

08-391-CD

Comm of PA vs S. Moldenhauer

In the Court of Common Pleas of Clearfield County, Pennsylvania

Civil Division

COMMONWEALTH OF
PENNSYLVANIA DEPARTMENT
OF TRANSPORTATION

Plaintiff

vs.

Scot V. Moldenhauer

Defendant

2008-391-CD

No.

~~080296117317341~~002
C.D.

FILED

0/4:01W
MAR 05 2008

No cert copy

AFFIDAVIT IN SUPPORT OF PETITION TO PROCEED IN FORMA PAUPERIS Sam A. Shaw
Petitioner/Clerk of Courts

1. 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.
2. I am unable to obtain funds from anyone, including my family, friends and associates, to pay the costs of litigation.
3. I represent that the information below relating to my ability to pay the costs and fees is true and correct.

a. Name SCOT V. MOLDENHAUERAddress 12 MURLAND AVE
DUBOIS, PA. 15801Social Security Number 590 - 32 - 5227b. Date of last employment CURRENTEmployer CROWN RESORTS LTD.Address Old Rt. 255
DUBOIS, PA. 15801Salary/Wages..... \$ COMMISSIONType 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..... \$ 0
 Self-employment..... \$ 0
 Interest..... \$ 0
 Dividends..... \$ 0
 Pension..... \$ 0
 Annuities..... \$ 0
 Social Security Benefits..... \$ 0
 Support Payments..... \$ 0
 Disability payments..... \$ 0
 Unemployment Compensation/
 Supplements Benefits..... \$ 0
 Workmen's Compensation..... \$ 0
 Public Assistance..... \$ 0
 Food Stamps..... \$ 329⁰⁰
 Other..... \$ 0

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..... \$

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..... \$ 750⁰⁰ thru County Asst.

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 PENELEC
 \$ 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 LAUNDRY, DIAPERS, Toiletries, ETC.

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

Wife/Husband's name _____

Children, if any:

Name John Michael Joseph Moldenhauer Age 3
 Name FRANK S. Minton Age 17
 Name _____ Age _____
 Name _____ Age _____
 Name _____ Age _____
 Name _____ Age _____

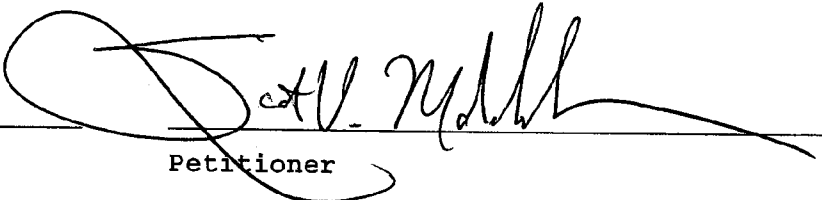
Other person(s) dependent upon you:

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 Petitioner

CONSENT FOR RELEASE OF CONFIDENTIAL INFORMATION

I, Scot V. Moldenhauer, 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.): 834/8

DATE: 03, 05, 08

Scot V. Moldenhauer
signature

DATE: 03/05/08

NAME: Scot V. Moldenhauer

TELEPHONE NUMBER: (814) 603 - 2318

ADDRESS: 12 MURLAND 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 recieved 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
priviledge 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

Scot V. Moldenhauer

Defendant

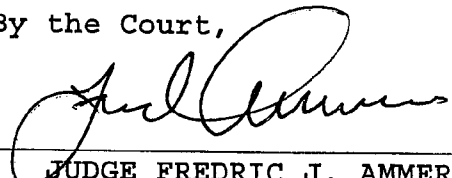
No. 08-391-CD 002
~~08-0296117312341~~ C.D.

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

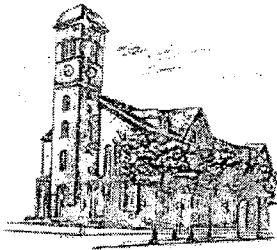
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03:55 PM
MAR 07 2008

William A. Shaw
Prothonotary/Clerk of Courts

ICC
S. Moldenhauer
with IAP Denied
Letts

610



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

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, PENNSYLVANIA

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*
m110:4201
MAR 19 2008 *Def.*
William A. Shaw
Prothonotary/Clerk of Courts *(ok)*

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH
OF PENNSYLVANIA

vs.

,Scot V. Moldenhauer

Defendant.

No. 080296117312341 002

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.

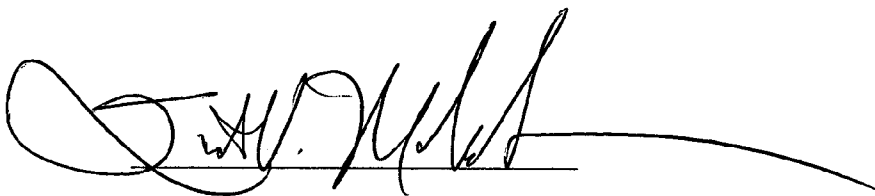
No. 080296117312341 002

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

A handwritten signature in black ink, appearing to read "Scot V. Moldenhauer", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

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

**COMMONWEALTH
OF PENNSYLVANIA**

vs.

**,Scot V. Moldenhauer
Defendant.**

:
:
:
:
:
:

ELK COUNTY BRANCH

No:~~08029611731234-002~~ 08-391-CD

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.

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

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

vs.

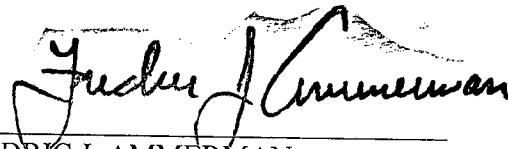
SCOT MOLDENHAUER

:
:
:
: No. 08-391-CD
:
:

ORDER

AND NOW, this 22nd 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

019:33/61
APR 23 2008

William A. Shaw
Prothonotary/Clerk of Courts

icc Atty. Kuhner

icc Def. -

12 Murtland
Ave.

DeBois, PA 15801

(60)

FILED

APR 23 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 4/23/08

 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:

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA :

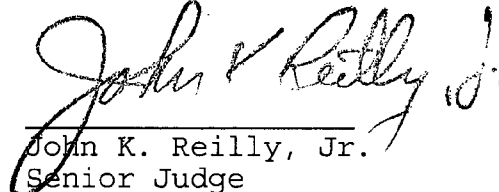
VS. : NO. 08-391-CD

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

JUN 26 2008

William A. Shaw
Prothonotary/Clerk of Courts

2cc. Atty
Kuras

2cc Def. -

12 Murkland Ave.
DuBois, PA
15801

(610)

FILED

JUN 26 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 6/26/08

☐ 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: