

08-391-CD  
Comm of PA vs S. Moldenhauer

PA the Court of Common Pleas of Clearfield County, Pennsylvania

Civil Division

COMMONWEALTH OF  
PENNSYLVANIA DEPARTMENT  
OF TRANSPORTATION Plaintiff

2008- 391- CD

vs.  
Scott Moldenhauer

Defendant

No. ~~080296117312341~~ 002 C.D.

FILED  
01/4/08  
MAR 05 2008  
No Court Ctric  
William A. Shaw  
Clerk of Courts

AFFIDAVIT IN SUPPORT OF PETITION TO PROCEED IN FORMA PAUPERIS

- I am the Plaintiff/Defendant in the above matter and because of my financial condition I am unable to pay the fees and costs of prosecuting or defending the action or proceeding.
- I am unable to obtain funds from anyone, including my family, friends and associates, to pay the costs of litigation.
- I represent that the information below relating to my ability to pay the costs and fees is true and correct.

a. Name SCOT V. MOLDENHAUER  
 Address 12 MURTLAND AVE  
DUBOIS, PA. 15801  
 Social Security Number 590 - 32 - 5227

b. Date of last employment CURRENT  
 Employer CROWN RESORTS LTD.  
 Address OLD RT- 255  
DUBOIS, PA. 15801

Salary/Wages..... \$ COMMISSION  
 Type of work REAL ESTATE / TIME SHARE RESORTS  
Quail Hollow, WOLF RUN, & SILVER WOODS, PA.  
Kinston Manor, Foxwood HILLS, & SEAWATCH, SC.

c. Other Income:

Business/Profession.....	\$ <u>0</u>
Self-employment.....	\$ <u>0</u>
Interest.....	\$ <u>0</u>
Dividends.....	\$ <u>0</u>
Pension.....	\$ <u>0</u>
Annuities.....	\$ <u>0</u>
Social Security Benefits.....	\$ <u>0</u>
Support Payments.....	\$ <u>0</u>
Disability payments.....	\$ <u>0</u>
Unemployment Compensation/	
Supplements Benefits.....	\$ <u>0</u>
Workmen's Compensation.....	\$ <u>0</u>
Public Assistance.....	\$ <u>0</u>
Food Stamps.....	\$ <u>329.00</u>
Other.....	\$ <u>0</u>

d. Other contributions to my household support (please circle):

Name of spouse, Boyfriend/Girlfriend, or Roommate/Housemate

JENNIFER (Gritzer) Moldenhauer

Employer Luigi's Ristorante

Salary/wages per month..... \$ 1,600

Type of work Waitress

Contributions from my child(ren) ... \$ 0

Contributions from my parent(s),

family members, or any other

individuals..... \$ 0

e. Property Owned:

Cash..... \$ 15.46

Checking Account..... \$ 0

Savings Account..... \$ 0

Certificates of Deposit..... \$ 0

Real Estate (including home)..... \$ Payment on Mortgage

Motor Vehicle(s) - Make NISSAN owe 97,500 \$963.50 month

Year 1995

Cost..... \$ 750.00 thru County Ass't

Amount owed..... \$ 0

Stocks, bonds..... \$ 0  
Other..... \$ 0  
Other..... \$ 0  
Other..... \$ 0

f. I have the following debts:

Utilities: \$ 982.61, explain GAS Heat  
\$ 192.45, explain PIPELINE  
\$ 110.00, explain Every 90 days WATER  
\$ 57.00, explain every 90 days GARBAGE  
Groceries: \$ 400.00  
Rent/Mortgage: \$ 963.50, explain MORTGAGE  
Loan(s): \$ \_\_\_\_\_, explain \_\_\_\_\_  
Auto Expense: \$ 300.00, explain INSURANCE AND FUEL  
Child Care: \$ \_\_\_\_\_, explain \_\_\_\_\_  
Miscellaneous: \$ 100.00, explain CLOTHING, DIAPERS, Toiletries, ETC.

g. Person(s) dependent upon you for support:

Wife/Husband's name \_\_\_\_\_

Children, if any:

Name	<u>John Michael Joseph Molenhauer</u>	Age	<u>3</u>
Name	<u>FRANK S. Minton</u>	Age	<u>17</u>
Name	_____	Age	_____
Name	_____	Age	_____
Name	_____	Age	_____
Name	_____	Age	_____

Other person(s) dependent upon you:

Name	_____	Age	_____
Name	_____	Age	_____
Name	_____	Age	_____

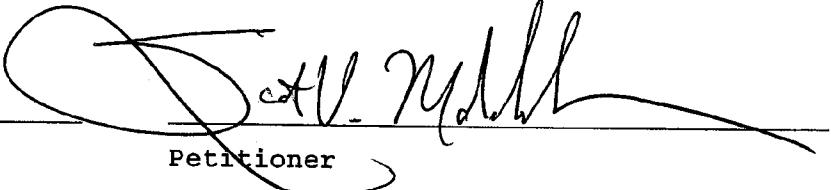
4. I understand that I have a continuing obligation to inform the Court of improvements in my financial circumstances which would permit me to pay the costs incurred herein.

## VERIFICATION

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to Unsworn Falsification to Authorities.

03-05-08

Date

S. V. Null

Petitioner

CONSENT FOR RELEASE OF CONFIDENTIAL INFORMATION

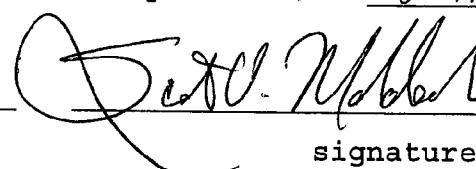
I, Scot V. Molenhauer, having filed with the Court an Affidavit requesting In Forma Pauperis standing, hereby consent to the release of any information which may be requested by the Judges of the Court of Common Pleas of Clearfield County, or by any employee of the Court Administrator's Office acting on the behalf and at the direction of any said Judge, relating to any employment compensation, Worker's Compensation, Social Security, Department of Public Welfare or Black Lung benefits which I may receive from any county, state or federal agency which administers or handles processing of any of the above described benefits. This consent shall also authorize the release to the said Court or designee of any information as to any compensation I am receiving, or have received in the past twelve (12) months, from any full or part-time employment of any type whatsoever.

This consent shall remain in effect for a period of twelve (12) months herefrom. A copy or FAX of this release shall have the same legal effect as the original.

Social Security Number: 590 - 32 - 5227

Board of Assistance Number (food stamps, etc.): 83418

DATE: 03/05/08

  
signature

DATE: 03/05/08

NAME: Scot V. Moldenhauer

TELEPHONE NUMBER: (814) 603 - 2318

ADDRESS: 12 MURTLAND AVE.  
DUBOIS, PA. 15801

OTHER PARTIES INVOLVED: Jennifer Moldenhauer, John Michael  
Moldenhauer, Frank Minton

REASON FOR FILING THIS PETITION (Write a brief description of your financial problem(s), please be specific. Failure to do so could result in your request being delayed or denied.) (Example: request for filing fee or Mediation Conference fee to be waived due to your inability to submit the required fee because...)

The reason for this petition is that I Scot V. Moldenhauer have just received my Pa Real Estate Lic. We've purchased a home in Dec. 2007. My Wife's income is sustaining us until my commissions from my sales start to flow in. We're paying our bills but do not have any additional income to pull from at this time. It is imperative that this appeal is entered so that I can reinstate my driving privilege and ~~to~~ perform my work duties successfully

TYPE OF ACTION: (divorce, custody, District Justice appeal, etc.)

Please specify what type of action you are pursuing through this application.)

Driver License Suspension Appeal

In the Court of Common Pleas of Clearfield County, Pennsylvania

Civil Division

Commonwealth of  
Pennsylvania Department  
of TRANSPORTATION

Plaintiff

No. 08-391-CD  
08-02961-7312341 002  
C.D.

Scot V. Moldenhauer vs.

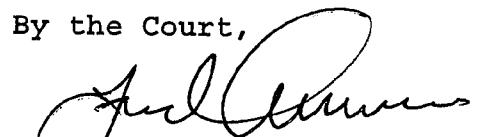
Defendant

O R D E R

NOW, this 7th day of March,  
2008, upon consideration of the foregoing Affidavit in Support  
of Petition to Proceed in Forma Pauperis, it is the ORDER of this  
Court that said Petition is GRANTED / DENIED. FJA

If the Petition is GRANTED, Filing / Mediation Conference  
fee is hereby WAIVED.

