

08-353-CD
K. Selvage vd R. Krumenacker

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

KENNETH JOHN SELVAGE,

Plaintiff

*

2008-353-CO

vs.

*

No. ~~CP-17-CO~~

-2006

RENEE FERN KRUMENACKER,

Defendant

*

PETITION TO PROCEED IN FORMA PAUPERIS

FILED *(initials)*

FEB 29 2008

PM 10:30 AM

William A. Shaw

Prothonotary/Clerk of Courts

1 Enr to Pur

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, through pro se representation, who, avers the following in support of this document thereof:

1. I am the Plaintiff in the above matter and because of my financial condition am unable to pay the fee for litigating this matter. My social security number is: 194-50-1401.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct.

4. I am presently unemployed. The date of my last employment was 3/15/06, where I was employed by Gulich Township Road District in Smithmill, PA, Clearfield County, where I worked from 2/2/06 until 3/15/06 as laborer at \$8.00 per hour at 32 hours per week.

5. I had no other income prior to 2/2/06 as I was under incarceration in State Prison for 7 years and 3 months. I have no income as to: business or profession; pension or annuities; social security benefits; workman's compensation; unemployment compensation and supplemental benefits, interests, dividends, support payments, disability payments, public assistance, nor any other income.

6. I receive no spousal support and am divorced.

7. I have no: savings account, real estate, motor vehicle, stocks, bonds,

checking account, certificates of deposit.

8. I have personal debts and bills, court debts, etc., that exceed well over \$10,000.00.

9. I have an 8 year old daughter, Zaine Elizabeth Brocious, who, is dependent upon me; and, who I owe back child support for since my incarceration on May 3, 2006, in the hundreds of dollars.

10. I understand that I have a continuing obligation to inform the Court of improvement in my financial condition/circumstances which would permit me to pay the costs incurred herein.

11. I verify that the statements made in this petition are true and correct. I understand that false statements made herein are made subject to penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

12. The filing fee for this matter is \$85.00, (see exhibit # 1); under Pa.R.Civ.P. Rule 1007 (2).

13. The service by Sheriff fee in this matter is \$150.00, (see exhibit 2), under Pa.R.Civ.P. Rule 400 (a).

14. The service for subpoenas for this matter is not a set value/amount at this time as Plaintiff has no knowledge of the number of subpoenas to be served, but would guess between 10 to 20, under Pa.R.Civ.P. Rule 234.1 (a).

WHEREFORE, Plaintiff would request respectfully that this Honorable Court GRANT his petition to proceed under forma pauperis status, and direct the filing of his complaint along with the Sheriff's Office to serve same upon Defendant at her place of incarceration forthwith. Further, if this matter comes before this Court for hearing and/or trial, to direct the necessary subpoenas be served upon the witnesses to be determined at that time.

Respectfully submitted,



Kenneth John Selvage

Date: 2/25/08

EXHIBIT # 1

William A. Shaw
Clerk of Courts
County Courthouse
P.O. Box 549
Clearfield, PA 16830

August 13, 2007

Re: Filing/Sheriff Fees for Civil Law Suit

Dear Clerk Shaw:

I am writing to your office in regards to the above-referenced matter respectfully requesting your attention to the following:

I am in the process of preparing a civil law suit against my ex-girlfriend, Renee Fern Krumenacker, for several reasons. I need to know exactly what the fee would be for the filing of said civil action and the fee for the Sheriff to serve the civil complaint upon Renee at SCI Cambridge Springs as she is presently under incarceration there. Would you please advise same.

Thank you for your time and kind consideration in this matter, your prompt attention is greatly appreciated.

Respectfully,



Kenneth J. Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

cc: file

PLEASE CONTACT THE SHERIFF'S OFFICE FOR
SERVICE FEE'S

WAS

Effective 01/02/2007

Fee Schedule

Clearfield County Prothonotary
PO Box 549, Clearfield, PA 16830
814-765-2641, Ext. 1330
www.clearfieldco.org/Departments/
Prothonotary

Appeals:

DJ Appeal-must include DJ transcript	\$85.00
License Suspension Appeals	\$85.00
Appeal to Higher Court-require orig. and one copy along with check for \$60.00 payable to Higher Court	\$45.00
Objection to Tax Sale	N/C
Objection to Private Sale	\$85.00

Arbitration/Trial Listing:

Praecipe/List for Arbitration	\$20.00
Praecipe-place civil case on Trial List	N/C
Appeal from Arbitration Award	
...see Local Rule 1308	

Civil Filing:

Complaint/Petition-initial filing	\$85.00
Writ of Summons	\$85.00
Transfer from Another County	\$70.00
Quiet Title (includes final order)	\$95.00
Road Docket	\$25.00
Exemplified Record	\$15.00
Reissue/Reinstate Complaint	\$7.00

Judgments/Liens/Writs/Waiver

S:

Judgment-DJ, Default, etc.	\$20.00
Confession of Judgment	\$20.00
Exemplify record to another county	\$15.00
Enter judgment from another county	\$20.00
Writ of Revival	\$20.00
Cert. Motor Vehicle Judg to Harrisburg	\$3.00
Federal or Commonwealth Lien	\$25.00
Waiver/Stipulation of Mechanic's Lien	\$20.00
Writ of Execution, Possession, Seizure, or Certiorari	\$20.00

Custody:

Custody Complaint	\$85.00
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Divorce:

Divorce Complaint (includes divorce counts)	\$95.00
**must list all minor children and d.o.b. on cover sheet	

Additional Counts at time of filing divorce	ea. \$10.00
Additional Counts added after divorce filed--not custody (ie. alimony, equitable dist., etc...)	ea. \$10.00
Additional Count--Custody added after divorce filed	\$10.00

Record Out of County Decree	\$20.00
Certified Copy of Decree (no charge for initial copies)	\$5.00

Satisfactions/Discontinuances:

Satisfactions, Releases, Postponements, etc.	\$10.00
Discontinuance-case filed 1995-present	\$10.00
Discontinuance-case filed prior to 1995	\$10.00

Miscellaneous:

Retake Prior Name	\$10.00
Notary Registration	\$10.00
Fax	ea. \$5.00

Photocopies: 1-4 page total--\$1.00. Over 4 pages--\$.25 ea.

Subpoena-include case number and caption	\$10.00
Certified Docket Sheet	\$10.00

Private Detective Licenses:

New Petition	\$28.00
Renewal (per year)	\$100.00

Criminal:

Summary Appeal (non-refundable)	\$30.00
Criminal Subpoena	\$10.00
Appeal to Higher Court-require orig.	\$45.00

EXHIBIT # 2

Chester Hawkins
Sheriff
County Courthouse
230 E. Market St.
Clearfield, PA 16830

August 23, 2007

Re: Service of Civil Complaint

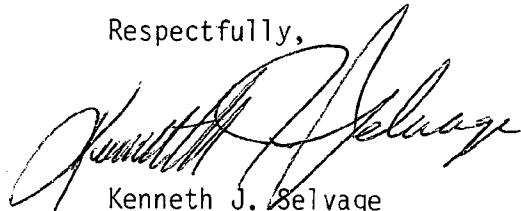
Dear Sheriff Hawkins:

I am writing to your office in regards to the above-referenced matter respectfully requesting your attention to the following.

I would like to know the fee for service of my civil complaint (law suit) against Renee Fern Krumenacker, # OL-4397, at SCI Cambridge Springs, as she is presently under incarceration there serving an 18 month to 3 year sentence. I was advised from Clerk Shaw the cost for filing is \$85.00, and, to contact your office for fee for service of same.

Thank you for your time and kind consideration in this matter, your prompt attention is greatly appreciated.

Respectfully,



Kenneth J. Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

cc: file

CLEARFIELD COUNTY SHERIFF	\$100 Advance
CRAWFORD COUNTY SHERIFF	\$ 50 Advance

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY PENNSYLVANIA

PROOF OF SERVICE

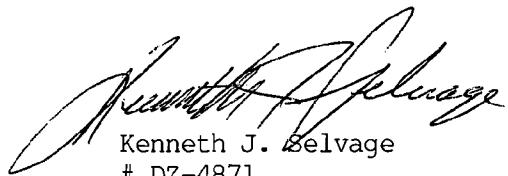
I, KENNETH JOHN SELVAGE, Plaintiff pro se, hereby certify that I am this date serving a copy of the foregoing I.F.P. petition upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Certified Mail Return Receipt #: 7005 0390 0005 4503 0962

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: 2/25/08



Kenneth J. Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

cc: file

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

NO. 08-353-CD

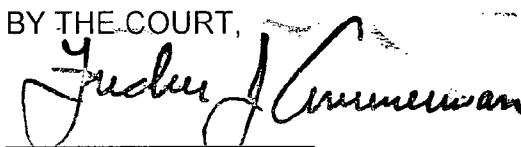
RENEE FERN KRUMENACKER,
Defendant

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*
*

ORDER

NOW, this 29th day of February, 2008, the Court having received and reviewed the Plaintiff's Petition to Proceed *in forma pauperis* filed February 29, 2008, it is the ORDER of this Court that the Petition for Leave to Proceed *in forma pauperis* be and is hereby GRANTED for purposes of the Plaintiff's Civil Complaint.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED 3CC
01/11/08
MAR 04 2008 10745 & 18
#D2-4871

William A. Shaw
Prothonotary/Clerk of Courts Attn: bion PA
16475-002

(GR)

FILED

MAR 04 2008

DATE: 3-4-2008

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: *K-24*

William A. Shaw
Prothonotary/Clerk of Courts

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

KENNETH JOHN SELVAGE,

Plaintiff

vs.

RENEE FERN KRUMENACKER,

Defendant

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2008-353-CD

No. CP-17-CD

-2008

FILED

01/11/08 cm Pft Q
MAR 04 2008 DZ-4871

10745 RT 18
Albion
002

6K

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against Plaintiff Kenneth John Selvage, 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's Office
County Courthouse, Suite 228
231 E. Market St.
Clearfield, PA 16830
(814) 765-2641



Kenneth John Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

MAY 5, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Will
Deputy Prothonotary

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

KENNETH JOHN SELVAGE,

Plaintiff

*

2008-353-CD

vs.

No. CP-17-CD- -2008

*

RENEE FERN KRUMENACKER,

Defendant

*

COMPLAINT

1. The Plaintiff is Kenneth John Selvage, residing at SCI Albion, # DZ-4871, 10745, Route 18, Albion, PA 16475-0002.

2. The Defendant is Renee Fern Krumenacker, residing at SCI Cambridge Springs, # OL-4397, 451 Fullerton Ave., Cambridge Springs, PA 16403-1238.

3. On or about March 17, 2006, the Plaintiff agreed to permit the Defendant to reside with him under a boyfriend/girlfriend relationship at: 502 Oak St., Smithmill, PA 16680 in Clearfield County.

4. During this relationship, Defendant portrayed a false interest in Plaintiff asserting her love, desire to marry, desire to get pregnant and share a positive family life together.

5. That soon after Defendant resided with Plaintiff, she exposed her true character of herself as a heroin addict (or would use any drug available to her); criminal problems; liar; prostitute; suicide attempts/tendencies; bipolar; bisexual and being molested by her father as a child.

6. Defendant used her love/sex to fool Plaintiff into loving her; trusting her and believing she had a desire to change and build a family life together.

7. Plaintiff supported Defendant in every aspect, even giving her money to support her habits.

8. Plaintiff posted Defendant's bail in Blair County in the amount of seven thousand (\$7,000.00) dollars at case # CP-07-CR-692-2006 paying seven hundred (\$700.00) dollars cash on March 23, 2006 at Magistrate Jones' Office. The night before said preliminary hearing, Defendant coerced Plaintiff into tattooing

his name "KENNY" down the middle of her lower back in order to "prove" her love for him.

9. During this relationship between Plaintiff/Defendant, there was deceit, fraud, emotional turmoil, unfaithfulness on her part, lying constantly, and the imposition of new criminal charges as well as theft against the Plaintiff.

10. That on April 25, 2006, Defendant did commit the theft of six hundred (\$600.00) dollars out of Plaintiff's wallet, due he refused to continue to give her money to support her habits..

11. After the discovery of Plaintiff's stolen money, the Defendant made false reports/accusations to the Clearfield State Police (hereinafter PSP) accusing him of violent domestic violence upon her where Plaintiff received the criminal charges for Simple Assault and Harassment; whereupon, after his lengthy incarceration, attorney expenses, the loss of his home/personal property, Plaintiff was found not guilty by a jury of his peers and acquitted for the Simple Assault; but, found guilty by the trial judge for Harassment.

12. Upon Plaintiff's arrest (5/3/06) due to false reports/accusations by the Defendant: the Defendant along with her father, Joseph Krumenacker; Edward L. Supenia; Jessica Rebar and Carl Wells, committed the known Burglary of his home at 502 Oak St., stealing all of his tattoo equipment valued at several thousand (\$2,000.00) dollars, along with most everything else of value in his home.

13. Defendant has a known history of this same behavior with prior husband; prior boyfriends and prior girlfriends; inwhich, can be established/proven by adequate testimony from same. Defendant's whole purpose of the relationship with Plaintiff was to financially deceive him and defraud him for money so she could support her habits.

COUNT 1

14. The allegations in paragraphs 1 thru 13, above, are incorporated herein by reference and made a part hereof.

15. After the day of moving Defendant in his home, the following morning, Plaintiff observed "black scar marks" on the Defendant's arms, whereupon, he questioned her about said scars and was informed through a discussion about her

personal life that Defendant was a five (5) year heroin addict; she was a prostitute selling herself for drugs or money to obtain drugs (mostly to the Black drug dealers in Altoona); further, she explained about all of her criminal charges pending in Clearfield County (see exhibit # 1); her suicide attempts whereas the most recent one causing the death of her unborn child (verified by PSP and Hospital); that she had a medical condition of bipolar; that she is bisexual but prefers men even though she slept with women or men/women together; and she was molested by her father as a child, and, continued to have sex with him when the need arrised to get her own way or accept/deal with her problems caused within their family.

16. After this lengthly discussion where Defendant was emotionally in tears (putting on a show), Plaintiff explained to her that "if" he would of been aware of these "problems" prior to her moving in, he would not have permitted her to reside in his home. But, he was already in love with her and it was too late for him to turn back now. Defendant asserted that she truly loved him; wanted to be married; wanted to have a child together; wanted to help Plaintiff obtain custody of his then six (6) year old daughter; and most of all, wanted to share/build a family life together. Defendant requested Plaintiff help her get clean from drugs and alcohol; help her with her criminal charges so she would not have to face a state prison sentence; how she was so full of guilt/shame and needed a positive change in her life. When Plaintiff attempted to help her get clean, she would refuse sex until he complied with her wishes for money to support her habits.

17. This representation of her love, desire to be a family and change her entire character was a false representation, was known to Defendant to be false when made; and further, was made with the intent to deceive and defraud Plaintiff of money, and, sexually seduce him to do her will, support her habits and give her a secure place to live while she awaited the disposition of her criminal charges.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00) dollars, plus interests and costs.

COUNT 2

18. The allegations in paragraphs 1 thru 17, above, are incorporated herein by reference and made a part thereof.

19. On or about March 22, 2006, Defendant requested Plaintiff to tattoo his name "KENNY" in large black letters (tattoo still there) down the center of her lower back to "prove" her love for him. Plaintiff refused at first, to do the tattoo as they were only together less than a week and she may end up to regret it later; but, Defendant became very angry and insisted she wanted the tattoo because of her love for him, so, Plaintiff complied with Defendant's desire to get the tattoo.

20. After the tattoo was completed, Defendant requested Plaintiff come to the bedroom to make love, wherein, she did things sexually to satisfy Plaintiff that she never did before to "prove" even more her love for him.

21. After the sexual encounter, the Defendant explained to Plaintiff that she may not be around much longer due a preliminary hearing in Blair County the following day; also, she had no transportation to get there or to post bail, etc. She explained that she was already out on bail in both Clearfield and Blair County. Plaintiff agreed to travel over to the hearing with her and to provide any kind of assistance within his power. Defendant called her brother, Ronald Krumenacker, who agreed to transport them for the hearing.

22. Upon arriving at the preliminary hearing, the Public Defender advised the Defendant that the Magistrate set bail at seven thousand (\$7,000.00) dollars and she needed to post same or be incarcerated. Defendant had no money what so ever, and, started crying requesting the Plaintiff to help save her from incarceration, asserting openly in front of everyone that last nights sexual encounter was just a taste of what he would receive if Plaintiff would post her bail and take her home; further, that she would obtain employment and pay him back. Plaintiff had four hundred and eight (\$408.00) dollars on his person and requested Ronald Keumenacker loan him three hundred (\$300.00) until he got home so he could post the bail, and, would pay the money back after he got home, so, Ronald Krumenacker loaned Plaintiff the money. Plaintiff posted Defendant's bail and took her home with him. Plaintiff did several tattoos to earn the three hundred (\$300.00) dollars and paid back Ronald Krumenacker.

23. Upon payment of Defendant's bail, she promised to pay the money back to Plaintiff; but to date, she never has and had no intentions of ever paying back the bail money.

24. After the bail was paid, the Defendant knew she was free from any

immediate incarceration and her whole character towards Plaintiff changed from bad to worse where she used more drugs/alcohol; she constantly lied about every thing; she took off for days on end sleeping with other men/women; and, at times came home strung out on drugs/alcohol, being disrespectful and disorderly. On one occasion, she came home very high/drunk and assaulted a fifteen year old girl, Sabrina Gardner, (my ex-wife's niece) out of jealousy because she was there visiting. Another occasion, Defendant came home high/drunk from the VFW Bar in Janesville assaulting Plaintiff and smashing things in his home due he refused to give her more money. Plaintiff had to call PSP to have her escorted from his home/property; where, she returned twenty (20) minutes later sorry and wanting to make amends for her negative actions.

25. This representation of Defendant's desire to pay back the money posted for bail was a false representation; was known to Defendant to be false when made; and further, was made with the intent to deceive and defraud Plaintiff of money and sexually seduce him to do her will.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00) dollars, plus interests and costs.

COUNT 3

26. The allegations in paragraphs 1 thru 25, above, are incorporated herein by reference and made a part thereof.

27. After Plaintiff refused to supply Defendant any more money for any reason on April 25, 2006, further suggesting she leave his home and not return due he recently caught her lying/cheating in a sexual relationship with, Kenton S. Knepp, a private investigator for Edgar Snyder Law Office out of Altoona from April 17, 2006 thru April 21, 2006, Defendant committed theft and stole six hundred (\$600.00) dollars from his wallet and left his home with, Edward L. Supenia, with no intentions to return or pay back the stolen money: then on April 26, 2006, the Defendant made false reports/accusations to PSP against Plaintiff to have criminal charges brought against him (see exhibit # 2) to avoid criminal charges upon herself for the theft of Plaintiff's money.

28. The theft of Plaintiff's money was an illegal criminal act, known to the defendant to be an illegal criminal act when made; and further, was made with the intent to deceive and defraud Plaintiff of his money.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00), dollars, plus interests and costs.

COUNT 4

29. The allegations in paragraphs 1 thru 28, above, are incorporated herein by reference and made a part hereof.

30. The Defendant made false reports/allegations against Plaintiff to the PSP on April 26, 2006, to have him arrested and place in jail, knowing any arrest of the Plaintiff due his being on State Parole would result in his immediate incarceration.

31. Plaintiff was arrested by PSP for Simple Assault and Harassment at case # CP-17-CR-580-2006. At trial, Plaintiff was acquitted by the jury for Simple Assault; but, found guilty by the trial judge for Harassment and sentenced for same to ninety (90) days at the Clearfield County Prison. The Defendant gave false testimony against Plaintiff during trial; bywhich, was recognized by the jury as defense counsel exposed the Defendant's true character; thereby, acquitting Plaintiff of the fabricated charge of Simple Assault.

32. Defendant made these false reports/accusations against Plaintiff so she could get away with the theft of the six hundred (\$600.00) dollars; and, not face prosecution for same.

33. This representation of Defendant's reports/accusations against Plaintiff to the PSP was a false representation, was known to the Defendant to be false when made; and further, was made with the intent to deceive and defraud the Plaintiff of his money by the fabricated charges brought against him, in order to avoid the prosecution for the theft of his money.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00) dollars, plus interests and costs.

COUNT 5

34. The allegations in paragraphs 1 thru 33, above, are incorporated herein by reference and made a part hereof.

35. Upon Plaintiff's arrest by PSP SWAT on May 3, 2006, the Defendant along with others named in paragraph twelve (12), committed the well known and established Burglary of his home on or about May 7, 2006, by forcing open a locked door

entering and stealing numerous items, including all of Plaintiff's tattoo equipment: total value of loss three thousand four hundred and seventy nine (\$3,479.00) dollars, without Plaintiff's permission to enter same.

36. Defendant has a lengthy history of petty thefts/robberies and fraud committed in order to support her heroin and/or other drug addiction, as well as a significant history of attaching herself to various men/women in order to support her drug habit; from whom she then steals money and chattels.

37. Defendant has been found guilty of criminal charges in both Clearfield (see exhibit # 1) and Blair County for related offenses to support her drug habit.

38. Plaintiff, through his own testimony/experience, along with the issue of subpoenas, seeks to present evidence to other incidents in which Defendant had entered into "shallow relationships" with these men/women; all of which ended after Defendant absconded with the money and other property of her prior paramours.

39. In an attempt to prosecute this matter by private criminal complaint at case # CP-17-MD-147-2006, this Court agreed with the District Attorney's opinion/evaluation that it is not a disputed fact of the Burglary; but, it would best be litigated through civil court. (see exhibit # 3).

40. The representation of Defendant's actions to commit the Burglary of his home: after false reports/accusations to PSP for Plaintiff's arrest due the theft of the six hundred (\$600.00) dollars from his wallet, fabricating the criminal charges to avoid prosecution for yet another theft; was a false/criminal representation, was known to the defendant to be false/criminal when committed; and further, was done with the criminal intent to deceive and defraud the Plaintiff by stealing his personal property to sell to support her drug habit.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00) dollars, plus interests and costs.

COUNT 6

PUNITIVE DAMAGES

41. The allegations in paragraphs 1 thru 40, above, are incorporated herein by reference and made a part hereof.

42. The Defendant's intentional fraudulent misrepresentations and intentional fraudulent criminal actions were outrageous and malicious, willful and wanton and were intended to harm Plaintiff.

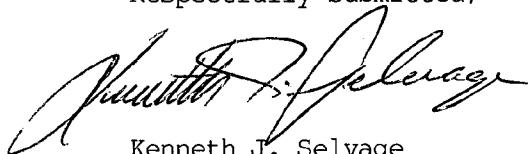
WHEREFORE, Plaintiff demands judgment against the Defendant in an amount in excess of twenty thousand (\$20,000.00) dollars, plus interests and costs.

MEMORANDUM OF LAW

Plaintiff asserts that the above information is not something he is proud to pose before this Honorable Court; but, it is more than a relationship gone bad with negative decisions made foolishly on his part. It is about exposing the true facts of this matter; and, receiving fair and impartial justice for the wrongs imposed upon him; whereas, some things in a relationship are acceptable; but, others are not. Plaintiff cannot accept certain things that happened as he was not at fault; whereas, others he was at fault because he made those choices. This Court must decide what was wrong, and, what was right concerning the behavior/actions of the Defendant, as Plaintiff has stated the facts the best he can as a layman in the law. It must be noted that: at the time of this relationship, the Plaintiff was forty five (45) years old, and the Defendant was twenty three (23) years old with the Defendant "well experienced" in her deceit, fraud and criminal actions addressed herein. Further, Plaintiff was only out of prison for six (6) weeks when meeting the Defendant, after eighty seven (87)months of incarceration.

In Pennsylvania, the "function of punitive damages is to deter and punish egregious behavior." Martin v. Johns-Manville Corp., 494 A.2d 1088, 1096 (Pa.1985) (citations omitted). Punitive damages may be imposed for "torts that are committed willfully, maliciously, or so carelessly as to indicate wanton disregard of the rights of the party injured." Thompson v. Swank, 176 A. 211, 211 (Pa.1934). Punitive damages are not awarded as additionally compensation but are purely penal in nature. See Colodonato v. Consolidated Rail Corp., 470 A.2d 475 (Pa.1983); Int'l Electronics Co. v. N.S.T. Metal Prod., Co., 88 A.2d 40 (Pa.1952).

Respectfully submitted,


Kenneth J. Selvage

Date: 2/25/08

EXHIBIT # 1

Judge Ammerman sentences woman at plea colloquy court

By Aaron T. Evans
Staff Writer

Renee F. Krumenacker, 24, was sentenced before Clearfield County President Judge Fredric J. Ammerman recently during a session of plea colloquy court with sentencing. Ms. Krumenacker pleaded guilty to criminal conspiracy to commit burglary which netted her a \$100 fine plus the cost of prosecution, as well as six months in Clearfield County Jail and four months' probation. Ms. Krumenacker must also not enter the premises of the Alley Popper in Houtzdale. She must submit to DNA testing at a cost of \$250.

Ms. Krumenacker also pleaded guilty to criminal conspiracy to commit criminal mischief. She was sentenced to a one-year probation to run concurrent to the above sentence and was fined \$10 plus the cost of prosecution. She was ordered to pay restitution in the amount of \$2,600 jointly or separately from Larry English or Michael Golembeski.

In another case, Ms. Krumenacker pleaded guilty to one count of criminal conspiracy to commit burglary. She was sentenced to two years' probation to run concurrent with the above sentences and was fined \$100 plus the cost of prosecution. She was also ordered to pay restitution in the amount of \$1,000 to the International Fraternal Order of Eagles Aerie No. 812 in Clearfield, as well as \$13,637 to the F.O.E.'s insurance company in the amount of \$13,637, both amounts jointly or separately Mr. English.

The affidavits of probable cause stated that in both cases, Ms. Krumenacker acted as driver for Mr. English and Mr. Golembeski during break-ins that occurred last summer. In the July 25, 2005, F.O.E. case, Ms. Krumenacker stated to police that she was given \$500 the day after Mr. English broke into the establishment.

In the June 20, 2005, Alley Popper case, Ms. Krumenacker gave statements to police that she informed Mr. English, and Mr. Golembeski as to the location of cameras and the safe in the establishment.

Ms. Krumenacker dropped the two off then returned 20 minutes later. Each received \$40 for their part. Ms. Krumenacker, who admitted to police that she was using heroin at the time, noted to police that, "I think I'm driving him (Mr.

English) for drugs."

Both Mr. Golembeski and Mr. English were sentenced earlier this year.

Joe Krumenacker, Ms. Krumenacker's father, went before Judge Ammerman and stated that his daughter was wrong.

"I'm proud of her, but not what she did," noted Mr. Krumenacker. "This is what happens when you don't listen to your mother and father."

Mr. Krumenacker said the family will do its best to see that she finds "the right road."

- Renee Krumenacker, 24, CCJ, had her probation revoked. On a charge of criminal conspiracy/burglary, she was resentenced to serve 18 months to three years in the SCI for women at Muney. On an additional charge of criminal conspiracy/burglary, she was resentenced to serve three years' consecutive probation.

- Ms. Krumenacker violated her probation by failing to report as instructed and failing to refrain from the use and possession of alcohol.

- Renee Krumenacker Gagnon, 24, SCI-Muncy, was ordered to serve 35 days to two years in SCI-Muncy on two counts of theft by deception and two counts of bad checks. Sentences are to be served consecutive to each other. She received a \$1 fine, is to refrain from the use and possession of alcohol, attend counseling as recommended by her probation officer, not enter the property of the Alley Popper Restaurant and pay restitution.

- On a charge of DUI, Ms. Krumenacker received a \$1,000 fine, was ordered to serve 30 days to six months in SCI-Muncy, complete the DUI School and complete a drug and alcohol assessment. On a summary offense of careless driving and driving on roadways laned for traffic, she received a \$25 fine on each charge.

Houtzdale woman pleads

7-13-06

By JULIE RAE RICKARD
C-E Correspondent

CLEARFIELD — A 23-year-old Houtzdale woman pleaded guilty to two area burglaries Monday during Clearfield County's colloquy court with sentencing.

Renee Krumenacker, currently an inmate of the county jail, pleaded guilty to criminal conspiracy/burglary, criminal conspiracy/criminal mischief, and receiving stolen property

for the June 2005 burglary of the Alley Popper restaurant in Houtzdale and to criminal conspiracy/burglary for the July 2005 burglary of the Fraternal Order of Eagles Club in Clearfield.

Krumenacker admitted she had a drug problem and said she is trying to get all the help she can.

Her father, Joe Krumenacker, who addressed the court, asked the judge for leniency explaining she "messed

up."

"She was wrong and knows it. Drugs caused her to do stupid things. She is more mature now, clean," he said. "She takes full responsibility."

He noted her family who was in court to show their support, would be available to help her through her rehabilitation.

guilty to area burglaries

Judge Fredric J. Ammerman said that because of the extent of her heroin problem, Krumenacker might be better served at state prison.

"Only time will tell," he said. Ammerman noted her sentence includes a lengthy probation sentence and if she should violate that probation he advised her "don't ask for another county sentence."

"This is your chance," he said to her and he wished her luck.

Krumenacker was sentenced to six months in jail and four years probation. She was ordered not to enter either the Alley Popper or the Eagles Club. She must also undergo DNA testing at a cost of \$275. She was fined \$300 plus costs and must pay restitution of over \$16,000, which is split, with her co-defendants, Larry English and Michael Golembeski.

Larry English, 23, Coalport, pleaded guilty in March

to a total of 13 area burglaries most of which took place in the summer of 2005. This includes both the Alley Popper and Eagles burglaries. He was sentenced to five to ten years in state prison and five years probation.

In April, Michael Golembeski, 21, Coalport, plead guilty to nine area burglaries including this Alley Popper burglary. He was sentenced to five to ten years in state prison and four years probation.

EXHIBIT # 2

PENNSYLVANIA STATE POLICE
VICTIM/WITNESS STATEMENT FORM

7

1. VICTIM/WITNESS: <u>RENEE FERN KRUMENACKER</u>	2. INCIDENT NO.: <u>C03 0862529</u>
3. ADDRESS: <u>318 BIRCH ST., HOUTZDALE, PA 16651</u>	TELEPHONE: <u>814-378 6091</u>
4. PLACE: <u>CLEARFIELD HOSPITAL EMERGENCY, room</u>	5. DATE/DAY: <u>04/26/05 - WED</u>
7. OFFICER'S NAME/SIGNATURE/BADGE NO.: <u>JPAK KENNETH J. WAHN</u>	6. TIME: <u>0810</u>
8. PAGE NO./INITIALS: <u>01/01 RK</u>	

8. STATEMENT:

Around 5:00 am I was at Ed Supenia's house and sleeping when Ed came into the bedroom and said Kenny Selvage was there. I hid under the bed and Kenny broke the door, came in found me under the bed pulled me out by my foot and hit me in the left side of my face busting my mouth. I got up went to the bathroom to stop the blood while he was screaming at Ed. Then he made me go to his house said If + called the police he would kill my family + me. When we got to his house Kasi Fisher + Carl was there. I called my dad to pick me up. Kasi went with me + I called the police from there.

NOTICE
Under Section 4904 of the Pa. Crimes Code, Unsworn Falsification to Authorities, a person commits a misdemeanor of the third degree if he makes a written false statement which he does not believe to be true.

10. VICTIM/WITNESS SIGNATURE:

X Renee Krumenacker

EXHIBIT # 3

WILLIAM A. SHAW, JR.
District Attorney

F. CORTEZ BELL, III
First Assistant District Attorney



Clearfield County Courthouse
230 East Market Street, Suite 210
Clearfield, PA 16830

Voice (814) 765-2641 ext. 5990
Fax (814) 765-6792

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE DISTRICT ATTORNEY
CLEARFIELD COUNTY

July 6, 2006

Kenneth Selvage
115 21st Street
Clearfield, PA 16830

RE: Private Criminal Complaint

Dear Mr. Selvage:

You recently submitted four separate Private Criminal Complaints for review. Please note, the complaints have been disapproved and are being returned to you.

I have reviewed this matter with the State Police and considered your written correspondence. It is my understanding that Renee Krumenacker previously lived in the trailer with you. Apparently you folks had a falling out and you directed Renee to leave the trailer. Thereafter, it is my understanding that Renee entered the trailer and removed items of property located therein. The question involves a determination of who is the rightful owner of the property. Because you and Renee cohabitated in the trailer this situation is similar to divorce proceedings.

Please note, it has been the longstanding policy of the District Attorney's Office not to prosecute criminal charges involving an issue of ownership due to marriage and/or cohabitation. These issues are best resolved in Civil Court. I encourage you to seek your remedy in that form.

Sincerely,

William A. Shaw, Jr.
District Attorney

WAS/cah

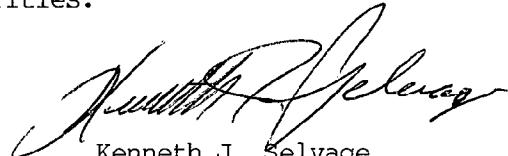
cc: file

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff, do hereby verify that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief; and any false statements made therein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: 2/25/08



Kenneth J. Selvage

PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, Plaintiff, hereby certify that I am this date serving a copy of the foregoing Complaint upon the following person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Certified Mail Return Receipt #: 7005 0390 0005 4503 0962

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: 2/25/08



Kenneth J. Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

cc: file

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED
File

MAR 19 2008
m 10:30 AM
William A. Shaw
Prothonotary/Clerk of Courts
No. C/C

KENNETH JOHN SELVAGE
(Plaintiff)

CIVIL ACTION

10745, Route 18
(Street Address)
Albion, PA 16475-0002
(City, State ZIP)

No. 08-353-CD

Type of Case: Civil

Type of Pleading: Service

VS.

RENEE FERN KRUMENACKER
(Defendant)

451 Fullerton Ave.
(Street Address)

Cambridge Springs, PA 16402-1238
(City, State ZIP)

Filed on Behalf of:

KENNETH JOHN SELVAGE, Plaintiff
(Plaintiff/Defendant)

KENNETH JOHN SELVAGE, pro se
(Filed by)

10745, Route 18, Albion, PA
(Address) 16475-0002

(814) 756-5778
(Phone)

Kenneth J. Selvage
(Signature)

cc: Defendant
file

COMPLETE THIS SECTION ON DELIVERY	
<p>A. Signature <input checked="" type="checkbox"/> <i>John Krumenacker</i> Agent <input type="checkbox"/> <i>John Krumenacker</i> Addressee</p>	
<p>B. Received by (Printed Name) <input checked="" type="checkbox"/> <i>John Krumenacker</i> Date of Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D. <input type="checkbox"/> Insured Mail</p>	
<p>C. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	

<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

<p>2. Article Number 7005 - 0390 - 0005 - 4503 - 0960 (Transfer from service label)</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1</p>	

Re: Selvage v. Krumenacker
 No. 08-353-CD

See Reverse for instructions

PS Form 3811, February 2004

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

**CASH
SLIP**

1. REQUISITIONING INMATE

DOC NUMBER	NAME (PRINT)	LOCATION	DATE
02-4911	<i>Selvage</i>	\$ 0.00	2-25-09

2. ITEMS TO BE CHARGED TO MY ACCOUNT

Postage and Certified Mail

OFFICIAL USE	
Postage	\$ 1.65
Certified Fee	\$ 2.65
Total Postage & Fees (Postage & Fees Required)	\$ 6.45
Return Receipt Fee (Return Receipt Required)	\$ 2.15
Postmark Here	\$ 0.00

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT	
<p><i>Domestic Mail Only With Insurance Coverage Provided</i></p>	
<p>For delivery information visit our website at www.usps.com</p>	

SENDER: COMPLETE THIS SECTION		
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		
<p>1. Addressee Address: <i>John Krumenacker</i> # 107-43947 451 Fairhaven Ave. <i>Cambridge Springs, PA</i> <i>16403-1238</i></p>		
<p>2. Article Number <i>7005 - 0390 - 0005 - 4503 - 0960</i> (Transfer from service label)</p>		
<p>PS Form 3811, February 2004 Domestic Return Receipt 2965 5000 0000 0000 0000 0000</p>		
<p>3. INMATE'S SIGNATURE <i>John Krumenacker</i></p>		
<p>4. OFFICIAL APPROVAL <i>John Krumenacker</i></p>		
<p>5. BUSINESS OFFICE'S SPACE</p>		
CHARGE ENTERED <i>John Krumenacker</i>	DATE <i>2/26/08</i>	BOOKKEEPER <i>John Krumenacker</i>

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

APR 16 2008

4/16/08

William A. Shaw
Prothonotary/Clerk of Courts
No 41C

KENNETH JOHN SELVAGE
(Plaintiff)

CIVIL ACTION

No. 08-353-CD

Type of Case: CIVIL

Type of Pleading: SERVICE &
CORRESPONDENCE

10745 Route 18
(Street Address)

Albion, PA 16475-0002
(City, State ZIP)

VS.

RENEE FERN KRUMENACKER
(Defendant)

451 Fullerton Ave.
(Street Address)

Cambridge Springs, PA 16403-1238
(City, State ZIP)

KENNETH JOHN SELVAGE, Plaintiff
(Plaintiff/Defendant)

KENNETH JOHN SELVAGE
(Filed by)

Date: 4/14/08

10745 Route 18, Albion, PA 16475-0002
(Address)

(814) 756-5778

(Phone)

cc: Defendant
file

(Signature)

The logo consists of the text "U.S. Postal Service" in a bold, sans-serif font, with "Domestic Mail Only" in a smaller font below it, all contained within a rectangular border. To the right of the text is a circular graphic featuring a stylized eagle with its wings spread, perched atop a globe.

OFFICIAL USE	
 RECEIVED FROM US MAIL AT 4:30 PM STREET , APT. NO. CR PO BOX NO. CDW STATE, ZIP CODE Delivery Address Delivery Signature	Postage 1.65 Return Receipt Fee 2.65 Endorsement Required 2.15 Restricted Delivery Fee Endorsement Required Total Postage & Fees \$ 6.45

U.S. Postal Service CERTIFIED MAIL™ RECEIPT	
Domestic Mail Only No Insurance (Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Sent To	Postage
Street Apartment No. or P.O. Box No.	\$ 1.48
City, State, Zip No.	2-65
(Endorsement Required)	
Certified Fee	
Return Receipt Fee	
Restricted Delivery Fee	
(Endorsement Required)	
Total Postage & Fees	
\$ 6.28	
Postmark Here	
<i>JG</i>	
Signature	
Date	
Delivery Address	
Street Apartment No. or P.O. Box No.	
City, State, Zip No.	
Comments	

SENDER COMPLETE THIS SECTION	
COMPLETE THIS SECTION ONCE PER MAILING	
<p><input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p>	
<p>1. Article Addressed to:</p> <p>Renee Klumenske #OL-4397</p>	
<p>4.51 Fullerton Ave. Cambridge Springs, PA 16403-1238</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>4. Restricted Delivery? (Extra Fee)</p> <p><input type="checkbox"/> Yes</p>	
2. Article Number <i>(Transfer from service label)</i>	7005-0390-0005-4503-0603
Domestic Return Receipt	
PS Form 3811, February 2004	
102595-02-MP1540	
<p>X R. Wilfonge Date of Delivery R. Wilfonge B-1</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>1. Article Addressed to:</p> <p><i>Renée Pern Kellie Walker</i></p> <p># 0L-4397</p> <p>451 Fuller Ave.</p> <p><i>Cambridge Springs, PA</i></p> <p>16403-1238</p> <p>X R. W. Walker Agent</p> <p>B. Received by (Printed Name) <i>R. W. Walker</i></p> <p>C. Date of Addressed <i>2-27-07</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
2. Article Number (Transfer from service label)	7005-0390-0005-4503-0963	3. Service Type	<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
PS Form 3811, February 2004 Domestic Return Receipt			

CERTIFIED MAIL



7005 0390 0005 4503 0603

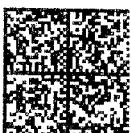
Kenett

#DZ-4871
10745, Route 18
Albion, PA 16425-0002

(M) Ret

RECORDED MAIL
RECORDED MAIL

INMATE MAIL
PA DEPT OF
CORRECTIONS



UNITED STATES POSTAL SERVICE
02 1A
000622733
\$ 06.28
MAR 10 2008
MAILED FROM ZIP CODE 16425

A INSUFFICIENT ADDRESS
C ATTEMPTED NOT KNOWN
S STREET
O NO SUCH NUMBER AS ADDRESSED
R NOT DELIVERABLE AS FORWARD
U UNABLE TO FORWARD

Ref Fee Return Rec
4/06/03
RTS

RTS

Ref Fee Return Rec
4/06/03
RTS

RTS

Important Legal Documents

20

DC-138A		CASH	
		DEPARTMENT OF CORRECTIONS	
1. REQUISITIONING INMATE DOC NUMBER <u>DZ-4871</u> NAME (PRINT) <u>SOLOMON</u> LOCATION <u>5-5-23</u> DATE <u>3-10-68</u>		2. ITEMS TO BE CHARGED TO MY ACCOUNT <u>Legal Certified / Beta</u>	
<u>20</u> <u>Chas. A. H. Smith, Jr.</u> <u>3-10-68</u>		<u>20</u> <u>Renee Forn Kluma</u>	
<u>3. INMATE'S SIGNATURE</u> <u>4. OFFICIAL APPROVAL</u> <u>4-10-68</u> <u>3-10-68</u> <u>5. BUSINESS OFFICE & SPACE</u> <u>CHARGE ENTERED</u> <u>DATE</u> <u>BOOK</u> <u>J. J.</u> <u>3/10/68</u> <u>9</u>			

20

DC-138A		CASH	
		COM DE	
1. REQUISITIONING INMATE DOC NUMBER <u>DZ-4871</u> NAME (PRINT) <u>SOLOMON</u> LOCATION <u>5-5-23</u> DATE <u>3-10-68</u>		2. ITEMS TO BE CHARGED TO MY ACCOUNT <u>Legal Certified / Beta</u>	
<u>20</u> <u>Chas. A. H. Smith, Jr.</u> <u>3-10-68</u>		<u>20</u> <u>Renee Forn Kluma</u>	
<u>3. INMATE'S SIGNATURE</u> <u>4. OFFICIAL APPROVAL</u> <u>4-10-68</u> <u>3-10-68</u> <u>5. BUSINESS OFFICE & SPACE</u> <u>CHARGE ENTERED</u> <u>DATE</u> <u>BOOK</u> <u>J. J.</u> <u>3/10/68</u> <u>9</u>			

Honorable Fredric J. Ammerman

April 2008

President Judge
County Courthouse
231 E. Market St.
Clearfield, PA 16830

Re: Selvage v. Krumenacker
No. 08-353-CD

Dear Judge Ammerman:

I am directing this letter to your chambers respectfully requesting your attention to the above-referenced case inwhich I am awaiting the Sheriff's Dept. to serve the Complaint upon the Defendant.

Enclosed, please find a copy of my correspondence to Sheriff Hawkins. I have received no response from his office as to the service of Complaint. On 2-29-08 this Court granted the I.F.P. petition for the filing and service of the Complaint.

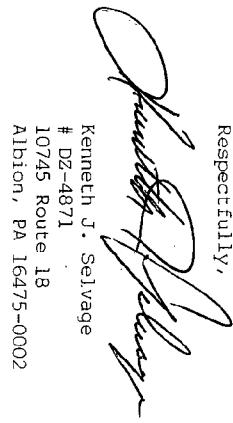
I wish to advise the Court that I have experienced nothing but problems and delays by Clerk Shaw and he does not respond to my correspondence, also, Clerk Shaw is to appear before Judge Cherry on 4-16-08 at 1:30pm to explain his direct violation of Pa.R.Crim.P. 114 and his Oath of Office in criminal case CP-17-CR-620-2006.

I wanted to ask you, respectfully, why am I being treated as if I have no constitutional rights before your Court? Why is it so hard for the Court Officials to do their jobs when it comes to me personally?

I request this Court to DIRECT Sheriff Hawkins or Clerk Shaw to advise the status of the Service of my Complaint so I will know what steps to take legally on my behalf as I am under pro se status.

Thank you for your time and kind consideration in this matter, your prompt attention is greatly appreciated. I will await your reply.

Respectfully,



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: Clerk Shaw
Sheriff Hawkins
Defendant
file

IN THE COURT OF COMMON PLEAS OF Clearfield, COUNTY
PENNSYLVANIA

FILED

CIVIL DIVISION

APR 16 2008

m/ 10:30 AM

William A. Shaw
Prothonotary/Clerk of Courts
No C/C

NO. CP-17-353-CD-2008

Kenneth John Selvage Plaintiff

VS

Renee Fern Krumenacker Defendant

WRITTEN APPEARANCE

NOW COMES, Renee Fern Krumenacker, Defendant who respectfully deposes and avers that:

1. I am currently incarcerated at SCI-Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403-1238; pursuant to a term sentence of 18mos. to 3yrs.
2. Defendant states inability to pay punitivedamages, to above said Plaintiff.
3. Defendant earns minimal prison wages. Defendant's monthly income is approxiamately \$25.00.
4. Defendant submits to the court that she is not responsible for punitive damages and that she committed no egregious behavior.
5. Defendant states that Plaintiff was aware of her drug addiction and behavior prior to defendant entering into a relationship, in no way was defendant deceptive.

Defendant verifies that all statements made in the above Notice are true and correct to the best of her knowledge, information and belief. Defendant understands that false statements are subject to penalties under Title 18 Pa. C.S.A. S4904, relating to unsworn falsification to authorities.

WHEREFORE, Defendant respectfully requests this Court to dismiss this suit as frivilous and without merit.

Respectfully Submitted,

Renee Fern Krumenacker

Renee Fern Krumenacker
Defendant Pro Se

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

KENNETH JOHN SELVAGE,

Plaintiff

*

v.

*

RENEE FERN KRUMENACKER,

Defendant

*

*

*

NO. 2008-353-CD

FILED

APR 25 2008

4/15/08

William A. Shaw
Prothonotary/Clerk of Courts

No 4C

MOTION TO COMPEL SHERIFF'S DEPARTMENT
TO SERVE COMPLAINT UPON DEFENDANT

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support thereof:

1. That the Court granted in forma pauperis status in the above matter on February 29, 2008. (see exhibit # 1).
2. That the Complaint was filed of record on March 4, 2008. (see exhibit # 2).
3. That the Plaintiff forwarded a certified copy of complaint and I.F.P. order to the Sheriff on March 6, 2008. (see exhibit # 3).
4. That the Plaintiff directed a letter to the Court on April 2, 2008, requesting it to direct the Sheriff to serve the Complaint upon the Defendant before the time to serve same expired. (see exhibit # 4).
5. As evidenced by the enclosed docket, the Sheriff has failed and/or refused to comply with the Pa.R.Civ.P. Rules 400(a), 401(a) & 405(a)(g) and is in direct violation of same. (see exhibit # 5).
6. That Plaintiff has attempted to serve certified mail, return receipt, upon the Defendant on two (2) separate occasions, but, due to interference by the DOC Staff, same was not adequately served. (see exhibit # 6).
7. That under the Pa.R.Civ.P. Rule 401(a)(2) the original process has expired to serve said complaint (30 days by sheriff) and the Plaintiff must have his Complaint reinstated before service can be made.

8. That Plaintiff wishes to amend his original complaint, but, cannot until proper service is made upon the Defendant, also, Plaintiff has other motions he wishes to file with this Court in this matter, but, cannot as he is hindered and/or prejudiced to file same due the violation of the Sheriff to make proper service.

9. That Plaintiff is a layman at law and would direct this Court's attention to the following Rules, Case Law and Statutes:

MEMORANDUM OF LAW

In Cassell v. Shellenberger, 514 A.2d 163 (Pa.Super.1986) the court has stated: We are not insensitive to the fact that appellant has proceeded in this matter under pro se representation, requiring him/her to be familiar with the numerous rules and procedures employed by our courts. This is, indeed, a very challenging task. In fact, we are bound to overlook, in the interests of justice and the speedy adjudication of claims, minor errors in the inheritance to court rules and procedures. See Pa.R.Civ.P. 126 Liberal Construction and Application of Rules. The rules shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which they are applicable. The court at every stage of any such action or proceeding may disregard any error or defect or procedure which does not affect the substantial rights of the parties.

Pa.R.Civ.P. Rule 400(a) Except as provided in subdivisions (b) and (c) and in Rules 400.1 and 1930.4, original process shall be served within the Commonwealth only by the Sheriff. The rules relating to service of process must be strictly followed, and jurisdiction of the court over the person of the defendant is dependent upon proper service having been made. McCall v. Gates, 47 A.2d 211 (Pa.1946). There is no presumption as to the validity of the service and the return itself is required to set forth service in conformance with the rules. See, Neff v. Tribune Printing Co., 218 A.2d 756 (Pa.1966).

Time for service: Pa.R.Civ.P. Rule 401(a) Original process shall be served within the Commonwealth within thirty days after the issuance of the writ or the filing of the complaint.

Pa.R.Civ.P. Rule 401(2) A writ may be reissued or a complaint reinstated at any time and any number of times. A new party defendant may be named in a reissued writ or a reinstated complaint.

Return of Service Pa.R.Civ.P. 405 (a) When service of original process has been made the sheriff or other person making service shall make a return of service forthwith. If service has not been made and the writ has not been re-issued or the complaint reinstated, a return of no service shall be made upon the expiration of the period allowed for service. Rule 405(g) The sheriff upon filing a return of service or of no service shall notify by ordinary mail the party requesting service to be made that service has or has not been made upon a named party. The sheriff is in direct violation of these Rules governing the original process of service herein.

Although rule governing service of process requires service within 30-days, suit is not dead merely because complaint has not been served within 30-days of its filing, all that is required to extend time for service is to reinstate complaint before service is again attempted. Lamp v. Heyman, 366 A.2d 882 (Pa.1976); Otterson v. Jones, 690 A.2d 1166 Pa.Super.1997). The reinstatement of a complaint simply continues the complaint's validity from the time of the original filing until the time service is made. Hoover v. Davila, 862 A.2d 591 (Pa.Super.2004).

As evidenced by the attached exhibits, Plaintiff has made a positive effort to have service made by the sheriff, as well as, to serve the Defendant by first class postage paid certified mail, return receipt. The Plaintiff bears the burden to establish that he/she made a good faith effort to serve the original process on the defendant. Miller v. Klink, 871 A.2d 331 (Pa.Cmwlth.2005). Plaintiff satisfies obligation to make good-faith effort to give notice of commencement of action when defendant has actual notice of the commencement of litigation and is not otherwise prejudiced, even if the plaintiff fails to comply with strict Rules of Civil Procedure and local practice; dismissal is appropriate only if Plaintiff has demonstrated an intent to stall the judicial machinery or failure to comply with the Rules of Civil Procedure has prejudiced defendant. See Lamp, Id. As stated herein, Plaintiff has made a good-faith effort to render service.

Pa.R.Civ.P. Rule 430(a) [Petition for Alternate Service] If service cannot be made under the applicable rule, the Plaintiff may move the court for a special order directing the method of service. The motion shall be accomplished by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made. See Otterson, Id.

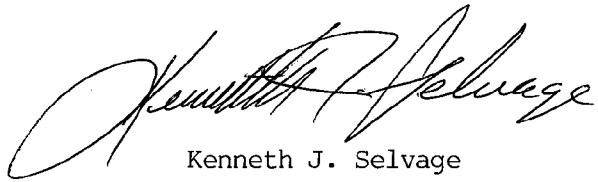
That Plaintiff asserts to this Court that he has suffered prejudice by the Sheriff's failure and or refusal to serve the complaint upon the Defendant and his case has been delayed as well. The Court granted I.F.P. petition in this case, bywhich, covers the \$150.00 fee for the Sheriff to serve Complaint upon the Defendant at SCI Cambridge Springs.

WHEREFORE, Plaintiff requests respectfully that this Honorable Court GRANT the following relief and issue an appropriate ORDER forthwith:

- a] direct the Sheriff of Clearfield County to serve the reinstated complaint upon the Defendant at SCI Cambridge Springs;
- b] issue an order upon both SCI Albion and SCI Cambridge Springs to permit legal correspondence between the Plaintiff and Defendant;
- c] issue an order upon Clerk of Courts Shaw to reinstate the original complaint filed in this matter on March 4, 2008, and supply the Sheriff with a copy of same to serve upon the Defendant; further, direct Clerk Shaw to supply Plaintiff with a copy of the reinstated complaint as he is under I.F.P. Status.

Plaintiff shall forever pray for said relief.

Respectfully submitted,



Kenneth J. Selvage

Date: 4/24/09

EXHIBIT # 1

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

* NO. 08-353-CD

RENEE FERN KRUMENACKER,
Defendant

ORDER

NOW, this 29th day of February, 2008, the Court having received and reviewed the Plaintiff's Petition to Proceed *in forma pauperis* filed February 29, 2008, it is the ORDER of this Court that the Petition for Leave to Proceed *in forma pauperis* be and is hereby GRANTED for purposes of the Plaintiff's Civil Complaint.

BY THE COURT,

/s/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

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

MAR 04 2008

Attest:

William J. Ammerman
Prothonotary/
Clerk of Courts

EXHIBIT # 2

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

RENEE FERN KRUMENACKER,
Defendant

2008-353-CD

No. CP-17-CD- -2008

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

MAR 04 2008

NOTICE TO DEFEND

Attest.

William L. Johnson
Prothonotary/
Clerk of Courts

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's Office
County Courthouse, Suite 228
231 E. Market St.
Clearfield, PA 16830
(814) 765-2641

Kenneth John Selvage

Kenneth John Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

EXHIBIT # 3

Chester A. Hawkins
Sheriff
County Courthouse
231 E. Market St.
Clearfield, PA 16830

March 6, 2008

Re: Kenneth John Selvage v. Renee Fern Krumenacker
No. 08-353-CD

Dear Sheriff Hawkins:

I am directing this letter to your office in regards to the above-referenced case respectfully requesting your attention to the following:

Enclosed, please find a copy of the Court's Order granting Petition to Proceed In Forma Pauperis along with the civil law Complaint filed against the Defendant. I request your office make service upon Renee Fern Krumenacker, the Defendant, at # OL-4397, 451 Fullerton Ave., SCI Cambridge Springs, Cambridge Springs, PA 16403-1238, then advise the date said service was made, etc.

If there is any problem in the service of said complaint, please advise so I can take appropriate steps to correct same.

Thank you for your time and kind consideration in this matter, your prompt attention is greatly appreciated, I will await your reply.

Respectfully,



Kenneth J. Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

cc: Renee Fern Krumenacker
file

Note: Renee's alledged release date was to be 2/23/08, but, it is my understanding she may of had her sentence extended due new sentence and/or completion of D & A TC Program.

Honorable Fredric J. Ammerman
President Judge
County Courthouse
231 E. Market St.
Clearfield, PA 16830

2,
April 2008

Re: Selvage v. Krumenacker
No. 08-353-CD

Dear Judge Ammerman:

I am directing this letter to your chambers respectfully requesting your attention to the above-referenced case inwhich I am awaiting the Sheriff's Dept. to serve the Complaint upon the Defendant.

Enclosed, please find a copy of my correspondence to Sheriff Hawkins. I have received no response from his office as to the service of Complaint. On 2-29-08 this Court granted the I.F.P. petition for the filing and service of the Complaint.

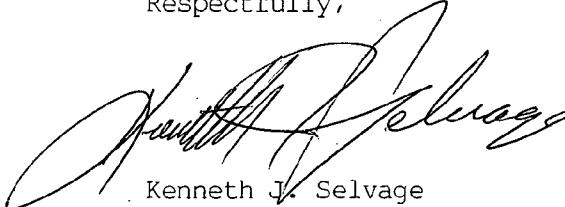
I wish to advise the Court that I have experienced nothing but problems and delays by Clerk Shaw and he does not respond to my correspondence, also, Clerk Shaw is to appear before Judge Cherry on 4-16-08 at 1:30pm to explain his direct violation of Pa.R.Crim.P. 114 and his Oath of Office in criminal case CP-17-CR-620-2006.

I wanted to ask you, respectfully, why am I being treated as if I have no constitutional rights before your Court? Why is it so hard for the Court Officials to do their jobs when it comes to me personally?

I request this Court to DIRECT Sheriff Hawkins or Clerk Shaw to advise the status of the Service of my Complaint so I will know what steps to take legally on my behalf as I am under pro se status.

Thank you for your time and kind consideration in this matter, your prompt attention is greatly appreciated. I will await your reply.

Respectfully,



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: Clerk Shaw
Sheriff Hawkins
Defendant
file

)

1

Date: 4/18/2008

Time: 10:34 AM

Page 1 of 1

Clearfield County Court of Common Pleas

User: BILLSHAW

ROA Report

Case: 2008-00353-CD

Current Judge: No Judge

Kenneth J. Selvage vs. Renee Fern Krumenacker

Civil Other-COUNT

Date		Judge
2/29/2008	New Case Filed. Filing: IFP Petition (Civil Complaint) Paid by: Selvage, Kenneth J. (plaintiff) Receipt number: 1922873 Dated: 2/29/2008 Amount: \$0.00 (Cash) 1 Cert. to Plaintiff.	No Judge No Judge
3/4/2008	Order, this 29th day of Feb., 2008, Petition for Leave to Proceed in forma pauperis is Granted for purposes of the Plaintiff's Civil Complaint. By The court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Plff @ 10745 Rt 18, #DZ-4871, Albion, PA 16475-0002 Complaint, filed by s/ Kenneth J. Selvage, Plaintiff. 3CC Plff. @ DZ-4871, 10745 Rt. 18, Albion, 16475-0002	Fredric Joseph Ammerman No Judge
3/19/2008	Service, filed by Plaintiff no cert. copies. Certified Mail Receipt to Deft.	No Judge
4/16/2008	Service & Correspondence, filed by Plaintiff no cert. copies. Written Appearance, filed by Defendant no cert. copies.	No Judge No Judge No Judge

EXHIBIT # 6

**U.S. Postal Service®
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only/No Insurance Coverage Provided)**

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.45	Postmark 2/24/07 FB
Certified Fee	2.65	
(Endorsement Required)	2.15	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.28	

Sent To
Renee Fellen Krumenacker # 0L-4397
Street Apt No. 451 Fullerton Ave.
City State, ZIP+4 Cambridge Springs, PA 16403-1238

PS Form 3800, June 2002

See Reverse for Instructions

2005 0005 4503 0603
0390 0005 4503 0962

Postage	\$ 1.45	Postmark 2/24/07 FB
Certified Fee	2.65	
Return Receipt Fee (Endorsement Required)	2.15	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.28	

Street Apt No. 451 Fullerton Ave.
City State, ZIP+4 Cambridge Springs, PA 16403-1238

See Reverse for Instructions

100

Send To

Renee Fellen Krumenacker # 0L-4397

Street Apt No. 451 Fullerton Ave.

City State, ZIP+4 Cambridge Springs, PA 16403-1238

PS Form 3800, June 2002

See Reverse for Instructions

100

Postage

\$ 1.45

Postmark
2/24/07 FB

100

Send To

Renee Fellen Krumenacker # 0L-4397

Street Apt No. 451 Fullerton Ave.

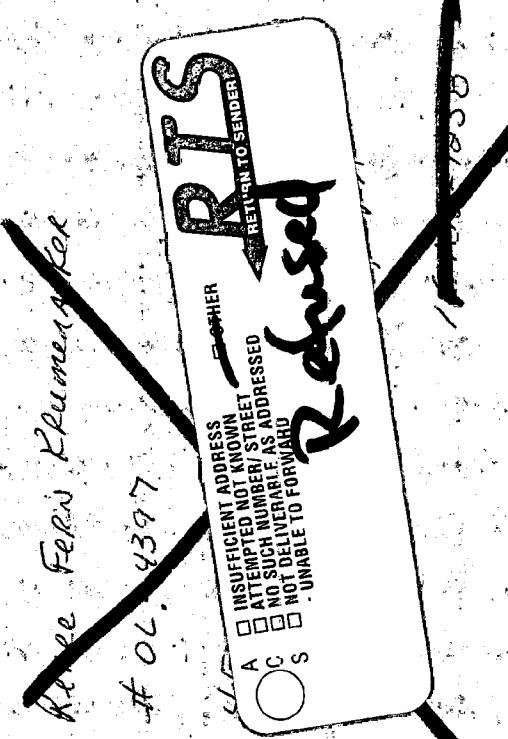
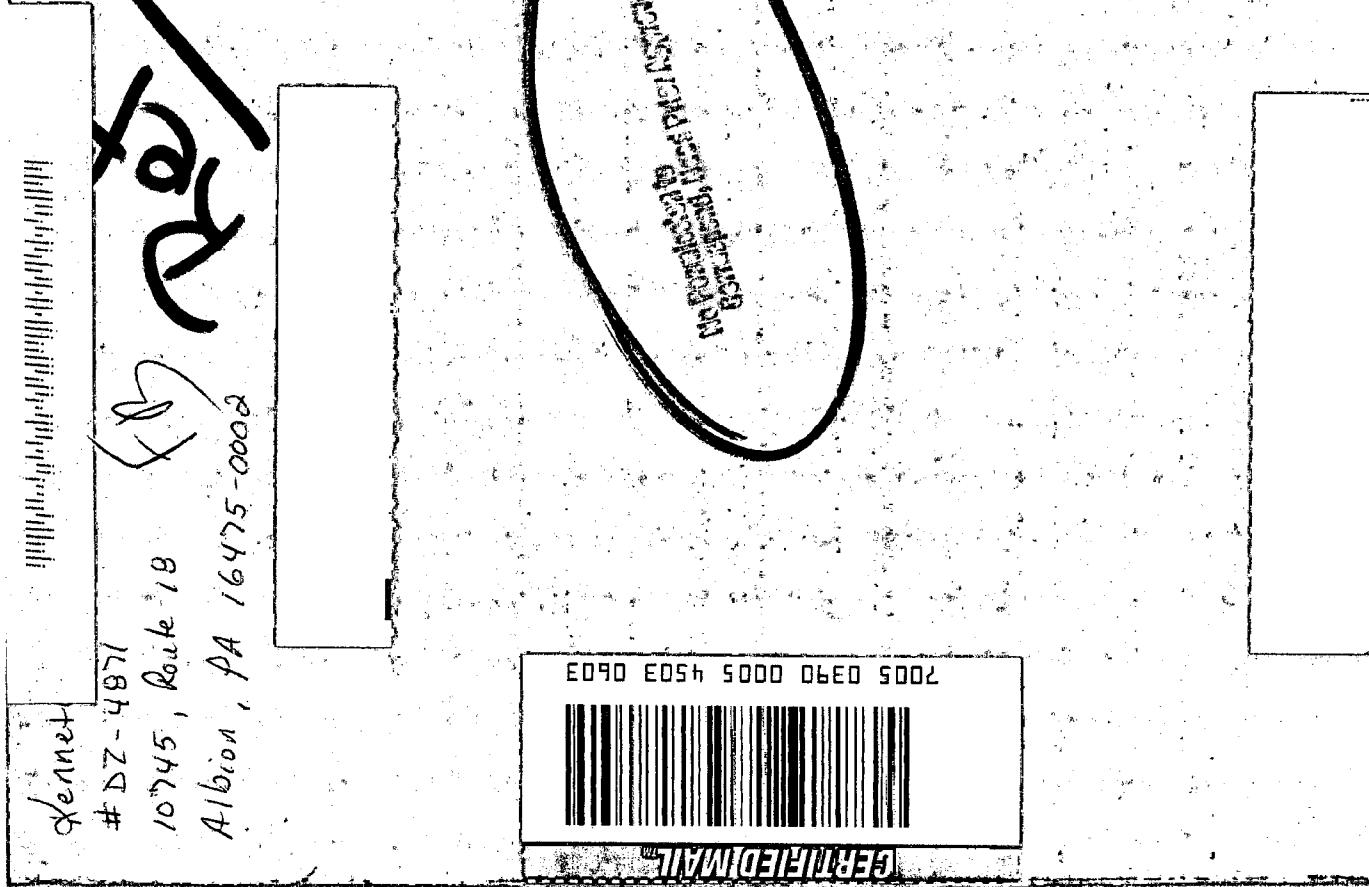
City State, ZIP+4 Cambridge Springs, PA 16403-1238

PS Form 3800, June 2002

See Reverse for Instructions

100

SENDER: COMPLETE THIS SECTION		RECIPIENT: COMPLETE THIS SECTION	
<p>U.S. Postal Service® CERTIFIED MAIL™ RECEIPT (Domestic Mail Only/No Insurance Coverage Provided)</p> <p>For delivery information visit our website at www.usps.com</p>		<p>RECEIVER: COMPLETE THIS SECTION</p> <p>SENDER: COMPLETE THIS SECTION</p> <p>RECIPIENT: COMPLETE THIS SECTION</p>	
<p>SENDER: COMPLETE THIS SECTION</p> <p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>RECIPIENT: COMPLETE THIS SECTION</p> <p>SENDER: COMPLETE THIS SECTION</p> <p>RECIPIENT: COMPLETE THIS SECTION</p>	
<p>1. Article Addressed to:</p> <p>Renee Fellen Krumenacker # 0L-4397</p>		<p>A. Signature <input checked="" type="checkbox"/> R. W. Ulmer B. Received by (Printed Name) <input checked="" type="checkbox"/> R. W. Ulmer C. Date of Delivery 2-27-07</p>	
<p>2. Article Number (Transfer from service label) 7005 - 0390 - 0005 - 4503 - 0603</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>PS Form 3811, February 2004</p>		<p>Domestic Return Receipt 102595-02-M-1E</p>	
<p>2. Article Number (Transfer from service label) 7005 - 0390 - 0005 - 4503 - 0603</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>			



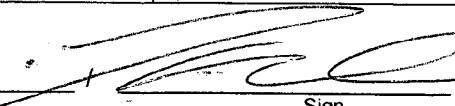
Important Legal Documents

PP DC 14
ms Adams

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections
INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <u>MS. T. Gamble - FB Counselor</u>	2. Date: <u>4-21-08</u>	
3. By: (Print Inmate Name and Number) <u>Selvage D7-4B71</u> <u>Kenneth J. Palavage</u> Inmate Signature	4. Counselor's Name <u>yourself</u>	5. Unit Manager's Name <u>Cantz</u>
6. Work Assignment <u>GLP</u>	7. Housing Assignment <u>FB #20</u>	
8. Subject: State your request completely but briefly. Give details. <p>I request your office verify that the following information is true and correct. On 2-26-08 I sent Renee Fern Krumenacker a certified legal document to SCI Cambridge Springs which was received and signed for. Your office was contacted about it due to Security reasons. Also, Renee's father is a prison official and made complaints. On 3-10-08 I again sent Renee a certified legal document #08-353-00 which was signed for by SCI Cambridge Springs, then returned/rejected because Renee and I are inmates and do not have approval by the DOC to correspond. Both documents were sent by certified mail, return receipt. Then in April 2008 your office attempted to pass a vote sheet for the DOC staff at Albion to approve me for legal correspondence only to Renee, but, you informed me on 4-20-08 that I was denied, and cannot correspond with Renee for any reason, not even legal purposes. I stated I would address this matter with the Court. You do not know if Renee received the first legal package.</p>		
9. Response: (This Section for Staff Response Only)		
<p>I'm not certain about the first package I have. Specific knowledge or that or of her father's (Renee's) involvement. I do not recall the exact dates.</p> <p>The rest of the information appears to be correct. Your request for permission to correspond for "legal purposes" only was denied.</p>		
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

Staff Member Name

Print

 Date 4/22/08

Jeffrey A. Beard
Secretary DOC
2520 Lisburn Rd.,
P.O. Box 598
Camp Hill, PA 17001

April 24, 2008

Re: Legal Correspondence to Renee Fern Krumenacker, #OL-4397

Dear Secretary Beard:

I am writing to your office in regards to the above inmate, Renee Fern Krumenacker, #OL-4397, 451 Fullerton Ave., Cambridge Springs, PA 16403-1238, who, I have taken legal action against in a civil law suit in the Common Pleas Court in Clearfield County, PA at Selvage v. Krumenacker No. 08-353-CD, (see enclosed cover page verifying same).

I attempted to serve inmate Krumenacker with certified mail, but, the DOC Staff at both Albion & Cambridge Springs have tampered with the mail and have denied any correspondence for legal purposes concerning the law suit. The first certified letter sent to inmate Krumenacker was received and signed for (see enclosed certified mail receipt) by the Mail Room at Cambridge Springs, but, from what my counselor informed me (Ms. Tericia Gamble) that the Security Office there confiscated the legal mail and contacted this prison (Cpt. Sutter) to advise that inmate Krumenacker's father, Sgt. Krumenacker at SCI Houtzdale, made complaints concerning this civil matter, and, she received a "nasty" E-Mail concerning my law suit and certified mail to inmate Krumenacker. I sent this certified letter on 2-26-08.

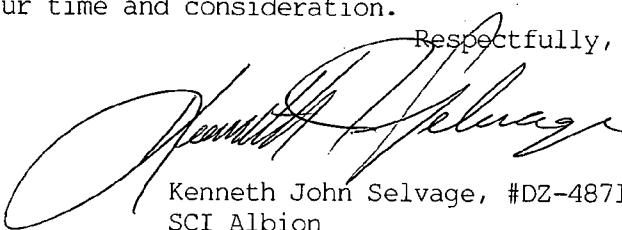
I again sent a certified legal letter to inmate Krumenacker (see enclosed certified mail receipt) on 3-10-08, which, was signed for by the Mail Room at Cambridge Springs, but, returned due not approved correspondence (see certified letter enclosed). This letter was the certified legal law suit complaint filed in the Clearfield Court at 08-353-CD. This service, under the Pa.R.Civ.P. must be completed as part of the "Proof of Service." I do not feel that the DOC Staff at Cambridge Springs had the right to refused my certified legal mail to inmate Krumenacker after signed for receipt for same.

In April 2008, my counselor Gamble passed a Vote Sheet to approve me to be permitted to send or receive legal correspondence to/from inmate Krumenacker, but, said Vote Sheet was denied on or about April 20, 2008. I do not even know if inmate Krumenacker received the first certified letter sent to her as the Security Office at Cambridge Springs confiscated same. (see enclosed request form)

It is my opinion that DOC Sgt. Krumenacker (counselor Gamble stated he is a Cpt. at SCI Houtzdale) is using his influence within the DOC to conspire to stop any legal action taken on my behalf against inmate Krumenacker and is a direct violation of the DOC Rules as employees or professional conduct.

I request this matter be investigated, and further, for your office to approve legal correspondence only to case 08-353-CD between inmate Krumenacker and myself forthwith. Thank you for your time and consideration.

Respectfully,



Kenneth John Selvage, #DZ-4871
SCI Albion

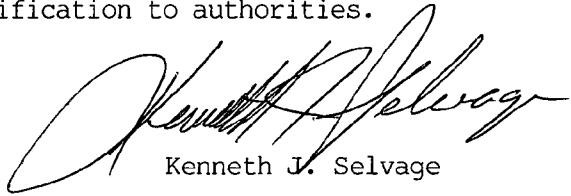
cc: Clearfield Court
file

Common Pleas Court of Pennsylvania
Sitting at Clearfield
No. 08-353-CD

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of my personal knowledge, information and belief, and any false statements made herein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: 4/24/08



Kenneth J. Selvage

PROOF OF SERVICE

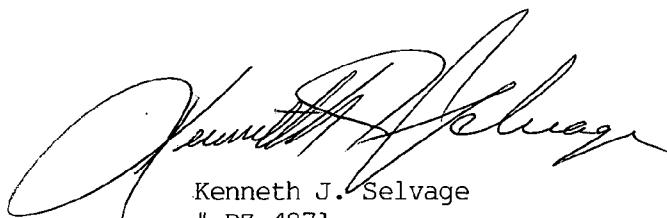
I, KENNETH JOHN SELVAGE, hereby certify that the foregoing document was served on this date upon the following person in the manner of:

First Class Mail, Postage Pre-Paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

[note - mail will be refused/returned]

Date: 4/24/08



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

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

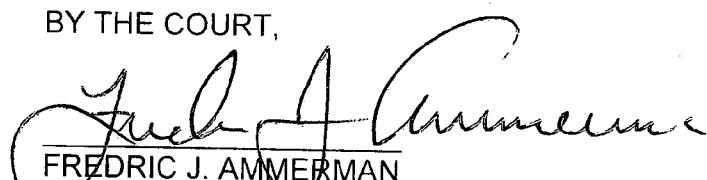
KENNETH JOHN SELVAGE,
Plaintiff
vs
RENEE FERN KRUMENACKER,
Defendant

*
*
* NO. 08-353-CD
*
*

ORDER

NOW, this 29th day of April, 2008, the Court being in receipt of the Plaintiff's *pro* se "Motion to Compel Sheriff's Department to Serve Complaint upon Defendant" and upon review thereof, the Court notes that the Sheriff of Clearfield County has advised the Court that the Plaintiff's Complaint was served upon the Defendant by the Sheriff of Crawford County on March 31, 2008 but that a Return of Service has not yet been filed; this Court has no authority to order officials at SCI Albion, SCI Cambridge Springs or the Department of Corrections to deviate from any existing policy merely because the Plaintiff has filed a civil suit; accordingly, it is the ORDER of this Court that the Plaintiff's Motion be and is hereby DISMISSED.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED
04/01/08
APR 30 2008
DZ 4871
SCI Albion

GR
William A. Shaw
Prothonotary/Clerk of Courts

FILED

APR 30 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 4/30/08

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

KENNETH JOHN SELVAGE, *
Plaintiff * Civil Action
*
v. * No. 08-353-CD
*
RENEE FERN KRUMENACKER, *
Defendant *
*

FILED

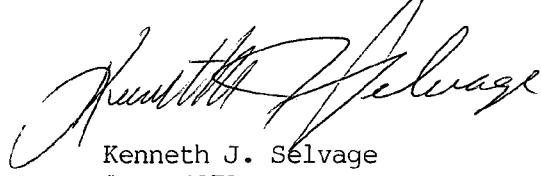
MAY 05 2008

ml 9:30/1
William A. Shaw
Prothonotary/Clerk of Courts
no 5/5.

PRAECIPE TO REINSTATE COMPLAINT UNDER Pa.R.Civ.P. 401(b)(1)

1. The original complaint captioned above was filed on March 4, 2008.
2. There has been no return of service by the sheriff and over 30-days have elapsed since the complaint was filed.
3. Please reinstate the complaint captioned above under Pa.R.Civ.P. 401(b)(1).
4. Additional copies of the complaint are enclosed with the term "reinstated" added as required by Rule 401(b)(1).

Respectfully submitted,



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

Date: May 2, 2008

Court of Common Pleas
Clearfield County,
Pennsylvania
No. 08-353-CD

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of my personal knowledge, information and belief, and any false statements made therein are made subject to the penalties of perjury, 18 Pa.C.S.A. §4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: May 2, 2008



Kenneth J. Selvage

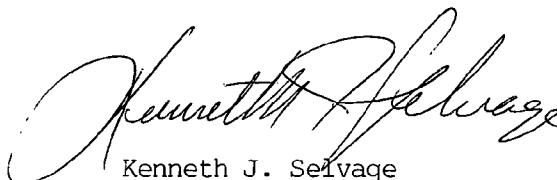
PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the persons and in the manner indicated below;

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: May 2, 2008



Kenneth J. Selvage

Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

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

KENNETH JOHN SELVAGE,

Plaintiff

*

vs.

*

RENEE FERN KRUMENACKER,

Defendant

*

No. 08-353-CD

*

*

*

*

LA
FILED

MAY 19 2008

M/9:00 AM

William A. Shaw
Prothonotary/Clerk of Courts
No Court Copy

MOTION TO COMPEL CRAWFORD COUNTY SHERIFF
TO FILE RETURN OF SERVICE UNDER Pa.R.Civ.P. Rule 405(a)

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support of this document thereof:

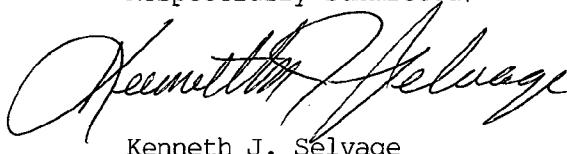
1. That on April 29, 2008, by its Order, this Court advised the Plaintiff that the Sheriff of Crawford County served Defendant with the complaint on March 31, 2008. (see exhibit # 1).

2. That under Pa.R.Civ.P. 405(a) the sheriff is required to file the return of service forthwith, and, under Rule 405(g) notify the Plaintiff of the filing of service by ordinary mail. The Crawford County Sheriff is in direct violation of these Rules.

3. On May 6, 2008, the Plaintiff directed a letter to Nick Hoke, Crawford County Sheriff addressing the filing of return of service and notification to the Plaintiff under the above Rules, but, the Sheriff has failed to acknowledge receipt of or respond to Plaintiff's correspondence. (see exhibit # 2).

WHEREFORE, Plaintiff requests respectfully this Honorable Court issue an Order on Crawford County Sheriff to comply with Pa.R.Civ.P. 405(a) & (g) forthwith so Plaintiff may litigate the case at bar.

Respectfully submitted,


Kenneth J. Selvage

Date: May 16, 2008

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

KENNETH JOHN SELVAGE,
Plaintiff
vs
RENEE FERN KRUMENACKER,
Defendant

*
*
* NO. 08-353-CD
*
*

ORDER

NOW, this 29th day of April, 2008, the Court being in receipt of the Plaintiff's *pro* se "Motion to Compel Sheriff's Department to Serve Complaint upon Defendant" and upon review thereof, the Court notes that the Sheriff of Clearfield County has advised the Court that the Plaintiff's Complaint was served upon the Defendant by the Sheriff of Crawford County on March 31, 2008 but that a Return of Service has not yet been filed; this Court has no authority to order officials at SCI Albion, SCI Cambridge Springs or the Department of Corrections to deviate from any existing policy merely because the Plaintiff has filed a civil suit; accordingly, it is the ORDER of this Court that the Plaintiff's Motion be and is hereby DISMISSED.

BY THE COURT,

/S/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

Exhibit #1

Nick Hoke
Sheriff
County Courthouse, Crawford
903 Diamond Park
Meadville, PA 16335

May 6, 2008

Re: Selvage v. Krumenacker
No. 08-353-CD

Dear Sheriff:

I am directing this letter to your office in regards to the above-referenced case respectfully requesting your attention to the following.

Enclosed, please find a copy of the Court Order of April 29, 2008 concerning your offices' service of the complaint upon defendant Of March 31, 2008. As per the Pa.R.Civ.P. Rule 400(a) except as provided in subsections (b) & (c) and in Rules 400.1 and 1930.4, original process shall be served within the Commonwealth only by the sheriff. The rules relating to service of process must be strictly followed, and jurisdiction of the court over the person of the defendant is dependent upon proper service having been made. *McCALL V. GATES*; 47 A.2d 211 (Pa.1946). There is no presumption as to the validity of the service and the return itself is required to set forth service in conformance with the rules. See, *NEFF V. TRIBUNE PRINTING CO.*, 218 A.2d 756 (Pa.1966).

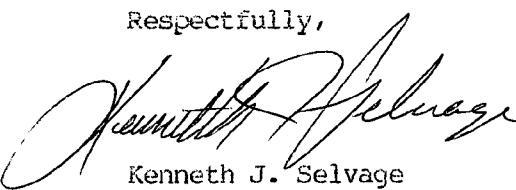
Return of Service, Pa.R.Civ.P. Rule 405(a) when service of original process has been made the sheriff or other person making service shall make a return of service forthwith. If service has not been made and the writ has not been re-issued or the complaint reinstated, a return of no service shall be made upon the expiration of the period allowed for service. Rule 405(g) the sheriff upon filing of service or of no service shall notify by ordinary mail the party requesting service be made that service has or has not been made upon a named party. The sheriff is in direct violation of this rule governing the original process of service herein in that no return of service has been filed, etc.

It is evident that your office has made service on 3-31-08 upon the defendant at SCI Cambridge Springs. I am requesting your office file forthwith its return of service and notify me of same.

The Court does not have original jurisdiction over the case until your office complies with the above rules, and, I would like to have this case litigated and decided upon.

Thank you for your time and kind consideration in this matter, your prompt attention is greatly appreciated.

Respectfully,



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

Exhibit #2

Court of Common Pleas
Clearfield County, PA

No. 08-353-CD

PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, Plaintiff pro se, hereby certify that I am this date serving a copy of the foregoing document upon the persons and in the manner indicated below:

Service by first class mail, postage pre-paid;

Nick Hoke
Crawford County Sheriff
County Courthouse
903 Diamond Park,
Meadville, PA 16335

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: May 16, 2008



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

MAY 19 2008

19:00 AM

William A. Shaw
Prothonotary/Clerk of Courts
No Court Copy

KENNETH JOHN SELVAGE

(Plaintiff)

10745 Route 18

(Street Address)

Albion, PA 16475-0002

(City, State ZIP)

VS.

RENEE FERN KRUMENACKER

(Defendant)

451 Fullerton Ave.

(Street Address)

Cambridge Springs, PA 16403-1238

(City, State ZIP)

CIVIL ACTION

No. 08-353-CD

Type of Case: CIVIL

Type of Pleading: Praeclipe

Demand Jury Trial

Filed on Behalf of:

KENNETH JOHN SELVAGE, Plaintiff

(Plaintiff/Defendant)

Kenneth John Selvage

(Filed by)

10745 Route 18, Albion, PA 16475-0002

(Address)

(814) 756-5778

(Phone)

(Signature)

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

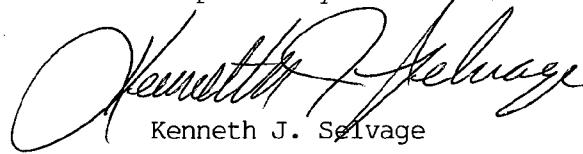
KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

TO: William A. Shaw, Sr., Prothonotary

PRAECIPE

Please enter Plaintiff's demand for a jury trial in the above action.

Respectfully submitted,



Kenneth J. Selvage

Date: May 16, 2008

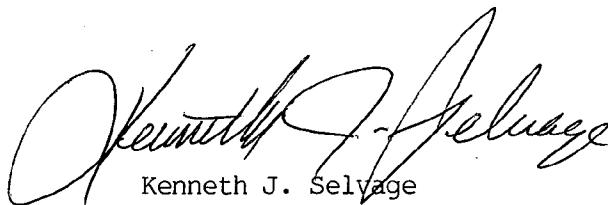
PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: May 16, 2008



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

MAY 19 2008

m/a:ws

William A. Shaw
Prothonotary/Clerk of Courts
cc: CCRS COPY

KENNETH JOHN SELVAGE
(Plaintiff)

10745 Route 18
(Street Address)

Albion, PA 16475-0002
(City, State ZIP)

VS.

RENEE FERN KRUMENACKER
(Defendant)

451 Fullerton Ave.
(Street Address)

Cambridge Springs, PA 16403-1238
(City, State ZIP)

CIVIL ACTION

No. 08-353-CD

Type of Case: CIVIL

Type of Pleading: Certificate
of Residence

Filed on Behalf of:

KENNETH JOHN SELVAGE, Plaintiff
(Plaintiff/Defendant)

Kenneth John Selvage
(Filed by)

10745 Route 18, Albion, PA 16475-0002
(Address)

(814) 756-5778
(Phone)

(Signature)

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

CERTIFICATE OF RESIDENCE

I, KENNETH JOHN SELVAGE, Plaintiff pro se, under the penalty of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code, hereby certify that the addresses asserted below are the true and correct addresses of the Plaintiff and the Defendant in the above case:

Kenneth John Selvage, Plaintiff
DZ-4871
SCI Albion
10745 Route 18
Albion, PA 16475-0002

Renee Fern Krumenacker, Defendant
OL-4397
SCI Cambridge Springs
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: May 16, 2008



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: Defendant
file

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

MAY 19 2008

5/19/08/w
William A. Shaw
Prothonotary/Clerk of Courts
CCR. TO PLF

KENNETH JOHN SELVAGE
(Plaintiff)

CIVIL ACTION

10745 Route 18
(Street Address)

No. 08-353-CD

ALBION, PA 16475-0002
(City, State ZIP)

Type of Case: CIVIL

Type of Pleading: NOTICE

Pa.R.Civ.P. 237.1

VS.

RENEE FERN KRUMENACKER
(Defendant)

Filed on Behalf of:

KENNETH JOHN SELVAGE, Plaintiff
(Plaintiff/Defendant)

451 Fullerton Ave.
(Street Address)

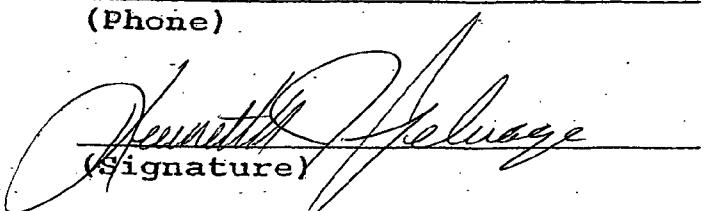
CAMBRIDGE SPRINGS, PA 16403-1238
(City, State ZIP)

KENNETH JOHN SELVAGE
(Filed by)

10745 Route 18, Albion, PA 16475-0002
(Address)

(814) 756-5778
(Phone)

(Signature)



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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

TO: Renee Fern Krumenacker, Defendant

DATE OF NOTICE: May 16, 2008

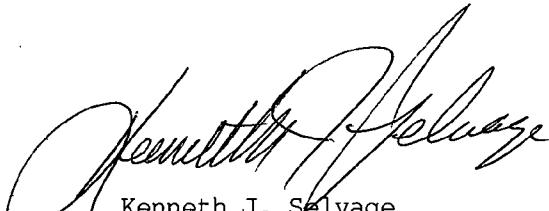
IMPORTANT NOTICE

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 RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS NOTICE TO YOUR 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's Office
County Courthouse, Suite 228
231 E. Market Street
Clearfield, PA 16830

(814) 765-2641



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

Date: May 16, 2008

Court of Common Pleas
Clearfield County, PA

No. 08-353-CD

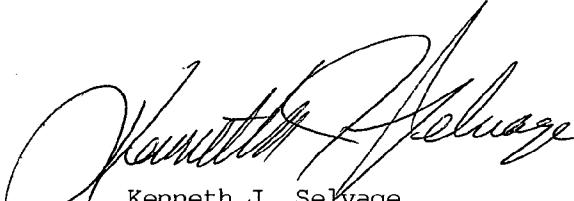
PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, Plaintiff pro se, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: May 16, 2008



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

CM

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * NO. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

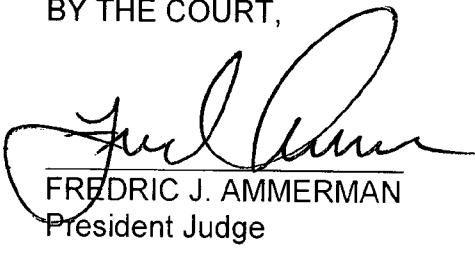
ORDER

NOW, this 28th day of May, 2008, the Court being in receipt of the Plaintiff's *pro* se Motion to Compel Crawford County Sheriff to File Return of Service and upon review of the same the Court notes:

1. Under Rule of Civil Procedure 400(d) the Sheriff of Clearfield County is required to deputize the Sheriff of Crawford County in order that the Defendant be served in Crawford County.
2. The Crawford County Sheriff is then required to notify the Clearfield County Sheriff whenever service is made.
3. Under the provisions of Rule 405, it is the responsibility of the Clearfield County Sheriff to file a return, not the Crawford County Sheriff who is acting as the Clearfield County Sheriff's deputy.
4. As such, it is the ORDER of this Court that the Plaintiff's Motion to Compel Crawford County Sheriff to File Return of Service be and is hereby DISMISSED.

FILED ⁶⁰
O 3:28 PM GK
MAY 29 2008
William A. Shaw
Prothonotary/Clerk of Courts
1 CC PIFF-10745, R+~~18~~18,
DZ-4871, Albion, PA
16475-0002
1 CC DEF-SCI Cambridge
Springs, #OL-4397
Cambridge Springs, PA
16403-1238

BY THE COURT,


FREDERIC J. AMMERMAN
President Judge

FILED

MAY 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 5-29-08

- 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:

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

JUN 12 2008

10:20 AM 6/12
William A. Shaw
Prothonotary/Clerk of Courts

Kenneth John Selvage
(Plaintiff)

CIVIL ACTION

No. 08-353-CD

2 Ent to PPA

10745 Route 18
(Street Address)

Albion, PA 16475-0002
(City, State ZIP)

VS.

Renee Fern Krumenacker
(Defendant)

451 Fullerton Ave.
(Street Address)

Cambridge Springs, PA 16403-1238
(City, State ZIP)

Type of Case: Civil

Type of Pleading: Notice
Pa.R.Civ.P. Rule 237.1

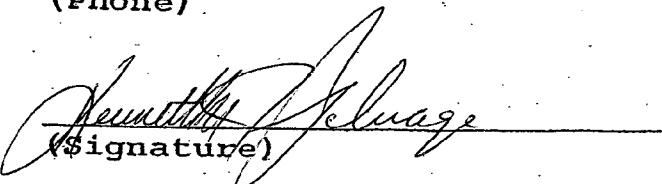
Filed on Behalf of:

Kenneth John Selvage, Plaintiff
(Plaintiff/Defendant)

Kenneth John Selvage
(Filed by)

10745 Route 18, Albion, PA 16475-0002
(Address)

(814) 756-5778
(Phone)


Kenneth John Selvage
(Signature)

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

TO: Renee fern Krumenacker

DATE OF NOTICE: June 9, 2008

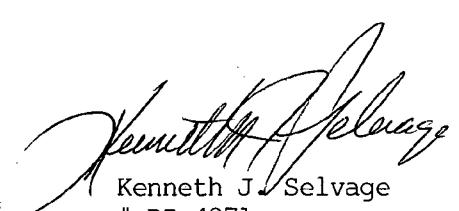
IMPORTANT NOTICE

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 RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS NOTICE TO YOUR 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's Office
County Courthouse, Suite 228
231 E. Market Street
Clearfield, PA 16830

(814) 765-2641


Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

Date: June 9, 2008

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY

Pennsylvania

Kenneth John Selvage

No. AD2008-353 Clearfield

VS

Renee Fern Krumenacker

Complaint

Sheriff's Return

SERVED, Renee Fern Krumenacker personally by handing her the complaint on May 15, 2008 at SCI Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403.

So answers,

Sworn to and subscribed before me this
____ day of _____, 2007

Prothonotary

Geoff A Devore
Geoff A Devore, Deputy

Walter C Hoke
Walter C. Hoke, Sheriff

Sheriff's Cost\$ IFP
May 28, 2008

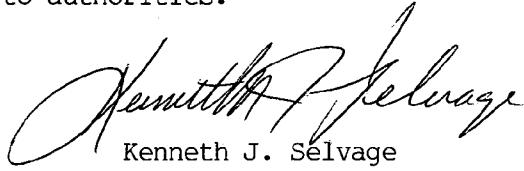
Court of Common Pleas
Clearfield County, PA

No. 08-353-CD

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of my personal knowledge, information and belief, and any false statements made herein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: June 9, 2008



Kenneth J. Selvage

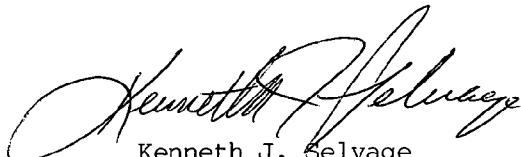
PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: June 9, 2008



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED
JUN 27 2008

William A. Shaw
Prothonotary/Clerk of Courts
Prothonotary/Clerk of Courts
I CERT TO FILE

KENNETH JOHN SELVAGE
(Plaintiff)

10745 Route 18

(Street Address)

Albion, PA 16475-0002
(City, State ZIP)

VS.

RENEE FERN KRUMENACKER
(Defendant)

451 Fullerton Ave.

(Street Address)

Cambridge Springs, PA 16403-1238
(City, State ZIP)

CIVIL ACTION

No. 08-353-CD

Type of Case: CIVIL

Type of Pleading: PRAECIPE

TO ENTER JUDGMENT BY DEFAULT
Pa.R.Civ.P. Rule 237(2)(ii)

Filed on Behalf of:

KENNETH JOHN SELVAGE

(Plaintiff/Defendant)

KENNETH JOHN SELVAGE

(Filed by)

10745 Route 18, Albion, PA 16475-0002

(Address)

(814) 756-5778

(Phone)

Kenneth John Selvage
(Signature)

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

PRAECIPE TO ENTER JUDGMENT BY DEFAULT

TO: Prothonotary, William A. Shaw, Sr.

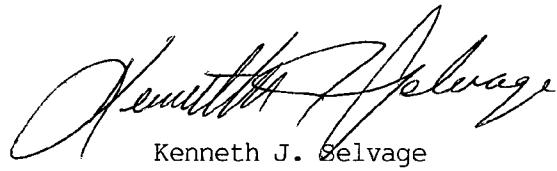
Kindly enter judgment by default against the Defendant under Pa.R.Civ.P. 237.1(2)(ii) for the following reasons:

1. Plaintiff filed the original complaint on March 4, 2008.
2. The sheriff served the complaint upon the Defendant March 31, 2008.
3. That the complaint was filed with the Notice to Defend attached.
4. That the Defendant has failed and/or refused to respond to the complaint filed within the time limit required of twenty (20) days.
5. That the Plaintiff served the Defendant with the required Notice for Default under Pa.R.Civ.P. 237.5 under this Rule.
6. That Plaintiff filed a Reinstated Complaint on May 5, 2008.
7. That the sheriff served the complaint upon the Defendant on May 15, 2008. (see exhibit # 1 for reinstated complaint service)
8. That the reinstated complaint was filed with the Notice to Defend attached. The Defendant has failed to respond within the twenty (20) days required.
9. That the Plaintiff served the Defendant with the required Notice for Default under Pa.R.Civ.P. 237.5 on or about June 9, 2008, and, again certified copy on or about June 17, 2008, as required under this Rule.
10. State Farm Ins. Co., v. Barton, 905 A.2d 993 (Pa.Super.2006) states: the rules of civil procedure authorize the prothonotary to enter judgment of default upon receipt of the Plaintiff's praecipe when the Defendant has failed to file a pleading to the complaint within the required time. Under Pa.R.Civ.P. 1037(b) the complaint must contain a notice to defend as is in the case at bar.

(2)

WHEREFORE, Plaintiff requests respectfully for Judgment of Default be entered against the Defendant for the reasons stated above.

Respectfully submitted,



A handwritten signature in black ink, appearing to read "Kenneth J. Selvage".

Kenneth J. Selvage

Date: 6/25/08

EXHIBIT # 1.

CLERK'S OFFICE OF CHEMUNG COUNTY

PENNSYLVANIA

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

JUN 12 2008

Kenneth John Selvage
(Plaintiff)

CIVIL ACTION

Attest.

William Schaeffer
Prothonotary/
Clerk of Courts

10745 Route 18
(Street Address)

No. 08-353-CD

Albion, PA 16475-0002
(City, State ZIP)

Type of Case: Civil

Type of Pleading: Notice

Pa.R.Civ.P. Rule 237.1

Filed on Behalf of:

Kenneth John Selvage, Plaintiff
(Plaintiff/Defendant)

VS.

Renee Fern Krumenacker
(Defendant)

451 Fullerton Ave.
(Street Address)

Cambridge Springs, PA 16403-1238
(City, State ZIP)

Kenneth John Selvage
(Filed by)

10745 Route 18, Albion, PA 16475-0002
(Address)

(814) 756-5778
(Phone)

(Signature)

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

KENNETH JOHN SELVAGE,

Plaintiff

*

*

vs.

* No. 08-353-CD

RENEE FERN KRUMENACKER,

Defendant

*

*

TO: Renee fern Krumenacker

DATE OF NOTICE: June 9, 2008

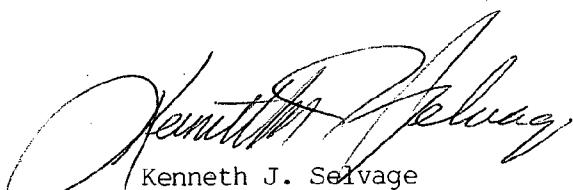
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Court Administrator's Office
County Courthouse, Suite 228
231 E. Market Street
Clearfield, PA 16830

(814) 765-2641


Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

Date: June 9, 2008

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY

Pennsylvania

Kenneth John Selvage

No. AD2008-353 Clearfield

VS

Renee Fern Krumenacker

Complaint

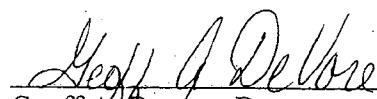
Sheriff's Return

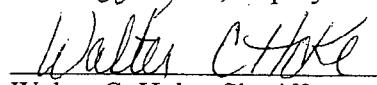
SERVED, Renee Fern Krumenacker personally by handing her the complaint on May 15, 2008 at SCI Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403.

