1980 Lester and Betty Neeper came to the residence of Chester Ogden to request assistance with locating boundary line between land of Chester Ogden and that of Lester and Betty Neeper. and

7. In compliance with the request Chester Ogden and Lester Neeper walked to the North-West side of the Ogden property where Mr. Neeper was shown stakes with ribbons that were thought to be boundary line between Ogden and Neeper land, and

8. In the course of returning to the Ogden residence, Chester Ogden elected that they return to the house by way of a trail that he had constructed and have Mr. Neeper be aware that the trail provided access to the area in the event of forest fire.

9. In 1980, Lester Neeper was informed that trespassing on property of Chester Ogden wasn't permitted.

**10.. On October 14, 1980, Lester and Betty Neeper violated
prominately displayed No Trespassing notice and entered onto and across
property of Chester Ogden, and**

**11. On said date Supervisors of Pike Township entered into the
dispute claiming that Township Route 504 extended to land owned by
Lester and Betty Neeper**

**12. On February 5, 1982, Supervisors of Pike Township, through
township solicitor/attorney Paul Silberblatt, filed Complaint in Court of
Common Pleas of Clearfield County at No. 82-4-EQU charging Defendant
Chester A. Ogden with interfering with township right to maintain and
public right to use Township Road 504**

**13. On April 19, 1986 Andrew P. Gates, counsel for Defendant, filed
Affidavit with the court wherein the following was stated;**

**A. That both party Plaintiffs (Supervisors and Neepers) seek
to enjoin Defendant (Ogden) from interfering with or blocking an
alleged Township Road 504.**

**B. That both party Plaintiffs have alleged that among the
roads in Pike Township, Clearfield County is a township route 504
which allegedly extends from its intersection with township road 517
approximately .8 tenths of a mile.**

C. That both party Plaintiffs have alleged that the alleged Township Route 504 goes onto and through the real estate of the Defendant to other landowners situate in Pike Township, Clearfield County.

D. Both party Plaintiffs in response to Defendant Chester A. Ogden request for admission pursuant to Pa. R. C. P. 4014 admit that the sole purpose of the action is to determine whether the alleged route 504 is in fact a township road, its location and length.

E. Both party Plaintiffs agree that the applicable law in this case is stated by the Pennsylvania Supreme Court in Stewart v. Watkins, 427 Pa. 557, 235 A. 2d 604 (1967) whereby the Court recognized there exists but three methods for establishing the existence of a township road :

The first is the introduction of Court records showing the roads that have been opened under the Act of June 13, 1836 P. L. 551, 36 P. S. s/s 1781 et seq. The second is that provided in the Second Class Township Code of May 1, 1933, P. L. 103, s/s 1105, 53 P. S. 66105, setting forth the circumstances under which there arises a conclusive presumption that a road is public. The third is by prescription , requiring uniform, adverse, continuos use of the road under claim of right by the public for twenty-one years. 235 A. 2d at 605.

F. That Defendant, Chester A. Ogden, filed a Request for Production of Documents upon both party Plaintiffs, pursuant to Pa. R. C. P. No 4009

G. That neither party Plaintiffs pursuant to Defendants Request for Production, or otherwise produced or are able to produce any court records or other written documentation to show Pike Township complied with the act of June 13, 1836, P. L. 103, as amended 53 P. S. s/s 66101 et seq.

H. That Andrew P. Gates, Esquire, Attorney for Defendant searched the Clearfield County Road Docket (being the appropriate docket whereby the establishment or existence of all Township Roads in Clearfield County are logged) and found no petition or other court record that the road in question be laid out or declared to be a public road.

I. It had been the practice of Pike Township in establishing a township road either pursuant to (1) the Second Class Township Code, 53 P. S. s/s 66105, (2) 36 P. S. s/s 1781 et seq. or (3) Second Class Township Code 53 s/s 66101 et seq. to file a copy of the ordinance, petition or resolution with the Clearfield County Clerk of Courts to be recorded in the Clearfield County Road Docket, but no such document was filed in this case.

J. That the road in question was not worked or maintained by Pike Township from 1940 to and including 1967. See Deposition of Clair Whitaker of September 13, 1983 at 8, 13, 17, 18.

K. The road in question was not worked on or maintained by Pike Township because there was no request to do so by any Pike Township resident, nor did any one live back in that area, nor were there any buildings back in that area. See Deposition of Clair Whitaker of September 13, 1983 at 6, 7, 8.

L. Pike Township never removed snow from the road in question. See Deposition of Williard Clair Smay of September 25, 1983 at 20. See Deposition of Clair Whitaker of September 13, 1983 at 14.

M. From 1972-1977, no one including Pike Township drove any motor vehicles on the road in question past what is now Defendant's dwelling nor did anyone live back in that area during those years. See Deposition of Sylvia Keller of September 27, 1983 at 19, 22.

N. In her occasional visits to the property in question from 1923 -1972, Defendant's predecessor in title did not see any road maintenance work being done by Pike Township or any evidence of the same that would suggest the road in question was a public road. See Deposition of Sylvia Keller of September 27, 1983 at 19, 22.

O. That both party Plaintiffs allege that "among the roads in Pike Township, Clearfield County, Pennsylvania is Township Route 504 which extends from its intersection with Township Route 517 approximately eight-tenths (.8) of a mile.

P. The sole purpose of the action is to determine whether said road is in fact a Township Road, its location , and its length.

Q. Both part Plaintiffs are barred from obtaining an easement by prescription over the claimed road as the result of the Act of April 25, 1850, P. L. 569, P, 21 as amended July 1, 1981, P. L. 198, No. 61 s/s 1 ind. effective, which states as follows:

No right of way shall be hereafter acquired by user, or such way passes through an enclosed woodland ; but on clearing such woodland, the owner or owners thereof shall be at liberty to enclose the same, as if no such way had been used through for the same before such clearing or enclosure.

14. At non-jury trial July 14, 15 1986 (Jury Trial denied). Petitioning lawyer, Fredric J. Ammerman, didn't use public record in support of his position instead used a hand drawn sketch to illustrate area of controversy.

15. Defendant was denied full right to be heard in court of law and denied use of public record in support of his position

16. December 18, 1986, ORDER. Pike Township Route 504

is hereby declared to be a public road beginning at its intersection with Pike Township Route 517 continuing over and across the property of the Defendant to the property owned by Lester and Betty Neeper. By the Court, John K. Reilly, Jr., President Judge.

17. The Order failed to serve purpose of the action (prior stated at P) in that it didn't identify the road location, and its length.

18. Pike Township Road 504 has remained the same since 1933 in that Federal and State Maps indicate the road beginning at Route 517 and extending .47 tenths to Route 478 , where it terminates on land of Chester A. Ogden.

19. Clearfield County Assessment Map No. 108 indicates a public road providing access to and terminating on land owned by Chester A. Ogden and

20. Said map doesn't indicate a road providing access to land owned by Lester and Betty Neeper.

21. The Deed conveyed to Lester and Betty Neeper in 1977 did not convey ingress or regress to the land.

22. The history of Pike Township is absent of anyone ever living on the land purchased by Lester and Betty Neeper in 1977, and

23. Public record of Pike Township, Clearfield County, is absent of a public road providing access to the mountainous and heavy forested area of the property owned, now or formerly, by Lester and Betty Neeper.

24. The accused, Supervisors of Pike Township and Lester and Betty Neeper, have violated law and personal honesty and ethics throughout the past twenty-seven years by entering onto property of Chester Ogden without lawful authority.

25. Defendants have caused water to flow down their traffic area approximately two thousand (2,000) feet and whereby causing extensive damage to landscape and residence of Chester Ogden.

26. As a result of Defendant's conduct as aforesaid, Petitioner has suffered the following injuries and damages;

- (a) Fear, anxiety, emotional distress, embarrassment, ridicule, and inconvenience;
- (b) Denied of time to further advance water sales business at his residence
- (c) Was required to do extensive landscape work around his residence as a result of damage caused by water;
- (d) Was caused to close outside entrance to basement area of residence to avoid entrance of water;

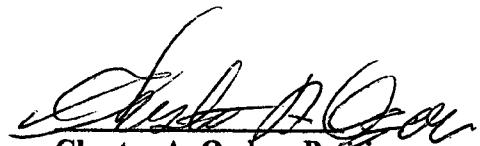
- (e) Water saturation has caused extensive damage to foundation of Petitioner's home
- (f) Foreign material was deposited on Petitioner's land;
- (g) On October 10, 2006 electric service to Petitioner's Pavilion was knocked down, and
- (h) Was denied customary use and enjoyment of Pavilion to the present time;
- (i) Was subject to such extreme of mental torment never equaled throughout WW-II.

27. The Defendants violation of law and personal honesty and ethics, their conduct as aforesaid, are willful and intentional violations of laws of this Commonwealth to the extent that it constitutes outrageous conduct, that is; that the circumstances are such that the bad motive or reckless indifference of the Defendants to the interest and rights of others may be readily inferred and for which punitive damages should be awarded in order to deter the Defendants and others from engaging in similar conduct in the future

WHEREFORE, Petitioner requests of the Honorable Court to forthwith issue Order Restraining Defendants From Entrance On Land of Chester Ogden pending final disposition.

In addition, Petitioner requests judgment in his favor and against Supervisors of Pike Township for compensatory damages and for punitive damages in the amount of Two Million One Hundred Thousand (\$2,100, 000.00) dollars, together with interest at the legal rate from the date of the filing of the Complaint (2-5-82), court costs, and such other relief as may be determined by the jury.

And Petitioner requests judgment in his favor and against Lester and Betty Neeper for punitive damages in the amount of Two Hundred Fifty Thousand (\$250, 000. 00) dollars, together with interest at the legal rate from October 14, 1980, and such other relief as may be determined by the jury.



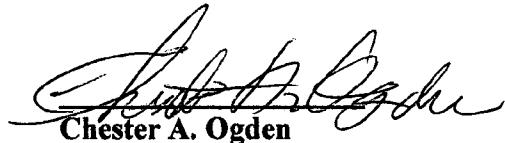
Chester A. Ogden, Petitioner

Date: October 22, 2007

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

Before me, the undersigned authority, personally
CHESTER A. OGDEN, who, being duly sworn according to law,
deposes and says that the facts and averments set forth in the
foregoing Petition are true and correct to the best of his
knowledge, information, and belief.

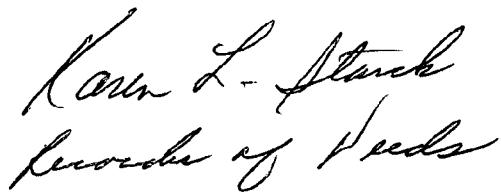


Chester A. Ogden

Sworn to and subscribed

before me this 22nd day

of October, 2007



Karen L. Stuck
Recorder of Deeds

MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 2008

William A. Shaw
Prothonotary/Clerk of Courts
OCT 23 2007

FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiffs

v.

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

FILED

NOV 15 2007

11:00 AM
William A. Shaw
Prothonotary/Clerk of Courts

1 Court of Appeal

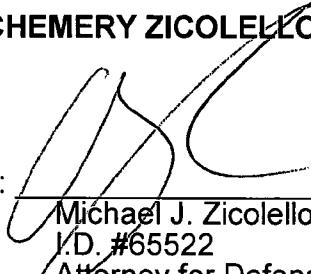
ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Supervisors of Pike Township in the above-captioned matter.

SCHEMERY ZICOLELLO

By:


Michael J. Zicolello
I.D. #65522

Attorney for Defendant Supervisors
of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiffs

v. : No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

CERTIFICATE OF SERVICE

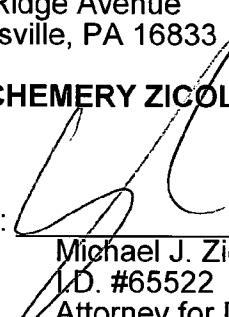
Michael J. Zicolello hereby certifies that a copy of the foregoing Entry of Appearance has been served upon the following individual and in the manner indicated below on this 13th day of November, 2007:

VIA UNITED STATES FIRST CLASS MAIL

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Lester & Betty Neeper
769 Ridge Avenue
Curwensville, PA 16833

SCHEMERY ZICOLELLO

By: 

Michael J. Zicolello
I.D. #65522

Attorney for Defendant Supervisors
of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiff

v. : No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

ORDER

AND NOW, this _____ day of _____, 2007, upon consideration of
the within Preliminary Objections filed by Supervisors of Pike Township against Plaintiff,
it is hereby ORDERED and DIRECTED that Defendants' Preliminary Objections are
GRANTED.

BY THE COURT,

J.

cc: Michael J. Zicolello, Esquire
Chester A. Ogden, Plaintiff
Lester & Betty Neeper, Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiffs

v.

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

RULE TO SHOW CAUSE

AND NOW, this _____ day of _____, 2007, in consideration of the within Preliminary Objections, a Rule is directed to be issued to the Plaintiff to show cause, if any Plaintiff has, why the relief requested in the foregoing Preliminary Objections shall not be granted.

RULE RETURNABLE the _____ day of _____, 20____, at _____ o'clock
____.m. in Courtroom No. _____, of the Clearfield County Courthouse, Clearfield,
Pennsylvania.

BY THE COURT:

J.

cc: Michael J. Zicolello, Esquire
Chester A. Ogden, Plaintiff
Lester & Betty Neeper, Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiff

v.

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

FILED

NOV 19 2007

12:45 PM
William A. Shaw
Prothonotary/Clerk of Courts

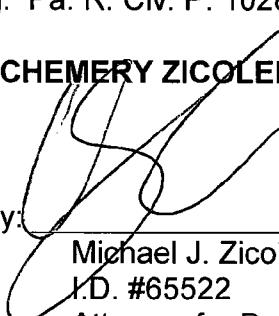
1 CENT TO AIR

**PRELIMINARY OBJECTIONS OF PLAINTIFF'S COMPLAINT BY
THE SUPERVISORS OF PIKE TOWNSHIP**

1. On or about October 22, 2007, Plaintiff Chester Ogden filed a complaint against Defendants Supervisors of Pike Township and Lester and Betty Neeper.
2. The civil complaint is fashioned as a "Petition for Redress of Grievance".
3. Although the legal basis for the complaint is less than clear, it appears that the Plaintiff is contending that he owns a portion of a public road and the Defendants have trespassed on such property.
4. Defendant Supervisors of Pike Township are entitled to a demurrer in that Plaintiff's claim to ownership of a public road is legally insufficient to form the basis of a trespass claim. Pa. R. Civ. P. 1028(4).
5. Moreover, judgment should be entered in favor of Defendant Supervisors of Pike Township and against Plaintiff due to the pendency of a prior action to address the issues raised in the current complaint. Pa. R. Civ. P. 1028(a)(6).
6. Finally, to the extent Plaintiff is alleging a trespass, he fails to allege the dates of such trespasses, the identity of any individuals who have trespassed on his property, the precise location of the property at issue, and the nature of the trespass. Therefore,

to the extent the court would determine that Plaintiff's case should proceed, he should be directed to file a more specific pleading. Pa. R. Civ. P. 1028(a)(3).

SCHEMERY ZICOLELLO

By: 

Michael J. Zicolello
I.D. #65522

Attorney for Defendant Supervisors
of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiff

v. : No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

CERTIFICATE OF SERVICE

Michael J. Zicolello hereby certifies that a copy of the foregoing Preliminary Objections to Plaintiff's Complaint by Supervisors of Pike Township has been served upon the following individual and in the manner indicated below on this 15th day of November, 2007:

VIA UNITED STATES FIRST CLASS MAIL

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Lester & Betty Neeper
769 Ridge Avenue
Curwensville, PA 16833

SCHEMERY ZICOLELLO

By:

Michael J. Zicolello
I.D. #65522

Attorney for Defendant Supervisors
of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

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

CHESTER A. OGDEN,

Petitioner,

vs.

SUPERVISORS OF PIKE
TOWNSHIP and LESTER
AND BETTY NEEPER,

Defendants.

: No. 2007-1720-CD

: Type of case: Civil

: Type of pleading: **Answer to Petitioner's
Petition for Redress of Grievance, New
Matter and Counterclaim**

: Filed on behalf of: Defendants,
Lester and Betty Neeper

: Counsel for Defendants:
Frederick M. Neiswender, Esquire
Supreme Court No. 74456

: NEISWENDER & KUBISTA
: 211½ North Second Street
: Clearfield, Pennsylvania 16830
: (814) 765-6500

FILED
013:44 PM 4CC
NOV 30 2007 Atty Neiswender
66

William A. Shaw
Prothonotary/Clerk of Courts

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other 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
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, Pennsylvania 16830
(814) 765-2641

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

ANSWER

NOW, come the Defendants, LESTER NEEPER AND BETTY NEEPER, by and through their attorneys, NEISWENDER & KUBISTA and make their Answer to Petitioner's Petition for Redress of Grievance as follows:

1. Paragraph 1 is admitted.
2. Paragraph 2 is admitted.
3. Paragraph 3 is admitted.
4. Paragraph 4 is admitted.
5. Paragraph 5 is denied. It is denied that the Defendants [hereinafter Defendants Neeper] are charged with conspiracy in commission of unlawful and criminal act and whereby have caused injury to person and property of Chester Ogden. To the contrary, the Defendants Neeper have at all times followed the law of the Commonwealth of Pennsylvania. It is the Petitioner who has consistently violated the laws of the Commonwealth of Pennsylvania.

5. Paragraph 5 is denied. It is denied that the accused have violated law and personal honesty and ethics throughout the past twenty-seven (27) years by entering onto private property of Chester Ogden without authorization. To the contrary, the Defendants Neeper have at all times followed the law of the Commonwealth of Pennsylvania. It is the Petitioner who has consistently violated the laws of the Commonwealth of Pennsylvania.

6. Paragraph 6 is admitted.

7. Paragraph 7 is denied. It is denied that in compliance with the request, Chester Ogden and Lester Neeper walked to the North-West side of the Ogden property where Mr. Neeper was shown stakes with ribbons that were thought to be boundary line between Ogden and Neeper land. To the contrary, Chester Ogden showed Lester Neeper one stake in the area that was considered the boundary line.

8. Paragraph 8 is denied. It is denied that in the course of returning to the Ogden residence, Chester Ogden elected that they return to the house by way of a trail that he had constructed and have Mr. Neeper be aware that the trail provided access to the area in event of forest fire. To the contrary, the road traveled by Chester Ogden and Lester Neeper was in fact Township Road 504, which was not constructed by Chester Ogden.

9. Paragraph 9 is admitted.

10. Paragraph 10 is denied. It is denied that on October 14, 1980, Lester and Betty Neeper violated prominently displayed no trespassing notice and entered onto and across property of Chester Ogden. To the contrary, at all times, the Defendants Neeper entered and exited their property on Township Road 504.

11. Paragraph 11 is denied. It is denied that on said date Supervisors of Pike Township entered into the dispute claiming that Township Route 504 extended to land owned by

Lester and Betty Neeper. To the contrary, Complaint in that matter was not filed until February 5, 1982.