By the Court,

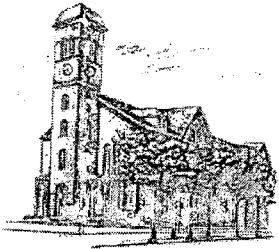
  
JUDGE FREDRIC J. AMMERMAN

FILED

03:55 AM  
MAR 07 2008  
S. Moldenhauer  
with IAP Denied

William A. Shaw  
Prothonotary/Clerk of Courts

Letrs



## Clearfield County Office of the Prothonotary and Clerk of Courts

**William A. Shaw**  
Prothonotary/Clerk of Courts

**Jacki Kendrick**  
Deputy Prothonotary/Clerk of Courts

**Bonnie Hudson**  
Administrative Assistant

**David S. Ammerman**  
Solicitor

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

**COPY**

March 6, 2008

Scot V. Moldenhauer  
12 Murtland Ave.  
DuBois, PA 15801

**RE: In Forma Pauperis and License Suspension Appeal**

Dear Mr. Moldenhauer:

Please be advised that your Petition to Proceed In Forma Pauperis in the above case has been denied by the Court.

You may proceed with this action by filing the enclosed License Suspension Appeal along with the \$95.00 filing fee with this office.

A certified copy of the Court's Order is enclosed. According to the Rules of Civil Procedure, the Prothonotary's Office may strike your filing if payment is not received in full within ten (10) working days from the date of this letter.

Sincerely,

  
William A. Shaw  
Prothonotary/Clerk of Courts

Enclosures

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSLVANIA

COMMONWEALTH  
OF PENNSYLVANIA

vs.

Scot V. Moldenhauer

Defendant.

2008-391-CD

No. 080296117312341-002

: APPEAL FROM DRIVER'S  
LICENSE SUSPENSION

: Type of Pleading:  
PETITION FOR APPEAL FROM  
THE ORDER OF THE  
DIRECTOR OF THE BUREAU  
OF DRIVER LICENSING  
SUSPENDING OPERATING  
PRIVILEGES

: Filed on Behalf of: DEFENDANT

FILED *ice*  
MAY 10 2008  
MAR 19 2008 Def.  
*(6K)*

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSLVANIA

COMMONWEALTH :  
OF PENNSYLVANIA :  
vs. : No. 080296117312341 002  
: :  
Scot V. Moldenhauer :  
Defendant. :  
:

**PETITION FOR APPEAL FROM THE  
ORDER OF THE DIRECTOR OF THE BUREAU OF DRIVER LICENSING  
SUSPENDING OPERATING PRIVILEGES**

**TO THE HONORABLE, THE JUDGES OF THE SAID COURT:**

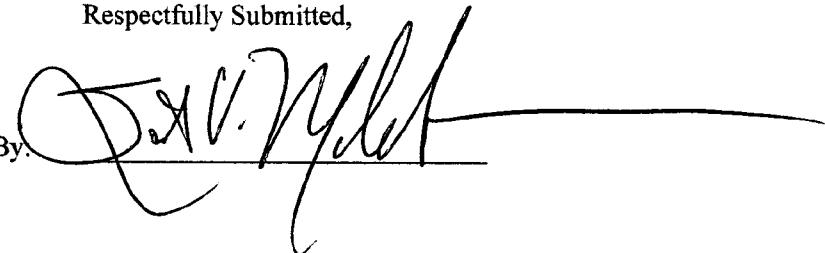
The Petition of, respectfully represents that:

1. Petitioner's residence is. 12 MURTLAND AVE. DUBOIS, PA. 15801
2. He is duly licensed to operate motor vehicles in the Commonwealth of Pennsylvania,  
Operator's License No. 26804781
3. On , the Director of the Bureau of Driver Licensing, Pennsylvania Department of  
Transportation, revoked Petitioner's operating privileges effective under  
authority of § of the Pennsylvania Vehicle Code as indicated on the attached.
4. Petitioner has appealed the case for a trial de novo.

**WHEREFORE**, Petitioner respectfully prays that this Appeal be allowed and that a hearing de  
novo be granted to determine whether your Petitioner is subject to revocation of his operating privileges,  
and that upon conclusion thereof, the Order of the Director of Bureau of Driver Licensing be vacated and  
the appeal sustained.

