

07-2082-CD  
Hovis Auto al vs Ryan Horchen al

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

17 2007  
**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

Mag. Dist. No.:

**46-3-01**

MDJ Name: Hon.

**PATRICK N. FORD**  
Address: **309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA**  
Telephone: **(814) 371-5321**

RECEIVED DEC 17 2007

**15801**

**PATRICK N. FORD**  
**309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA 15801**

PLAINTIFF:

**HOVIS AUTO & TRUCK SUPPLY INC.**  
**216 LIBERTY BLVD.**  
**DUBOIS, PA 15801**

NAME and ADDRESS

DEFENDANT:

**HORCHEN, RYAN, ET AL.**  
**1201 SOUTH BRADY STR**  
**H&H PERFORMANCE/PWC, INC.**  
**DUBOIS, PA 15801**

VS.

NAME and ADDRESS

Docket No.: **CV-0000293-07**  
Date Filed: **5/29/07**



07-2082-CD

**7/09/07**

THIS IS TO NOTIFY YOU THAT:

**DEFAULT JUDGMENT PLTF**

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **7/09/07**

Judgment was entered for: (Name) **HOVIS AUTO & TRUCK SUPPLY INC.**

Judgment was entered against: (Name) **H&H PERFORMANCE/PWC, INC.**  
in the amount of \$ **1,399.44**

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>1,311.94</b>
Judgment Costs	\$ <b>87.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>1,399.44</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</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.

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

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

**FILED** Atty pd. 20.00  
M 11/01/2007 Notice to Def.  
DEC 21 2007  
Statement to  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty

**7-9-07** Date **Patrick N. Ford - fmf**, Magisterial District Judge

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

**12/14/07** Date **Patrick N. Ford**, Magisterial District Judge

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

SEAL

AOPC 315-06

DATE PRINTED: **7/09/07** **8:30:00 AM**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

Mag. Dist. No.:

**46-3-01**

MDJ Name: Hon.

**PATRICK N. FORD**  
Address: **309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA**

Telephone: **(814) 371-5321** 15801

**PATRICK N. FORD**  
**309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA 15801**

PLAINTIFF:

**HOVIS AUTO & TRUCK SUPPLY INC.**  
**216 LIBERTY BLVD.**  
**DUBOIS, PA 15801**

NAME and ADDRESS

DEFENDANT:

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**1201 SOUTH BRADY STR**  
**H&H PERFORMANCE/PWC, INC.**  
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VS.

NAME and ADDRESS

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in the amount of \$ **1,399.44**

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7-29-07 Date Patrick N. Ford - PLTF, Magisterial District Judge

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

12-4-07 Date Patrick N. Ford, Magisterial District Judge

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

SEAL

AOPC 315-06

DATE PRINTED: **7/09/07 8:30:00 AM**

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Hovis Auto & Truck Supply, Inc.

Vs.

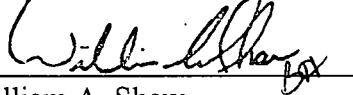
No. 2007-02082-CD

H & H Performance/PWC, Inc.  
Ryan Horchen

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered  
against you in the amount of \$1,399.44 on December 21, 2007.

William A. Shaw  
Prothonotary

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

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

COPY

Hovis Auto & Truck Supply, Inc.  
Plaintiff(s)

No.: 2007-02082-CD

Real Debt: \$1,399.44

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

H & H Performance/PWC, Inc.  
Ryan Horchen  
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: December 21, 2007

Expires: December 21, 2012

Certified from the record this 21st day of December, 2007.

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

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

**Hovis Auto & Truck Supply, Inc.**

Plaintiff,

v.

No: 2007-02082-CD

**Ryan Horchen t/d/b/a H & H  
Performance/PWC, Inc.**

Defendant.

**PRAECIPE FOR WRIT OF EXECUTION  
(Money Judgment)**

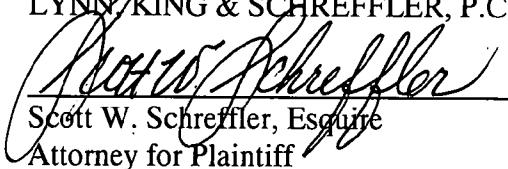
TO THE PROTHONOTARY:

Please issue a Writ of Execution in the above matter:

1. Directed to the Sheriff of Clearfield County;
2. Against Ryan Horchen t/d/b/a H & H Performance/PWC, Inc, Defendant;
3. And index this Writ against Ryan Horchen t/d/b/a H & H Performance/PWC, Inc. Defendant;
4. Amount due: \$ 1,311.94  
Interest from July 9, 2007 at 6%: \$  
[Costs to be added]: \$

Prothonotary costs 40.00

LYNN KING & SCHREFFLER, P.C.

  
Scott W. Schreffler, Esquire  
Attorney for Plaintiff

I.D. No. 50086  
P.O. Box 99, 606 Main Street  
Emlenton, PA 16373  
(724) 867-5921

**FILED** Atty pd.  
M 11/30/2008 20.00  
MAR 19 2008 1000lewits  
to Sheriff

William A. Shaw  
Prothonotary/Clerk of Courts

(GK)

WRIT OF EXECUTION, and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW

Hovis Auto & Truck Supply, Inc.

Vs.

NO.: 2007-02082-CD

Ryan Horchen t/d/b/a H & H Performance/PWC, Inc.

COPY

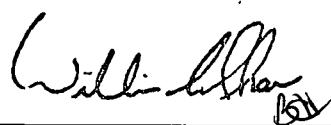
**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against HOVIS AUTO & TRUCK SUPPLY, INC., Plaintiff(s) from RYAN HORCHEN t/d/b/a H & H PERFORMANCE/PWC, INC., Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:  
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
as garnishee(s):  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$1,311.94  
INTEREST FROM from July 9, 2007, at 6%:  
ATTY'S COMM: \$  
DATE: 3/19/2008

PROTH. COSTS PAID: \$40.00  
SHERIFF: \$  
OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Requesting Party: Scott W. Schreffler, Esq.  
PO Box 99  
Emleton, PA 16373  
(724) 867-5921

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20752  
NO: 07-2082-CD

PLAINTIFF: HOVIS AUTO & TRUCK SUPPLY, INC.

VS.

DEFENDANT: RYAN HORCHEN T/D/B/A H & H PERFORMANCE/PWC, INC.

Execution PERSONAL PROPERTY

**SHERIFF RETURN**

DATE RECEIVED WRIT: 3/19/2008

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 2/23/2009

5  
FILED  
019/1/2009  
FEB 23 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

**DETAILS**

@ SERVED RYAN HORCHEN T/D/B/A H & H PERFORMANCE/PWC, INC.

NOW, MAY 28, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CANCEL THE SHERIFF SALE AS THE ACCOUNT WAS BROUGHT CURRENT.

@ SERVED

NOW, MAY 23, 2009 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20752  
NO: 07-2082-CD

PLAINTIFF: HOVIS AUTO & TRUCK SUPPLY, INC.

vs.

DEFENDANT: RYAN HORCHEN T/D/B/A H & H PERFORMANCE/PWC, INC.

Execution PERSONAL PROPERTY

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$19.00

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

*Chester A. Hawkins*  
Deputy Sheriff - Appointed  
Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Hovis Auto & Truck Supply, Inc.

Vs.

NO.: 2007-02082-CD

Ryan Horchen t/d/b/a H & H Performance/PWC, Inc.

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

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as garnishee(s):  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
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INTEREST FROM from July 9, 2007, at 6%:  
ATTY'S COMM: \$  
DATE: 3/19/2008

PROTH. COSTS PAID: \$40.00

SHERIFF: \$

OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 19<sup>th</sup> day  
of March A.D. 2008  
At 3:00 A.M./P.M.

Requesting Party: Scott W. Schreffler, Esq.  
PO Box 99  
Emlenton, PA 16373  
(724) 867-5921

Chester A. Hawkins  
Sheriff by Cynthia Butler-Ayhanal

**PERSONAL PROPERTY SALE  
SCHEDULE OF DISTRIBUTION**

NAME RYAN HORCHEN T/D/B/A H & H PERFORMANCE/PWC, INC.

NO. 07-2082-CD

NOW, February 21, 2009, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Ryan Horchen T/D/B/A H & H Performance/Pwc, Inc. to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR SERVICE	9.00	DEBT-AMOUNT DUE	1,311.94
MILEAGE LEVY		INTEREST @ 0.2200 %	77.88
MILEAGE POSTING		FROM 07/09/2007 TO 06/27/2008	
HANDBILLS			
COMMISSION	0.00	PROTH SATISFACTION	
POSTAGE		LATE CHARGES AND FEES	
HANDBILLS		COST OF SUIT-TO BE ADDED	
DISTRIBUTION		FORECLOSURE FEES	
ADVERTISING		ATTORNEY COMMISSION	
ADD'L SERVICE		REFUND OF ADVANCE	20.00
ADD'L POSTING		REFUND OF SURCHARGE	
ADD'L MILEAGE		SATISFACTION FEE	
ADD'L LEVY		ESCROW DEFICIENCY	
BID/ SETTLEMENT AMOUNT		PROPERTY INSPECTIONS	
RETURNS/DEPUTIZE		INTEREST	
COPIES	5.00	MISCELLANEOUS	
BILLING/PHONE/FAX	5.00		
CONTINUED SALES		<b>TOTAL DEBT AND INTEREST</b>	<b>\$1,468.82</b>
MISCELLANEOUS			
<b>TOTAL SHERIFF COSTS</b>	<b>\$19.00</b>	<b>COSTS:</b>	
		ADVERTISING	0.00
		TAXES - COLLECTOR	
		TAXES - TAX CLAIM	
		DUE	
		LIEN SEARCH	
		ACKNOWLEDGEMENT	
		SHERIFF COSTS	19.00
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	40.00
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$59.00</b>
		<b>TOTAL COSTS</b>	<b>\$1,468.82</b>

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

# LYNN, KING & SCHREFFLER, P.C.

---

Attorneys at Law

606 MAIN STREET, BOX 99, EMLTON, PA 16373  
TELEPHONE (724) 867-5921  
FAX (724) 867-5101

J. MICHAEL KING  
SCOTT W. SCHREFFLER  
MICHAEL W. SLOAT

legal@lkslaw.us

MILES R. LYNN, JR.  
1919 - 2005

## FAX COVER SHEET

DATE: May 28, 2008

TO: Cindy

FROM: Jeanette

No. of Pages: 1

Hard copy ( ) will ( X ) will not follow by U.S. Mail.

MESSAGE: In re: Hovis Auto & Truck Supply, Inc. v Ryan Horchen, et al  
No. 2007-2082-CD

Cindy:

As per our phone conversation, I would like to cancel the above-referenced Sheriff Sale as the account has been brought current.

Any questions, please call.

---

The information contained in this facsimile transmittal is confidential, may be subject to the attorney-client privilege and is intended only for the use of the recipient named above. If the reader of this information is not the intended recipient, or employee or agent responsible for delivery of this information to the intended recipient, you are hereby notified that this is not a waiver of privilege and any dissemination, distribution or copying of this information is strictly prohibited. If you have received this information in error, please immediately notify the sender by telephone, and return the original information to the sender, by U.S. Mail, at the above address.