So answers,

Sworn to and subscribed before me this
____ day of _____, 2007

Prothonotary


Geoff A. Devore, Deputy


Walter C. Hoke, Sheriff

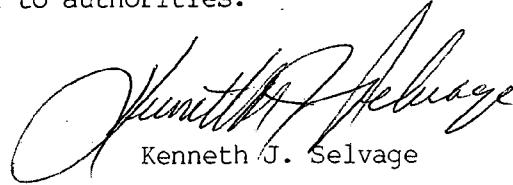
Sheriff's Cost\$ IFP
May 28, 2008

Court of Common Pleas
Clearfield County, PA
No. 08-353-CD

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of my personal knowledge, information and belief, and any false statements made herein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: June 9, 2008



Kenneth J. Selvage

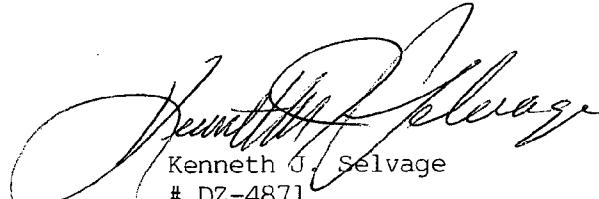
PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: June 9, 2008



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

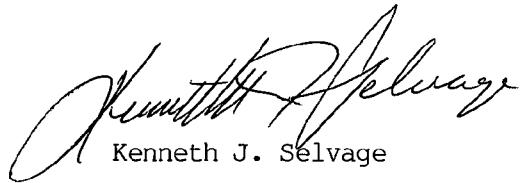
cc: file

Common Pleas Court
Clearfield County, PA
No. 08-353-CD

V E R I F I C A T I O N

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Date: 6/25/08



Kenneth J. Selvage

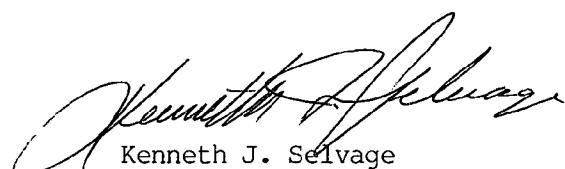
PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: 6/25/08


Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

NO. 57140
NO. S/A/S/RE

Rule 232.(c)(ii)?

Prothonotary/Clerk of Courts
William A. Shaw

JUN 27 2008

FILED

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

FILED

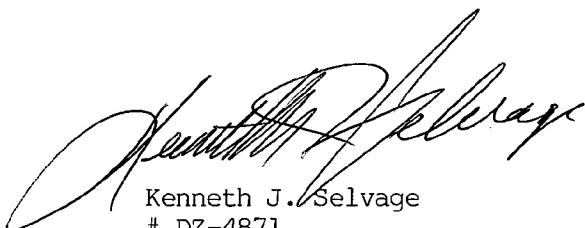
JUN 27 2008
6/11:30/08
William A. Shaw
Prothonotary/Clerk of Courts
N & C/L

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 document is received 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's Office
County Courthouse, Suite 228
231 East Market Street
Clearfield, PA 16830
(814) 765-2641



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

MOTION FOR JUDGMENT FOR FAILURE TO RESPOND
UNDER Pa.R.Civ.P. Rule 1037(b)

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support of this document thereof:

1. That Complaint was filed by the Plaintiff on March 4, 2008.
2. That under Pa.R.Civ.P. Rule 400(a) the sheriff served the complaint upon Defendant on March 31, 2008. Served reinstated complaint May 15, 2008.
3. That under Pa.R.Civ.P. Rule 405(a) the sheriff filed the return of service on served 5-15-08 w/ copy 5-28-08 (see attached).
4. That under Rule 400(a) proper service was rendered vesting this Court with jurisdiction over this case at bar.
5. That the Defendant has failed to respond to the complaint filed in this matter required within the twenty (20) period after service of same.
6. That under Rule 1035.3 this Court has the authority to render judgment upon the Defendant and grant the requested relief to Plaintiff due Defendant's failure to respond.
7. That under Cassell v. Shellenberger, 514 A.2d 163 (Pa.Super.1986) it asserted: "We are not insensitive to the fact that appellant has proceeded in this matter under pro se representation, requiring him/her to be familiar with the numerous rules and procedures employed by our courts. This is, indeed, a challenging task. In fact, we are bound to overlook, in the interests of justice and the speedy adjudication of claims, minor errors in the inheritance to court

rules and procedures. See Pa.R.Civ.P. 126-Liberal Construction and Application of Rules. The rules shall be liberally construed to secure just, speedy and inexpensive determination of every action or proceeding to which they are applicable. The Court at every stage of any such action or proceeding may disregard any error or defect or procedure which does not affect the substantial rights of the parties."

8. That under Pa.R.Civ.P. Rule 1019(b) through 1019(h) set special requirements for the degree of specificity needed to plead certain facts. The rule requires fraud or mistake (Pa.R.Civ.P. 1019(b)), denials, performance or occurrences of conditions precedent (Pa.R.Civ.P. 1019(c)) and allegations of time, place and special damages (Pa.R.Civ.P. 1019(f)) to be averred with particularity. In contrast, malice, intent, knowledge or other conditions of mind, i.e., willful, wanton or occurrence of conditions precedent (Pa.R.Civ.P. 1019(b)) may be averred in general terms.

9. To prove fraud, a plaintiff must establish, by clear and convincing evidence: (1) a representation, (2) which is material, (3) made falsely with knowledge of its falsity or reckless indifference to its truth, (4) with the intent to mislead the other, (5) justifiable reliance on that misrepresentation, and (6) resulting injury. Bell v. Mayview State Hosp, 853 A.2d 1058 (Pa.Super. 2004), citing Blumenstock v. Gibson, 811 A.2d 1029, 1034 (Pa.Super.2002) quoting Gibbs v. Ernst, 647 A.2d 882, 889 (Pa.1994).

10. There are three kinds of damages: compensatory, nominal and punitive; punitive or exemplary damages are intended to punish the defendant(s) for their conduct and deter them and others from committing similar acts in the future. Smith v. Wade, 461 U.S. 30, 49-51, 103 S.Ct. 1625 (1983); Wright v. Sheppard, 919 F.2d 665, 671 (11th Cir.1990). If your rights have been violated, you can get punitive damages without proving actual injury. Sockwell v. Phelps, 20 F.3d 187 (5th Cir.1994). However, you must show that the defendant(s) acted with reckless indifference to your rights, ill will, a desire to injure or malice. Smith v. Wade, 461 U.S. at 46-52; Hill v. Marshall, 962 F.2d 1209, 1217 (6th Cir.1992) cert. denied 113 S.Ct. 2992 (1993). Punitive damages are not joint and several; they are awarded separately against each defendant based on that defendant's actions. McFadden v. Sanchez, 710 F.2d 907, 914 (2nd Cir.), cert. denied, 464 U.S. 961 (1983). McKinnon v. City of Berwyn, 750 F.2d 1383, 1387

(7th Cir.1984); see Larez v. City of Los Angels, 946 F.2d 630, 639 (9th Cir. 1991). If substantial punitive damages are sought, evidence relating to the defendant's income or net worth, may be admissible. McFadden v. Sanchez, 710 F.2d at 912; Tasker v. Moore, 738 F.Supp. 1005, 1015-16 (S.D.W.Vir.1990).

11. Punitive damages must be based on conduct which is malicious, wanton, reckless, willful, or oppressive. Shiner v. Moriarty, 706 A.2d 1228, 1239 (Pa. Super.1998). Punitive damages are meant to punish a tortfeasor for outrageous conduct; therefore, the award need not bear a proportional relationship to the amount of compensatory damages awarded. Kirkbridge v. Lisbon Contractors, Inc., 555 A.2d 800, 803 (Pa.1989). See also Delahanty v. First Pennsylvainia Bank, 464 A.2d 1243 (Pa.Super.1983).

12. Under Pennsylvania Law, cause for action for tort of misrepresentation is recognized. Mulgrew v. Sears Robuck & Company, 868 F.Supp. 98 (E.D.Pa.1994); Kubik v. Letteri, 614 A.2d 1110 (Pa.1992).

13. Conversion is the deprivation of another's rights of property in, or use or possession of, a chattel, without the owner's consent and without lawful justification. Brinich v. Jencka, 757 A.2d 388, 403 (Pa.Super.2000) quoting from Shonberger v. Oswell, 530 A.2d 112, 114 (Pa.1987) where conversion can result only from an act intended to affect chattel. Specific intent is not required, however, but rather an intent to exercise dominion or control over the goods which is in fact inconsistant with the Plaintiff's rights establishes the fact. Stevenson v. Economy Bank of Ambridge, 197 A.2d 721, 726 (Pa.1964). Money may be the subject of conversion. Pearl Assurance Co. v. National Ins. Agency, 30 A.2d 333, 337 (Pa.Super.1943).

14. To state a claim of malicious prosecution under Pennsylvania Law, plaintiff must allege: (1) defendant instituted proceedings against plaintiff, (2) without probable cause, (3) with malice, and (4) proceeding terminated in plaintiff's favor. Douris v. Schweiker, 229 F.Supp. 391 (E.D.Pa.2002).

15. That for argument on the allegations persent herein cited by the Pennsylvania Rules of Civil Procedure and Case Law, Plaintiff would direct this Court's attention to the original complaint filed herein to support all the issues to be addressed as to the merit of same.

WHEREFORE, Plaintiff avers that for the foregoing reasons stated above that this Honorable Court ENTER its judgment against the Defendant and AWARD Plaintiff the RELIEF requested in his original complaint to whatever DAMAGES this Court deems just, fair and appropriate herein.

MOTION FOR REQUEST TO DISCOVERY ASSETS OF PARTY

16. That paragraphs 1 thru 15 are incorporated herein by reference as though set forth in full.
17. That Plaintiff requests this Court to order discovery under Pa.R.Civ.P. Rules 4003.7 and 4009.11 as to the following information be supplied forthwith.
18. That on April 10, 2006, the Defendant was involved in a serious traffic accident as a passenger of the vehicle resulting in serious bodily injury.
19. That on or about April 12 or 13, 2006, the Defendant retained the Law Office of Edgar Snyder and Associates at: Regency Square, 2900 Old Route 220, Suite 201, Altoona, PA 16601.
20. That the official Pennsylvania State Police report is attached hereto as to the Woodland PSP. (see exhibit # 1), verifying accident and Defendant's involvement in same.
21. That Defendant in fact received an insurance settlement from Horace Mann Automobile Insurance Company for a very large sum, by and through Edgar Snyder & Associates and/or another attorney of record, due the serious bodily injury sustained therein.
22. That Plaintiff requests copies of any and all documents which reflect, record, refer or relate to the insurance settlement received by Horace Mann Automobile Insurance Company from April 10, 2006 to present date.
23. That Plaintiff requests all documents which refer to, record, reflect or relate to the disposition of said insurance settlement monies as to deposit of same in bank account either individually or jointly with another person, or other type of financial holding thereof, from April 10, 2006 to present date.
24. That Plaintiff requests any and all documents pertaining to Defendant's stock certificates, bonds, debentures, certificates of deposit, vehicles, home, property, safe deposit boxes, interests held, insurance policy(s), trust fund,

or any other items of monetary value.

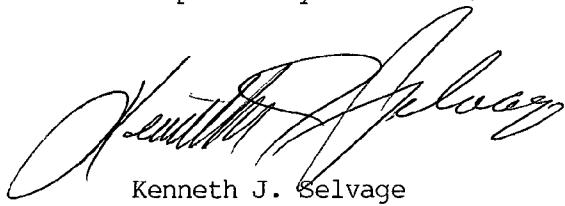
25. That Plaintiff requests all documents which reflect, record, describe, refer or relate to, or contain information concerning the financial condition and/or net worth of Defendant at any time during the period of December 16, 2000, until present date.

26. Punitive damages are now addressed by Pa.R.Civ.P. Rule 4003.7, effective December 1, 1997. The Rule provides that a party may obtain information concerning the wealth of a defendant in a claim for punitive damages only upon order of court setting forth appropriate restrictions as to the time and manner of the discovery, the scope of the discovery, and the dissemination of the material discovered. Kirkbride v. Lisbon Contractors, Inc., 555 A.2d 800 (Pa.1989). In Pennsylvania, the trier of fact in assessing punitive damages may consider the wealth of the defendant in order to determine what will be sufficient penalty to serve as a punishment. Aland v. Pyle, 106 A.2d 349 (Pa.1919).

WHEREFORE, Plaintiff respectfully requests this Honorable Court GRANT the Discovery as requested herein and ORDER Defendant to supply forthwith all documents which reflect, record, refer or relate to the substantial insurance settlement received, and, any other Discovery it deems just, fair and appropriate as addressed above in the case at bar.

Plaintiff shall forever pray for said relief.

Respectfully submitted,



Kenneth J. Selvage

Date: 6/25/08

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY

Pennsylvania

Kenneth John Selvage

No. AD2008-353 Clearfield

VS

Renee Fern Krumenacker

Complaint

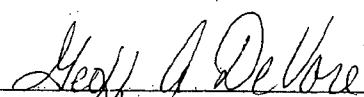
Sheriff's Return

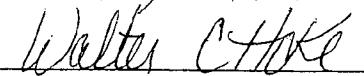
SERVED, Renee Fern Krumenacker personally by handing her the complaint on May 15, 2008 at SCI Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403.

So answers,

Sworn to and subscribed before me this
____ day of _____, 2007

Prothonotary


Geoff A. Devore, Deputy


Walter C. Hoke
Walter C. Hoke, Sheriff

Sheriff's Cost\$ IFP
May 28, 2008

EXHIBIT # 1

Police Agency Data	Incident Number	08303						Police Agency	PA STATE POLICE			Patrol Zone	D16			
	Agency Name	CLEARFIELD/130						Investigation Date (MM-DD-YYYY)	04-10-2006			Badge Number	081341			
Dispatcher	Arrival Time (mil)	Investigator	1344	1357	TPR CHARLES T. BUTLER III	Badge Number		Approval Date (MM-DD-YYYY)	04-10-2006			Badge Number		081341		
Reviewer	Review Date		P. BAGGETT 07-13-2006		Badge Number		Approval Date (MM-DD-YYYY)		04-10-2006			Badge Number		081341		
Crash Data	County	County Name	17 CLEARFIELD		Municipality	205 BOGGS TWP		Day of Week								
	Crash Date (MM-DD-YYYY)	Crash Time (mil)	No of Units	People	Injured	Killed*	*If > 00 complete Form F	<input type="checkbox"/> Sun	<input type="checkbox"/> Mon	<input type="checkbox"/> Tue	<input type="checkbox"/> Wed	<input type="checkbox"/> Thu	<input type="checkbox"/> Fri	<input type="checkbox"/> Sat	<input type="checkbox"/> Sun	
Loc Type	Workzone (If Yes, Complete Form M, Section 29)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	School Bus Related	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	School Zone Related	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notify PENNDOT Maintenance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No								
Principal Road	Intersection Type	<input type="checkbox"/> 4 Way Intersection <input type="checkbox"/> Y Intersection <input type="checkbox"/> Multi-Leg Intersection <input type="checkbox"/> Off Ramp <input type="checkbox"/> Railroad Crossing	<input type="checkbox"/> Midblock <input type="checkbox"/> T Intersection <input type="checkbox"/> Traffic Circle/ Round About <input type="checkbox"/> On Ramp <input type="checkbox"/> Crossover <input type="checkbox"/> Other	*Special Location <input type="checkbox"/> 04												
	Route Number	Segment (Optional)	Travel Lanes	Speed Limit	Orientation		House Number (if applicable)									
	0153		02	35	<input type="checkbox"/> North	<input type="checkbox"/> South										
	Street Name			Street Ending		<input type="checkbox"/> East	<input type="checkbox"/> West									
	Route Signing	<input type="checkbox"/> Interstate (Not Turnpike) <input type="checkbox"/> Turnpike (East/West) <input type="checkbox"/> Turnpike Spur <input type="checkbox"/> State Highway <input type="checkbox"/> County Road <input type="checkbox"/> Local Road or Street <input type="checkbox"/> Private Road <input type="checkbox"/> Other/ Unknown			<input type="checkbox"/> Unknown											
Intersecting Road	Route Number	Segment (Optional)	Travel Lanes	Speed Limit	Orientation		House Number (if applicable)									
	2024		02	40	<input type="checkbox"/> North	<input type="checkbox"/> South										
	Street Name			Street Ending		<input type="checkbox"/> East	<input type="checkbox"/> West									
	Route Signing	<input type="checkbox"/> Interstate (Not Turnpike) <input type="checkbox"/> Turnpike (East/West) <input type="checkbox"/> Turnpike Spur <input type="checkbox"/> State Highway <input type="checkbox"/> County Road <input type="checkbox"/> Local Road or Street <input type="checkbox"/> Private Road <input type="checkbox"/> Other/ Unknown			<input type="checkbox"/> Unknown											
Distance From Landmark	Please Enter Information for BOTH Landmarks if Using This Option	Landmark 1	Intersecting Rt Num Or Mile Post	Or Segment Marker	Orientation		Feet									
					<input type="checkbox"/> North	<input type="checkbox"/> South										
			Or Intersecting Street Name		<input type="checkbox"/> East	<input type="checkbox"/> West										
					<input type="checkbox"/> Unknown											
		Landmark 2	Intersecting Rt Num Or Mile Post	Or Segment Marker	Orientation		Or Miles									
					<input type="checkbox"/> North	<input type="checkbox"/> South										
			Or Intersecting Street Name		<input type="checkbox"/> East	<input type="checkbox"/> West										
					<input type="checkbox"/> Unknown											
GPS	Latitude: 40 57:39.02	Longitude: -78 22:02.09	Degrees Minutes Seconds		Degrees Minutes Seconds	St Ending	Ramp Use Only	Distance From Crash Scene to Landmark 1 (For Crash between Landmark 1 and Landmark 2)								
TCD	Traffic Control Device	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Flashing Traffic Signal	<input type="checkbox"/> Traffic Signal <input type="checkbox"/> Stop Sign	<input type="checkbox"/> Yield Sign <input type="checkbox"/> Active RR Crossing Controls <input type="checkbox"/> Passive RR Crossing Controls	<input type="checkbox"/> Police Officer or Flagman <input type="checkbox"/> Other Type TCD <input type="checkbox"/> Unknown	TCD Functioning	<input type="checkbox"/> No Controls <input type="checkbox"/> Device Not Functioning <input checked="" type="checkbox"/> Device Functioning Properly	<input type="checkbox"/> Emergency Preemptive Signal <input type="checkbox"/> Unknown								
Lane Closure	Lane Closed (If "Not Applicable", skip rest of the Lane Closure section)	<input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/> Partially	<input type="checkbox"/> Fully <input type="checkbox"/> Unknown	Lane Closure Direction	<input type="checkbox"/> North <input type="checkbox"/> South	<input type="checkbox"/> East <input type="checkbox"/> West	<input type="checkbox"/> North and South <input type="checkbox"/> East and West	All (N,S,E,W)								
	Traffic Detoured	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	Est. Time Closed	< 30 Min. <input type="checkbox"/> 30-60 Min. <input type="checkbox"/> 1-3 hrs <input type="checkbox"/> 3-6 hrs <input type="checkbox"/> 6-9 hrs <input type="checkbox"/> > 9 hours <input type="checkbox"/> Unknown												

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM

Page:



Crash Number

AA 500 2

Police Only 08/00/02

02

P 1033645

10 Unit Info	Type Unit	<input checked="" type="checkbox"/> Motor Vehicle in Transport <input type="checkbox"/> Hit & Run Vehicle <input type="checkbox"/> Illegally Parked <input type="checkbox"/> Legally Parked <input type="checkbox"/> Non - Motorized <input type="checkbox"/> Pedestrian <input type="checkbox"/> Pedestrian on Skates, in Wheelchair, etc. <input type="checkbox"/> Disabled From Previous Crash <input type="checkbox"/> Train <input type="checkbox"/> Phantom Vehicle						Commercial Vehicle <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If Yes, Complete Form C)				
		(If "Pedestrian" or "Pedestrian on Skates, in Wheelchair, etc", Complete Form M, Section 28)										
11 Vehicle Driver / Pedestrian Information	Unit No	First Name	MI	Date of Birth (MM-DD-YYYY)								
	01	SHIRLEY	E	05	20	1938						
	Delete?	Last Name					Telephone Number		814-857-7740			
	0	GUELICH										
	Address / City / State					Zip		16881				
391 DALL RD WOODLAND, PA												
Driver License Number					State	Class						
09815886					PA	C						
12 Vehicle Information	Alcohol/Drugs Suspected			Driver or Pedestrian Physical Condition								
	<input checked="" type="checkbox"/> No <input type="checkbox"/> Illegal Drugs <input type="checkbox"/> Medication <input type="checkbox"/> Alcohol <input type="checkbox"/> Alcohol and Drugs <input type="checkbox"/> Unknown			<input checked="" type="checkbox"/> Apparently Normal <input type="checkbox"/> Illegal Drug Use <input type="checkbox"/> Fatigue <input type="checkbox"/> Medication <input type="checkbox"/> Had Been Drinking <input type="checkbox"/> Sick <input type="checkbox"/> Asleep <input type="checkbox"/> Unknown								
	Alcohol Test Type			Primary Vehicle Code Violation								
	<input checked="" type="checkbox"/> Test Not Given <input type="checkbox"/> Breath <input type="checkbox"/> Other <input type="checkbox"/> Blood <input type="checkbox"/> Urine <input type="checkbox"/> Unknown if Test Given			3323								
				Charged? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
	Alcohol Test Results			Driver Presence 1=Driver Operated 3=Driver Fled Scene <input type="checkbox"/> Test Refused <input type="checkbox"/> Unknown Results 2=Vehicle 4=Hit and Run <input type="checkbox"/> Test Given, Contaminated Results <input type="checkbox"/> 9=No Driver 9=Unknown								
	Owner/Driver <input type="checkbox"/> 01=Not Applicable <input type="checkbox"/> 01=Private Vehicle Owned/ Leased by Driver			02=Private Vehicle Not Owned/Leased by Driver 03=Rented Vehicle						04=State Police Vehicle 07=Municipal Police Vehi 05=PennDOT Vehicle 08=Other Municipal 06=Other State Gov Veh 90=Government Vehicle 98=Other 99=Unknown		
Same as Driver		Owner First Name		Owner Last Name or Business Name (If Pedestrian, skip this Section)								
Address / City / State / Zip								Vehicle Make	*Make Code			
								MERCURY	14			
VIN								Vehicle Model	(see overlay)			
4M2CUS7126DJ026212006								MARINER				
License Plate		Reg. State	Est. Speed	Vehicle Towed		Towed By						
MB07736		PA	010	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		BIGGER BOYZ						
Insurance		Insurance Company		Policy No								
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Un- known		HORACE MANN		37 66970340								
Trailing Unit		No. of Trailing Units:	Type Unit	1=Towing Pass. Veh 2=Towing Truck 3=Towing Utility Trailer		4=Mobile/Modular Home 5=Camper 6=Full Trailer		7=Semi-Trailer 8=Other 9=Unknown		Tag No	Tag Year	Tag St
Direction of Travel		W	*Vehicle Position	01	*Movement	12	*See Overlay			Special Usage		
Vehicle Color		Vehicle Type		05=Large Truck 06=SUV 07=Van 08=School Bus 09=Small Truck 10=Farm Equip 11=Construction Equip 12=ATV 13=Other Type Spec Veh 14=Unk. Type Spec Veh						20=Unicycle, Bicycle, Tricycle 21=Other Pedalcycle 22=Horse & Buggy 23=Horse & Rider 24=Train 25=Trolley 98=Other 99=Unknown		
07 01=Blue 02=Red 03=White 04=Green 05=Black		01=Automobile 02=Motorcycle 03=Bus 04=Small Truck 05=Large Truck 06=SUV 07=Van 08=School Bus 09=Small Truck 10=Farm Equip 11=Construction Equip 12=ATV 13=Other Type Spec Veh 14=Unk. Type Spec Veh								12=Commercial Passenger Carrier 13=Taxi 21=Tractor Trailer 22=Twin Trailer 23=Triple Trailer 31=Modified Veh 99=Unknown		
Initial Impact Point		Damage Indicator		Gradient		Road Alignment						
12 00=Non-Collision 01-12=Clock Points 13=Top		00=No 1=Minor 2=Functional 3=Disabling 9=Unknown		3=Downhill 4=Bottom of Hill 5=Top of Hill 9=Unknown		2=Level 3=Uphill						

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM

Page:

AA 500 2

Police Use Only

083 0860102

03



Crash Number

P 1033645

10 Unit Info		<input checked="" type="checkbox"/> Motor Vehicle in Transport <input type="checkbox"/> Hit & Run Vehicle <input type="checkbox"/> Illegally Parked <input type="checkbox"/> Legally Parked <input type="checkbox"/> Non-Motorized <input type="checkbox"/> Pedestrian <input type="checkbox"/> Pedestrian on Skates, in Wheelchair, etc <input type="checkbox"/> Disabled From Previous Crash <input type="checkbox"/> Train <input type="checkbox"/> Phantom Vehicle						Commercial Vehicle <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If Yes, Complete Form C)					
		(If "Pedestrian" or "Pedestrian on Skates, in Wheelchair, etc", Complete Form M, Section 28)											
11 Vehicle Driver / Pedestrian Information		Unit No			First Name		MI	Date of Birth (MM-DD-YYYY)					
		02			JESSICA		A	08	24	1982			
		Delete?			Last Name		Telephone Number						
		<input type="checkbox"/>			REBAR		814-378-5376						
		Address / City / State			626 HOUTZ ST HOUTZDALE, PA				Zip				
		Driver License Number			261194182				State	Class			
								PA		C			
12 Vehicle Information		Alcohol/Drugs Suspected			Driver or Pedestrian Physical Condition								
		<input checked="" type="checkbox"/> No <input type="checkbox"/> Alcohol			<input type="checkbox"/> Illegal Drugs <input type="checkbox"/> Medication <input type="checkbox"/> Alcohol and Drugs <input type="checkbox"/> Unknown <input type="checkbox"/> Unknown if Test Given								
					<input checked="" type="checkbox"/> Apparently Normal <input type="checkbox"/> Had Been Drinking <input type="checkbox"/> Use <input type="checkbox"/> Sick <input type="checkbox"/> Fatigue <input type="checkbox"/> Asleep <input type="checkbox"/> Medication <input type="checkbox"/> Unknown								
		Alcohol Test Type			Primary Vehicle Code Violation								
		<input checked="" type="checkbox"/> Test Not Given <input type="checkbox"/> Blood			<input type="checkbox"/> Breath <input type="checkbox"/> Urine <input type="checkbox"/> Other <input type="checkbox"/> Unknown if Test Given								
		Alcohol Test Results			<input type="checkbox"/> Test Refused <input type="checkbox"/> Test Given, Contaminated Results <input type="checkbox"/> Unknown Results								
					Driver Presence		1=Driver Operated Vehicle		3=Driver Fleed Scene				
					1		2=No Driver		4=Hit and Run				
					9=Unknown								
		Owner/Driver			00=Not Applicable 01=Private Vehicle Owned/Leased by Driver 02=Private Vehicle Not Owned/Leased by Driver 03=Rented Vehicle								
					04=State Police Vehicle 05=PennDOT Vehicle 06=Other State Gov Veh 07=Municipal Police Veh 08=Other Municipal Government Veh 09=Federal Gov Veh 98=Other 99=Unknown								
		Same as Driver			Owner First Name								
					Owner Last Name or Business Name (If Pedestrian, skip this Section)								
		Address / City / State / Zip			Vehicle Make *Make Code								
					CHEVROLET 20								
		VIN			Model Year								
		2GCEK19R4W1171483			1998								
		License Plate			Reg. State	Est. Speed	Vehicle Towed			Vehicle Model (see overlay)			
		YNY3408			PA	055	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			SILVERADO 1500			
		Towed By			BIGLER BOYZ								
		Insurance			Insurance Company			Policy No					
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown			DONOGHUE MUTUAL			PAE 0001943					
13 Trailing Unit		No. of Trailing Units:	Type Unit	1=Towing Pass. Veh 2=Towing Truck 3=Towing Utility Trailer			4=Mobile/Modular Home 5=Camper 6=Full Trailer			7=Semi-Trailer 8=Other 9=Unknown	Tag No	Tag Year	Tag St
		0											
		Direction of Travel	N	*Vehicle Position	01	*Movement	17	*See Overlay	Special Usage				
									00	12=Commercial Passenger Carrier			
		Vehicle Color	06=Yellow 07=Silver 08=Gold 01=Blue 02=Red 03=White 04=Green 05=Black	Vehicle Type	01=Automobile 02=Motorcycle 03=Bus 04=Small Truck (If "02", Complete Form M, Section 26). 10=Orange 11=Purple 12=Other 99=Unknown	05=Large Truck 06=SUV 07=Van 10=Snowmobile 11=Farm Equip 12=Construction Equip 13=ATV 18=Other Type Spec Veh 19=Unk. Type Spec Veh	20=Unicycle, Bicycle, Tricycle 21=Other Pedalcycle 22=Horse & Buggy 23=Horse & Rider 24=Train 25=Trolley 98=Other 99=Unknown			00=Not Applicable 01=Fire Veh 02=Ambulance 03=Police 08=Other Emergency Vehicle 11=Pupil Transport	13=Taxi 21=Tractor Trailer 22=Twin Trailer 23=Triple Trailer 31=Modified Veh 99=Unknown		
		Initial Impact Point	00=Non-Collision 01-12=Clock Points 13=Top	Damage Indicator	14=Undercarriage 15=Towed Unit 99=Unknown	Gradient	3=Downhill 4=Bottom of Hill 5=Top of Hill 9=Unknown	Road Alignment	2	1=Straight 2=Curved 9=Unknown			

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM

Crash Number

AA 500 3

Police Use Only 080001002

Page

04

P 1033645

People Information

A Person Type:
1=Driver
2=Passenger
7=Pedestrian
8=Other
9=Unknown

B Sex:
F=Female
M=Male
U=Unknown

C Injury Severity:
0=Not Injured
1=Killed
2=Major Injury
3=Moderate Injury
4=Minor Injury
8=Injury, unk Severity
9=Unknown if Injury

D Seat Position:
00=Not A Passenger/Occupant
01=Driver - All Vehicles
02=Front Seat Middle Position
03=Front Seat Right Side
04=Second Row - Left Side Or Motorcycle Passenger
05=Second Row - Middle Position
06=Second Row - Right Side
07=Third Row Or Greater - Left Side
08=Third Row Or Greater - Middle Position
09=Third Row Or Greater - Right Side
10=Sleeper Section of Truckcab
11=In Other Enclosed Passenger Or Cargo Area
12=In Open Area (Back Of Pickup, Etc.)
13=Trailing Unit
14=Riding On Vehicle Exterior
15=Bus Passenger
98=Other
99=Unknown

E Safety Equipment One:
00=None Used / Not Applicable
01=Shoulder Belt Used
02=Lap Belt Used
03=Lap And Shoulder Belt Used
04=Child Safety Seat Used
05=Motorcycle Helmet Used
06=Bicycle Helmet Used
10=Safety Belt Used Improperly
11=Child Safety Seat Used Improperly
12=Helmet Used Improperly
90=Restraint Used, Type Unknown
99=Unknown

F Safety Equipment Two:
00=None Used / Not Applicable
01=Front Air Bag Deployed (For This Seat)
02=Side Air Bag Deployed (For This Seat)
03=Other Type Air Bag Deployed
04=Multiple Air Bags Deployed
05=Motorcycle Eye Protection
06=Bicyclist Wearing Elbow/Knee/Pads
10=Air Bag Not Deployed, Switch On
11=Air Bag Not Deployed, Switch Off
12=Air Bag Not Deployed,unk Switch Setting
13=Air Bag Removed (Prior To Crash)
19=Unknown if Air Bag Deployed
99=Unknown

G Ejection:
0=Not Applicable
1=Not Ejected
2=Totally Ejected
3=Partially Ejected
9=Unknown

H Ejection Path:
0=Not Ejected / Not Applicable
1=Through Side Door Opening
2=Through Side Window
3=Through Windshield
4=Through Back Door
5=Through Back Door Tailgate Opening
6=Through Roof Opening (Sunroof/Convertible Top Down)
7=Through Roof Opening (Convertible Top Up)
9=Unknown

I Extrication:
0=Not Applicable
1=Not Extricated
2=Extricated By Mechanical Means
3=Freed By Non - Mechanical Means
8=Other
9=Unknown

13 EMS Agency: CLEARFIELD/PHILIPSBURG Medical Facility: CLEARFIELD HOSPITAL

14 Unit No Person No Date of Birth (MM-DD-YYM) A B C D E F G H I
01 01 Delete? 01-01-1983 1 F 3 0 1 0 3 0 1 1 0 1
Name / Address / Phone
 Same as Operator Yes No

Unit No Person No Date of Birth (MM-DD-YYM) A B C D E F G H I
01 02 Delete? 07-07-1927 2 F 3 0 3 0 3 0 1 1 0 1
Name / Address / Phone
 Same as Operator MARY LOUISE GILL / PO BOX 73 MINERAL SPRINGS, PA 16855 / BKT 85152602
EMS Transport Yes No

Unit No Person No Date of Birth (MM-DD-YYM) A B C D E F G H I
01 03 Delete? 03-24-1982 2 F 3 0 6 0 3 0 0 1 0 1
Name / Address / Phone
 Same as Operator JENNIFER J KAUFFMAN / 17 JOHN MICHAEL DR, PENFIELD, PA 15887 / BKT 705-0237
EMS Transport Yes No

Unit No Person No Date of Birth (MM-DD-YYM) A B C D E F G H I
02 01 Delete? 08-24-1982 1 F 3 0 1 0 3 0 1 1 0 1
Name / Address / Phone
 Same as Operator Yes No

Unit No Person No Date of Birth (MM-DD-YYM) A B C D E F G H I
02 02 Delete? 10-25-1960 2 M 3 0 3 0 3 0 1 1 0 1
Name / Address / Phone
 Same as Operator KENNY SULLIVAGE / 502 OAK ST, SMITHMILL, PA 15881 / BKT 378-7072
EMS Transport Yes No

Unit No Person No Date of Birth (MM-DD-YYM) A B C D E F G H I
02 03 Delete? 12-16-1982 2 F 2 0 5 0 0 0 0 1 0 1
Name / Address / Phone
 Same as Operator RENEE KRUEGER / 313 BIRCH ST, HAZZDALE, PA 16051 / BKT 378-6091
EMS Transport Yes No

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM

Crash Number

AA 500 4

Police Use Only

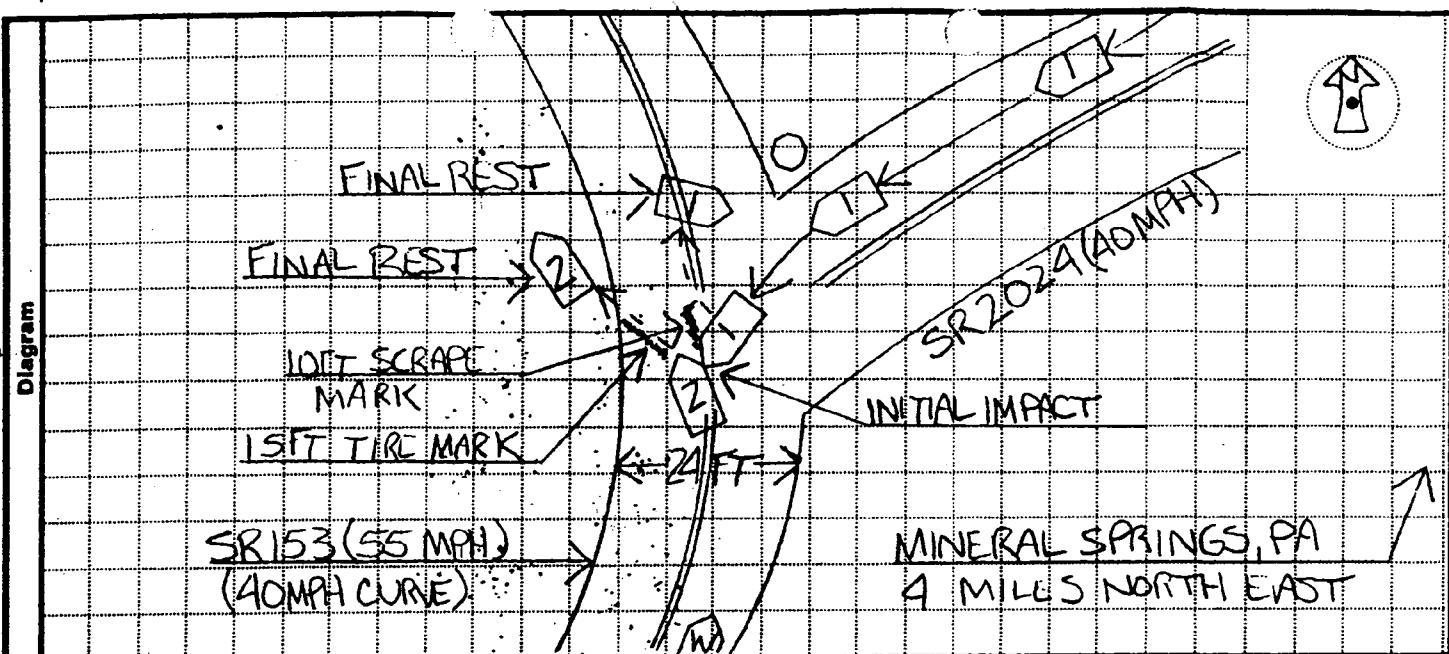
03-080002

Page

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General Crash Information (if more than 2 Units, only complete once)	<u>Crash Description</u>		<input checked="" type="checkbox"/> 0=Non-Collision	2=Head On	4=Angle	6=Sideswipe (Opposite Direction)	8=Hit Pedestrian																																									
			1=Rear End	3=Rear to Rear (Backing)	5=Sideswipe (Same Direction)	7=Hit Fixed Object	9=Other/Unknown																																									
	<u>Relation to Roadway</u>		<input checked="" type="checkbox"/> 1=On Travel Lanes	2=Median	5=Outside Trafficway	7=Gore (Ramp Intersection)	9=Unknown																																									
			2=Shoulder	4=Roadside	6=In Parking Lane																																											
	<u>Illumination</u>		<input checked="" type="checkbox"/> 1=Daylight	3=Dark - Street Lights	5=Dawn	8=Other																																										
			2=Dark - No Street Lights	4=Dusk	6=Dark - Unknown Roadway Lighting																																											
Unit(s) Event Information	<u>Weather Conditions</u>		<input checked="" type="checkbox"/> 1=No Adverse Conditions	3=Sleet (Hail)	5=Fog	7=Sleet & Fog	9=Unknown																																									
			2=Rain	4=Snow	6=Rain & Fog	8=Other																																										
	<u>Road Surface Conditions</u>		<input checked="" type="checkbox"/> 0=Dry	2=Sand, Mud, Dirt, Oil	4=Slush	6=Ice Patches	8=Other																																									
			1=Wet	3=Snow, Covered	5=Ice	7=Water - Standing or Moving																																										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th>Harm Event</th> <th>L/R</th> <th>Most?</th> <th>Utility Pole Number</th> <th colspan="2"></th> </tr> </thead> <tbody> <tr> <td>Unit No</td> <td>1</td> <td>02</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>01</td> <td>2</td> <td><input type="checkbox"/></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Please Put Events in Sequential Order</td> <td>3</td> <td></td> <td><input type="checkbox"/></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>4</td> <td></td> <td><input type="checkbox"/></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>										Harm Event	L/R	Most?	Utility Pole Number			Unit No	1	02	<input checked="" type="checkbox"/>						01	2	<input type="checkbox"/>					Please Put Events in Sequential Order	3		<input type="checkbox"/>						4		<input type="checkbox"/>				
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		Harm Event	L/R	Most?	Utility Pole Number																																											
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	02	2	<input type="checkbox"/>																																													
Please Put Events in Sequential Order	3		<input type="checkbox"/>																																													
	4		<input type="checkbox"/>																																													
First Harmful Event in the Crash	Unit No	Harm Event	Most Harmful Event in the Crash	Unit No	Harm Event	<u>Harmful Events (Harm Event)</u>																																										
	01	02	01	02		01=Hit Unit 1 02=Hit Unit 2 03=Hit Unit 3 04=Hit Unit 4 05=Hit Unit 5 06=Hit Other Traffic Unit 07=Hit Deer 08=Hit Other Animal 09=Collision With Other Non Fixed Object 11=Struck By Unit 1 12=Struck By Unit 2 13=Struck By Unit 3 14=Struck By Unit 4 15=Struck By Unit 5 16=Struck By Other Traffic Unit 21=Hit Tree Or Shrubbery 22=Hit Embankment 23=Hit Utility Pole 24=Hit Traffic Sign 25=Hit Guard Rail 26=Hit Guard Rail End 27=Hit Curb 28=Hit Concrete Or Longitudinal Barrier 29=Hit Ditch 30=Hit Fence Or Wall 31=Hit Building 32=Hit Culvert 33=Hit Bridge Pier Or Abutment 34=Hit Parapet End 35=Hit Bridge Rail 36=Hit Boulder Or Obstacle On Roadway 37=Hit Impact Attenuator 38=Hit Fire Hydrant 39=Hit Roadway Equipment 40=Hit Mail Box 41=Hit Traffic Island 42=Hit Snow Bank 43=Hit Temporary Construction Barrier 48=Hit Other Fixed Object 49=Hit Unknown Fixed Object 50=Overturn/Roll Over 51=Struck By Thrown Or Falling Object 52=Pot Holes Or Other Pavement Irregularities 53=Jackknife 54=Fire In Vehicle 58=Other Non-Collision 99=Unknown Harmful Event																																										
Environmental / Roadway Potential Factors (E/R)	1	00	2	3		<u>Driver Action (D)</u>																																										
00=None 01=Windy Conditions 02=Sudden Weather Conditions 03=Other Weather Conditions 04=Deer In Roadway 05=Obstacle On Roadway 06=Other Animal In Roadway 07=Glare 08=Work Zone Related						00=No Contributing Action 01=Driver Was Distracted 02=Driving Using Hand Held Phone 03=Driving Using Hands Free Phone 04=Making Illegal U-Turn 05=Improper/Careless Turning 06=Turning From Wrong Lane 07=Proceeding W/O Clearance After Stop 08=Running Stop Sign 09=Running Red Light 10=Failure To Respond To Other Traffic Control Device 11=Tailgating 12=Sudden Slowing/Stopping 13=Illegally Stopped On Road 14=Careless Passing Or Lane Change 15=Passing In No Passing Zone 16=Driving The Wrong Way On 1-Way Street																																										
Possible Vehicle Failures (V)						17=Careless Or Illegal Backing On Roadway 18=Driving On The Wrong Side Of Road 19=Making Improper Entrance To Highway 20=Making Improper Exit From Highway 21=Careless Parking/Unparking 22=Over/Under Compensation At Curve 23=Speeding 24=Driving Too Fast For Conditions 25=Failure To Maintain Proper Speed 26=Driver Fleeing Police (Pol Chase) 27=Driver Inexperienced 28=Failure To Use Specialized Equip 92=Affected By Physical Condition 98=Other Improper Driving Actions 99=Unknown																																										
Contributing Information	Unit No	01	100	2		Unit No	01 07 2 3 4																																									
	Unit No	02	100	2		Unit No	02 24 2 3 4																																									
Indicated Prime Factor	Unit No	01	07			<u>Pedestrian Action (P)</u>																																										
Do not repeat this information on multiple pages						00=None 01=Entering Or Crossing At Specified Location 02=Walking, Running, Jogging, Or Playing																																										
E/R	V	D	P			03=Working 04=Pushing Vehicle 05=Approaching Or Leaving Vehicle 06=Working On Vehicle 07=Standing 98=Other 99=Unknown																																										
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			Unit No	01 00																																									
If E/R is the Prime Factor, Type, leave Unit No blank						Unit No																																										



Witness Name	Address	Phone
1 ELLEN M. CATHCART	308 S. 4TH ST. CLEARFIELD, PA 16830	814-765-9376
2		

Narrative and additional witnesses: Accident Investigation Notification Issued? Property Damage

UNIT 1- CELL PHONE PRESENT, NOT IN USE.

UNIT 2- CELL PHONE PRESENT; NOT IN USE.

THIS COLLISION OCCURRED AS UNIT 1 CAME TO A STOP ON SR2024 AT SR153, AND UNIT 2 WAS TRAVELLING NORTH ON SR 153. OPER 1 DID NOT SEE UNIT 2 AND TURNED LEFT ONTO SR 153. OPER 2 TRAVELED INTO THE SOUTH BOUND LANE, BUT THE TWO UNITS COLLIDED. AFTER IMPACT UNIT 1 WAS SPUN AROUND, TRAVELED 30FT AND CAME TO REST FACING SOUTH EAST IN THE CENTER OF THE ROADWAY. UNIT 2 TRAVELED 25FT AND CAME TO REST FACING NORTHWEST JUST OFF THE ROADWAY. BOTH UNITS WERE AT FINAL REST UPON MY ARRIVAL.

PHYSICAL EVIDENCE (CONSISTED) OF SEVERE DAMAGE TO UNIT 1'S FRONT END, SEVERE DAMAGE TO UNIT 2'S RIGHT FRONT CORNER, 15FT TIRE MARK, AND 10FT SCRAPER MARK.

ON 04/10/06 AT 1358 HRS I SPOKE WITH WITNESS, CATHCART AT THE SCENE. CATHCART STATED SHE WAS GOING NORTH ON SR 153 AND THE TRUCK PASSED HER AS SHE WAS GOING 55 MPH. AND THEN SHE SAW THE SUV PULL OUT AND THEY COLLIDED.

ON 04/10/06 AT 1405 HRS I SPOKE WITH OPER 1, GUELICH AT THE SCENE IN THE BACK OF AN AMBULANCE. GUELICH STATED SHE STOPPED, LOOKED BOTH WAYS AND DIDN'T SEE ANYTHING AND WHEN SHE TURNED LEFT ONTO SR 153 THE TRUCK CAME AND HIT HER. GUELICH STATED SHE WAS WEARING A SEATBELT AND HER CHEST AND HEAD HURT JUST ABOVE HER LEFT EYE.

(MORE)

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM

AA 500 N

04/10/06 08:00:02

Page

07

New

Change/
Continuation



Crash Number

P1033645

Narrative and additional witnesses:

22

ON 04/10/06 AT 1500 HRS I SPOKE WITH OPER 2, REBAR AT CLEARFIELD HOSPITAL. REBAR STATED SHE WAS GOING NORTH ON SR 153 AND SHE PASSED A CAR BEFORE THE CURVE, THEN SHE SLOWED DOWN. REBAR STATED SHE WAS GOING 55 MPH TO PASS THE CAR AND SLOWED TO 45 MPH. REBAR STATED WHEN SHE CAME AROUND THE CURVE THE SUV PULLED OUT AND SHE SWERVED, BUT STILL HIT IT. REBAR STATED SHE WAS WEARING A SEATBELT AND HER CHEST AND BACK HURT.

SPT-0015 FORMS MAILED TO BOTH OPERATORS.
CLEAN/NCIC CHECKS WERE NEGATIVE.

Auxiliary Witness and Narrative

SP 1-518(11-95)	1. STATION CLEARFIELD	2. INCIDENT NO. C03-0860662
PENNSYLVANIA STATE POLICE PUBLIC INFORMATION RELEASE REPORT		
4. NATURE OF INCIDENT TRAFFIC CRASH.	3. INVESTIGATING OFFICER TPR CHARLES BUTLER	5. DATE/TIME OF INCIDENT 04/10/06/ 1344
6. LOCATION SR 153 AT SR 2024, BOGGS TWP		
7. PERSON(S) INVOLVED OPER 1- SHIRLEY E. GUELICH- W/N/F- 67, DALE RD WOODLAND, PA- MODERATE INJURY PASS 1 - JENNIFER J. KAUFFMAN- W/N/F- 24- PENFIELD, PA- MOD. INJURY PASS 2- MARY L. GILL- W/N/F- MINERAL SPRINGS, PA- MOD INJURY UNIT 1- 06 MERCURY MARINER- PA REG- MB07736- SEVERE DAMAGE		
OPER 2- JESSICA A. REBAR- W/N/F- 23- HOUTZ ST. HOUTZDALE, PA- SEVERE INJURY PASS 1- KENNY SELVAGE- W/N/M- 45- OAK ST. SMITHMILL, PA- MOD. INJURY PASS 2- RENEE KRUMENACKER- W/N/F- 23- BIRCH ST. HOUTZDALE, PA- SEVERE INJURY UNIT 2- 98 CHEVY 1500 TK- PA REG- YNY3408- SEVERE DAMAGE		
8. INCIDENT DETAILS UNIT 2 WAS TRAVELING NORTH ON SR 153, AND UNIT 1 WAS STOPPED ON SR 2024 WAITING TO TURN LEFT ONTO SR 153. OPER 1 DID NOT SEE UNIT 2 AND PULLED OUT IN FRONT OF UNIT 2, COLLIDING WITH UNIT 2. ALL OCCUPANTS WERE TRANSPORTED TO CLEARFIELD HOSPITAL WITH MODERATE TO SEVERE INJURIES. ALL OCCUPANTS OF UNIT 1 WERE WEARING SEATBELTS. OPER 2 AND PASSENGER 1 OF UNIT 2 WERE WEARING SEATBELTS, AND PASS 2 WAS NOT. BOTH VEHICLES WERE SEVERELY DAMAGED. INVESTIGATION CONTINUES, CHARGES PENDING AGAINST OPER 1 FOR STOP SIGN VIOLATION AND POSSIBLE CHARGE AGAINST OPER 2 FOR TOO FAST FOR CONDITIONS.		

EXHIBIT # 2

FOR COURT'S REVIEW:

Be advised that the following photographs are verification of the Tattoo Equipment purchased from Huck Spaulding Enterprises, Inc., by the Plaintiff at Customer # 4358. The Plaintiff can prove that since August 1990 he has purchased over fifteen thousand (\$15,000.00) dollars worth of tattoo equipment/supplies from this company. The net worth of the tattoo equipment/supplies stolen from his home are valued well over two thousand (\$2,000.00) dollars.

It is also asserted that the Clearfield PSP can verify the known Burglary of Plaintiff's home committed by those named in the complaint. Trooper Kenneth Hahn investigated the Burglary and could not get the District Attorney to approve the prosecution of same.

SALES ORDER
0719016

Huck Spaulding Enterprises Inc.
Route 85 New Scotland Road
Voorheesville, NY 12186

Tele: (518) 768-2070
Fax: (518) 768-2240

World Wide Distributors Of Products By
Spaulding & Rogers Mfg., Inc. "Worlds Finest Tattooing Equipment" TM
Spaulding Color Corp. "A World Of Color"

Customer Number: 0004358
Order Date: 08/27/2007
Ship Date: 08/27/2007

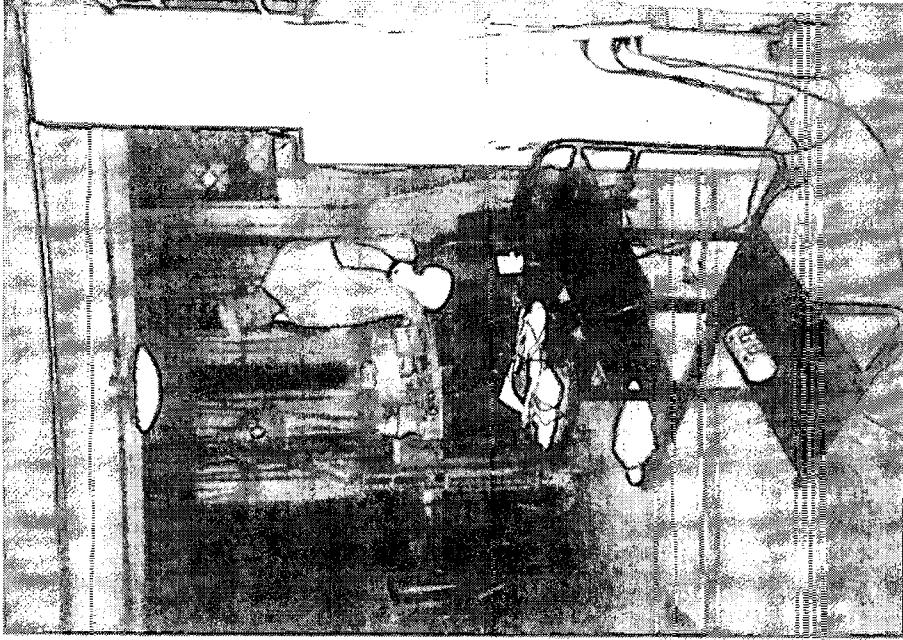
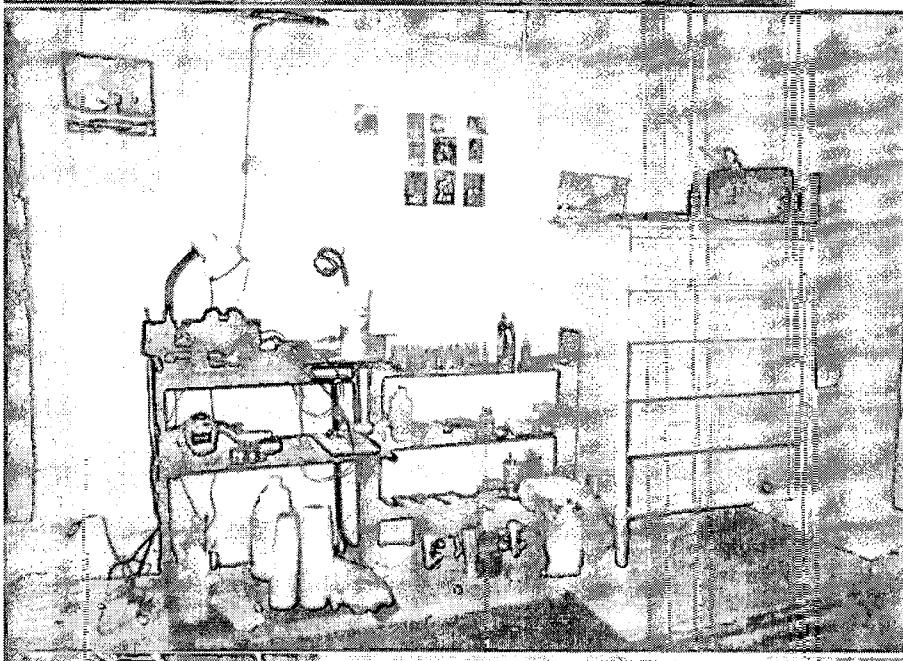
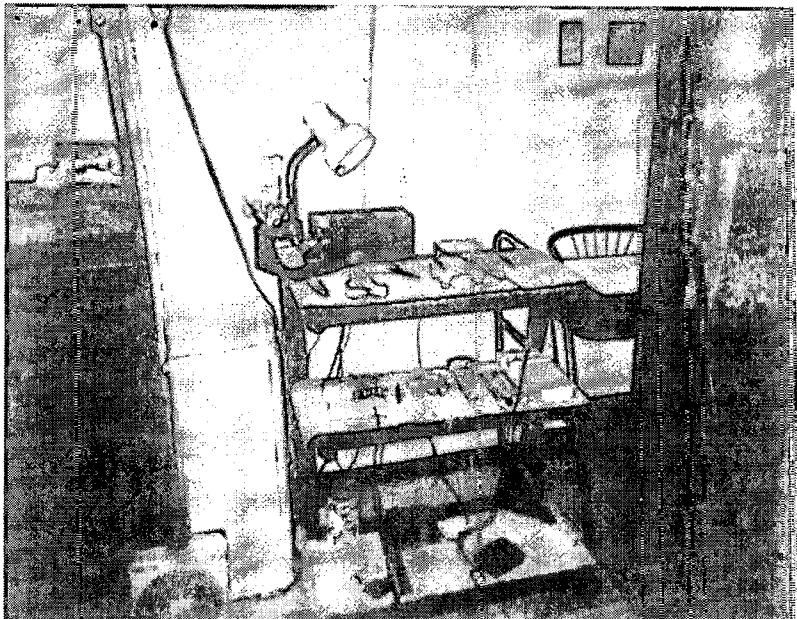
Sold To: KENNETH SELVAGE
DRAGONS TATTOOS
301 CHESTNUT ST
PO
SMITHMILL, PA 16680

Ship To: KENNETH J. SELVAGE
PO BOX 107
SMITHMILL, PA 16680

Confirm To:

Comment:

P.O. # / Telephone	SHIP VIA LETTER POST	Sales Person PHYLLIS	Terms NO CHARGE	Approval		
Item No	Description			Ordered	Price	Amount
CAT	CATALOG#3 & #4-W/ PRICE LIST			1		

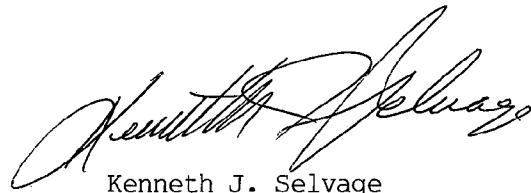


IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
No. 08-353-CD

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of his personal knowledge, information and belief, and any false statements made therein are made subject to the penalties of perjury, 18 Pa.C.S.A? § 4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: 6/25/08



Kenneth J. Selvage

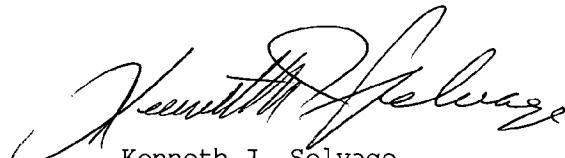
PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: 6/25/08



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

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

KENNETH JOHN SELVAGE,

Plaintiff

v.

RENEE FERN KRUMENACKER,

Defendant

*

*

*

*

*

No. 08-353-CD

FILED

JUN 27 2008

am/11:26

William A. Shaw
Prothonotary/Clerk of Courts

1 CASH

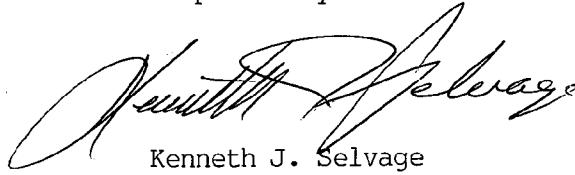
MOTION TO STRIKE DEFENDANT'S WRITTEN APPEARANCE

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se status, who, avers the following in support of this document thereof:

1. That on April 16, 2008, the Defendant filed a written appearance to the complaint served upon her by the sheriff on March 31, 2008.
2. That this document is moot as it is not properly filed and/or prepared with an adequate proof of service, nor was a copy served upon the Plaintiff as required by the PA Rules of Civil Procedure. The Plaintiff had to obtain copy of same by the Prothonotary. (see exhibit # 1)

WHEREFORE, Plaintiff requests respectfully that this Honorable Court STRIKE this document from the record as it is not adequately filed and/or served upon him.

Respectfully submitted,



Kenneth J. Selvage

Date: 6/25/08

William A. Shaw, Sr.
Prothonotary/Clerk of Courts
County Courthouse
P.O. Box 549
Clearfield, PA 16830

June 17, 2008

Re: Selvage v. Krumenacker
No. 08-353-CD

Dear Mr. Shaw:

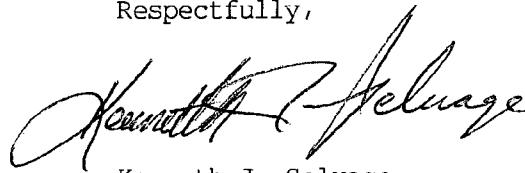
I am in receipt of your letter post marked 6-12-08 with the enclosed certified copies of Notice Pa.R.Civ.P. 237.1 and the docket with filings up to 5-29-08 and thank you for your attention to this matter.

I noticed in the docket that your office filed on 4-16-08 Written Appearance, filed by Defendant no cert. copies. The Defendant did not serve me with a copy of this document, so, I request under pro se status that your office advise me the number of copies for this document and what it would cost for your office to forward me copies of same. Also, if the Defendant has filed any other documents after 5-29-08, I have not received copies of them. If any thing else was filed by the Defendant up til the date your office receives this letter, please advise the number of copies and what it would cost to obtain copies of same. I will have my family purchase these copies for me from your office.

If your office can send copies of these documents under I.F.P. status, please do, if not, advise the fee for same.

Thank you for your time and kind consideration in this matter, your prompt attention is greatly appreciated.

Respectfully,



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

IN THE COURT OF COMMON PLEAS OF Clearfield, COUNTY
PENNSYLVANIA

CIVIL DIVISION

Kenneth John Selvage
Plaintiff

VS

Renee Fern Krumenacker
Defendant

NO. CP-17-353-CD-2008

APR 16 2008
Copied
William A. Shaw
Prothonotary/Clerk of Courts
W.S.C.

WRITTEN APPEARANCE

NOW COMES, Renee Fern Krumenacker, Defendant who respectfully deposes and avers that:

1. I am currently incarcerated at SCI-Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403-1238; pursuant to a term sentence of 18mos. to 3yrs.
2. Defendant states inability to pay punitive damages, to above said Plaintiff.
3. Defendant earns minimal prison wages. Defendant's monthly income is approxiamately \$25.00.
4. Defendant submits to the court that she is not responsible for punitive damages and that she committed no egregious behavior.
5. Defendant states that Plaintiff was aware of her drug addiction and behavior prior to defendant entering into a relationship, in no way was defendant deceptive.

Defendant verifies that all statements made in the above Notice are true and correct to the best of her knowledge, information and belief. Defendant understands that false statements are subject to penalties under Title 18 Pa. C.S.A. S4904, relating to unsworn falsification to authorities.

WHEREFORE, Defendant respectfully requests this Court to dismiss this suit as frivolous and without merit.

Respectfully Submitted,

Renee Fern Krumenacker

Renee Fern Krumenacker
Defendant Pro Se

Date: 6/20/2008

Time: 11:48 AM

Page 1 of 1

Clearfield County Court of Common Pleas

User: BILLSHAW

ROA Report

Case: 2008-00353-CD

Current Judge: No Judge

Kenneth J. Selvage vs. Renee Fern Krumenacker

Civil Other-COUNT

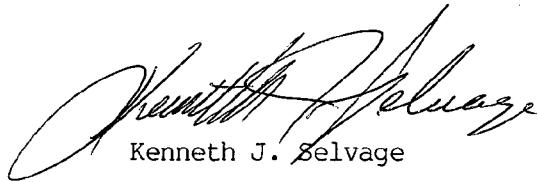
date		Judge
6/29/2008	New Case Filed. Filing: IFP Petition (Civil Complaint) Paid by: Selvage, Kenneth J. (plaintiff) Receipt number: 1922873 Dated: 6/29/2008 Amount: \$0.00 (Cash) 1 Cert. to Plaintiff.	No Judge No Judge
7/4/2008	Order, this 29th day of Feb., 2008, Petition for Leave to Proceed in forma pauperis is Granted for purposes of the Plaintiff's Civil Complaint. By The court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Plff @ 10745 Rt 18, #DZ-4871, Albion, PA 16475-0002 Complaint, filed by s/ Kenneth J. Selvage, Plaintiff. 3CC Plff. @ DZ-4871, 10745 Rt. 18, Albion, 16475-0002	Fredric Joseph Ammerman No Judge
7/19/2008	Service, filed by Plaintiff no cert. copies. Certified Mail Receipt to Deft.	No Judge
7/16/2008	Service & Correspondence, filed by Plaintiff no cert. copies.	No Judge
	Written Appearance, filed by Defendant no cert. copies.	No Judge
7/28/2008	Motion to compel Sheriff's Department to Serve Complaint upon Defendant. no cert. copies.	No Judge
7/30/2008	Order, this 29th day of April, 2008, it is Ordered that Plaintiff's Motion to Compel Sheriff's Department to Serve Complaint upon Defendant is DISMISSED. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Plff-DZ 4871, SCI Albion	Fredric Joseph Ammerman
8/5/2008	Praecipe to Reinstate Complaint, filed by Plaintiff. No cert. copies. issued 2 reinstated complaint to sheriff.	No Judge
8/19/2008	Motion to Compel Crawford County Sheriff to File Return of Service Under Pa.R.Civ.P. 405(a), filed by Plaintiff no cert. copies.	No Judge
	Praecipe, Deman for Jury Trial, filed by Plaintiff. no cert. copies.	No Judge
	Certificate of Residence, filed by Plaintiff. no cert. copies.	No Judge
	Notice, filed by Plaintiff 1 Cert. to Plaintiff.	No Judge
	Important Notice, Pa.R.Civ. 237.1	
8/29/2008	Order, this 28th day of May, 2008, it is Ordered that the Plaintiff's Motion to Compel Crawford County Sheriff to File Return of Service is Dismissed. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Plff. - 10745, Rt. 18, #DZ - 4871, Albion, PA, 16475-0002; 1CC Def. - SCI Cambridge Springs, # OL - 4397, Cambridge Springs, PA 16403-1238	Fredric Joseph Ammerman
8/12/2008	Notice, filed by s/ Kenneth John Selvage, Plaintiff. 2CC to Plaintiff	No Judge

Common Pleas Court
Clearfield County, PA
No. 08-353-CD

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief and any false statements made herein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code relating to unsworn falsification to authorities:

Date: 6/25/08



Kenneth J. Selvage

PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: 6/25/08



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103859
NO: 08-353-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: KENNETH JOHN SELVAGE
VS.
DEFENDANT: RENEE FERN KRUMENACKER

SHERIFF RETURN

NOW, March 20, 2008, SHERIFF OF CRAWFORD COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON RENEE FERN KRUMENACKER (OL-4397).

NOW, March 31, 2008 AT 9:20 AM SERVED THE WITHIN COMPLAINT ON RENEE FERN KRUMENACKER (OL-4397), DEFENDANT. THE RETURN OF CRAWFORD COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.



FILED

03/00 BOL
JUN 30 2008

lm

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103859
NO. 08-353-CD
SERVICES 1
COMPLAINT

PLAINTIFF: KENNETH JOHN SELVAGE
vs.
DEFENDANT: RENEE FERN KRUMENACKER

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
	NO COSTS	IFP	

Sworn to Before Me This

____ Day of _____ 2008

So Answers,



Chester A. Hawkins
by Marilyn Hays

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY

Pennsylvania

Kenneth J Selvage

No. AD2008-353-CD
Clearfield Co

VS

Renee Fern Krumenacker

Complaint

Sheriff's Return

SERVED, Renee Fern Krumenacker personally by handing her the complaint on March 31, 2008 at SCI of Cambridge Springs, Cambridge Springs, PA 16403 at 9:20am.

So answers,

Sworn to and subscribed before me this
3rd day of April, 2008

Emmy Anneth Duffy
Prothonotary

Geoff A Devore
Geoff A Devore, Deputy

Walter C Hoke
Walter C. Hoke, Sheriff

Sheriff's Cost\$ IFP
April 3, 2008



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office
Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641
FAX (814) 765-5915
ROBERT SNYDER
CHIEF DEPUTY
MARILYN HAMM
DEPT. CLERK
CYNTHIA AUGHENBAUGH
OFFICE MANAGER
KAREN BAUGHMAN
CLERK TYPIST
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 103859

TERM & NO. 08-353-CD

KENNETH JOHN SELVAGE

COMPLAINT

vs.

RENEE FERN KRUMENACKER

SERVE BY: 04/03/08
COURT DATE:

MAKE REFUND PAYABLE TO **IFP ORDER ATTACHED**

SERVE: RENEE FERN KRUMENACKER (OL-4397)

ADDRESS: 451 FULLERTON AVE., SCI CAMBRIDGE SPRINGS, CAMBRIDGE SPRINGS, PA 16403-1238

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CRAWFORD COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, March 20, 2008.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

RECEIVED

08 MAR 25 AM 11:37

SHERIFF'S OFFICE
CRAWFORD COUNTY

CCPY

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

NO. 08-353-CD

RENEE FERN KRUMENACKER,
Defendant

*

*

*

*

ORDER

NOW, this 29th day of February, 2008, the Court having received and reviewed the Plaintiff's Petition to Proceed *in forma pauperis* filed February 29, 2008, it is the ORDER of this Court that the Petition for Leave to Proceed *in forma pauperis* be and is hereby GRANTED for purposes of the Plaintiff's Civil Complaint.

BY THE COURT,

/s/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

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

MAR 04 2008

Attest.

William A. Ammerman
Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

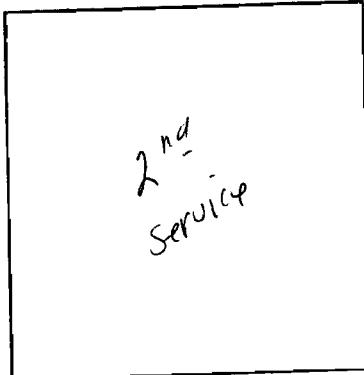
DOCKET # 104126
NO: 08-353-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: KENNETH JOHN SELVAGE
VS.
DEFENDANT: RENEE FERN KRUMENACKER

SHERIFF RETURN

NOW, May 06, 2008, SHERIFF OF CRAWFORD COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON RENEE FERN KRUMENACKER (OL-4397).

NOW, May 15, 2008 AT SERVED THE WITHIN COMPLAINT ON RENEE FERN KRUMENACKER (OL-4397), DEFENDANT. THE RETURN OF CRAWFORD COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.



FILED
013:00 AM
JUN 30 2008
WM
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104126
NO: 08-353-CD
SERVICES 1
COMPLAINT

PLAINTIFF: KENNETH JOHN SELVAGE
VS.
DEFENDANT: RENEE FERN KRUMENACKER

SHERIFF RETURN

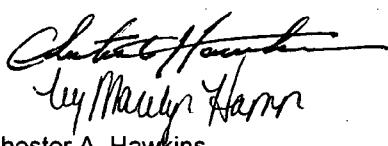
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
	NO COSTS	IFP	

Sworn to Before Me This

____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY

Pennsylvania

Kenneth John Selvage

No. AD2008-353 Clearfield

VS

Renee Fern Krumenacker

Complaint

Sheriff's Return

SERVED, Renee Fern Krumenacker personally by handing her the complaint on May 15, 2008 at SCI Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403.

So answers,

Sworn to and subscribed before me this

4 day of June, 2008


Prothonotary

Geoff A. Devore
Geoff A. Devore, Deputy

Walter C. Hoke
Walter C. Hoke, Sheriff

Sheriff's Cost\$ IFP
May 28, 2008

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

COPY

KENNETH JOHN SELVAGE, * Plaintiff
vs. *
RENEE FERN KRUMENACKER, * Defendant

No. CP-17-CD-

-2008

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

2008-353-CD

MAR 04 2008

NOTICE TO DEFEND

Attest.

William J. Schaeffer
Prothonotary/
Clerk of Courts

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's Office
County Courthouse, Suite 228
231 E. Market St.
Clearfield, PA 16830
(814) 765-2641

Kenneth J. Selvage
Kenneth John Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

MAY 5, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Willie
Deputy Prothonotary

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

KENNETH JOHN SELVAGE, *
Plaintiff * 08-353-CD
vs. * No. CP-17-CD- -2008
*
RENEE FERN KRUMENACKER, *
Defendant * REINSTATED

COMPLAINT

1. The Plaintiff is Kenneth John Selvage, residing at SCI Albion, # DZ-4871, 10745, Route 18, Albion, PA 16475-0002.
2. The Defendant is Renee Fern Krumenacker, residing at SCI Cambridge Springs, # OL-4397, 451 Fullerton Ave., Cambridge Springs, PA 16403-1238.
3. On or about March 17, 2006, the Plaintiff agreed to permit the Defendant to reside with him under a boyfriend/girlfriend relationship at: 502 Oak St., Smithmill, PA 16680 in Clearfield County.
4. During this relationship, Defendant portrayed a false interest in Plaintiff asserting her love, desire to marry, desire to get pregnant and share a positive family life together.
5. That soon after Defendant resided with Plaintiff, she exposed her true character of herself as a heroin addict (or would use any drug available to her); criminal problems; liar; prostitute; suicide attempts/tendencies; bipolar; bisexual and being molested by her father as a child.
6. Defendant used her love/sex to fool Plaintiff into loving her; trusting her and believing she had a desire to change and build a family life together.
7. Plaintiff supported Defendant in every aspect, even giving her money to support her habits.
8. Plaintiff posted Defendant's bail in Blair County in the amount of seven thousand (\$7,000.00) dollars at case # CP-07-CR-692-2006 paying seven hundred (\$700.00) dollars cash on March 23, 2006 at Magistrate Jones' Office. The night before said preliminary hearing, Defendant coerced Plaintiff into tattooing

his name "KENNY" down the middle of her lower back in order to "prove" her love for him.

9. During this relationship between Plaintiff/Defendant, there was deceit, fraud, emotional turmoil, unfaithfulness on her part, lying constantly, and the imposition of new criminal charges as well as theft against the Plaintiff.

10. That on April 25, 2006, Defendant did commit the theft of six hundred (\$600.00) dollars out of Plaintiff's wallet, due he refused to continue to give her money to support her habits..

11. After the discovery of Plaintiff's stolen money, the Defendant made false reports/accusations to the Clearfield State Police (hereinafter PSP) accusing him of violent domestic violence upon her where Plaintiff received the criminal charges for Simple Assault and Harassment; whereupon, after his lengthy incarceration, attorney expenses, the loss of his home/personal property; Plaintiff was found not guilty by a jury of his peers and acquitted for the Simple Assault; but, found guilty by the trial judge for Harassment.

12. Upon Plaintiff's arrest (5/3/06) due to false reports/accusations by the Defendant: the Defendant along with her father, Joseph Krumenacker; Edward L. Supenia; Jessica Rebar and Carl Wells, committed the known Burglary of his home at 502 Oak St., stealing all of his tattoo equipment valued at several thousand (\$2,000.00) dollars, along with most everything else of value in his home.

13. Defendant has a known history of this same behavior with prior husband; prior boyfriends and prior girlfriends; inwhich, can be established/proven by adequate testimony from same. Defendant's whole purpose of the relationship with Plaintiff was to financially deceive him and defraud him for money so she could supports her habits.

COUNT 1

14. The allegations in paragraphs 1 thru 13, above, are incorporated herein by reference and made a part hereof.

15. After the day of moving Defendant in his home, the following morning, Plaintiff observed "black scar marks" on the Defendant's arms, whereupon, he questioned her about said scars and was informed through a discussion about her

personal life that Defendant was a five (5) year heroin addict; she was a prostitute selling herself for drugs or money to obtain drugs (mostly to the Black drug dealers in Altoona); further, she explained about all of her criminal charges pending in Clearfield County (see exhibit # 1); her suicide attempts whereas the most recent one causing the death of her unborn child (verified by PSP and Hospital); that she had a medical condition of bipolar; that she is bisexual but prefers men even though she slept with women or men/women together; and she was molested by her father as a child, and, continued to have sex with him when the need arrised to get her own way or accept/deal with her problems caused within their family.

16. After this lengthly discussion where Defendant was emotionally in tears (putting on a show), Plaintiff explained to her that "if" he would of been aware of these "problems" prior to her moving in, he would not have permitted her to reside in his home. But, he was already in love with her and it was too late for him to turn back now. Defendant asserted that she truly loved him; wanted to be married; wanted to have a child together; wanted to help Plaintiff obtain custody of his then six (6) year old daughter; and most of all, wanted to share/build a family life together. Defendant requested Plaintiff help her get clean from drugs and alcohol; help her with her criminal charges so she would not have to face a state prison sentence; how she was so full of guilt/shame and needed a positive change in her life. When Plaintiff attempted to help her get clean, she would refuse sex until he complied with her wishes for money to support her habits.

17. This representation of her love, desire to be a family and change her entire character was a false representation, was known to Defendant to be false when made; and further, was made with the intent to deceive and defraud Plaintiff of money, and, sexually seduce him to do her will, support her habits and give her a secure place to live while she awaited the disposition of her criminal charges.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00) dollars, plus interests and costs.

COUNT 2

18. The allegations in paragraphs 1 thru 17, above, are incorporated herein by reference and made a part thereof.

19. On or about March 22, 2006, Defendant requested Plaintiff to tattoo his name "KENNY" in large black letters (tattoo still there) down the center of her lower back to "prove" her love for him. Plaintiff refused at first, to do the tattoo as they were only together less than a week and she may end up to regret it later; but, Defendant became very angry and insisted she wanted the tattoo because of her love for him, so, Plaintiff complied with Defendant's desire to get the tattoo.

20. After the tattoo was completed, Defendant requested Plaintiff come to the bedroom to make love, wherein, she did things sexually to satisfy Plaintiff that she never did before to "prove" even more her love for him.

21. After the sexual encounter, the Defendant explained to Plaintiff that she may not be around much longer due a preliminary hearing in Blair County the following day; also, she had no transportation to get there or to post bail, etc. She explained that she was already out on bail in both Clearfield and Blair County. Plaintiff agreed to travel over to the hearing with her and to provide any kind of assistance within his power. Defendant called her brother, Ronald Krumenacker, who agreed to transport them for the hearing.

22. Upon arriving at the preliminary hearing, the Public Defender advised the Defendant that the Magistrate set bail at seven thousand (\$7,000.00) dollars and she needed to post same or be incarcerated. Defendant had no money what so ever, and, started crying requesting the Plaintiff to help save her from incarceration, asserting openly in front of everyone that last nights sexual encounter was just a taste of what he would receive if Plaintiff would post her bail and take her home; further, that she would obtain employment and pay him back. Plaintiff had four hundred and eight (\$408.00) dollars on his person and requested Ronald Keumenacker loan him three hundred (\$300.00) until he got home so he could post the bail, and, would pay the money back after he got home, so, Ronald Krumenacker loaned Plaintiff the money. Plaintiff posted Defendant's bail and took her home with him. Plaintiff did several tattoos to earn the three hundred (\$300.00) dollars and paid back Ronald Krumenacker.

23. Upon payment of Defendant's bail, she promised to pay the money back to Plaintiff; but to date, she never has and had no intentions of ever paying back the bail money.

24. After the bail was paid, the Defendant knew she was free from any

immediate incarceration and her whole character towards Plaintiff changed from bad to worse where she used more drugs/alcohol; she constantly lied about everything; she took off for days on end sleeping with other men/women; and, at times came home strung out on drugs/alcohol, being disrespectful and disorderly. On one occasion, she came home very high/drunk and assaulted a fifteen year old girl, Sabrina Gardner, (my ex-wife's niece) out of jealousy because she was there visiting. Another occasion, Defendant came home high/drunk from the VFW Bar in Janesville assaulting Plaintiff and smashing things in his home due he refused to give her more money. Plaintiff had to call PSP to have her escorted from his home/property; where, she returned twenty (20) minutes later sorry and wanting to make amends for her negative actions.

25. This representation of Defendant's desire to pay back the money posted for bail was a false representation; was known to Defendant to be false when made; and further, was made with the intent to deceive and defraud Plaintiff of money and sexually seduce him to do her will.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00) dollars, plus interests and costs.

COUNT 3

26. The allegations in paragraphs 1 thru 25, above, are incorporated herein by reference and made a part thereof.

27. After Plaintiff refused to supply Defendant any more money for any reason on April 25, 2006, further suggesting she leave his home and not return due he recently caught her lying/cheating in a sexual relationship with, Kenton S. Knepp, a private investigator for Edgar Snyder Law Office out of Altoona from April 17, 2006 thru April 21, 2006, Defendant committed theft and stole six hundred (\$600.00) dollars from his wallet and left his home with, Edward L. Supenia, with no intentions to return or pay back the stolen money: then on April 26, 2006, the Defendant made false reports/accusations to PSP against Plaintiff to have criminal charges brought against him (see exhibit # 2) to avoid criminal charges upon herself for the theft of Plaintiff's money.

28. The theft of Plaintiff's money was an illegal criminal act, known to the defendant to be an illegal criminal act when made; and further, was made with the intent to deceive and defraud Plaintiff of his money.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00), dollars, plus interests and costs.

COUNT 4

29. The allegations in paragraphs 1 thru 28, above, are incorporated herein by reference and made a part hereof.

30. The Defendant made false reports/allegations against Plaintiff to the PSP on April 26, 2006, to have him arrested and place in jail, knowing any arrest of the Plaintiff due his being on State Parole would result in his immediate incarceration.

31. Plaintiff was arrested by PSP for Simple Assault and Harassment at case # CP-17-CR-580-2006. At trial, Plaintiff was acquitted by the jury for Simple Assault; but, found guilty by the trial judge for Harassment and sentenced for same to ninety (90) days at the Clearfield County Prison. The Defendant gave false testimony against Plaintiff during trial; bywhich, was recognized by the jury as defense counsel exposed the Defendant's true character; thereby, acquitting Plaintiff of the fabricated charge of Simple Assault.

32. Defendant made these false reports/accusations against Plaintiff so she could get away with the theft of the six hundred (\$600.00) dollars; and, not face prosecution for same.

33. This representation of Defendant's reports/accusations against Plaintiff to the PSP was a false representation, was known to the Defendant to be false when made; and further, was made with the intent to deceive and defraud the Plaintiff of his money by the fabricated charges brought against him, in order to avoid the prosecution for the theft of his money.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00) dollars, plus interests and costs.

COUNT 5

34. The allegations in paragraphs 1 thru 33, above, are incorporated herein by reference and made a part hereof.

35. Upon Plaintiff's arrest by PSP SWAT on May 3, 2006, the Defendant along with others named in paragraph twelve (12), committed the well known and established Burglary of his home on or about May 7, 2006, by forcing open a locked door

entering and stealing numerous items, including all of Plaintiff's tattoo equipment: total value of loss three thousand four hundred and seventy nine (\$3,479.00) dollars, without Plaintiff's permission to enter same.

36. Defendant has a lengthy history of petty thefts/robberies and fraud committed in order to support her heroin and/or other drug addiction, as well as a significant history of attaching herself to various men/women in order to support her drug habit; from whom she then steals money and chattels.

37. Defendant has been found guilty of criminal charges in both Clearfield (see exhibit # 1) and Blair County for related offenses to support her drug habit.

38. Plaintiff, through his own testimony/experience, along with the issue of subpoenas, seeks to present evidence to other incidents in which Defendant had entered into "shaw relationships" with these men/women; all of which ended after Defendant absconded with the money and other property of her prior paramours.

39. In an attempt to prosecute this matter by private criminal complaint at case # CP-17-MD-147-2006, this Court agreed with the District Attorney's opinion/evaluation that it is not a disputed fact of the Burglary; but, it would best be litigated through civil court. (see exhibit # 3).

40. The representation of Defendant's actions to commit the Burglary of his home: after false reports/accusations to PSP for Plaintiff's arrest due the theft of the six hundred (\$600.00) dollars from his wallet, fabricating the criminal charges to avoid prosecution for yet another theft; was a false/criminal representation, was known to the defendant to be false/criminal when committed; and further, was done with the criminal intent to deceive and defraud the Plaintiff by stealing his personal property to sell to support her drug habit.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of ten thousand (\$10,000.00) dollars, plus interests and costs.

COUNT 6

PUNITIVE DAMAGES

41. The allegations in paragraphs 1 thru 40, above, are incorporated herein by reference and made a part hereof.

42. The Defendant's intentional fraudulent misrepresentations and intentional fraudulent criminal actions were outrageous and malicious, willful and wanton and were intended to harm Plaintiff.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount in excess of twenty thousand (\$20,000.00) dollars, plus interests and costs.

MEMORANDUM OF LAW

Plaintiff asserts that the above information is not something he is proud to pose before this Honorable Court; but, it is more than a relationship gone bad with negative decisions made foolishly on his part. It is about exposing the true facts of this matter; and, receiving fair and impartial justice for the wrongs imposed upon him; whereas, some things in a relationship are acceptable; but, others are not. Plaintiff cannot accept certain things that happened as he was not at fault; whereas, others he was at fault because he made those choices. This Court must decide what was wrong, and, what was right concerning the behavior/actions of the Defendant, as Plaintiff has stated the facts the best he can as a layman in the law. It must be noted that: at the time of this relationship, the Plaintiff was forty five (45) years old, and the Defendant was twenty three (23) years old with the Defendant "well experienced" in her deceit, fraud and criminal actions addressed herein. Further, Plaintiff was only out of prison for six (6) weeks when meeting the Defendant, after eighty seven (87)months of incarceration.

In Pennsylvania, the "function of punitive damages is to deter and punish egregious behavior." Martin v. Johns-Manville Corp., 494 A.2d 1088, 1096 (Pa.1985) (citations omitted). Punitive damages may be imposed for "torts that are committed willfully, maliciously, or so carelessly as to indicate wanton disregard of the rights of the party injured." Thompson v. Swank, 176 A. 211, 211 (Pa.1934). Punitive damages are not awarded as additionally compensation but are purely penal in nature. See Colodonato v. Consolidated Rail Corp., 470 A.2d 475 (Pa.1983); Int'l Electronics Co. v. N.S.T. Metal Prod., Co., 88 A.2d 40 (Pa.1952).

Respectfully submitted,


Kenneth J. Selvage

Date: 2/75/08

EXHIBIT # 1

Judge Ammerman sentences woman at plea colloquy court

By Aaron T. Evans
Staff Writer

Renee F. Krumenacker, 24, was sentenced before Clearfield County President Judge Fredric J. Ammerman recently during a session of plea colloquy court with sentencing. Ms. Krumenacker pleaded guilty to criminal conspiracy to commit burglary, which netted her a \$100 fine plus the cost of prosecution, as well as six months in Clearfield County Jail and four months' probation. Ms. Krumenacker must also not enter the premises of the Alley Popper in Houtzdale. She must submit to DNA testing at a cost of \$250.

Ms. Krumenacker also pleaded guilty to criminal conspiracy to commit criminal mischief. She was sentenced to a one-year probation to run concurrent to the above sentence and was fined \$10 plus the cost of prosecution. She was ordered to pay restitution in the amount of \$2,600 jointly or separately from Larry English or Michael Golembeski.

In another case, Ms. Krumenacker pleaded guilty to one count of criminal conspiracy to commit burglary. She was sentenced to two years' probation to run concurrent with the above sentences and was fined \$100 plus the cost of prosecution. She was also ordered to pay restitution in the amount of \$1,000 to the International Fraternal Order of Eagles Aerie No. 812 in Clearfield, as well as \$13,637 to the F.O.E.'s insurance company in the amount of \$13,637, both amounts jointly or separately Mr. English.

The affidavits of probable cause stated that in both cases, Ms. Krumenacker acted as driver for Mr. English and Mr. Golembeski during break-ins that occurred last summer. In the July 25, 2005, F.O.E. case, Ms. Krumenacker stated to police that she was given \$500 the day after Mr. English broke into the establishment.

In the June 20, 2005, Alley Popper case, Ms. Krumenacker gave statements to police that she informed Mr. English and Mr. Golembeski as to the location of cameras and the safe in the establishment.

Ms. Krumenacker dropped the two off then returned 20 minutes later. Each received \$40 for their part.

Ms. Krumenacker, who admitted to police that she was using heroin at the time, noted to police that, "I think I'm driving him (Mr.

English) for drugs."

Both Mr. Golembeski and Mr. English were sentenced earlier this year.

Joe Krumenacker, Ms. Krumenacker's father, went before Judge Ammerman and stated that his daughter was wrong.

"I'm proud of her, but not what she did," noted Mr. Krumenacker. "This is what happens when you don't listen to your mother and father."

Mr. Krumenacker said the family will do its best to see that she finds "the right road."

- Renee Krumenacker, 24, CCJ, had her probation revoked. On a charge of criminal conspiracy/burglary, she was sentenced to serve 18 months to three years in the SCI for women at Muney. On an additional charge of criminal conspiracy/burglary, she was resentenced to serve three years' consecutive probation.
- Ms. Krumenacker violated her probation by failing to report as instructed and failing to refrain from the use and possession of alcohol.

- Renee Krumenacker Gagnon, 24, SCI-Muney, was ordered to serve 35 days to two years in SCI-Muney on two counts of theft by deception and two counts of bad checks. Sentences are to be served consecutive to each other. She received a \$1 fine, is to refrain from the use and possession of alcohol, attend counseling as recommended by her probation officer, not enter the property of the Alley Popper Restaurant and pay restitution.

- On a charge of DUI, Ms. Krumenacker received a \$1,000 fine, was ordered to serve 30 days to six months in SCI-Muney, complete the DUI School and complete a drug and alcohol assessment. On summary offenses of careless driving and driving on roadways laced for traffic, she received a \$35 fine on each charge.

Houtzdale woman pleads

7-13-06

By JULIE RAE RICKARD
C-E Correspondent

CLEARFIELD — A 23-year-old Houtzdale woman pleaded guilty to two area burglaries Monday during Clearfield County's colloquy court with sentencing.

Renee Krumenacker, currently an inmate of the county jail, pleaded guilty to criminal conspiracy/burglary, criminal conspiracy/criminal mischief, and receiving stolen property

for the June 2005 burglary of the Alley Popper restaurant in Houtzdale and to criminal conspiracy/burglary for the July 2005 burglary of the Fraternal Order of Eagles Club in Clearfield.

Krumenacker admitted she had a drug problem and said she is trying to get all the help she can.

Her father, Joe Krumenacker, who addressed the court, asked the judge for leniency explaining she "messed

up."

"She was wrong and knows it. Drugs caused her to do stupid things. She is more mature now, clean," he said. "She takes full responsibility."

He noted her family who was in court to show their support, would be available to help her through her rehabilitation.

guilty to area burglaries

Judge Fredric J. Ammerman said that because of the extent of her heroin problem, Krumenacker might be better served at state prison.

"Only time will tell," he said. Ammerman noted her sentence includes a lengthy probation sentence and if she should violate that probation he advised her "don't ask for another county sentence."

"This is your chance," he said to her and he wished her luck.

Krumenacker was sentenced to six months in jail and four years probation. She was ordered not to enter either the Alley Popper or the Eagles Club. She must also undergo DNA testing at a cost of \$275. She was fined \$300 plus costs and must pay restitution of over \$16,000, which is split, with her co-defendants, Larry English and Michael Golembeski.

Larry English, 23, Coalport, pleaded guilty in March

to a total of 13 area burglaries most of which took place in the summer of 2005. This includes both the Alley Popper and Eagles burglaries. He was sentenced to five to ten years in state prison and five years probation.

In April, Michael Golembeski, 21, Coalport, plead guilty to nine area burglaries including this Alley Popper burglary. He was sentenced to five to ten years in state prison and four years probation.

EXHIBIT # 2

PENNSYLVANIA STATE POLICE
VICTIM/WITNESS STATEMENT FORM

T

1. VICTIM/WITNESS: RENEE FERN KRAMENACKER	2. INCIDENT NO.: C03-0862529
3. ADDRESS: 318 BIRCH ST., HOUTZDALE, PA 16651	4. PLACE: CLEARFIELD HOSPITAL EMERGENCY, room
5. DATE/DAY: 04/26/05 - WED	6. TIME: 0810
7. OFFICER'S NAME/SIGNATURE/BADGE NO.: JPR KENNETH J. WAHN 117548 8378	8. PAGE NO./INITIALS: 01/01 RK

8. STATEMENT:

Around 5:00 am I was at Ed Supenia's house and sleeping when Ed came into the bedroom and said Kenny Selvage was there. I hid under the bed and Kenny broke the door, came in found me under the bed pulled me out by my foot and hit me in the left side of my face busting my mouth. I got up went to the bathroom to stop the blood while he was screaming at Ed. Then he made me go to his house said If + called the police he would kill my family + me. When we got to his house Kasi Fisher + Carl was there. + called my dad to pick me up. Kasi went with me + I called the police from there.

NOTICE*
Under Section 4904 of the Pa. Crimes Code, Unsworn Falsification to Authorities, a person commits a misdemeanor of the third degree if he makes a written false statement which he does not believe to be true.

10. VICTIM/WITNESS SIGNATURE:

X **Renee Kramenacker****DISCOVERY / Page 14 of 16**

EXHIBIT # 3

WILLIAM A. SHAW, JR.
District Attorney

F. CORTEZ BELL, III
First Assistant District Attorney



Clearfield County Courthouse
230 East Market Street, Suite 210
Clearfield, PA 16830

Voice (814) 765-2641 ext. 5990
Fax (814) 765-6792

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE DISTRICT ATTORNEY
CLEARFIELD COUNTY

July 6, 2006

Kenneth Selvage
115 21st Street
Clearfield, PA 16830

RE: Private Criminal Complaint

Dear Mr. Selvage:

You recently submitted four separate Private Criminal Complaints for review. Please note, the complaints have been disapproved and are being returned to you.

I have reviewed this matter with the State Police and considered your written correspondence. It is my understanding that Renee Krumenacker previously lived in the trailer with you. Apparently you folks had a falling out and you directed Renee to leave the trailer. Thereafter, it is my understanding that Renee entered the trailer and removed items of property located therein. The question involves a determination of who is the rightful owner of the property. Because you and Renee cohabitated in the trailer this situation is similar to divorce proceedings.

Please note, it has been the longstanding policy of the District Attorney's Office not to prosecute criminal charges involving an issue of ownership due to marriage and/or cohabitation. These issues are best resolved in Civil Court. I encourage you to seek your remedy in that form.

Sincerely,

A handwritten signature in black ink, appearing to read "WAS".

William A. Shaw, Jr.
District Attorney

WAS/cah

cc: file

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

VERIFICATION

I, KENNETH JOHN SELVAGE, Plaintiff, do hereby verify that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief; and any false statements made therein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: 2/25/08


Kenneth J. Selvage

PROOF OF SERVICE

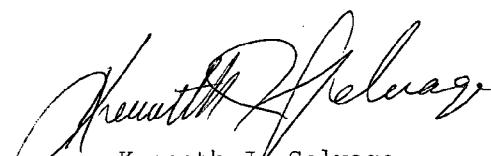
I, KENNETH JOHN SELVAGE, Plaintiff, hereby certify that I am this date serving a copy of the foregoing Complaint upon the following person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Certified Mail Return Receipt #: 7005 0390 0005 4503 0962

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: 2/25/09


Kenneth J. Selvage
DZ-4871
10745, Route 18
Albion, PA 16475-0002

cc: file

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

NO. 08-353-CD

RENEE FERN KRUMENACKER,
Defendant

ORDER

NOW, this 27th day of June, 2008, it is, the ORDER of this Court as follows:

1. The Plaintiff's Motion to Strike Defendant's Written Appearance, which he obviously has a copy of, is hereby DENIED;
2. The Plaintiff's Motion for Judgment for Failure to Respond is hereby DENIED; and
3. The Plaintiff's Motion for Request to Discovery Assets of Party (set forth in the Motion for Judgment for Failure to Respond) is hereby DENIED, as the pleading stage has not been completed.

BY THE COURT,

FREDRIC J. AMMERMAN
President Judge

FILED
07/05/08
JUL 01 2008

William A. Shaw
Prothonotary/Clerk of Courts
ICC Plff - DZ 4871
SCI Albion

ICC Def - OL 4397
SCI Cambridge Springs

610

FILED

JUL 01 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

FILED 100
JUL 14 2008 Piff
JUL 11 2008
William A. Shaw
Prothonotary/Clerk of Courts

AMENDED MOTION TO STRIKE DEFENDANT'S WRITTEN APPEARANCE

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, files the following in support of this document thereof;

1. That on April 16, 2008, the Defendant filed a written appearance to the complaint served upon her by the sheriff on March 31, 2008.
2. That the sheriff served the Defendant with the reinstated complaint on May 15, 2008, but, the Defendant failed to respond thereto.
3. That Defendant's document is moot as it is not properly filed and/or prepared under the Pa.R.Civ.P. and must be stricken from the record because;

ARGUMENT COUNT I VIOLATION

4. Paragraphs 1 thru 3 are incorporated as though set forth in full;
5. That under the Pa.R.Civ.P. Rule 440 it is specifically asserted that the document must contain attached Proof and/or Certificate of Service. Copies of all legal papers other than the complaint or summons filed in an action must be served upon all parties. Service is accomplished by service upon each parties attorney of record or, if there is no attorney of record, by mailing or personally serving a copy at the party's address listed on a prior pleading or by service at his/her residence. Service of any papers other than original process is complete upon mailing.

6. That Defendant is in direct violation of this Rule.

ARGUMENT COUNT II VIOLATION

7. Paragraphs 1 thru 6 are incorporated as though set forth in full;

8. That under the Pa.R.Civ.P. Rules 1029 & 206.2 the Defendant's Written Appearance is void of any mandatory obligation to respond to the complaint or state her version of what actually did occur, nor did Defendant deny the allegations set forth against her. (see exhibit # 1 incorporated herein)

9. That under Pa.R.Civ.P. Rule 1029 requires every responsive pleading to deny specifically each averment of fact in the proceeding pleading. Under Pa.R.Civ.P. 1029(b), a factual averment is admitted if not specifically denied. To be an effective denial under Pa.R.Civ.P. 1029(a), the answer must deny the allegations and set out affirmatively the responding party's version of what did occur. Litho v. Franklin Thrift Homes, Inc., 3 Centre L.J. 31 (1963). A party may also respond to a specific allegation of a pleading by stating that "after reasonable investigation, the party is without knowledge or information sufficient to form a belief as to the truth of the averment." This response has the same effect as a general denial. However, when it is clear that the responsive pleader must know whether a particular allegation is true or false, this "without knowledge" response will be treated as an admission. Cercone v. Cercone, 254 Pa.Super. 381, 386 A.2d 1 (1978).

10. That under Pa.R.Civ.P. Rule 206.2 Answer: (a) an answer shall state the material facts which constitute the defense to the petition (complaint); and (b) an answer to a petition (complaint) shall be divided into paragraphs, numbered consecutively, corresponding to the numbered paragraphs of the petition (complaint).

11. It is evident by the attached exhibit # 1 that the Defendant is in direct violation of these Rules.

WHEREFORE, for the above stated reasons, Plaintiff requests respectfully that this Honorable Court STRIKE the Defendant's Written Appearance from the record and ENTER JUDGMENT for the Plaintiff for failure to respond to the complaint in a timely fashion; serve document upon him and has failed to plead an adequate defense to the allegations adressed against her in the complaint. Furthermore, to find that the Defendant violated the Pa.R.Civ.P. Rules 440, 1029 and 206.2 in preparing/filing her Written Appearance herein.

Plaintiff shall forever pray for said releif.

Respectfully submitted,



Kenneth J. Selvage, pro se

Date: July 7, 2008

EXHIBIT # 1

IN THE COURT OF COMMON PLEAS OF Clearfield, COUNTY
PENNSYLVANIA

CIVIL DIVISION

FILED
Copied 16 2008
William A. Shaw
Prothonotary/Clerk of Courts

Kenneth John Selvage :
Plaintiff :

VS :

Renee Fern Krumenacker :
Defendant :

NO. CP-17-353-CD-2008

WRITTEN APPEARANCE

NOW COMES, Renee Fern Krumenacker, Defendant who respectfully deposes and avers that:

1. I am currently incarcerated at SCI-Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403-1238; pursuant to a term sentence of 18mos. to 3yrs.
2. Defendant states inability to pay punitive damages, to above said Plaintiff.
3. Defendant earns minimal prison wages. Defendant's monthly income is approxiamately \$25.00.
4. Defendant submits to the court that she is not responsible for punitive damages and that she committed no egregious behavior.
5. Defendant states that Plaintiff was aware of her drug addiction and behavior prior to defendant entering into a relationship, in no way was defendant deceptive.

Defendant verifies that all statements made in the above Notice are true and correct to the best of her knowledge, information and belief. Defendant understands that false statements are subject to penalties under Title 18 Pa. C.S.A. S4904, relating to unsworn falsification to authorities.

WHEREFORE, Defendant respectfully requests this Court to dismiss this suit as frivilous and without merit.

Respectfully Submitted,

Renee Fern Krumenacker

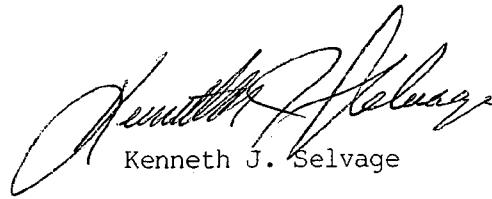
Renee Fern Krumenacker
Defendant Pro Se

Common Pleas Court
Clearfield County, PA
No. 08-353-CD

VERIFICATION

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief and any false statements made herein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code relating to unsworn falsification to authorities:

Date: 7/7/08



Kenneth J. Selvage

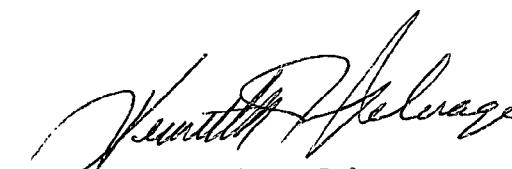
PROOF OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: 7/7/08



Kenneth J. Selvage

DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

NO. 08-353-CD

RENEE FERN KRUMENACKER,
Defendant

六

ORDER

NOW, this 11th day of July, 2008, it is the ORDER of this Court that the Plaintiff's Amended Motion to Strike Defendant's Written Appearance be and is hereby DISMISSED. /

BY THE COURT.


FREDERIC J. AMMERMAN

FILED
14:00 CDT
JUL 11 2008

William A. Shaw
Prothonotary/Clerk of Courts
ICC Dif - DZ 4871
SCI Albia

ICC Def - DL4397
SCI Cambridge Springs

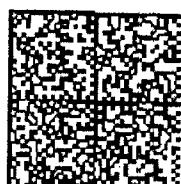
WILLIAM A. SHAW
PROTHONOTARY
and CLERK of COURTS
P.O. BOX 549
CLEARFIELD, PENNSYLVANIA 16830

FILED

14-08-08
JUL 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

**Inmate Released,
Unable to Forward-**



Hasler

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\$00.420
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Mailed From 16830

US POSTAGE

Renee Fern Krumenacker
OL 4397
SOCRANTES/Springs
451 Fullerton
Cambridge, MA 02141
NIXIE 168 DE 1 00 07/10/08

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 16890054949 *2043-09963-02-39
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

KENNETH JOHN SELVAGE,
Plaintiff

vs.

NO. 08-353-CD

RENEE FERN KRUMENACKER,
Defendant

*
*
*
*
*

O R D E R

NOW, this 27th day of June, 2008, it is the ORDER of this Court as follows:

1. The Plaintiff's Motion to Strike Defendant's Written Appearance, which he obviously has a copy of, is hereby DENIED;
2. The Plaintiff's Motion for Judgment for Failure to Respond is hereby DENIED;
and
3. The Plaintiff's Motion for Request to Discovery Assets of Party (set forth in the Motion for Judgment for Failure to Respond) is hereby DENIED, as the pleading stage has not been completed.

BY THE COURT,

/S/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

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

JUL 01 2008

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

RENEE FERN KRUMENACKER,
Defendants

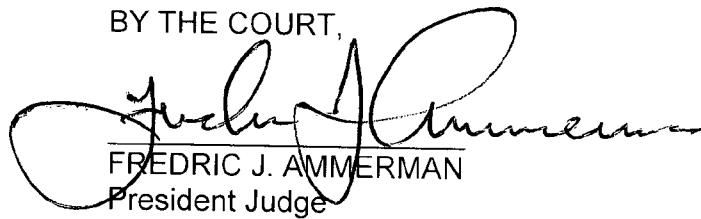
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No. 08-353-CD

ORDER

NOW, this 17th day of July, 2008, the Court having further reviewed the Plaintiff's Complaint and all documents contained in the Prothonotary's file; the Court believing that it is very clear from a reading of the Plaintiff's Complaint that the action is frivolous, fails to state an appropriate cause of action and that the complaints made by the Plaintiff were primarily caused by his own actions, it is the ORDER of this Court that the Plaintiff's Complaint be and is hereby DISMISSED, with prejudice.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED
07/18/2008
JUL 18 2008
103:23 AM
SCI Albion
DZ4871

William A. Shaw
Prothonotary/Clerk of Courts
100 Def.
OL 4397
SCI Cambridge Springs

FILED

JUL 18 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE _____
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: _____

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

JUL 24 2008

7/3:00p

William A. Shaw
Prothonotary/Clerk of Courts

No. 4/

CIVIL ACTION

No. 08-353-CD

Type of Case: Civil

Type of Pleading: Statement /
Certificate of Residence

Filed on Behalf of:

Kenneth John Selvage, Plaintiff
(Plaintiff/Defendant)

vs.

Renee Fern Krumenacker
(Defendant)

410 Viola Pike

(Street Address)

Smithmill, PA 16680

(City, State ZIP)

Kenneth John Selvage, Plaintiff
(Filed by)

10745 Route 18, Albion, PA 16475-0002
(Address)

(814) 756-5778

(Phone)

Signature

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

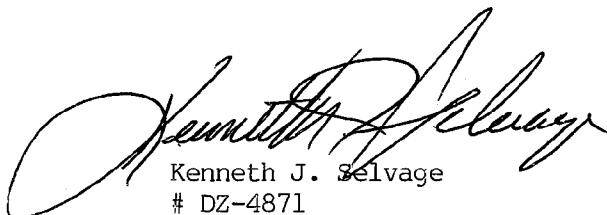
STATEMENT/CERTIFICATE OF RESIDENCE

I, KENNETH JOHN SELVAGE, Plaintiff pro se, under the penalty of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code, hereby certify that the addresses asserted below are the true and correct addresses of the Plaintiff and the Defendant in the above case:

Kenneth John Selvage, Plaintiff
DZ-4871
SCI Albion
10745 Route 18
Albion, PA 16475-0002

Renee Fern Krumenacker, Defendant
410 Viola Pike
Smithmill, PA 16680

Date July 21, 2008



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: Defendant
file

FILED
Jul 24 2008
William A Shaw
Prothonotary/Clerk of Courts

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

RENEE FERN KRUMENACKER,
Defendant

FILED *(initials)*

JUL 31 2008

M/3:30 (C)

William A. Shaw
Prothonotary/Clerk of Courts
cc

* CIVIL ACTION - LAW

* No. 08 - 353 - CD

* Type of Pleading:

* Motion to Rescind Court's Order
of July 17, 2008, Dismissing
Complaint with Prejudice

* Filed on behalf of Plaintiff

* Kenneth J. Selvage, pro se
DZ-4871
10745 Route 18
Albion, PA 16475-0002

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

MOTION TO RESCIND COURT'S ORDER OF
JULY 17, 2008, DISMISSING COMPLAINT WITH PREJUDICE

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support of this document thereof:

1. That on July 17, 2008, this Court issued an Order dismissing the complaint against the above named Defendant with prejudice. (see exhibit # 1 incorporated by reference).
2. That the Court erred in the dismissal of said complaint as the Plaintiff did aver a cause of action in his complaint, but, was not given an adequate chance by law to establish same.
3. That on July 17, 2008, the Plaintiff in fact forwarded a legitimate document for filing to the Prothonotary, Motion for Recusal, that was returned to the Plaintiff, unfiled, on July 25, 2008, by mail (signed for legal correspondence - see exhibit # 1 incorporated by reference) asserting this Court's known bias, prejudice, etc., against the Plaintiff, as is evident by the attached Order dismissing his complaint. Prothonotary Shaw made no response other than returning Plaintiff's legal document with "copy" of this Court's 7-17-08 Order attached in exhibit # 1.
4. That it is established by the record that the Plaintiff had no-way of knowing that the Court had already issued an Order dismissing his complaint on 7-17-08, where on same date a Motion for Recusal was forwarded to the Prothonotary for filing: then returned undecided upon due this Court's Order of 7-17-08.

2.

5. That the Plaintiff has suffered an injustice by this Court's dismissal of his complaint due the bias, prejudice, etc., asserted herein it harbors against him.

6. That the Plaintiff requests due the circumstances of the case asserted herein, that the Court RESCIND its Order of July 17, 2008, that it accept the Motion for Recusal attached in exhibit # 1, and then decide upon same before the dismissal of his complaint.

WHEREFORE, for the above stated reasons, Plaintiff requests respectfully that this Honorable Court GRANT his Motion and RESCIND its July 17, 2008 ORDER until the merits of his Motion for Recusal is decided upon.

Plaintiff shall forever pray for said relief in the interests of justice.

Respectfully submitted,



A handwritten signature in black ink, appearing to read "Kenneth J. Selvage".

Kenneth J. Selvage, pro se

Date: July 28, 2008

EXHIBIT # 1.

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

KENNETH JOHN SELVAGE,
Plaintiff

vs.

RENEE FERN KRUMENACKER,
Defendants

COPIED

No. 08-353-CD

*
*
*
*

ORDER

NOW, this 17th day of July, 2008, the Court having further reviewed the Plaintiff's Complaint and all documents contained in the Prothonotary's file; the Court believing that it is very clear from a reading of the Plaintiff's Complaint that the action is frivolous, fails to state an appropriate cause of action and that the complaints made by the Plaintiff were primarily caused by his own actions, it is the ORDER of this Court that the Plaintiff's Complaint be and is hereby DISMISSED, with prejudice.

BY THE COURT,

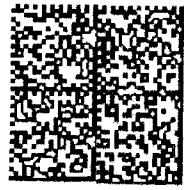
/S/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

FILED
COPIED
JUL 18 2008

William A. Shaw
Prothonotary/Clerk of Courts

WILLIAM A. SHAW
PROTHONOTARY
and CLERK of COURTS
P.O. BOX 549
CLEARFIELD, PENNSYLVANIA 16830



016H16505405
\$ 00.590
07/23/2008
Hassler
Mailed From 16830
US POSTAGE

119
LEGAL MAIL

Must Be Opened By An
Officer Infront Of
The Inmate

Kenneth Selvage, DZ-4871
Unit/Side FB
10745, Route 18
Albion, PA 16475-0002

William A. Shaw, Sr.

July 17, 2008

Prothonotary & Clerk of Courts

County Courthouse

P.O. Box 549

Clearfield, PA 16830

Re: Selvage v. Krumenacker

No. 08-353-CO

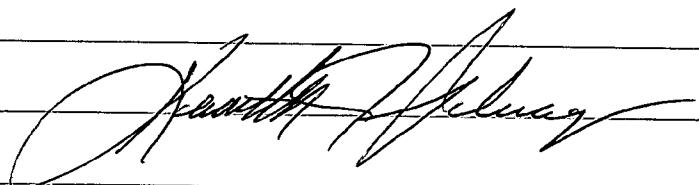
Dear Prothonotary:

Enclosed, please find my Motion for Recusal that I request be time stamped and filed with your office, then forwarded to the Court for its disposition.

Please certify and return the extra copy to me.

Thank you for your time.

Respectfully,



cc: Defendant

Att. Achille

file

Kenneth J. Selvage

DZ-4871

10245 Route 18

Albion, PA 16425-0002

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

KENNETH JOHN SELVAGE, *
Plaintiff *
vs. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

MOTION FOR RECUSAL

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support of this document thereof:

1. That the Plaintiff requests the Honorable Fredric J. Ammerman to recuse himself from the above case due he has shown bias, prejudice, ill will, partiality, unfairness and a strong dislike towards Plaintiff.
2. This Court does not follow the Pennsylvania Rules of Civil Procedure, does not follow case law or abide by either. This Court makes up its own Rules as it goes along.
3. That this Court has denied all Plaintiff's motions filed herein, even when said motions were supported by Rules and case law.
4. That this Court in a prior proceeding concerning private criminal complaint filed against the Defendant for the known Burglary of Plaintiff's home, denied the prosecution of same and permitted the Defendant and others to go unpunished for the Burglary of his home at case No. CP-17-MD-147-2006.
5. That the Court hold ill will towards Plaintiff as he was acquitted of the Simple Assault charge, filed by the Defendant, at jury trial at case No. CP-17-CR-580-2006.
6. That this Court denied all pre-trial motions in Plaintiff's criminal cases at CP-17-CR-580 & 620-2006, giving no consideration to same.
7. That this Court hates the Plaintiff as it prosecuted him numerous times when it served as the District Attorney of this County.
8. That it is evident in the case at bar that the Plaintiff will not receive any just, fair or impartial decisions from this Court due all motions were denied thus far giving no consideration nor opinion to same.

9. That the Plaintiff will be further prejudice from the Honorable Paul E. Cherry, or, Honorable John K. Reilly Jr., presiding over this case as they are bias and prejudice against him as well.

10. That this Court hold ill will towards the Plaintiff due his formal complaint to the Judicial Conduct Board against it due the conspiracy to permit the Burglary of his home mentioned in paragraph 4.

11. A judge should recuse himself whenever he/she has any substantial doubts as to his/her ability to preside impartially or where the judge's impartiality can reasonably be questioned.

12. The burden is on the party seeking recusal to establish bias, prejudice or evidence of unfairness, and to do so in a timely fashion.

13. If the judge was a prosecutor at the time of a criminal incident, upon motion of the Plaintiff, recusal is required where the judge actually prosecuted the Plaintiff at any stage, or where the judge has prosecuted the Defendant on other charges. This Court prosecuted both the Plaintiff and the Defendant in the case at bar.

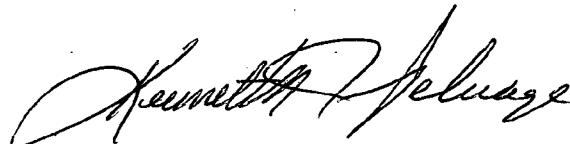
14. That Justice would best be served by this Court granting recusal and appointing out-of-county judge to preside over same.

15. State judge may be found criminally liable for violation of civil rights even though the judge may be immune from damages under Sec. 1983 of Title 42, Dennis v. Sparks, 449 U.S. 24, 101 S.Ct. 183, 66 L.Ed.2d 185 (1980).

WHEREFORE, for the above stated reasons, Plaintiff requests respectfully that this Court, Judge Ammerman, Judge Cherry and Judge Reilly, recuse itself from this case and appoint out-of-county judge to preside over same.

Plaintiff shall forever pray for said relief.

Respectfully submitted,



Kenneth J. Selvage, pro se

Date: July 17, 2008

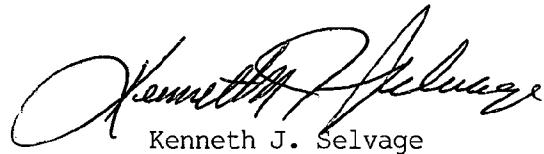
Common Pleas Court
Clearfield County, PA

No. 08-353-CD

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of his personal knowledge, information and belief, and any false statement made therein are made subject to the penalties of perjury, relating to 18 Pa.CSA § 4904 of the Crimes Code, unsworn falsification to authorities.

Date: July 17, 2008



Kenneth J. Selvage

CERTIFICATE OF SERVICE

I, KENNETH JOHN SELVAGE, HEREBY CERTIFY THAT I am this date serving a copy of the foregoing document upon the persons and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
OL-4397
451 Fullerton Ave.
Cambridge Springs, PA 16403-1238

Date: July 17, 2008



Kenneth J. Selvage

Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

COMMON PLEAS COURT OF
CLEARFIELD COUNTY, PA

No. 08-353-CD

V E R I F I C A T I O N

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of my personal knowledge, information and belief, and any false statements made herein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904, of the crimes code, relating to unsworn falsification to authorities.

Date: July 28, 2008



Kenneth J. Selvage

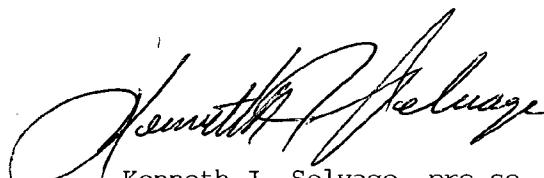
CERTIFICATE OF SERVICE

I, KENNETH JOHN SELVAGE, DO HEREBY CERTIFY THAT I AM THIS DATE SERVING A COPY OF THE FOREGOING DOCUMENT UPON THE PERSON AND IN THE MANNER INDICATED BELOW:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
410 Viola Pike
Smithmill, PA 16680

Date: July 28, 2008



Kenneth J. Selvage, pro se
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

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

KENNETH JOHN SELVAGE, * No. 08-353-CD
Plaintiff *
vs. *
RENEE FERN KRUMENACKER, *
Defendant *

FILED

AUG 13 2008

0 11:15 AM

William A. Shaw
Prothonotary/Clerk of Courts
CENT. TR. PLFF. L.
DEPT.

ORDER

NOW, this 13th day of August, 2008, the Court being in receipt of the Plaintiff's *pro se* "Motion to Rescind Court's Order of July 17, 2008 Dismissing Complaint with Prejudice", it is the ORDER of this Court that the Plaintiff have no more than thirty (30) days from this date to submit a brief to the Court setting forth legal support as to why the Order of July 17, 2008 should be rescinded, and as to what the Plaintiff means when he claims he "was not given an adequate chance by law to establish same."

In regard to the Plaintiff's claim that the Prothonotary acted in an inappropriate manner by returning his "Motion for Recusal", the Court had entered the Order dismissing the case prior to the receipt of the Plaintiff's "Motion for Recusal". As such the "Motion for Recusal" was moot. The Prothonotary was then directed by the Court to return the Plaintiff's Motion for Recusal.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILE: 6-13-04

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 Other
Court Instructions:

SCI OR - 4397
Lancaster Springs
16403

X
410 Viola Pike
Summers, PA.
16680

...mmt. b/w

FILED

AUG 25 2008

18:30 / un
William A. Shaw
Prothonotary/Clerk of Courts

2008-353-CD

my current address is

410 Viola Pike

Smithmill PA 166680

phone is

814-378-5729 Hm

814-762-6987 cell

Thank you

Renee

Krumenacker

current Address in
writing as requested

only address I know to
Send this too.

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

KENNETH JOHN SELVAGE, *
Plaintiff *
*
vs. * No. 08-353-CD
*
RENEE FERN KRUMENACKER, *
Defendant *
*

FILED

AUG 29 2008

2015/✓
William A. Shaw
Prothonotary/Clerk of Courts

no 4C

MOTION FOR COURT'S CONSIDERATION

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support of this document thereof:

1. That on August 13, 2008 this Court issued an Order upon the Plaintiff to file a Brief setting forth legal argument as to why the court should rescind its Order of 7-17-08 dismissing complaint with prejudice.
2. That Plaintiff complied with said Order forwarding Brief to the Court on 8-19-08.
3. That on 8-19-08 Plaintiff received legal correspondence from Attorney John G. Achille, Esq., forwarding a copy of the letter sent to his office on Plaintiff's behalf from Horace Mann Insurance Company in regards to the bodily injury claim settlement issued to the Defendant due traffic accident on 4-10-06. (see exhibit # 1).
4. That in reference to exhibit # 1, the Plaintiff would direct this Court's attention to the Written Appearance filed by the Defendant on 4-16-08 (see exhibit # 8 in brief) asserting that her only income or wealth was the twenty five (\$25.00) dollars per month she had earned in prison. The Defendant attempted to mislead the Court concerning her wealth or financial situation, as it is evident herein that she had received a large settlement from Horace Mann Insurance Company prior to the date she had filed her Written Appearance. Furthermore, the Defendant is no longer under incarceration.
5. That in exhibit # 1 it is clearly stated that: "Regarding Mr. Selvage's request for information concerning Ms. Krumenacker's claim, we will be unable to assist him absent any legal proof that he would be entitled to the same."

6. That Plaintiff asserts under Discovery it is recognized that:

"Punitive damages are now addressed by Pa.R.Civ.P. Rule 4003.7, effective December 1, 1997. The Rule provides that a party may obtain information concerning the wealth of a defendant in a claim for punitive damages only upon order of court setting forth appropriated restrictions as to the time and manner of the discovery, the scope of the discovery, and the dissemination of the material discovered. Kirkbride v. Lisbon Contractors, Inc., 555 A.2d 800 (Pa.1989). In Pennsylvania, the trier of fact in assessing punitive damages may consider the wealth of the defendant in order to determine what will be sufficient penalty to serve as a punishment. Aland v. Pyle, 106 A.2d 349 (Pa.1919)."

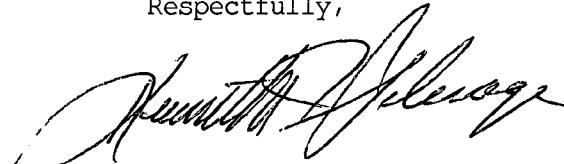
7. That Plaintiff requests that this Court issue an Order, under Discovery, upon Horace Mann Insurance Company, as well as the Defendant, to supply all the necessary information regarding the bodily injury claim settlement to the Defendant as to: (1) the amount of settlement; (2) the date it was issued; (3) to whom it was issued; and (4) the disposition of same.

8. That Plaintiff requests the Court, upon receipt of same Discovery, put a hold/freeze on said settlement until the final disposition of this case at bar.

WHEREFORE, for the above stated reasons, Plaintiff requests respectfully that this Honorable Court to GRANT the present motion and issue an Order upon Horace Mann Insurance Company and the Defendant to supply the requested Discovery information pertaining to the bodily injury claim settlement forthwith, and further Order a hold/freeze on said Discovery evidence until the final disposition of the case at bar.

Plaintiff shall forever pray for said relief.

Respectfully,


Kenneth J. Selvage

Date: August 20, 2008

cc: file



Horace Mann
Educated Financial Solutions

24 Recd

Retirement Annuities and Life, Auto,
Homeowners and Group Insurance

July 21, 2008

John G. Achille, Esq.
Achille, Ellermeyer, & French
379 Main Street
Brookville, PA 15825-1221

RE: Your Client: Kenneth Selvage
Our Insured: William Guellich
Date of Loss: 04/10/2006
Our Claim Number: 98291B

Dear Mr. Achille,

Please find enclosed a copy of a correspondence from your client Kenneth Selvage that was recently received by Horace Mann Agent Tom Stetter.

I am writing at this time to request that you please ask your client to refrain from contacting Mr. Stetter further relative to this matter. Mr. Stetter is and was in no way involved in this case and has no knowledge of this matter whatsoever. Regarding Mr. Selvage's request for information concerning Ms. Krumenacker's claim, we will be unable to assist him absent any legal proof that he would be entitled to the same.

If you have any questions or concerns, or elect to proceed with obtaining the requested information via subpoena, I can be reached at the telephone number listed below.

Sincerely,

Heath A. Conrad, AIC
State Superintendent
Horace Mann Mutual Insurance Company
235 Saint Charles Way
Suite 250
York, PA 17402-4636
888-772-9167 Ext. 8340
Fax: 717-741-4043

Court of Common Pleas
Clearfield County, PA
No. 08-353-CD

VERIFICATION

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of his personal knowledge, information and belief, and any false statements made therein are made subject to the penalties of perjury, 18 Pa.C.S.A. § 4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: August 20, 2008



Kenneth J. Selvage

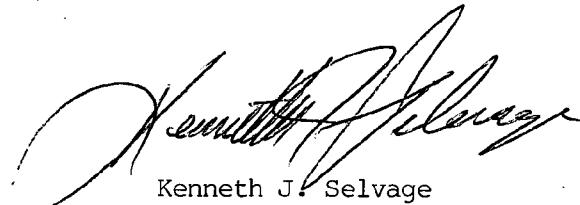
CERTIFICATE OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the persons and in the manner indicated below.

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
410 Viola Pike
Smithmill, PA 16680

Date: August 20, 2008



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: file

194
William A. Shaw, Sr.
Prothonotary/Clerk of Courts
County Courthouse
P.O. Box 549
Clearfield, PA 16830

August 20, 2008

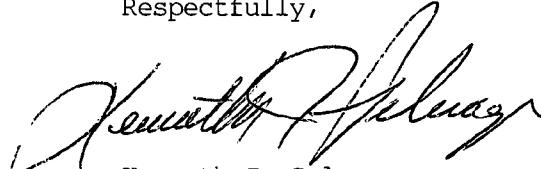
Re: Selvage v. Krumenacker
No. 08-353-CD

Dear Mr. Shaw:

Enclosed, please find my Motion for Court's Consideration that I request be time stamped and filed with your office, then forwarded to Judge Ammerman for his disposition. Be advised that this document has merit and corresponds with the recent Plaintiff's Brief forwarded to the Court as per Judge Ammerman's Order of 8-13-08.

Thank you for your time and kind consideration in this matter.

Respectfully,



Kenneth J. Selvage
DZ-4871
10745 Route 18
Albion, PA 16475-0002

cc: Defendant
file

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

KENNETH J. SELVAGE,
Plaintiff
vs.
RENEE FERN KRUMENACKER,
Defendant

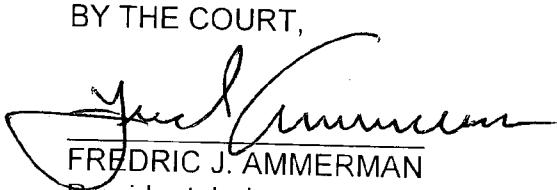
* NO. 08-353-CD

*
*
*
*

ORDER

NOW, this 8th day of September, 2008, the Court being in receipt of the Plaintiff's Motion for Court's Consideration filed August 29, 2008; that the Court previously dismissed the above-captioned case with prejudice by Order of July 17, 2008; that the Plaintiff filed on July 31, 2008 a Motion to Rescind Court's Order in essence requesting the Court to grant reconsideration of the July 17, 2008 order. This Court notes that no order granting reconsideration was issued and that pursuant to Rule of Appellate Procedure 1701 the Court's Order of July 17, 2008 was a final order and the Plaintiff had 30 days from the docketing date of July 18, 2008 to file an appeal to the Superior Court. The Plaintiff did not file a timely appeal and the case is now concluded. As such, it is the ORDER of this Court that the Plaintiff's Motion for Court's Consideration is dismissed as moot.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED
01/4/006
SEP 08 2008

William A. Shaw
Prothonotary/Clerk of Courts
610
ICC Piff

DZ 4871
SCI Albion

ICC Def- 40 Vida Pike
Smithmill, PA 16680

FILED

SEP 08 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 9/8/08

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 ACTION/DIVISION LAW

KENNETH JOHN SELVAGE,
Plaintiff

v.

RENEE FERN KRUMENACKER,
Defendant

*

*

*

*

CIVIL ACTION - LAW

*

*

No. 08-353-CD

*

*

Type of Pleading:

*

Motion for Court's Reconsideration
of Order Dated September 8, 2008

*

*

Filed on Behalf of Plaintiff:

*

Kenneth John Selvage
HS-5181
10745 Route 18
Albion, PA 16475-0002

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

KENNETH JOHN SELVAGE, *
Plaintiff *
v. * No. 08-353-CD
RENEE FERN KRUMENACKER, *
Defendant *

**MOTION FOR COURT RECONSIDERATION OF ORDER
DATED SEPTEMBER 8, 2008**

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support of this document thereof:

1. That the Court erred in its Order of 9-8-08 in that it had made an inappropriate decision and/or misjudgment upon the prior Order of 8-13-08. (see exhibit # 1).
2. That in this Court's Order of 8-13-08, it in fact did grant in part the Plaintiff's Motion to Rescind Court's Order of 7-17-08 in that it directed Plaintiff to file a brief setting forth legal support as to why the Order of 7-17-08 should be rescinded. (see exhibit # 2).
3. That on 8-22-08 Plaintiff in fact filed a timely "Plaintiff's Brief" with the Court Administrator's Office as directed by this Court. (see exhibit # 3).
4. That Plaintiff filed a Motion for Court's Consideration on 8-29-08, bywhich, was clearly asserted in said motion to be a supplemental addition to the brief filed on 8-22-08. (see exhibit # 4).
5. That Plaintiff wrote a letter to the Court [Judge Ammerman] on 9-11-08 requesting its reconsideration to its Order of 9-8-08 due the error in same, but, no response to date was ever received by Plaintiff. (see exhibit # 5).
6. That there is the matter of the Motion for Recusal filed due the bias, prejudice, etc., present in this case [as in other cases], but, this Court has refused to address this very important situation. (see exhibit # 6).
7. That Plaintiff has suffered prejudice in this Court's Order of 9-8-08 in that it is totally contrary to the Order of 8-13-08 where Plaintiff was directed to file a brief within thirty (30) days, inwhich was timely complied

with, then the Court dismissed the whole case asserting Plaintiff has failed to file a Notice of Appeal to the Superior Court within thirty (30) days of its Order of 7-18-08.

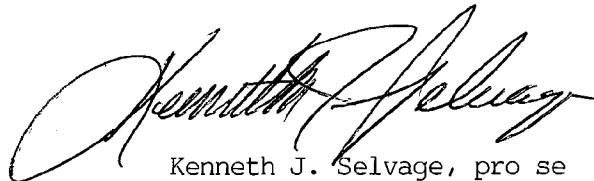
8. That under the PA Rules of Civil/Criminal Procedure, as well as common legal knowledge of this Court, that upon receipt of "Plaintiff's Brief" filed 8-22-08, the Court due issuance of its 8-13-08 Order, would have to review said brief to decide the merit(s) of same, then issue its Opinion and/or Order regarding the issues presented therein, then if denied and case dismissed, the Plaintiff would have thirty (30) days from the date of said Order to file his Notice of Appeal to the Superior Court.

9. That Plaintiff asserts the Court has made an error of judgment herein and requests under the interests of justice, it reconsider its Order of 9-8-08 and straighten this matter out.

WHEREFORE, Plaintiff requests respectfully that this Honorable Court reconsider and/or rescind its Order of September 8, 2008 based upon the argument presented herein and issue an appropriate Order to same; further, review the "Plaintiff's Brief" filed on August 22, 2008, then issue its Opinion and/or Order to the case at bar. Also, Plaintiff requests respectfully this Honorable Court take into consideration his desire for it to Recuse itself from this case.

Plaintiff shall forever pray for said relief.

Respectfully submitted,



Kenneth J. Selvage, pro se

Date: 9/24/08

Exhibit # 1 Incorporated By Reference

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

KENNETH J. SELVAGE,
Plaintiff
vs.
RENEE FERN KRUMENACKER,
Defendant

* NO. 08-353-CD
*
*
*
*

ORDER

NOW, this 8th day of September, 2008, the Court being in receipt of the Plaintiff's Motion for Court's Consideration filed August 29, 2008; that the Court previously dismissed the above-captioned case with prejudice by Order of July 17, 2008; that the Plaintiff filed on July 31, 2008 a Motion to Rescind Court's Order in essence requesting the Court to grant reconsideration of the July 17, 2008 order. This Court notes that no order granting reconsideration was issued and that pursuant to Rule of Appellate Procedure 1701 the Court's Order of July 17, 2008 was a final order and the Plaintiff had 30 days from the docketing date of July 18, 2008 to file an appeal to the Superior Court. The Plaintiff did not file a timely appeal and the case is now concluded. As such, it is the ORDER of this Court that the Plaintiff's Motion for Court's Consideration is dismissed as moot.

BY THE COURT,

/S/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

SP 13 2008

Exhibit #2 Incorporated By Reference

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

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

KENNETH JOHN SELVAGE,
Plaintiff

* No. 08-353-CD

AUG 13 2008

vs.

RENEE FERN KRUMENACKER,
Defendant

*
*
*
*
*

Attest.

Willie A. Ammerman
Prothonotary/
Clerk of Courts

ORDER

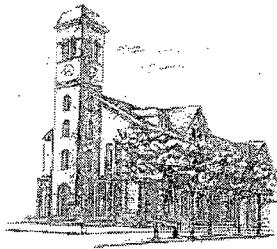
NOW, this 13th day of August, 2008, the Court being in receipt of the Plaintiff's *pro se* "Motion to Rescind Court's Order of July 17, 2008 Dismissing Complaint with Prejudice", it is the ORDER of this Court that the Plaintiff have no more than thirty (30) days from this date to submit a brief to the Court setting forth legal support as to why the Order of July 17, 2008 should be rescinded, and as to what the Plaintiff means when he claims he "was not given an adequate chance by law to establish same."

In regard to the Plaintiff's claim that the Prothonotary acted in an inappropriate manner by returning his "Motion for Recusal", the Court had entered the Order dismissing the case prior to the receipt of the Plaintiff's "Motion for Recusal". As such the "Motion for Recusal" was moot. The Prothonotary was then directed by the Court to return the Plaintiff's Motion for Recusal.

BY THE COURT,

Fred Ammerman
FREDRIC J. AMMERMAN
President Judge

Exhibit # 3 INCORPORATE BY Reference



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw **Jacki Kendrick** **Bonnie Hudson** **David S. Ammerman**
Prothonotary/Clerk of Courts Deputy Prothonotary/Clerk of Courts Administrative Assistant Solicitor

PO Box 549, Clearfield, PA 16830 □ Phone: (814) 765-2641 Ext. 1330 □ Fax: (814) 765-7659 □ www.clearfieldco.org

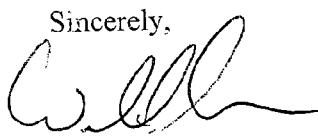
September 18, 2008

Kenneth John Selvage
HS-5181
10745 Route 18
Albion, PA 16475-0002

RE: 2008-353-CD

Dear Mr. Selvage:

Your brief was received at the Prothonotary's Office and forwarded to the Court Administrator's Office, time stamped received on August 22, 2008, per court procedures.

Sincerely,


William A. Shaw
Prothonotary/Clerk of Courts

2008-353-CD
RECEIVED
COURT CLERK
SEP 18 2008
WILLIAM A. SHAW
PROTHONOTARY/CLERK OF COURTS
CLEARFIELD COUNTY, PA

Exhibit # 4 Incorporated By Reference

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

KENNETH JOHN SELVAGE,

Plaintiff

*

*

vs.

*

No. 08-353-CD

*

RENEE FERN KRUMENACKER,

Defendant

*

MOTION FOR COURT'S CONSIDERATION

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support of this document thereof:

1. That on August 13, 2008 this Court issued an Order upon the Plaintiff to file a Brief setting forth legal argument as to why the court should rescind its Order of 7-17-08 dismissing complaint with prejudice.
2. That Plaintiff complied with said Order forwarding Brief to the Court on 8-19-08.
3. That on 8-19-08 Plaintiff received legal correspondence from Attorney John G. Achille, Esq., forwarding a copy of the letter sent to his office on Plaintiff's behalf from Horace Mann Insurance Company in regards to the bodily injury claim settlement issued to the Defendant due traffic accident on 4-10-06. (see exhibit # 1).
4. That in reference to exhibit # 1, the Plaintiff would direct this Court's attention to the Written Appearance filed by the Defendant on 4-16-08 (see exhibit # 8 in brief) asserting that her only income or wealth was the twenty five (\$25.00) dollars per month she had earned in prison. The Defendant attempted to mislead the Court concerning her wealth or financial situation, as it is evident herein that she had received a large settlement from Horace Mann Insurance Company prior to the date she had filed her Written Appearance. Furthermore, the Defendant is no longer under incarceration.
5. That in exhibit # 1 it is clearly stated that: "Regarding Mr. Selvage's request for information concerning Ms. Krumenacker's claim, we will be unable to assist him absent any legal proof that he would be entitled to the same."

6. That Plaintiff asserts under Discovery it is recognized that:

"Punitive damages are now addressed by Pa.R.Civ.P. Rule 4003.7, effective December 1, 1997. The Rule provides that a party may obtain information concerning the wealth of a defendant in a claim for punitive damages only upon order of court setting forth appropriated restrictions as to the time and manner of the discovery, the scope of the discovery, and the dissemination of the material discovered. Kirkbride v. Lisbon Contractors, Inc., 555 A.2d 800 (Pa.1989). In Pennsylvania, the trier of fact in assessing punitive damages may consider the wealth of the defendant in order to determine what will be sufficient penalty to serve as a punishment. Aland v. Pyle, 106 A.2d 349 (Pa.1919)."

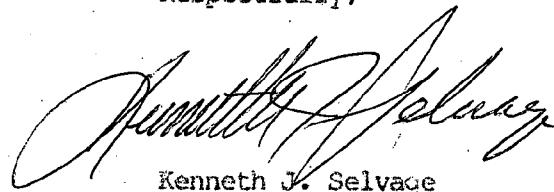
7. That Plaintiff requests that this Court issue an Order, under Discovery, upon Horace Mann Insurance Company, as well as the Defendant, to supply all the necessary information regarding the bodily injury claim settlement to the Defendant as to: (1) the amount of settlement; (2) the date it was issued; (3) to whom it was issued; and (4) the disposition of same.

8. That Plaintiff requests the Court, upon receipt of same Discovery, put a hold/freeze on said settlement until the final disposition of this case at bar.

WHEREFORE, for the above stated reasons, Plaintiff requests respectfully that this Honorable Court to GRANT the present motion and issue an Order upon Horace Mann Insurance Company and the Defendant to supply the requested Discovery information pertaining to the bodily injury claim settlement forthwith, and further Order a hold/freeze on said Discovery evidence until the final disposition of the case at bar.

Plaintiff shall forever pray for said relief.

Respectfully,



Kenneth J. Selvage

Date: August 20, 2008

cc: file

Exhibit # 5 Incorporated By Reference

KENNETH JOHN SELVAGE
HS-5181
10745 ROUTE 18
ALBION, PA 16475-0002

Honorable Fredric J. Ammerman
President Judge
County Courthouse
1 N. Second St.
Clearfield, PA 16830

September 11, 2008

Re: Kenneth John Selvage v. Renee Fern Krumenacker
No. 08-363-CD

Dear Judge Ammerman:

I am in receipt of this Court's Order of September 8, 2008 in regards to the above-referenced case and I wish to respectfully direct this Court's attention to the attached documents as there is definitely some kind of mix up or misunderstanding herein.

In this Court's Order of August 13, 2008 it directed the Plaintiff to file a Brief setting forth legal argument as to why the Court should rescind its Order of July 17, 2008 dismissing complaint with prejudice, etc., so, on August 19, 2008 the Plaintiff did in fact forward his "Plaintiff's Brief" to William A. Shaw, Sr., Prothonotary/Clerk of Court's for filing or to forward to the Court Administrator for filing, then to Your Honor for review. I did not receive the Brief back nor any decision from the Court in consideration of the merit to same. (see attached Order and letter)

I do not understand exactly what is going on here as I have complied with this Court's Order of 8-13-08 in a timely manner, further, the Order of this Court of 9-8-08 is totally frivolous as it has not decided upon my Brief nor rendered an opinion, etc. What kind of joke or game is this Court playing on me? That is exactly why I requested it recuse itself from this case as it is indeed bias and prejudice against me and will not render a just, fair or impartial decision. This is not right nor fair Judge Ammerman. It is clearly in black and white by Order of 8-13-08 that the Court in fact reconsidered its Order of 7-17-08 and gave Plaintiff 30 days to file the Brief, by which, I did comply with and can prove that by mail receipt within the DOC or to have my legal letter to Prothonotary Shaw traced - the Brief was sent to his office on 8-19-08 and the Court should have received it from either Prothonotary Shaw or the Court Administrator. If Your Honor did not receive same, then it was an error within the Court, not my fault.

Further, I will not file any motions and have Prothonotary Shaw return same unfiled as I cannot afford this as it cost me \$15.00 to file the Brief as directed by this Court and I only make 16 dollars per month within the DOC. If this Court wishes to render its unfair decision as Ordered 9-8-08, I should be granted my appeal rights back nunc pro tunc as I did comply with the Order of this Court to file Brief. I did not waive my appeal rights herein as I will file an appeal to the Superior Court if necessary, but, was awaiting the Court to render its decision on the Plaintiff's Brief, then if denied, I had 30 days from that date to file same.

Judge Ammerman
9-11-08, page two

I request the Court check with Prothonotary Shaw or the Court Administrator to find out if they are in possession of said Plaintiff's Brief or advise me and I can (do not wish to) forward another copy to the Court as a copy was in fact served upon the Defendant. I will not file any more motions until this Court advises the disposition of the Brief and/or directs Prothonotary Shaw to accept and file same. I am getting shafted herein and do not appreciate this mix-up or misunderstanding of errors within the Court.

Due Prothonotary Shaw's violation of Pa.R.Crim.P. 114 in my appeal to case No. CP-17-CR-620-2006 there was a unjustified delay of over 14 months with the filing of my appeal at No. 406 WDA 2008 and Mr. Prothonotary/Clerk of Courts Shaw is under review for Quo Warranto action for same. Now there is another mix up in the filing of the Court Ordered Brief to the above case. I am tired of my rights being violated and intend to take adequate legal action to remedy same.

I feel the Court issued an unjustified Order upon me of 9-8-08 and has violated my rights to the access to the courts as Prothonotary Shaw will not accept any pro se filing now that the Court issued the 9-8-08 Order dismissing my civil case above.

Thank you for your time and consideration in this matter. I will await your reply as to what legal I should take. Your prompt attention is greatly appreciated.

Respectfully,



Kenneth J. Selvage

cc: Judicial Conduct Board
Attorney General
Defendant
file

Exhibit #6 Incorporated By Reference

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

KENNETH JOHN SELVAGE, *
Plaintiff *
*
vs. * No. 08-353-CD
*
RENEE FERN KRUMENACKER, *
Defendant *

MOTION FOR RECUSAL

NOW COMES, KENNETH JOHN SELVAGE, Plaintiff, by and through pro se representation, who, avers the following in support of this document thereof:

1. That the Plaintiff requests the Honorable Fredric J. Ammerman to recuse himself from the above case due he has shown bias, prejudice, ill will, partiality, unfairness and a strong dislike towards Plaintiff.
2. This Court does not follow the Pennsylvania Rules of Civil Procedure, does not follow case law or abide by either. This Court makes up its own Rules as it goes along.
3. That this Court has denied all Plaintiff's motions filed herein, even when said motions were supported by Rules and case law.
4. That this Court in a prior proceeding concerning private criminal complaint filed against the Defendant for the known Burglary of Plaintiff's home, denied the prosecution of same and permitted the Defendant and others to go unpunished for the Burglary of his home at case No. CP-17-MD-147-2006.
5. That the Court hold ill will towards Plaintiff as he was acquitted of the Simple Assault charge, filed by the Defendant, at jury trial at case No. CP-17-CR-580-2006.
6. That this Court denied all pre-trial motions in Plaintiff's criminal cases at CP-17-CR-580 & 620-2006, giving no consideration to same.
7. That this Court hates the Plaintiff as it prosecuted him numerous times when it served as the District Attorney of this County.
8. That it is evident in the case at bar that the Plaintiff will not receive any just, fair or impartial decisions from this Court due all motions were denied thus far giving no consideration nor opinion to same.

9. That the Plaintiff will be further prejudice from the Honorable Paul E. Cherry, or, Honorable John K. Reilly Jr., presiding over this case as they are bias and prejudice against him as well.

10. That this Court hold ill will towards the Plaintiff due his formal complaint to the Judicial Conduct Board against it due the conspiracy to permit the Burglary of his home mentioned in paragraph 4.

11. A judge should recuse himself whenever he/she has any substantial doubts as to his/her ability to preside impartially or where the judge's impartiality can reasonably be questioned.

12. The burden is on the party seeking recusal to establish bias, prejudice or evidence of unfairness, and to do so in a timely fashion.

13. If the judge was a prosecutor at the time of a criminal incident, upon motion of the Plaintiff, recusal is required where the judge actually prosecuted the Plaintiff at any stage, or where the judge has prosecuted the Defendant on other charges. This Court prosecuted both the Plaintiff and the Defendant in the case at bar.

14. That Justice would best be served by this Court granting recusal and appointing out-of-county judge to preside over same.

15. State judge may be found criminally liable for violation of civil rights even though the judge may be immune from damages under Sec. 1983 of Title 42, Dennis v. Sparks, 449 U.S. 24, 101 S.Ct. 183, 66 L.Ed.2d 185 (1980).

WHEREFORE, for the above stated reasons, Plaintiff requests respectfully that this Court, Judge Ammerman, Judge Cherry and Judge Reilly, recuse itself from this case and appoint out-of-county judge to preside over same.

Plaintiff shall forever pray for said relief.

Respectfully submitted,



Kenneth J. Selvage, pro se

Date: July 17, 2008

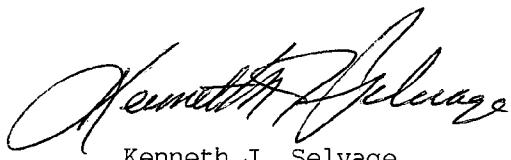
Court of Common Pleas
Clearfield County, PA

No. 08-353-CD

VERIFICATION

I, KENNETH JOHN SELVAGE, Plaintiff pro se, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of his personal knowledge, information and belief, and any false statements made therein are made subject to the penalties of perjury, 18 PA.C.S.A. § 4904 of the Crimes Code, relating to unsworn falsification to authorities.

Date: 9/24/08



Kenneth J. Selvage

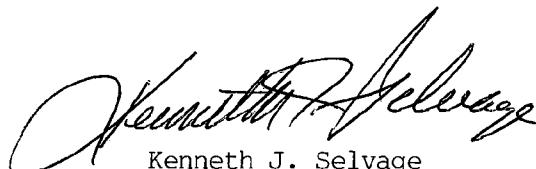
CERTIFICATE OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
410 Viola Pike
Smithmill, PA 16680

Date: 9/24/08


Kenneth J. Selvage
HS-5181
10745 Route 18
Albion, PA 16475-0002

cc: file

Court. The Plaintiff is being punished by the Court due it misled him to file a brief instead of an appeal. This can in no way be termed a just, fair or impartial decison.

6. That the interests of justice would best be served by this Court reinstating appeal rights herein.

WHEREFORE, based on the above argument the Plaintiff would request this Honorable Court, respectfully, to **GRANT** the motion herein and reinstate his appeal rights nunc pro tunc.

Plaintiff shall forever pray for said relief.

Date: 11/12/08

Respectfully submitted,

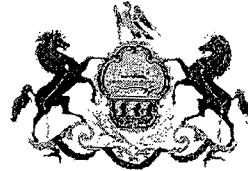


Kenneth J. Selvage

DANIEL J. NELSON, J.D.
DISTRICT COURT ADMINISTRATOR

RONDA J. WISOR
DEPUTY COURT ADMINISTRATOR

PHONE: 814-765-2641 x 5982
FAX: 814-765-7649
EMAIL: courtadmin@clearfieldco.org



HON. FREDRIC J. AMMERMAN
PRESIDENT JUDGE

HON. PAUL E. CHERRY
JUDGE

HON. JOHN K. REILLY, JR.
SENIOR JUDGE

OFFICE OF THE COURT ADMINISTRATOR
FY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET, SUITE 228
CLEARFIELD, PENNSYLVANIA 16830-2448

September 22, 2008

Kenneth J. Selvage
#HS-5181
c/o SCI Albion
10745 Route 18
Albion, PA 16475-0002

Re: 2008-353-CD

Dear Mr. Selvage:

Thank you for your letter of September 11, 2008 sent to the Court. This letter is for the purpose of advising you that the Court did receive the brief that you forwarded with your letter to the Prothonotary of August 19, 2008. The letter and brief were given to the Court upon their receipt by the Prothonotary.

In regard to your case, which has been dismissed by the Court's Order of July 17, 2008, you should proceed in such a manner as you deem to be appropriate.

Sincerely,

Handwritten signature of Daniel J. Nelson in cursive script.
Daniel J. Nelson
Court Administrator

Date: 9/29/2008

Clearfield County Court of Common Pleas

User: BILLSHAW

Time: 10:37 AM

ROA Report

Page 2 of 2

Case: 2008-00353-CD

Current Judge: No Judge

Kenneth J. Selvagevs. Renee Fern Krumenacker

Civil Other-COUNT

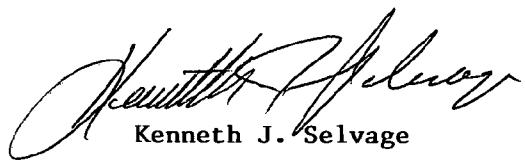
Date	Judge
6/30/2008	Sheriff Return, May 6, 2008 Sheriff of Crawford County was deputized. No Judge May 15, 2008 Served the within Complaint on Renee Fern Krumenacker. S Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm IFP No Costs (2nd service)
7/1/2008	Order, this 27th day of June, 2008, it is Ordered: Fredric Joseph Ammerman 1. The Plaintiff's Motion to Strike Defendant's Written Appearance is Denied 2. The Plaintiff's Motion for Judgment for Failure to Respond is Denied. 3. The Plaintiff's Motion for Request to Discovery Assets of Party is Denied. by The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Plff - DZ 4871 SCI Albion; 1CC Def - OL 4397, SCI Cambridge Springs
7/11/2008	Amended Motion to Strike Defendant's Written Appearance, filed by s/ No Judge Kenneth J. Selvage-plff. 1CC plff. Order NOW, this 11th day of July 2008, it is the ORDER of this Court that Fredric Joseph Ammerman the Plaintiff's Amended Motion to Strike Defendant's Written Appearance be and is hereby DISMISSED. BY THE COURT: /s/ Fredric J. Ammerman, P. Judge. 1CC plff-DZ4871 SCI-Albion and 1CC deft-OL4397 SCI Cambridge Springs.
7/14/2008	Returned mail, Order, dated June 28, 2008 to Renee Fern Krumenacker, No Judge Inmate Released, Unable to forward.
7/18/2008	Order, this 17th day of July, 2008, it is Ordered that the Plaintiff's Complaint Fredric Joseph Ammerman is DISMISSED, with prejudice. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Plff. - DZ 4871 SCI Albion; 1CC Def. - OL 4397, SCI Cambridge Springs
7/24/2008	Statement/certificate of Residence, filed by Plaintiff. No Judge no cert. copies.
7/31/2008	Motion to Rescind Court's Order of July 17, 2008, Dismissing Complaint with No Judge Prejudice, filed no cert. copies.
8/13/2008	Order, filed. Cert. to Plaintiff & Defendant Fredric Joseph Ammerman NOW, this 13th day of August, 2008, RE: Motion to Rescind Court's Order of July 17, 2008, Dismissing Complaint with Prejudice.
8/25/2008	Change of Address, filed by Defendant. No Judge
8/29/2008	Motion for Court's Consideration, filed by Plaintiff no cert. copies. No Judge
9/8/2008	Order, this 8th day of Sept., 2008, It is Ordered that the Plaintiff's Motion for Fredric Joseph Ammerman Court's Consideration is dismissed as moot. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Plff. - DZ 4871, SCI Albion; 1CC Def. - 410 Viola Pike, Smithmill, PA 16680
9/29/2008	Motion for Court's Reconsideration of Order Dated September 8, 2008, filed No Judge by K. Selvage. no cert. copies.

COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PA
No. 08-353-CD

VERIFICATION

I, KENNETH JOHN SELVAGE, Plaintiff, do hereby verify that the facts set forth in the foregoing document are true and correct to the best of his personal knowledge, information and belief, and any false statements made therein are made subject to the penalties of perjury, **18 Pa.C.S.A. Sec. 4904** of the Crimes Code, relating to unsworn falsification to authorities:

Date: 11/12/08



Kenneth J. Selvage

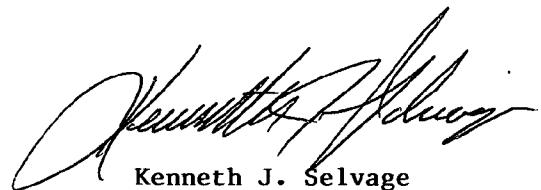
CERTIFICATE OF SERVICE

I, KENNETH JOHN SELVAGE, hereby certify that I am this date serving a copy of the foregoing document upon the person and in the manner indicated below:

Service by first class mail, postage pre-paid:

Renee Fern Krumenacker
410 Viola Pike
Smithmill, PA 16680

Date: 11/12/08



Kenneth J. Selvage
HS-5181
10745 Route 18
Albion, PA 16475-0002

c: file

KENNETH JOHN SELVAGE
HS-5181
10745 ROUTE 18
ALBION, PA 16475-0002

William A. Shaw, Sr.
Prothonotary/Clerk of Courts
County Courthouse
P.O. Box 549
Clearfield, PA 16830

Date: 11/12/08

Re: **Selvage vs. Krumenacker**
No. 08-353-CD

Dear Prothonotary Shaw:

Enclosed herewith, please find my
Motion to Reinstate Appeal Rights Nunc Pro Tunc that I request
be time stamped and filed with your office, then forwarded to
the Court for its disposition.

I was informed by CA Nelson by letter of 9-22-08 , 2008
that I am permitted to file what-ever is necessary in this case
to have this matter straightened out due my personal letter to
Judge Ammerman.

Thank you for your time and kind consideration herein.

Respectfully,



Kenneth J. Selvage

cc: Defendant
file

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

KENNETH J. SELVAGE,
Plaintiff
vs.
RENEE FERN KRUMENACKER,
Defendant

NO. 08-353-CD

OPINION

On July 17, 2008 this Court entered an Order dismissing the above-captioned civil action, with prejudice, due to the Court's belief that the claim was frivolous.

Pursuant to the Rules of Appellate Procedure Kenneth J. Selvage (Plaintiff) had thirty days to file an appeal to the Superior Court. On July 31, 2008 the Plaintiff filed a Motion to Rescind the Court's Order of July 17, 2008. Thereafter, on August 13, 2008 the Court entered an Order giving the Plaintiff thirty days to submit a brief relative the issues. However, the Court at no time granted reconsideration nor did the Plaintiff ask the Court to grant reconsideration. Accordingly, under Rule of Appellate Procedure 1701 the Plaintiff was still required to file an appeal within thirty days of July 17, 2008.

On August 29, 2008 the Plaintiff filed a Motion for Court's Consideration which was dismissed by the Court's Order of September 8, 2008 wherein the Plaintiff was notified that the case was concluded and the Plaintiff's Motion for Court's Consideration was dismissed as moot. The Plaintiff on September 29, 2008 filed a Motion for Court's Reconsideration of the Order of September 8, 2008. As the case had been concluded, the Court did not issue an order relative the Plaintiff's Motion for Court's Reconsideration. Forty-eight days later, on November 17, 2008 the Plaintiff filed a

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GJ
2ccPAF-H55181
SCI Albion
2ccDef. 410 Viola Pike
Smithmill, PA 16680

William A. Shaw
Prothonotary/Clerk of Courts
ICC D. M. Kressell
ICC Law Library
(without memo)

(A)

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

KENNETH J. SELVAGE,
Plaintiff
vs.
RENEE FERN KRUMENACKER,
Defendant

* NO. 08-353-CD
*
*
*
*

OPINION

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2ccPAF-H55181
SCI Albion
2ccDef. 410 Viola Pike
Smithmill, PA 16680

S
William A. Shaw
Prothonotary/Clerk of Courts
ICC D. M. Kesell
ICC Law Library
(without memo)

Motion to Reinstate Appeal Rights Nunc Pro Tunc. That Motion will be denied by the Court.

As a general rule, an appeal nunc pro tunc is only granted in civil cases where there was fraud or a breakdown in the court's operations. West Penn Power Co. v. Goddard, 460 Pa. 551, 333 A.2d 909 (1975). However, this rule has been expanded to permit appeals nunc pro tunc in instances other than a fraud or a breakdown in the court's operations. "In recent years, however, the courts have somewhat liberalized this rigid standard" which required fraud or a breakdown in the court's operation. Roderick v. Commonwealth of Pa. State Civ. Service Com., 76 Pa. Commw. 329, 332, 463 A.2d 1261, 1263 (1983). See, e.g., Cook v. Unemployment Comp. Bd. of Review, 543 Pa. 381, 671 A.2d 1130 (1996) (hospitalization of litigant during the running of the appeals period which resulted in the non-negligent late filing of the appeal supplied grounds for granting an appeal nunc pro tunc); Bass v. Commonwealth, 485 Pa. 256, 401 A.2d 1133 (1979) (where the conduct of the attorney or his agent is non-negligent and results in the failure to timely file an appeal, an appeal nunc pro tunc should be allowed); Walker v. Commonwealth of Pa., Unemployment Comp. Bd. of Review, 75 Pa. Commw. 116, 461 A.2d 346 (1983) (where Post Office negligently failed to forward referee's decision, which resulted in untimely filing of appeal, the Board of Review erred in not considering this extenuating circumstance when determining the propriety of granting a nunc pro tunc appeal)." Com. v. Stock, 679 A.2d 760, 763 (Pa., 1996).

Generally, in civil cases, a trial court may grant an appeal Nunc Pro Tunc on the grounds of non-negligent happenstance. There are three requirements for appeals Nunc Pro Tunc on the grounds of non-negligent happenstance: 1) The appellant's

notice of appeal was filed late as a result of non-negligent circumstances, either as they related to the appellant or the appellant's counsel; 2) The appellant filed the notice of appeal shortly after the expiration date; and 3) The Appellee was not prejudiced by the delay. Amicone v. Rok, 839 A.2d 1109, 113 (Pa.Super. 2003). The non-negligent happenstance exception is meant to apply "only in unique and compelling cases in which the appellant has clearly established that she attempted to file an appeal, but unforeseeable and unavoidable events precluded her from actually doing so". Criss v. Wise, 781 A.2d 1156, 1160 (Pa. 2001). As an example, an attorney's negligence and failure to file an appeal does warrant Nunc Pro Tunc relief. Raheem v. University of the Arts, 872 A.2d 1232 (Pa.Super. 2005). In the case at bar the Plaintiff did not file an appeal because he was unaware of his requirement to do so under the procedural rules. This basis is nothing more than negligence and does not provide a unique and compelling case involving unforeseeable and unavoidable events which precluded him from filing an appeal. Furthermore, to date the Plaintiff has not filed a notice of appeal.

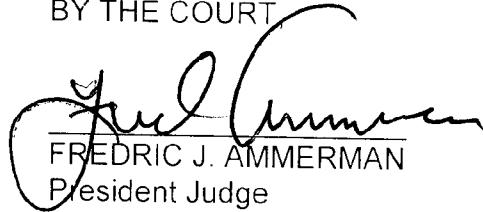
The Plaintiff was undone by his own lack of knowledge concerning the procedural rules of court. "Possible ignorance of the law does not excuse a party to an action from his statutory obligation to file an appeal within the prescribed appeal period." Finney v. Unemployment Compensation Board of Review, 472 A.2d 752, 754 (Pa.Cmwlth. 1984). A pro se litigant must understand that he assumed the risk that his lack of legal knowledge might prove to be his undoing. Groch v. Unemployment Compensation Board of Review, 472 A.2d 286, 288 (Pa.Cmwlth. 1984). Finally, it is well established that a party who appears before the Court in propria persona is not to

be given any particular advantage of his lack of knowledge of the law. McFarlane v. Hickman, 492 A.2d 740, 742 (Pa.Super. 1985).

ORDER

NOW, this 5th day of December, 2008, it is the ORDER of this Court that the Plaintiff's Motion to Reinstate Appeal Rights Nunc Pro Tunc be and is hereby DENIED.

BY THE COURT



FREDRIC J. AMMERMAN
President Judge

FILED

DEC 05 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 12/5/08

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 Other

Special Instructions:

08-353-CD

KENNETH JOHN SELVAGE
HS-5181
10745 ROUTE 18
ALBION, PA 16475-0002

Honorable Fredric J. Ammerman
President Judge
County Courthouse
1 N. Second St.
Clearfield, PA 16830

December 8, 2008

Re: Selvage v. Krumenacker
No. 08-353-CD

Dear Judge Ammerman:

I am directing this letter to your office in regards to the above-referenced case respectfully requesting your attention to the following information for your review.

On or about 9-29-08 I filed a Motion for Court's Reconsideration of Order dated 9-8-08 and due no reply to same, I filed a Motion to Reinstate Appeal Rights Nunc Pro Tunc several weeks ago with NO decision rendered by this Court.

I am requesting the Court render its decision to same so I can either proceed before it or appeal to the higher court. If this Court does not wish to render its decision in the very near future then I will be forced to file to the higher court under Writ of Mandamus to compel it to render its decision in the case at bar.

I wanted to advise the court that I do not like it (you) any more than you like me. I cannot fully express my exact feelings to this Court without fear of obtaining a new criminal charge or being held in contempt of court. I will state that you are crooked and have shown a clear case of bias/prejudice, etc., against me. I have no constitutional rights before your court which is well evidenced in the case at bar or in any case, civil or criminal, I ever posed before it. This is not right nor fair, and violates your oath sworn to hold your position as Judge in Clearfield County. I have not been shown one ounce of just, fair or impartial treatment before this Court. All I ask is that it render some type of decision so I can take the next available step legally on my behalf.

Thank you for your time and consideration herein.

Respectfully,



Kenneth J. Selvage

cc: Defendant
file

FILED No CC
12/5/2008
DEC 11 2008

WAS
William A. Shaw
Prothonotary/Clerk of Courts

FILED

DEC 11 2008

William A. Shaw
Prothonotary/Clerk of Courts
Filed per Judge Annmarie 12/11/08

Name Ken Selvage Number H5-5181 Unit/Side FB
10745, Route 18 Albion, PA 16475-0002

**INMATE MAIL
PA DEPT OF
CORRECTIONS**

MAILED  Honorable Frederic T. Amherst

President Judge

County Courthouse

1 N. Second St.

Cleakfield, PA 16830.

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