

07-1747-CD

Shawn Webster vs David Weitoish al

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

FILED

OCT 29 2007

07/22/07

William A. Shaw

Prothonotary/Clerk of Courts

NOTICE MAILED  
TO PUFF & MPJ.

RUPARE

Shawn Thomas Webster CIVIL ACTION  
(Plaintiff)

401 Decatur St.  
(Street Address)

Philipsburg Pa. 16866  
(City, State ZIP)

No. 2007-1747-CD

Type of Case: Appeal from district  
Justice

Type of Pleading: \_\_\_\_\_

Filed on Behalf of:

Ann L. Weitsch  
(Plaintiff/Defendant)

VS.

David J. and Ann L. Weitsch  
(Defendant)

P.O. Box 171  
(Street Address)

Morrisdale Pa. 16858-0171  
(City, State ZIP)

Ann and David J. Weitsch, Jr.  
(Filed by)  
215 Telcott Street  
Hawk Run Pa. 16840

(Address)  
P.O. Box 171  
Morrisdale, Pa. 16858-0171  
(Phone) 814-342-3261

Ann L. Weitsch  
(Signature)

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

46TH

Judicial District, County Of

CLEARFIELD

FILED

OCT 29 2007

William A. Shaw  
Prothonotary/Clerk of Courts

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2007-1747-C

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case referenced below.

NAME OF APPELLANT <b>David J. and Ann L. Weitoish</b>	MAG. DIST. NO. <b>46-3-03</b>	NAME OF D.J. <b>Michael A. Rudella</b>
ADDRESS OF APPELLANT <b>P.O. Box 171 Morrisdale</b>	CITY <b>Pa.</b>	STATE <b>16858</b>
DATE OF JUDGMENT <b>9/27/07</b>	IN THE CASE OF (Plaintiff) <b>Shawn Thomas Webster, vs. Dave &amp; Ann Weitoish</b>	(Defendant) <b>Ann L. Weitoish David J. Weitoish (SR)</b>
DOCKET NO. <b>CV-0000 209-07</b>	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT	
This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.		If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action before a District Justice, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.
_____ Signature of Prothonotary or Deputy		

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa.R.C.P.D.J. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon Shawn Thomas Webster appellee(s), to file a complaint in this appeal  
Name of appellee(s)

(Common Pleas No. 2007-1747-C) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Ann & David J. Weitoish (SR)  
Signature of appellant or attorney or agent

RULE: To Ann L. and David J. Weitoish appellee(s)  
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date: Oct-29, 2007

Weller  
Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

FILED  
OCT 29 2007  
William A. Shaw  
Prothonotary/Clerk of Courts

---

**PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT**

*(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing of the notice of appeal. Check applicable boxes.)*

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF \_\_\_\_\_; ss

**AFFIDAVIT:** I hereby (swear) (affirm) that I served

a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on  
(date of service) \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail,  
sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on  
\_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail,  
sender's receipt attached hereto.

(SWORN) (AFFIRMED) AND SUBSCRIBED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

My commission expires on \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**  
Address: **131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA**  
Telephone: **(814) 345-6789**

**16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**WEBSTER, SHAWN THOMAS**  
**401 DECATUR ST.**  
**PHILIPSBURG, PA 16866**

NAME and ADDRESS

DEFENDANT:

**WEITOISH, DAVID (SR), ET AL.**  
**PO BOX 171**  
**MORRISDALE, PA 16858**

VS.

NAME and ADDRESS

**MICHAEL A. RUDELLA**  
**131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA 16847-0444**

Docket No.: **CV-0000209-07**

Date Filed: **7/27/07**



**THIS IS TO NOTIFY YOU THAT:**

Judgment: **FOR PLAINTIFF**

(Date of Judgment) **9/27/07**

Judgment was entered for: (Name) **WEBSTER, SHAWN THOMAS**

Judgment was entered against: (Name) **WEITOISH, ANN**  
in the amount of \$ **2,431.49**

Defendants are jointly and severally liable.

Amount of Judgment	\$ <b>2,337.99</b>
Judgment Costs	\$ <b>93.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>

Damages will be assessed on Date & Time \_\_\_\_\_

Total	\$ <b>2,431.49</b>
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This case dismissed without prejudice.

Post Judgment Credits	\$ <b>—</b>
Post Judgment Costs	\$ <b>—</b>

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

=====

Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

Certified Judgment Total \$ **2431.49**

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

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

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

*9-27-07*

Date

*M A Rudella*

, Magisterial District Judge

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

*10/29/07*

Date

*M Rudella*

, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **9/27/07** 3:54:00 PM

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**  
Address: **131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA**  
Telephone: **(814) 345-6789**

**16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**WEBSTER, SHAWN THOMAS**  
**401 DECATUR ST.**  
**PHILIPSBURG, PA 16866**

NAME and ADDRESS

DEFENDANT:

**WEITOISH, DAVID (SR), ET AL.**  
**PO BOX 171**  
**MORRISDALE, PA 16858**

VS.

NAME and ADDRESS

**MICHAEL A. RUDELLA**  
**131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA 16847-0444**

Docket No.: **CV-0000209-07**  
Date Filed: **7/27/07**



**THIS IS TO NOTIFY YOU THAT:**

**FOR PLAINTIFF**

(Date of Judgment) **9/27/07**

Judgment was entered for: (Name) **WEBSTER, SHAWN THOMAS**

Judgment was entered against: (Name) **WEITOISH, DAVID (SR)**  
in the amount of \$ **2,431.49**

Defendants are jointly and severally liable.

Amount of Judgment	\$ <b>2,337.99</b>
Judgment Costs	\$ <b>93.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>

Damages will be assessed on Date & Time \_\_\_\_\_

Total	\$ <b>2,431.49</b>
Post Judgment Credits	\$ <b>—</b>
Post Judgment Costs	\$ <b>—</b>

This case dismissed without prejudice.

**Certified Judgment Total \$ 2431.49**

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

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

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

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

9-27-07 Date

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

10/19/07 Date M. A. Rudella, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **9/27/07** 3:54:00 PM

## COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

46TH  
Judicial District, County Of  
CLEARFIELD

## NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2007-1747-C

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case referenced below.

NAME OF APPELLANT <b>David J. and Ann L. Weitoish</b>	MAG. DIST. NO. <b>46-3-03</b>	NAME OF D.J. <b>Michael A. Rudella</b>
ADDRESS OF APPELLANT <b>P.O. Box 171 Morrisdale</b>	CITY <b>Pa.</b>	STATE <b>16758</b>
DATE OF JUDGMENT <b>9/27/07</b>	IN THE CASE OF (Plaintiff) <b>Shawn Thomas Webster, v.s. Dave + Ann Weitoish</b>	(Defendant) <b>Ann L. Weitoish David J. Weitoish (SR)</b>
DOCKET NO. <b>CV-0000 209-07</b>	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT	

This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action before a District Justice, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.

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

## PRAECLPTE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

OCT 29 2007

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa.R.C.P.D.J. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECLPTE: To Prothonotary

Enter rule upon Shawn Thomas Webster  
Name of appellee(s)

(Common Pleas No. 2007-1747-C within twenty (20) days after service of rule or suffer entry of judgment of non pros.)

RULE: To Ann L. and David J. Weitoish  
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date: OCT. 29, 2007

Ann + David J. Weitoish (SR)  
Signature of appellant or attorney or agent

Willa  
Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

---

**PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT**

*(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing of the notice of appeal. Check applicable boxes.)*

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_; ss

**AFFIDAVIT:** I hereby (swear) (affirm) that I served

a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on  
(date of service) \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail,  
sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on  
\_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail,  
sender's receipt attached hereto.

(SWORN) (AFFIRMED) AND SUBSCRIBED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

My commission expires on \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**

Address: **131 ROLLING STONE ROAD  
PO BOX 210  
KYLERTOWN, PA**

Telephone: **(814) 345-6789**

**16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**WEBSTER, SHAWN THOMAS  
401 DECATUR ST.  
PHILIPSBURG, PA 16866**

NAME and ADDRESS

DEFENDANT: **VS.**

**WEITOISH, DAVID (SR), ET AL.  
PO BOX 171  
MORRISDALE, PA 16858**

NAME and ADDRESS

**MICHAEL A. RUDELLA  
131 ROLLING STONE ROAD  
PO BOX 210  
KYLERTOWN, PA 16847-0444**

Docket No.: **CV-0000209-07**  
Date Filed: **7/27/07**



**07-1747-CD  
9/27/07**

THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF**

(Date of Judgment)

Judgment was entered for: (Name) **WEBSTER, SHAWN THOMAS**

Judgment was entered against: (Name) **WEITOISH, DAVID (SR)**  
in the amount of \$ **2,431.49**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time \_\_\_\_\_

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>2,337.99</b>
Judgment Costs	\$ <b>93.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>2,431.49</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ <b>2431.49</b>	

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

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**FILED**

*01/24/07*  
**NOV 07 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

, Magisterial District Judge

*9-27-07* Date *M. A. Rudella*

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

*11/5/07* Date *M. A. Rudella*, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **9/27/07** 3:54:00 PM

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**  
Address: **131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA**  
Telephone: **(814) 345-6789**

**16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**WEBSTER, SHAWN THOMAS**  
**401 DECATUR ST.**  
**PHILIPSBURG, PA 16866**

NAME and ADDRESS

DEFENDANT:

**WEITOISH, DAVID (SR), ET AL.**  
**PO BOX 171**  
**MORRISDALE, PA 16858**

VS.

NAME and ADDRESS

**MICHAEL A. RUDELLA**  
**131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA 16847-0444**

Docket No.: **CV-0000209-07**  
Date Filed: **7/27/07**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF**

(Date of Judgment) **9/27/07**

Judgment was entered for: (Name) **WEBSTER, SHAWN THOMAS**

Judgment was entered against: (Name) **WEITOISH, ANN**  
in the amount of \$ **2,431.49**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time \_\_\_\_\_

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>2,337.99</b>
Judgment Costs	\$ <b>93.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>2,431.49</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ <b>2431.49</b>	

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*9-27-07*

Date

*M. A. Rudella*

, Magisterial District Judge

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

*11/3/07*

Date

*M. A. Rudella*

, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **9/27/07** **3:54:00 PM**