12. Paragraph 12 is admitted.

13. Paragraph 13 A. through N. is admitted in part, denied in part. It is admitted that Andrew P. Gates, Esquire filed an affidavit with the court. It is denied that the affidavit contains the provisions set forth by the Petitioner. To the contrary, a complete review of the record will show the correct contents of the affidavit.

14. Paragraph 14 is denied. It is denied that Petitioning lawyer, Fredric J. Ammerman, did not use public record in support of his position instead used a hand drawn sketch to illustrate are of controversy. To the contrary, Frederic J. Ammerman, Esquire, used testimonial evidence as well as public record during the non-jury trial.

15. Paragraph 15 is denied. It is denied that the Defendant was denied full right to be heard in court of law and denied use of public record in support of his position. To the contrary, the Defendant was given a full and fair hearing on the matter.

16. Paragraph 16 is admitted.

17. Paragraph 17 is a legal conclusion, which does not require an answer.

18. Paragraph 18 is denied. It is denied that Pike Township Road 504 has remained the same since 1933 and terminates at the land of Chester A. Ogden. To the contrary, this matter has been fully litigated and decided as per the Court's Order of December 18, 1986.

19. Paragraph 19 is denied. It is denied that Clearfield County Assessment Map No. 108 indicates a public road terminating on land owned by Chester A. Ogden. To the contrary, this matter has been fully litigated and decided as per the Court's Order of December 18, 1986.

20. Paragraph 20 is denied. It is denied that the above mentioned map does not provide access to land owned by Lester and Betty Neeper. To the contrary, this matter has been fully litigated and decided as per the Court's Order of December 18, 1986.

21. Paragraph 21 is admitted.

22. Paragraph 22 is denied. It is denied that the history of Pike Township is absent of anyone ever living on the land purchased by Lester and Betty Neeper in 1977. To the contrary, this matter has been fully litigated and decided as per the Court's Order of December 18, 1986.

23. Paragraph 23 is denied. It is denied that public record of Pike Township, Clearfield County, is absent of a public road providing access to the mountainous and heavy forested area of property owned, now or formerly, by Lester and Betty Neeper. To the contrary, this matter has been fully litigated and decided as per the Court's Order of December 18, 1986.

24. Paragraph 24 is denied. It is denied that the accused, Supervisors of Pike Township and Lester and Betty Neeper have violated law and personal honesty and ethics throughout the past twenty-seven years by entering onto property of Chester Ogden without lawful authority. To the contrary, this matter has been fully litigated and decided as per the Court's Order of December 18, 1986.

25. Paragraph 25 is denied. It is denied that Defendants have caused water to flow down their traffic area approximately two thousand (2,000) feet and whereby causing extensive damage to landscape and residence of Chester Ogden. To the contrary, any water flowing over Petitioner's land was not caused by the actions or omission of Defendants Neeper.

26 (a) through (i). Paragraph 26 (a) through (i) is denied. It is denied that as a result of Defendant's conduct as aforesaid, Petitioner has suffered injuries and damages. To the

contrary, any water flowing over Petitioner's land was not caused by the actions or omission of Defendants Neeper.

27. Paragraph 27 is denied. It is denied that the Defendants violation of law and personal honesty and ethics, their conduct as aforesaid, are willful and intentional violations of laws of this Commonwealth to the extent that it constitutes outrageous conduct, that is; that the circumstances are such that the bad motive or reckless indifference of the Defendants to the interest and rights of others may be readily inferred and for which punitive damages should be awarded in order to deter the Defendants and others from engaging in similar conduct in the future. To the contrary, this matter has been fully litigated and decided as per the Court's Order of December 18, 1986. Any water flowing over Petitioner's land was not caused by the actions or omission of Defendants Neeper.

WHEREFORE, Defendants request Your Honorable Court to dismiss Petitioner's Petition for Redress of Grievance and enter judgment in favor of the Defendants.

NEW MATTER

NOW, come the Defendants, LESTER AND BETTY NEEPER, by and through their attorneys, NEISWENDER & KUBISTA and aver as New Matter the following:

28. Defendants restate and incorporate Paragraphs 1 through 27 above as if stated at length herein.
29. That the facts set forth in the petition have been fully litigated and decided as per the Court's Order of December 18, 1986.
30. That the petition is barred by estoppel.
31. That the petition is barred by res judicata.
32. That the petition is barred by the statute of limitations.
33. That the Defendants Neeper acted with justification.

WHEREFORE, Defendants respectfully request this Court dismiss Petitioner's Petition for Redress of Grievance and enter judgment in favor of the Defendants.

COUNTERCLAIM

NOW, come the Defendants, LESTER AND BETTY NEEPER, by and through their attorneys, NEISWENDER & KUBISTA and aver as a Counterclaim the following:

EXPENSES, COSTS AND ATTORNEY'S FEES

34. Defendants restate and incorporate Paragraphs 1 through 33 above as if stated at length herein.

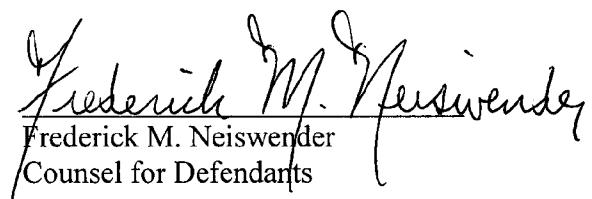
35. Defendants believe and therefore aver that Petitioner's Petition for Redress of Grievance is clearly without basis in fact or law, and was filed by Petitioner solely for the purpose of causing expense, annoyance and harm to the Defendants.

36. As such, the conduct of the Petitioner in commencing this Petition for Redress of Grievance is arbitrary, vexatious and in bad faith.

37. As a result, Defendants have been forced to retain counsel to defend this action and are entitled to an award of counsel fees pursuant to 42 Pa. C.S.A. §2503 (9).

WHEREFORE, Defendants requests that Your Honorable Court award Defendants counsel fees in the amount of \$1,500.00.

Respectfully submitted,


Frederick M. Neiswender
Counsel for Defendants

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

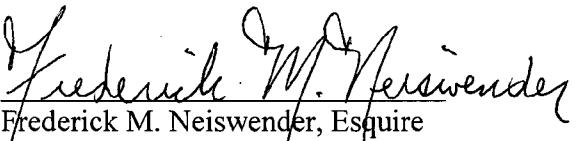
CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

CERTIFICATE OF SERVICE

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Answer, New Matter and Counterclaim was made upon Chester A. Ogden and the Pike Township Supervisors, by mailing, first class, postage prepaid, a true copy on November 30, 2007, to the following addresses:

Chester A. Ogden
512 Hartshorn Road
Curwensville, PA 16833

Counsel for Supervisors of Pike Township:
Michael J. Zicolello, Esquire
Schemery Zicolello
333 Market Street
Williamsport, PA 17701


Frederick M. Neiswender, Esquire
Counsel for Defendants, Lester
and Betty Neeper

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830

N & K

NEISWENDER & KUBISTA
ATTORNEYS AT LAW
211 1/2 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

CERTIFIED TRUE AND CORRECT COPY

ORIGINAL

2
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

CHESTER A. OGDEN,)
Plaintiff)
)
V.) NO. 2007 - 1720
)
SUPERVISORS OF PIKE TOWNSHIP)
and LESTER and BETTY NEEPER,)
Defendants)

FILED Copies
m112:41/20 previously
DEC 10 2007 distributed
(GK)

William A. Shaw
Prothonotary/Clerk of Courts

O R D E R

Before us are Preliminary Objections filed by the Supervisors of Pike Township. While we agree that all issues involving the road in question have been resolved in prior proceedings, Plaintiff's claims of trespass in Paragraphs 25 and 26 have not previously been litigated. We do, however, agree with Pike Township that a more specific pleading is required.

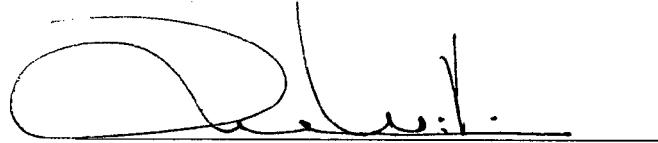
NOW, this 4th day of December, 2007, IT IS HEREBY ORDERED as follows:

1. The Preliminary Objections of Pike Township with respect to all allegations in Plaintiff's Complaint with the exception of those allegations set forth in Paragraphs 25 and 26 are SUSTAINED and those claims are DISMISSED.
2. Plaintiff shall, within twenty (20) days of this date, file a more specific pleading with respect to Paragraphs 25 and 26, setting forth the following:
 - a. The dates when Defendants have caused water to flow onto Plaintiff's property.

J. MICHAEL WILLIAMSON
JUDGE
COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURT HOUSE
LOCK HAVEN, PA 17745

b. The manner in which Defendants have caused water to flow onto Plaintiff's property.

BY THE COURT:



J. Michael Williamson, Judge
Specially Presiding
25th Judicial District of Pennsylvania

xc: Chester A. Ogden, Plaintiff
Michael J. Zicolello, Esquire
Lester and Betty Neeper, Defendants
Court Administrator

J. MICHAEL WILLIAMSON

JUDGE

COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURT HOUSE
LOCK HAVEN, PA 17745

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

CHESTER A. OGDEN,
Petitioner

vs

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

*
*
* NO. 2007-1720-CD
*
*
*
*
*

CA
FILED

JAN 28 2008
m 12:35 PM
William A. Shaw
Prothonotary/Clerk of Courts
cc

CHALLENGE ORDER OF COURT

Now comes Petitioner Chester Ogden with challenge of Order by the Court
entered 4th day of December, 2007, wherein states that all issues involving the road
in question have been resolved in prior proceedings.

Petitioner alleges that all issues involving the road in question have not been
resolved in prior proceedings, whereof the following is stated.

1. The matter before the court is identified in Complaint filed
February 5, 1982, No. 82-4-EQU, whereby Supervisors of Pike Township charge
Defendant Chester A. Ogden with interfering with township's right to maintain
and public right to use Pike Township Road 504; with Lester and Betty Neeper
being subsequently permitted to intervene as Co-Plaintiffs.

2. Prior proceedings are absent evidence upon the question of
defendant's liability.

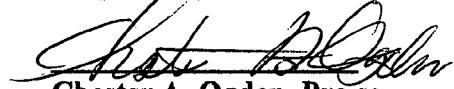
3. That prior proceedings are absent evidence of defendant
interfering with the township's right to maintain and public right to use Township
Road 504.

- 4. That prior proceedings are absent Plaintiff's use of public record to identify location and length of the road in question.**
- 5. That proceedings at Trial, July 17, 2007, establish that Defendant Chester Ogden used Pike Township Road Map as evidence to identify location and length of the road in question and that the road terminated at Township Rute 478.**
- 6. That Defendant used Assessment Map of Clearfield County, No. 108, as evidence to establish that the public road terminated on land of Chester Ogden. and**
- 7. That said map didn't indicate a road extending to land owned by Lester and Betty Neeper.**
- 8. That Lester Neeper testified that the Deed to property of Lester and Betty Neeper purchased in 1977 did not convey ingress or regress.**
- 9. That prior proceedings, throughout more than twenty-five (25) years, are absent evidence of Chester Ogden interfereing with township road 504.**
- 10. That party Plaintiffs, The Court, and numerous Public Official(s) have participated in a conspiracy to maliciously harm Chester Ogden.**
- 11. That The Court has failed to defend Defendant's right to be treated fairly.**
- 12. That The Court has failed to shield Defendant with protection of the laws.**

WHEREFORE, Defendant Chester Ogden respectfully requests this Honorable Court vacate Order entered 4th day of December, 2007, and proceed with prompt and proper disposition of the matter placed before the Court.

Date; January 25, 2008

Respectfully submitted,



Chester A. Ogden, Pro se
512 Hartshorn Road
Clearfield, Pa. 16830
(814) 765-4682

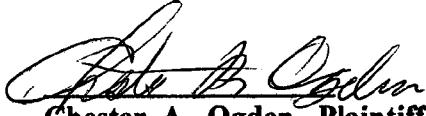
cc: Fredric J. Ammerman, President Judge
John K. Reilly Jr., Senior Judge

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2008, copies of the foregoing Challenge Order Of Court were served by U.S. Mail, postage prepaid, on the following:

Supervisors of Pike Township
Route 879, Curwensville-Grampian Highway
Curwensville, Pa. 16833

Lester and Betty Neeper
769 Ridge Avenue
Curwensville, Pa. 16833



Chester A. Ogden, Plaintiff pro se

William A. Shaw
Prosecutor/Clerk of Courts

JAN 28 2008

FILED

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

CHESTER A. OGDEN, ()
Plaintiff)
(
vs) No. 2007 - 1720 -CD
(
SUPervisors of PIKE TOWNSHIP)
and LESTER and BETTY NEEPER, ()
Defendants)

CA
FILED

JAN 28 2008
m/w:35(w)
William A. Shaw
Prothonotary/Clerk of Courts
No 4/c

MOTION FOR SUMMARY JUDGMENT

NOW comes Plaintiff, Chester A. Ogden, and moves this Honorable
Court for Summary Judgment in his behalf and against the above captioned
Defendants under the provisions of Pa. R.C.P. 1035, and states in support
thereof as follows.

With the matter placed before the Court February 5, 1982 (No.
82-4-EQU) being based on Supervisors of Pike Township alleging that
Township Road 504 extends over and across land of Defendant Chester A.
Ogden to land of Lester and Betty Neeper, and Lester and Betty Neeper
being subsequently permitted to intervene as Co-Plaintiffs; The sole purpose
of the action placed before the Court was to determine whether the alleged
route 504 is in fact a township road, its location and length.

1. That the pleadings, depositions, answers to interrogatories, and admissions on file, together with affidavit show that there is no genuine issue as to any material fact and that Chester A. Ogden is entitled to judgment as a matter of law.

2. That after more than twenty-five (25) years of litigation; Record of the case is absent evidence of Township Road 504 extending to land of Lester and Betty Neeper.

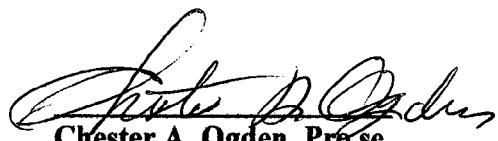
3. That today, January 25, 2008, after the passing of more than twenty-five (25) years, the fact remains that no road exists that extends across land of Chester Ogden to land of Lester and Betty Neeper.

WHEREFORE, Petitioner Chester A. Ogden respectfully requests this Honorable Court grant judgment in his favor and against Defendants pursuant to Petition For Redress Of Grievance filed with the Court on October 23, 2007, consisting of the following;

That Supervisors of Pike Township be instructed forthwith to make payment to Chester A. Ogden in the amount of Two Million One Hundred Thousand (\$2,100,000.00) dollars, together with interest at the legal rate from date of filing the Complaint (10-23-07) to date of payment, and Court cost.

That Lester and Betty Neeper be instructed forthwith to make payment to Chester A. Ogden in the amount of Two Hundred Fifty Thousand (\$250,000.00) dollars together with interest at the legal rate from date of filing the Complaint (10-23-07) to date of payment, and Court cost.

Date; January 25, 2008



Chester A. Ogden, Presc

cc; Fredric J. Ammerman, President Judge
John K. Reilly Jr., Senior Judge

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2008, copies of the foregoing
Motion For Summary Judgment were served by U.S. Mail, postage prepaid,
on the following;

Supervisors of Pike Township
Route 879, Curwensville-Grampiean Highway
Curwensville, Pa. 16833

Lester and Betty Neeper
769 Ridge Avenue
Curwensville, Pa. 16833



Chester A. Ogden, Petitioner pro se

Prothonotary/Clerk of Courts
William A. Shaw

JAN 28 2008

FILED

ORIGINAL

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

CHESTER A. OGDEN,

Petitioner,

vs.

No. 2007-1720-CD

SUPERVISORS OF PIKE
TOWNSHIP and LESTER
AND BETTY NEEPER,

Defendants.

Type of case: Civil

Type of pleading: **Notice of Praeclipe
to Enter Judgment by Default**

Filed on behalf of: Defendants,
Lester and Betty Neeper

Counsel for Defendants:
Frederick M. Neiswender, Esquire
Supreme Court No. 74456

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830
(814) 765-6500

FILED
03:55 pm
FEB 05 2008 Neiswender

William A. Shaw
Prothonotary/Clerk of Courts

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

To: Chester A. Ogden
512 Hartshorn Road
Curwensville, PA 16833

Date of Notice: **February 5, 2008**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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
1 North Second Street
Clearfield, Pennsylvania 16830
(814) 765-2641

Frederick M. Neiswender
Frederick M. Neiswender, Esquire
211½ North Second Street
Clearfield, PA 16830
Counsel for Defendants

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

CHESTER A. OGDEN, :
Petitioner, :
: vs. : No. 2007-1720-CD
: :
SUPervisors OF PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

CERTIFICATE OF SERVICE

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Notice of Praecipe to enter Judgment by Default was made upon Chester A. Ogden and the Pike Township Supervisors, by mailing, first class, postage prepaid, a true copy on February 5, 2008, to the following addresses:

Chester A. Ogden
512 Hartshorn Road
Curwensville, PA 16833

Counsel for Supervisors of Pike Township:

Michael J. Zicolello, Esquire
Schemery Zicolello
333 Market Street
Williamsport, PA 17701

Frederick M. Neiswender
Frederick M. Neiswender, Esquire
Counsel for Defendants,
Lester and Betty Neeper

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830

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

CHESTER A. OGDEN,)
Plaintiff)
v.) NO. 2007 - 1720 - CD
SUPVISORS OF PIKE TOWNSHIP)
and LESTER and BETTY NEEPER,)
Defendants)

FILED

FEB 06 2008

12-06
William A. Shaw
Prothonotary/Clerk of Courts

COPIES HAVE BEEN
D.S.

GK

ORDER DENYING MOTION FOR SUMMARY JUDGMENT

On December 4, 2007, we sustained the Objections of Pike Township with the exception of the allegations in Paragraphs 25 and 26 and directed that Plaintiff file a more specific pleading. Rather than comply with our direction, Plaintiff has filed a Motion for Summary Judgment which, in addition to being untimely, is without merit and a "Challenge Order of Court" which essentially repeats the averments in all prior pleadings. We also received a copy of a letter to the Court Administrator dated December 28, 2007, which appears to raise issues regarding this action as well as other civil actions filed by Plaintiff over the past several years.

With respect to the scheduling of this matter, nothing can be done until either Plaintiff files the more specific pleading we required or Defendants seek dismissal. Once an Amended Complaint and Answer have been filed, we will direct the Court Administrator to schedule the matter for trial.

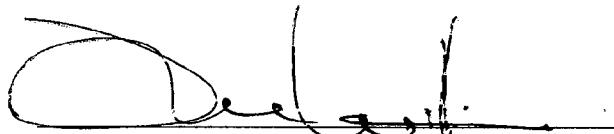
NOW, this 1st day of February, 2008, IT IS HEREBY ORDERED as follows:

1. Plaintiff's Motion for Summary Judgment is DENIED.

J. MICHAEL WILLIAMSON
PRESIDENT JUDGE
—
COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURTHOUSE
LOCK HAVEN, PA 17745

2. Plaintiff's "Challenge Order of Court" is DISMISSED.

BY THE COURT:



J. Michael Williamson, President Judge
Specially Presiding
25th Judicial District of Pennsylvania

xc: Chester A. Ogden, Plaintiff
Michael J. Zicolello, Esquire
Lester and Betty Neeper, Defendants
Court Administrator

J. MICHAEL WILLIAMSON
PRESIDENT JUDGE

COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURTHOUSE
LOCK HAVEN, PA 17745

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103342
NO: 07-1720-CD
SERVICE # 1 OF 2
PETITION FOR REDRESS OF GRIEVANCE

PLAINTIFF: CHESTER A. OGDEN

vs.

DEFENDANT: SUPERVISORS OF PIKE TOWNSHIP and LESTER & BETTY NEEPER

SHERIFF RETURN

NOW, October 30, 2007 AT 8:28 AM SERVED THE WITHIN PETITION FOR REDRESS OF GRIEVANCE ON SUPERVISORS OF PIKE TOWNSHIP DEFENDANT AT RT. 879 CURWENSVILLE GRAMPIAN HWY., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO PATRICK MORGAN, TOWNSHIP SUPERVISOR A TRUE AND ATTESTED COPY OF THE ORIGINAL PETITION FOR REDRESS OF GRIEVANCE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

FILED

FEB 08 2008

6/23/08/w
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103342
NO: 07-1720-CD
SERVICE # 2 OF 2
PETITION FOR REDRESS OF GRIEVANCE

PLAINTIFF: CHESTER A. OGDEN

vs.

DEFENDANT: SUPERVISORS OF PIKE TOWNSHIP and LESTER & BETTY NEEPER

SHERIFF RETURN

NOW, October 29, 2007 AT 10:38 AM SERVED THE WITHIN PETITION FOR REDRESS OF GRIEVANCE ON LESTER and BETTY NEEPER DEFENDANT AT 769 RIDGE AVE., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LESTER NEEPER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL PETITION FOR REDRESS OF GRIEVANCE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: MORGILLO / DAVIS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103342
NO: 07-1720-CD
SERVICES 2
PETITION FOR REDRESS OF GRIEVANCE

PLAINTIFF: CHESTER A. OGDEN

vs.

DEFENDANT: SUPERVISORS OF PIKE TOWNSHIP and LESTER & BETTY NEEPER

SHERIFF RETURN

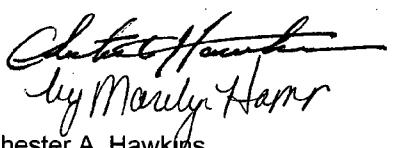
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	OGDEN	417	20.00
SHERIFF HAWKINS	OGDEN	417	36.05

Sworn to Before Me This

So Answers,

____ Day of _____ 2008


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiffs

v. : No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

TO: Chester A. Ogden
512 Hartshorn Road
Curwensville, PA 16833

Date of Notice: February 13, 2008

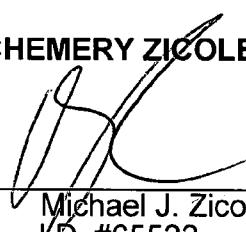
IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

*Court Administrator
1 North Second Street
Clearfield, PA 16830
(814) 765-2641*

SCHEMERY ZICOLELLO

By: 

Michael J. Zicolello
ID. #65522
Attorney for Defendants
Supervisors of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

FILED NOCC
2/14/2008
FEB 15 2008
(M)

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiffs

v.

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Notice of Praeclipe to Enter Judgment by Default has been served upon the following individuals and in the manner indicated below on this 13th day of February, 2008:

Chester A. Ogden
512 Hartshorn Road
Curwensville, PA 16833

Frederick M. Neiswender, Esquire
Neiswender & Kubista
211 1/2 North Second Street
Clearfield, PA 16830

SCHEMERY ZICOLELLO

By: 

Michael J. Zicolello
I.D. #65522
Attorney for Defendant
Supervisors of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

ORIGINAL

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

CHESTER A. OGDEN,

Petitioner,

vs.

No. 2007-1720-CD

SUPERVISORS OF PIKE
TOWNSHIP and LESTER
AND BETTY NEEPER,

Defendants.

Type of case: Civil

Type of pleading: **Notice of Praeclipe
to Enter Judgment by Default**

Filed on behalf of: Defendants,
Lester and Betty Neeper

Counsel for Defendants:
Frederick M. Neiswender, Esquire
Supreme Court No. 74456

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830
(814) 765-6500

FILED 3cc AMY
01/31/08 Neiswender
FEB 19 2008
Lar
William A. Shaw
Prothonotary/Clerk of Courts

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

To: Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Date of Notice: **February 19, 2008**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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
1 North Second Street
Clearfield, Pennsylvania 16830
(814) 765-2641

Frederick M. Neiswender
Frederick M. Neiswender, Esquire
211½ North Second Street
Clearfield, PA 16830
Counsel for Defendants

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

CERTIFICATE OF SERVICE

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Notice of Praeclipe to enter Judgment by Default was made upon Chester A. Ogden and the Pike Township Supervisors, by mailing, first class, postage prepaid, a true copy on February 19, 2008, to the following addresses:

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Counsel for Supervisors of Pike Township:
Michael J. Zicolello, Esquire
Schemery Zicolello
333 Market Street
Williamsport, PA 17701

Frederick M. Neiswender
Frederick M. Neiswender, Esquire
Counsel for Defendants,
Lester and Betty Neeper

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830

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

CHESTER A. OGDEN

Petitioner

vs.

*

*

*

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER
Defendants

*

*

*

*

FILED

FEB 21 2008

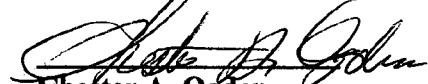
0/11/2008
William A. Shaw
Prothonotary/Clerk of Courts
1 CEN to COGDN

ENTRY OF APPEARANCE

TO THE PROTHONOTARY;

Please enter my appearance as counsel for Chester A. Ogden in the
above captioned matter.

Chester A. Ogden, ProSe



Chester A. Ogden

512 Hartshorn Road

Clearfield, Pa. 16830

(814) 765-4682

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

CHESTER A. OGDEN, *
Petitioner *
*
vs. * No. 2007-1720
*
SUPERVISORS OF PIKE TOWNSHIP *
and LESTER and BETTY NEEPER, *
Defendants *

CERTIFICATE OF SERVICE

I, Chester A. Ogden, hereby certify that a copy of the foregoing Entry
of Appearance has been served upon the following listed by U.S. Mail, First
Class, Postage prepaid on February 20, 2008;

Supervisors of Pike Township
Route 879, Curwensville -Grampian Highway
P.O. Box 219
Curwensville, Pa. 16833

Lester and Betty Neeper
769 Ridge Avenue
Curwensville, Pa. 16833

By: 
Chester A. Ogden, Pro se
512 Hartshorn Road
Clearfield, Pa. 16830
(814) 765-4682

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

CHESTER A. OGDEN,
Petitioner

VS.

**SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants**

No. 2007-1720-CD

FILED
FEB 21 2008
01112614
William A. Shaw
Prothonotary/Clerk of Courts
11 Enr. to C. 06200

MOTION FOR SAFE HARBOR

NOW comes Petitioner Chester A. Ogden with a request of the Honorable Court for additional time to submit exception and objection, and to acquire assistance of counsel.

Petitioner is 84 years of age, retired, divorced, in poor health, with a ninth grade education, and Social Security income of \$701.00 per month.

Respectfully submitted,

**Chester A., Ogden
512 Hartshorn Road
Clearfield, Pa. 16830
(814) 765-4683**

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

CHESTER A. OGDEN,
Petitioner

vs. * No. 2007-1720-CD

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants *

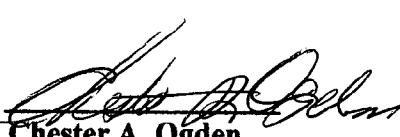
SERTIFICATE OF SEERVICE

I, Chester A. Ogden, hereby certify that a copy of the foregoing
Motion For Safe Harbor was served upon the following listed by U.S.Mail,
first class, postage prepaid,, on February 21, 2008.

Supervisors of Pike Township
Route 879, Curwensville-Grampian Highway
P.O. Box 219
Curwensville, Pa. 16833

Lester and Betty Neeper
769 Ridge Avenue
Curwensville, Pa. 16833

By


Chester A. Ogden
512 Hartshorn Road
Clearfield, Pa. 16830
(814) 765-4682

RECEIVED IN THE OFFICE OF THE CLERK OF THE COURT OF APPEALS
MAY 10 1974

RECEIVED IN THE
CLERK'S OFFICE

RECEIVED IN THE

CLERK'S OFFICE
MAY 10 1974
RECEIVED IN THE
CLERK'S OFFICE

C/A FILED TO JUDGE WILLIAMS

RECEIVED IN THE CLERK'S OFFICE

RECEIVED IN THE CLERK'S OFFICE

RECEIVED IN THE CLERK'S OFFICE

RECEIVED IN THE CLERK'S OFFICE
RECEIVED IN THE CLERK'S OFFICE
RECEIVED IN THE CLERK'S OFFICE

RECEIVED IN THE CLERK'S OFFICE
RECEIVED IN THE CLERK'S OFFICE
RECEIVED IN THE CLERK'S OFFICE

RECEIVED IN THE CLERK'S OFFICE
RECEIVED IN THE CLERK'S OFFICE
RECEIVED IN THE CLERK'S OFFICE
RECEIVED IN THE CLERK'S OFFICE

ORIGINAL

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

CHESTER A. OGDEN,

Petitioner,

vs.

No. 2007-1720-CD

SUPERVISORS OF PIKE
TOWNSHIP and LESTER
AND BETTY NEEPER,

Defendants.

Type of case: Civil

Type of pleading: **Motion for
Judgment on the Pleadings**

Filed on behalf of: Defendants,
Lester and Betty Neeper

Counsel for Defendants:
Frederick M. Neiswender, Esquire
Supreme Court No. 74456

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830
(814) 765-6500

FILED 4CC
01/22/08 B&T Atty
FEB 22 2008 Neiswender

W.A. Shaw
Prothonotary/Clerk of Courts

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this motion and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other 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
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, Pennsylvania 16830
(814) 765-2641

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

MOTION FOR JUDGMENT ON THE PLEADINGS

NOW, come the Defendants, LESTER NEEPER AND BETTY NEEPER, by and through their attorneys, NEISWENDER & KUBISTA and make their Motion for Judgment on the Pleadings as follows:

COUNT I - FAILURE TO FILE A REPLY TO NEW MATTER

1. The above captioned action was commenced by the filing of a Petition for Redress of Grievance filed by the Petitioner on October 28, 2007.
2. On November 30, 2007, Defendants, Lester and Betty Neeper, filed an Answer, New Matter and Counterclaim accompanied by a Notice to Defend in accordance with the Pennsylvania Rules of Civil Procedure.
3. Service was made on Petitioner on December 28, 2007.
4. A Reply to New Matter should have been filed by the Petitioner on or before January 17, 2008.

5. As of the time of filing this Motion, the Petitioner has not filed a Reply to New Matter as required by the Rules of Civil Procedure.

6. The New Matter filed by the Defendants contained various factual averments, which if admitted would represent a defense to the claims of the Petitioner and would result in the entry of judgment in favor of the Defendants.

7. By failing to file a Reply to New Matter, the Petitioner has admitted the factual averments set forth therein.

8. Accordingly, Defendants are entitled to Judgment on the Pleadings in their favor and against the Petitioner.

WHEREFORE, Defendants request that this Court grant judgment in their favor and against the Petitioner and dismiss the action filed by the Petitioner, with prejudice.

COUNT II - FAILURE TO FILE A MORE SPECIFIC PLEADING

9. Defendants restate and incorporate Paragraphs 1 through 8 above as if stated at length herein.

10. On December 4, 2007, in response to Preliminary Objections filed by Defendants, Pike Township, this Court entered an Order dismissing Petitioner's pleading with the exception of the allegations set forth in Paragraphs 25 and 26.

11. Additionally, the Order required Petitioner to file a more specific pleading within twenty (20) days with respect to the aforementioned Paragraphs of his initial pleading.

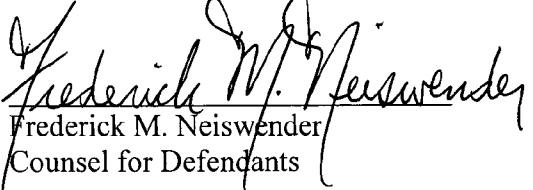
12. Petitioner's amended pleading should have been filed on or before December 24, 2007.

13. As of the time of filing this Motion, the Petitioner has not filed an amended pleading as required by this Court's Order.

14. Accordingly, Defendants are entitled to Judgment on the Pleadings in their favor and against the Petitioner.

WHEREFORE, Defendants request that this Court grant judgment in their favor and against the Petitioner and dismiss the action filed by the Petitioner, with prejudice.

Respectfully submitted,


Frederick M. Neiswender
Counsel for Defendants

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

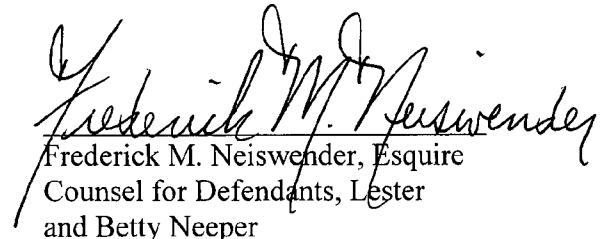
CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

CERTIFICATE OF SERVICE

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Motion for Judgment on the Pleadings was made upon Chester A. Ogden and the Pike Township Supervisors, by mailing, first class, postage prepaid, a true copy on February 22, 2008, to the following addresses:

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Counsel for Supervisors of Pike Township:
Michael J. Zicolello, Esquire
Schemery Zicolello
333 Market Street
Williamsport, PA 17701


Frederick M. Neiswender, Esquire
Counsel for Defendants, Lester
and Betty Neeper

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830

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

CHESTER A. OGDEN,)
Plaintiff)
vs.)
SUPervisors of PIKE) No. 2007-1720-CD
TOWNSHIP and LESTER and)
BETTY NEEPER,)
Defendants)

ORDER

NOW, this 22nd day of February, 2008, Plaintiff's "Motion for Safe Harbor" is denied.

BY THE COURT:



J. Michael Williamson, Specially Presiding

cc: Chester A. Ogden, Plaintiff
512 Hartshorn Road, Clearfield, PA 16830
Lester Neeper, Defendant
769 Ridge Avenue, Curwensville, PA 16833
Betty Neeper, Defendant
769 Ridge Avenue, Curwensville, PA 16833
Supervisors of Pike Township
Route 879, Curwensville-Grampian Highway
PO Box 219, Curwensville, PA 16833
Court Administrator

J. MICHAEL WILLIAMSON
PRESIDENT JUDGE
—
COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURTHOUSE
LOCK HAVEN, PA 17745

FILED
01/35301
FEB 25 2008
5cc to
CIA to distribute
GR
William A. Shaw
Prothonotary/Clerk of Courts

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

CHESTER A. OGDEN,

Plaintiff,

vs.

No. 2007-1720-CD

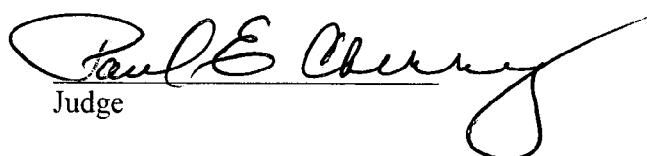
SUPERVISORS OF PIKE
TOWNSHIP AND LESTER
AND BETTY NEEPER,

Defendants.

RULE RETURNABLE

NOW, this 5th day of March, 2008, upon consideration of the Motion for Judgment on the Pleadings, a Rule be issued upon the Respondent, Chester A. Ogden to show cause why the Motion should not be granted. Rule Returnable for Answer by the Respondent and hearing on said Motion to be held on the 23rd day of April, 2008, at 1:15 o'clock P.m. in Courtroom No. 1 of the Clearfield County Courthouse.

BY THE COURT,


Paul E. Cherry
Judge

FILED 4CC
01/10/2008 Atty Neiswender
MAR 05 2008

W.M. 1CC Judge Williamson
William A. Shaw
Prothonotary/Clerk of Courts (without memo)

FILED

MAR 05 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 3/5/08

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

CHESTER A. OGDEN,
Plaintiffs

v.

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

FILED

MAR 28 2008

MR/12-er/w
William A. Shaw
Prothonotary/Clerk of Courts

I CERT to ATTY

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY NON PROS

TO: Chester A. Ogden, Plaintiff
512 Hartshorn Road
Clearfield, PA 16830

Date of Notice: March 26, 2008

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANTS AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRER A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCE FEE OR NO FEE:

Mid Penn Legal Services, Inc.
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646 or 1-800-326-9177

SCHEMERY ZICOLELLO

By:

Michael J. Zicolello
I.D. #65522
Attorney for Defendants
Supervisors of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiffs

v.

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

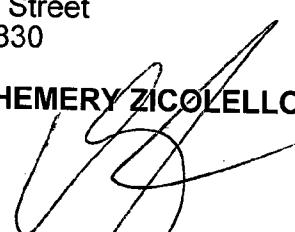
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Notice of Praeclipe to Enter
Judgment by Non Pros has been served upon the following individuals and in the
manner indicated below on this 26th day of March, 2008:

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Frederick M. Neiswender, Esquire
Neiswender & Kubista
211 1/2 North Second Street
Clearfield, PA 16830

SCHEMERY ZICOLELLO

By: 

Michael J. Zicolello
I.D. #65522
Attorney for Defendant
Supervisors of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiff

v.

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

PRAECIPE TO ENTER JUDGMENT BY NON PROS AGAINST
PLAINTIFF CHESTER A. OGDEN

TO: Chester A. Ogden, Plaintiff
512 Hartshorn Road
Clearfield, PA 16830

Date of this Notice: April 18, 2008

Date of Ten Day Notice - March 26, 2008

FILED
RE

APR 21 2008
m 12:00 pm
William A. Shaw
Prothonotary/Clerk of Courts

SENT TO Plaintiff
w/ notice

COPIE TO ATTY

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANTS AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRER A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCE FEE OR NO FEE:

Mid Penn Legal Services, Inc.
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646 or 1-800-326-9177

SCHEMERY ZICOLELLO

By:

Michael J. Zicolello
I.D. #65522
Attorney for Defendants
Supervisors of Pike Township
333 Market Street
Williamsport, PA 17701
(570) 321-7554

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiff

v. : No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

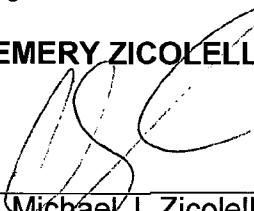
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Praeclipe to Enter
Judgment by Non Pros against Plaintiff Chester A. Ogden has been served upon the
following individuals and in the manner indicated below on this 18th day of April, 2008:

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Frederick M. Neiswender, Esquire
Neiswender & Kubista
211 ½ North Second Street
Clearfield, PA 16830

SCHEMERY ZICOLELLO

By: 

Michael J. Zicolello
I.D. #65522
Attorney for Defendant
Supervisors of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiffs

v.

No. 2007-1720

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

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

MAR 28 2008

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY NON PROS

Attest,

William J. Zicolello
Prothonotary
Clerk of Court

TO: Chester A. Ogden, Plaintiff
512 Hartshorn Road
Clearfield, PA 16830

Date of Notice: March 26, 2008

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANTS AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCE FEE OR NO FEE:

Mid Penn Legal Services, Inc.
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646 or 1-800-326-9177

SCHEMERY ZICOLELLO

By:

Michael J. Zicolello
I.D. #65522
Attorney for Defendants
Supervisors of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHESTER A. OGDEN,
Plaintiffs

v.

No. 2007-1720

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

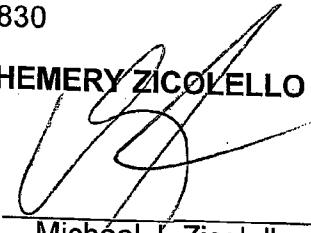
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Notice of Praeclipe to Enter
Judgment by Non Pros has been served upon the following individuals and in the
manner indicated below on this 26th day of March, 2008:

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Frederick M. Neiswender, Esquire
Neiswender & Kubista
211 1/2 North Second Street
Clearfield, PA 16830

SCHEMERY ZICOLELLO

By: 

Michael J. Zicolello
I.D. #65522
Attorney for Defendant
Supervisors of Pike Township

333 Market Street
Williamsport, PA 17701
(570) 321-7554

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
NON PROS

Chester A. Ogden

Plaintiff

Vs.

No. 2007-01720-CD

Supervisors of Pike Township
Lester Neeper
Betty Neeper

Defendant

TO: Chester A. Ogden :

Notice is hereby given that a judgment of non-pros has been entered against the Plaintiff, Chester A. Ogden and in favor of Supervisors of Pike Township, in the above captioned matter pursuant to Praecipe dated April 18, 2008. A copy of said document is hereto attached.

Judgment entered of record April 21, 2008.

Sincerely,



William A. Shaw
Prothonotary

Enclosures

FILED

APR 21 2008

6/3/08

William A. Shaw

Notary/Clerk of Courts

1 CBA+ To

Plaintiff

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

CHESTER A. OGDEN,
Plaintiff

*

*

*

V. * No. 2007-1720-CD

*

*

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER,
Defendants

*

*

REQUEST FOR EXTENTION OF TIME

NOW comes the Plaintiff this 21st day of April, 2008, with a request of The Court for an extention of time in the above captioned case to permit acquiring assistance of counsel, for reason following stated.

1. Plaintiff is 84 years of age, divorced, retired, on Social Security of \$701. 00 per month, with a ninth grade education, and declyning health.

2. Plaintiff is a veteran of WW-II that has risked his life to defend The Constitution of The United States and trusts to that document to protect priviledges an immunities of citizen.

3. The instant matter is a resulting consequence of Case No. 82-4-EQU, whereby the Complaint filed with the Court on February 5, 1982 alleges that Chester A. Ogden obstructed Pike Township Road 504.

4. Record of the case (No. 82-4-EQU) is absent of plaintiff prducing evidence upon the question of the defendant's liability.

5. Petitioner alleges that defendant obstructed Pike Township Road 504, without identifying said road location and length.

6. Throughout twenty-six years the Court couldn't, or wouldn't, set forth in its declaration where, on property of Chester A. Ogden, T-504 was located.

7. Record of the case is absent evidence of Chester A. Ogden obstructing Pike Township Road 504.

8. Chester A. Ogden never obstructed a public road in his lifetime.

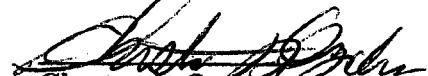
9. The party petitioners and others have violated personal honesty and ethics while participating in the prosecution of Chester A. Ogden.

10. The Court has failed in its duty to provide the citizen, Chester A. Ogden, with protection of the laws.

11. Chester A. Ogden was arrested, fined, jailed, and denied beneficial use of his property absent lawful cause.

WHEREFORE. It is requested of the Honorable Court that Chester A. Ogden be granted time to acquire assistance of counsel.

Respectfully submitted,



Chester A. Ogden, pro se
512 Hartshorn Road
Clearfield, Pa. 16830
814-765-4682

Date; April 21, 2008

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

CHESTER A. OGDEN,
Plaintiff

V

* No. 2007-1720-CD

SUPERVISORS OF PIKE TOWNSHIP
and LESTER and BETTY NEEPER
Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Request For Extension
Of Time has been served upon the following on the 21st day of April, 2008 by
U.S. Postal Service, first class, postage paid.

Supervisors of Pike Township
Curwensville-Grampian Highway
P.O. Box 219
Curwensville, Pa. 16833

Lester and Betty Neeper
769 Ridge Avenue
Curwensville, Pa. 16833



Chester A. Ogden, Pro se
512 Hartshorn Road
Clearfield, Pa. 16830
814-765-4682

APR 21 2008
William A Shaw
Prothonotary/Clerk of Courts
HCO G NDE MATTAY

FILED
APR 21 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CHESTER A. OGDEN :
VS. : NO. 07-1720-CD

SUPERVISORS OF PIKE TOWNSHIP and:

LESTER and BETTY NEEPER :

FINAL ORDER

AND NOW, this 23rd day of April, 2008, the Plaintiff having failed to comply with our Order of December 4, 2007, docketed on December 10, 2007, the Plaintiff's complaint is dismissed, with prejudice. This Order shall be considered a Final Order for appeal purposes.

The Plaintiff is advised he must file an appeal to the Superior Court of Pennsylvania within thirty (30) days of the docketing of this Order.

BY THE COURT,

J. Michael Williamson
Specially Presiding
25th and West

FILED 1CC Piff
04/04/08 512 Hartshorn Rd.
APR 23 2008 Clearfield, PA
110830

William A. Shaw
Prothonotary/Clerk of Courts

1CC Atlys:
Meiswender
Zicolello

(GK)

FILED

APR 23 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 4/23/08

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

CHESTER A. OGDEN,

Plaintiff

*

*

*

VS.

NO. 07-1720-CD

*

*

*

SUPERVISORS OF PIKE TOWNSHIP
and
LESTER and BETTY NEEPER,

*

*

*

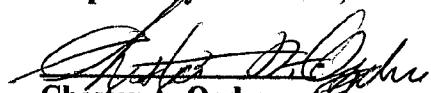
Defendnts

*

PETITION TO OPEN OR STRIKE JUDGMENT BY NON PROS

NOW, this 28th day of April, 2008, comes Plaintiff Chester A. Ogden with a request of the Court to Open or Strike Judgment By Non Pros filed April 18, 2008 in the case above captioned.

Respectfully submitted,



Chester A. Ogden
512 Hartshorn Road
Clearefield, Pa. 16830
(814) 765-4682

CA

FILED 1CC
04/30/2008 C. Ogden
APR 29 2008 (GP)

William A. Shaw
Prothonotary/Clerk of Courts

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

CHESTER A. OGDEN, *
Plaintiff *
*
VS * NO. 07-1720-CD
*
SUPervisors OF PIKE TOWNSHIP *
and LESTER and BETTY NEEPER, *
Defendants *

CERTIFICATE OF SERVICE

I, undersigned, hereby certify that a true and correct copy of Petition To
Open or Strike Judgment By Non Pros has been served upon the following listed
by deposit in U. S. Mail, First Class, postage prepaid on April 28, 2008.

Supervisors of Pike Township
Curwensville-Grampian Highway
P.O. Box 219
Curwensville, Pa. 16833

Lester and Betty Neeper
769 Ridge Avenue
Curwensville, Pa. 16833



Chester A. Ogden, Plaintiff
512 Hartshorn Road
Clearfield, Pa. 16830
(814) 765-4682

FILED

APR 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

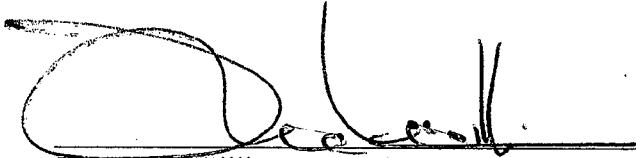
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

CHESTER A. OGDEN,)
Plaintiff)
)
v.) NO. 07 - 1720 - CD
)
SUPERVISORS OF PIKE TOWNSHIP)
and LESTER and BETTY NEEPER,)
Defendants)

ORDER

NOW, this 1st day of May, 2008, Plaintiff's Petition to Open or Strike Judgment by Non
Pros is DENIED.

BY THE COURT:



J. Michael Williamson, Judge
Specially Presiding
25th Judicial District of Pennsylvania

xc: Chester A. Ogden, Plaintiff
Supervisors of Pike Township, Defendant
Lester and Betty Neeper, Defendants
Court Administrator

J. MICHAEL WILLIAMSON
PRESIDENT JUDGE

COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURTHOUSE
LOCK HAVEN, PA 17745

FILED all copies
MAY 05 2008 previously distributed
GK

William A. Shaw
Prothonotary/Clerk of Courts

ORIGINAL

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

CHESTER A. OGDEN,

Petitioner,

vs.

SUPERVISORS OF PIKE
TOWNSHIP and LESTER
AND BETTY NEEPER,

Defendants.

: No. 2007-1720-CD

FILED

JUN 16 2008

07/11/15 (u)

William A. Shaw

Prothonotary/Clerk of Courts

CBM to POF
w/notice & Atty

: Type of case: Civil

: Type of pleading: **Praecipe to Enter**
Judgment By Default

: Filed on behalf of: Defendants,
Lester and Betty Neeper

: Counsel for Defendants:
Frederick M. Neiswender, Esquire
Supreme Court No. 74456

: NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830
(814) 765-6500

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

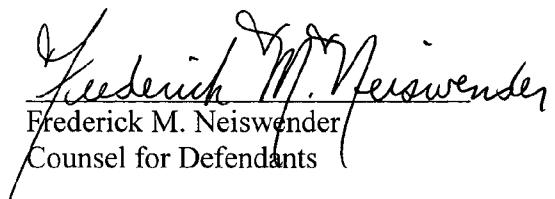
CHESTER A. OGDEN, :
Petitioner, :
: vs. : No. 2007-1720-CD
: :
SUPERVISORS OF PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :
:

PRAECIPE TO ENTER JUDGMENT BY DEFAULT

TO THE PROTHONOTARY:

Please enter judgment by default in favor of the Defendants, Lester and Betty Neeper, and against the Plaintiff in the amount of **One Thousand Five Hundred Dollars (\$1,500.00)**. A copy of a Notice of Praecipe to Enter Default Judgment was served on the Plaintiff on February 19, 2008 by United States First Class Mail. *See attached Exhibit "A"*

Respectfully submitted,



Frederick M. Neiswender
Counsel for Defendants

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

CHESTER A. OGDEN,

Petitioner,

vs.

No. 2007-1720-CD

SUPERVISORS OF PIKE
TOWNSHIP and LESTER
AND BETTY NEEPER,

Defendants.

Type of case: Civil

Type of pleading: **Notice of Praecept
to Enter Judgment by Default**

Filed on behalf of: Defendants,
Lester and Betty Neeper

Counsel for Defendants:
Frederick M. Neiswender, Esquire
Supreme Court No. 74456

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830
(814) 765-6500

Exhibit "A"

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

FEB 19 2008

Attest.

William J. Neiswender
Prothonotary/
Clerk of Courts

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

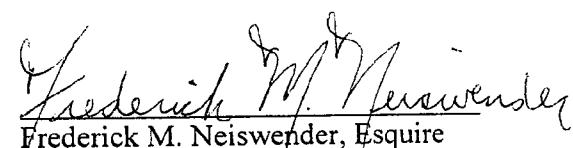
To: Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Date of Notice: **February 19, 2008**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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
1 North Second Street
Clearfield, Pennsylvania 16830
(814) 765-2641


Frederick M. Neiswender, Esquire
211½ North Second Street
Clearfield, PA 16830
Counsel for Defendants

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

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
: :
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :
:

CERTIFICATE OF SERVICE

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Notice of Praeclipe to enter Judgment by Default was made upon Chester A. Ogden and the Pike Township Supervisors, by mailing, first class, postage prepaid, a true copy on February 19, 2008, to the following addresses:

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830

Counsel for Supervisors of Pike Township:
Michael J. Zicolello, Esquire
Schemery Zicolello
333 Market Street
Williamsport, PA 17701

Frederick M. Neiswender
Frederick M. Neiswender, Esquire
Counsel for Defendants,
Lester and Betty Neeper

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830

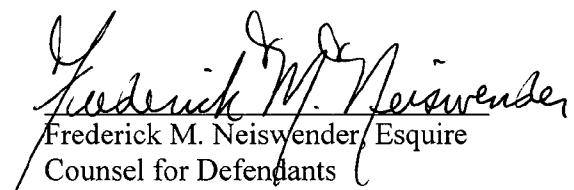
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CHESTER A. OGDEN, :
Petitioner, :
vs. : No. 2007-1720-CD
SUPervisors of PIKE :
TOWNSHIP and LESTER :
AND BETTY NEEPER, :
Defendants. :

CERTIFICATE OF SERVICE

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Praecept
to Enter Judgment By Default was made on June 16, 2008 upon Chester A. Ogden, by mailing,
first class, postage prepaid, a true copy to the following address:

Chester A. Ogden
512 Hartshorn Road
Clearfield, PA 16830


Frederick M. Neiswender

Frederick M. Neiswender, Esquire
Counsel for Defendants

NEISWENDER & KUBISTA
211½ North Second Street
Clearfield, Pennsylvania 16830

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Chester A. Ogden

Vs.

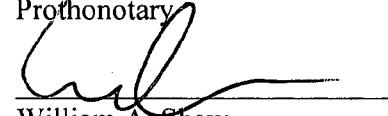
No. 2007-01720-CD

Supervisors of Pike Township Lester Neeper Betty
Neeper

To: Plaintiff

NOTICE is given that a JUDGMENT in the above captioned matter has been entered
against you and in favor of the defendants Lester Neeper and Betty Neeper in the amount of
\$1500.00 on June 16, 2008.

William A. Shaw
Prothonotary


William A. Shaw

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

CHESTER A. OGDEN, :
Plaintiff, :
vs. : No. 2007-1720-CD

SUPERVISORS OF PIKE TOWNSHIP,
and LESTER and BETTY NEEPER,
Defendants.

Type of case: Civil

**PRAECLYPE TO REVIVE
JUDGMENT**

Filed on behalf of: Defendants,
Lester and Betty Neeper

Counsel of Record:
Frederick M. Neiswender, Esquire
Supreme Court No. 74456

NEISWENDER & KUBISTA
211 1/2 North Second Street
Clearfield, Pennsylvania 16830
(814) 765-6500

FILED *PA 100.00*
013.35cm *APR 25 2013* *3CC Atty*
William A. Shaw *Neiswender*
S Prothonotary/Clerk of Courts

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

CHESTER A. OGDEN, :
Plaintiff, :
: vs. : No. 2007-1720-CD
: :
SUPervisors of PIKE TOWNSHIP, :
and LESTER and BETTY NEEPER, :
Defendants. :
:

PRAECIPE TO REVIVE JUDGMENT

To the Prothonotary:

Please revive the judgment dated June 16, 2008 in the amount of \$1,500.00 plus
interest and costs in regard to the above captioned action.

04/24/2013
Date

Frederick M. Neiswender
Frederick M. Neiswender, Esquire
Attorney for Defendants,
Lester and Betty Neeper

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

CHESTER A. OGDEN,

Plaintiff,

vs.

No. 2007-1720-CD

SUPERVISORS OF PIKE
TOWNSHIP AND LESTER
AND BETTY NEEPER,

Defendants.

RULE RETURNABLE

NOW, this 5th day of March, 2008, upon consideration of the Motion for Judgment on the Pleadings, a Rule be issued upon the Respondent, Chester A. Ogden to show cause why the Motion should not be granted. Rule Returnable for Answer by the Respondent and hearing on said Motion to be held on the 23rd day of April, 2008, at 115 o'clock 8.m. in Courtroom No. 1 of the Clearfield County Courthouse.

BY THE COURT,

/s/ Paul E. Cherry

Judge

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

MAR 05 2008

Attest.

William E. Cherry
Prothonotary/
Clerk of Courts

**Daniel J. Nelson, Court Administrator
Clearfield County Courthouse
1 North Second Street
Clearfield, Pa. 16830**

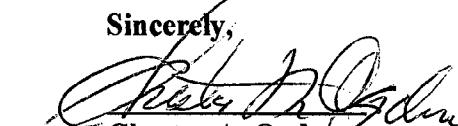
October 30, 2007

**RE: Case No. 2007-1720-CD
Ogden vs. Supervisors and Neepers
Filed 10-23-07**

Dear Mr. Nelson;

**Please supply undersigned with scheduled day and time of trial, involving
above referenced case.**

Sincerely,


**Chester A. Ogden
512 Hartshorn Road
Clearfield, Pa. 16830**

William A. Shaw, Prothonotary/Clerk of Courts
Clearfield County Courthouse
1 North Second Street
Clearfield, Pa. 16830

October 30, 2007

RE; Case No. 2007-1720-CD
Chester A. Ogden
vs.
Supervisors of Pike Township and Lester and Betty Neeper

Dear Mr. Shaw;

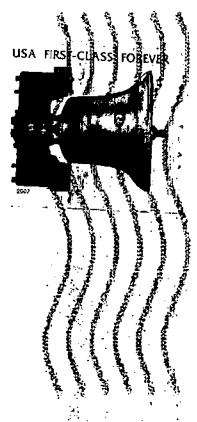
This will convey notice of the above referenced case being ready for trial.

In light of the grievance having been before the court since February 5, 1982 { Case No. 82-4-EQU } and record of the matter being absent Due process of law. Petitioner, Chester A. Ogden, requests that the case be forthwith scheduled for trial by jury, and that the trial be video recorded for record retention.

Sincerely,


Chester A. Ogden
512 Hartshorn Road
Clearfield, Pa. 16830

cc: Daniel J. Nelson, Court Administrator



Chester Ogden
2 Hartshorn Road
Clearfield, Pa. 16830

8

Daniel J. Nelson, Court Administrator
Clearfield County Courthouse
1 North Second Street
Clearfield, Pa. 16830