Respectfully Submitted,

Date: 03-05-08

By: 

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH  
OF PENNSYLVANIA

vs.

Scot V. Moldenhauer

Defendant.

:  
:  
:  
No. 080296117312341 002  
:  
:  
:  
:

VERIFICATION

I, , do hereby verify that the averments made in the within Petition for Appeal are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to Unsworn Falsification to Authorities.

Date:

03-05-08



IN THE COURT OF COMMON PLEAS  
OF THE 59TH JUDICIAL DISTRICT COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

COMMONWEALTH : ELK COUNTY BRANCH  
OF PENNSYLVANIA :  
vs. : No. 08029611731234-002 08-391-CD  
: :  
,Scot V. Moldenhauer :  
Defendant. : :

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2008, upon consideration of the Driver License Suspension Appeal filed by . on \_\_\_\_\_, 2007, IT IS HEREBY ORDERED AND DECREED that a hearing is scheduled to determine whether or not the Petitioner is subject to suspension of his driving privileges, which hearing shall be held on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock \_\_\_\_M. in Court Room No. \_\_\_\_ of the Clearfield County Courthouse, Clearfield, Pennsylvania.

This Appeal and Order shall act as a supersedeas of all suspension and/or other proceedings in this matter pending a hearing before the Court as aforesaid, and the Prothonotary is further directed to send a certified copy of this Petition and Order to the Pennsylvania Department of Transportation, Office of Chief Counsel, Third Floor, Riverfront Office Center, Harrisburg, PA 17104-2516. A copy of this Order shall also be served by the Prothonotary on Counsel for the Defendant.

BY THE COURT,

---

J.

(6)

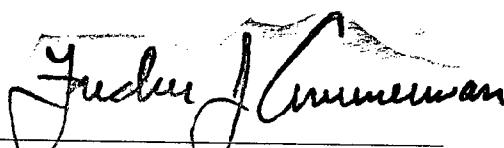
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA :  
DEPARTMENT OF TRANSPORTATION :  
vs. : No. 08-391-CD  
SCOT MOLDENHAUER :

**ORDER**

AND NOW, this 22<sup>nd</sup> day of April, 2008, it is the ORDER of the Court that hearing on Defendant's License Suspension Appeal in the above matter has been scheduled for Tuesday, June 24, 2008 at 2:30 P.M. before the Honorable John K. Reilly, Jr., Senior Judge, Specially Presiding, in Courtroom #2 of the Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

  
\_\_\_\_\_  
FREDRIC J. AMMERMAN  
President Judge

FILED  
04/23/08  
APR 23 2008  
1CC Atty Kuhar  
1CC Def.-

William A. Shaw 12 Murfield  
Prothonotary/Clerk of Courts Ave.  
DeBois, PA 15801

(6P)

**FILED**

**APR 23 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 4/23/08

X You are responsible for serving all appropriate parties.

X The Prothonotary's office has provided service to the following parties:

       Plaintiff(s) X Plaintiff(s) Attorney        Other

       Defendant(s) X Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA : :

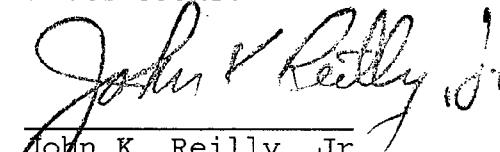
VS. : NO. 08-391-CD

SCOT MOLDENHAUER : License Suspension Appeal

O R D E R

NOW, this 24th day of June, 2008, this being the day and date set for hearing into the above-captioned Appeal from License Suspension; following argument upon consideration thereof, it is the ORDER of this Court that said appeal be and is hereby denied.

BY THE COURT:



John K. Reilly, Jr.  
Senior Judge  
Specially Presiding

FILED 2CC 444  
074-00801 JUN 26 2008 Kuras

2CC Def.-  
William A. Shaw  
Prothonotary/Clerk of Courts 12 Mifflin Ave.

Dubois, PA  
15801

(60)

**FILED**

JUN 26 2008

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 6/26/08

       You are responsible for serving all appropriate parties.

X The Prothonotary's office has provided service to the following parties:

       Plaintiff(s) X Plaintiff(s) Attorney        Other

X Defendant(s)        Defendant(s) Attorney

       Special Instructions: