

08-1423-CD
Mack Smith vs Roswell Babcock al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Mack Smith
(Plaintiff)

CIVIL ACTION

PO Box 423
(Street Address)

No. 08-1423-CD

Thomasville, PA 17364
(City, State ZIP)

Type of Case: Civil

Type of Pleading: Praeclipe

VS.
Roswell Babcock, III and Cindy Babcock
(Plaintiff/Defendant)
(Defendant)

Filed on Behalf of:
Plaintiff

39 Bressler Road
(Street Address)
Curwensville, PA 16833
(City, State ZIP)

Ruth L. Kissinger
(Filed by)

135 North George Street, York, PA 17401
(Address)

717-848-4900
(Phone)

FILED Atty pd.
310:4061 20.00
AUG 8 4 2008 CCP Notice
to Def.
William A. Shaw
Prothonotary/Clerk of Courts
CCP Statement
to Atty


Ruth L. Kissinger
(Signature)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

MACK SMITH

Plaintiffs

CIVIL ACTION-LAW

v.

NO.: 2008-

**ROSWELL BABCOCK, III and
CINDY BABCOCK**

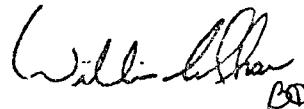
Defendants

NOTICE OF FILING JUDGMENT

COPY

(X) Notice is hereby given that a Judgment in the above-captioned matter has been entered against you in the amount of \$3,552.66 on August 4, 2008.

(X) A copy of all documents filed with the Prothonotary in support of the within judgment is/are enclosed.



Prothonotary Civil Div.

by: _____

If you have any questions regarding this Notice, please contact the filing party:

NAME Tina Fox, Esquire
ADDRESS: 135 North George Street
York, PA 17401
TELEPHONE NO: (717) 848-4900

(This Notice is given in accordance with P.A.R.C.P. 236.)

NOTICE SENT TO:

NAME **Roswell Babcock, III and Cindy Babcock**
39 Bressler Road
Curwensville, PA 16833

CORRECTED JUDGEMENT
 COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

MDJ Name: Hon.

RICHARD A. IRELAND
 Address: **650 LEONARD ST**
STE 113
CLEARFIELD, PA

Telephone: **(814) 765-5335** 16830

ATTORNEY FOR PLAINTIFF :

CGA LAW FIRM, P.C.
135 N GEORGE ST
YORK, PA 17401-1132

**NOTICE OF JUDGMENT/TRANSCRIPT
 CIVIL CASE**

PLAINTIFF:

SMITH, MACK
PO BOX 423
THOMASVILLE, PA 17364

NAME and ADDRESS

DEFENDANT:

BABCOCK III, ROSWELL, ET AL.
39 BRESSLER RD
CURWENSVILLE, PA 16833

VS.

NAME and ADDRESS

Docket No.: **CV-0000147-08**
 Date Filed: **4/02/08**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF**

(Date of Judgment) **5/12/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) SMITH, MACK	Amount of Judgment \$ 3,400.00
<input checked="" type="checkbox"/> Judgment was entered against: (Name) BABCOCK III, ROSWELL	Judgment Costs \$ 152.66
in the amount of \$ 3,552.66	Interest on Judgment- \$.00
<input type="checkbox"/> Defendants are jointly and severally liable.	Attorney Fees \$.00
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Total \$ 3,552.66
<input type="checkbox"/> This case dismissed without prejudice.	Post Judgment Credits \$ _____
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Post Judgment Costs \$ _____
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	Certified Judgment Total \$ _____

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

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

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

MAY 12 2008 Date Richard Ireland, Magisterial District Judge

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

JUN 27 2008 Date Richelle Ireland, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **6/04/08 2:40:00 PM**

****CORRECTED JUDGEMENT****
 COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

MDJ Name: Hon.

RICHARD A. IRELAND
 Address: **650 LEONARD ST**
STE 113
CLEARFIELD, PA
 Telephone: **(814) 765-5335**

16830

ATTORNEY FOR PLAINTIFF :

CGA LAW FIRM, P.C.
135 N GEORGE ST
YORK, PA 17401-1132

**NOTICE OF JUDGMENT/TRANSCRIPT
 CIVIL CASE**

PLAINTIFF:

SMITH, MACK
PO BOX 423
THOMASVILLE, PA 17364

NAME and ADDRESS

DEFENDANT:

BABCOCK III, ROSWELL, ET AL.
39 BRESSLER RD
CURWENSVILLE, PA 16833

VS.

NAME and ADDRESS

Docket No.: **CV-0000147-08**
 Date Filed: **4/02/08**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF**

(Date of Judgment) **5/12/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) SMITH, MACK	Amount of Judgment \$ 3,400.00
<input checked="" type="checkbox"/> Judgment was entered against: (Name) BABCOCK, CINDY in the amount of \$ 3,552.66	Judgment Costs \$ 152.66
<input type="checkbox"/> Defendants are jointly and severally liable.	Interest on Judgment \$.00
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Attorney Fees \$.00
<input type="checkbox"/> This case dismissed without prejudice.	Total \$ 3,552.66
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Post Judgment Credits \$ _____
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	Post Judgment Costs \$ _____
Certified Judgment Total \$ _____	

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MAY 12 2008 Date Ronda Ireland, Magisterial District Judge

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

JUN 27 2008 Date Ronda Ireland, Magisterial District Judge

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

SEAL

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

COPY

Mack Smith
Plaintiff(s)

No.: 2008-01423-CD

Real Debt: \$3,552.66

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Roswell Babcock III
Cindy Babcock
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: August 4, 2008

Expires: August 4, 2013

Certified from the record this 4th day of August, 2008.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

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

Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Mack Smith
(Plaintiff)

CIVIL ACTION

PO Box 423
(Street Address)

No. 08-1423-CD

Thomasville, PA 17364
(City, State ZIP)

Type of Case: Civil

Type of Pleading: Praeclipe

VS.

Filed on Behalf of:

Plaintiff

Roswell Babcock, III and Cindy Babcock (Plaintiff/Defendant)
(Defendant)

39 Bressler Road
(Street Address)

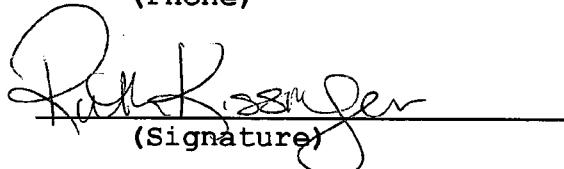
Plaintiff

Curwensville, PA 16833
(City, State ZIP)

Ruth Kissinger
(Filed by)

135 North George St, York, PA 17401
(Address)

717-848-4900
(Phone)


(Signature)

FILED
2008
AUG 25 2008
William A. Shaw
Prothonotary/Clerk of Courts
Atty fd. 20.00
ICCalewnts to Sheriff
ICC to Atty 60
60

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

MACK SMITH : **CIVIL ACTION-LAW**
Plaintiffs :
:
v. : **NO.: 2008-1423-CD**
:
ROSWELL BABCOCK, III and :
CINDY BABCOCK :
Defendants :

PRAECIPE FOR WRIT OF EXECUTION (MONEY JUDGMENTS)
P.R.C.P. 3101 to 3149

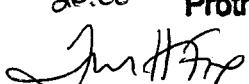
To the Prothonotary: ISSUE WRIT OF EXECUTION IN THE ABOVE MATTER,

- (1) Directed to the Sheriff of Clearfield County, Pennsylvania
- (2) Against Roswell Babcock, III and Cindy Babcock, Defendants;
- (3) And against N/A, Garnishee;
- (4) and index this writ
 - (a) Against defendants, Roswell Babcock, III and Cindy Babcock
 - (b) against N/A, Garnishee,

against the personal property of the Defendant located at 39 Bressler Road, Curwensville, PA 16833, as follows (specifically describe property): All personal property, including but not limited to, all appliances, furniture, cookware, household goods, electronics (televisions, VCRs, stereos, computers, camcorders), cameras, telephones, lawn and garden equipment, cash, jewelry, etc.

(5) Amount due	\$ 3,552.66
Additional Interest from 5/12/08	\$57.23
Docket costs	\$20.00
Payments received	-\$200.00
Total	\$3,429.89 plus execution costs 20.00 Prothonotary costs Additional

Dated: 8/18/08


Tina Fox, Esquire
Attorney for Plaintiff

FILED

AUG 25 2008

William A. Straw
Prothonotary/Clerk of Courts

cc: [unclear] 0004

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

Mack Smith

Vs.

NO.: 2008-01423-CD

Roswell Babcock III, and Cindy Babcock

COPY

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against MACK SMITH, Plaintiff(s) from ROSWELL BABCOCK III, and CINDY BABCOCK, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:

Personal property of the Defendant located at 39 Bressler Road, Curwensville, PA 16833, as follows: All personal property, including but not limited to, all appliances, furniture, cookware, household goods, electronics (televisions, VCRs, stereos, computers, camcorders), cameras, telephones, lawn and garden equipment, cash, jewelry, etc.

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of: as garnishee(s):

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

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

(4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL:.....\$3,552.66

ADDITIONAL INTEREST FROM 5/12/08:....\$57.23

ATTY'S COMM: \$

DATE: 8/25/2008

PROTH./DOCKET COSTS PAID:.....\$40.00

SHERIFF: \$

OTHER COSTS: \$

PAYMENTS RECEIVED:.....(\$200.00)


William A. Shaw
Prothonotary/Clerk Civil Division

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

Requesting Party: Tina Fox, Esq.
135 North George St.
York, PA 17401
(717) 848-4900

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

MACK SMITH	:	CIVIL ACTION-LAW
Plaintiffs		:
		:
v.	:	NO.: 2008-1423-CD
		:
ROSWELL BABCOCK, III and	:	
CINDY BABCOCK	:	
Defendants		:

PRAECIPE TO REMOVE

FILED

JUL 01 2009

M (11:00)

William A. Shaw
Prothonotary/Clerk of Courts

1 CENT TO ATT

To the Prothonotary of Clearfield County:

Please mark the above-captioned action discontinued.

Please mark the above captioned judgment as settled and satisfied.

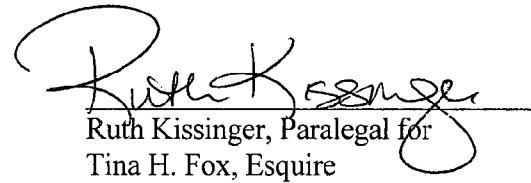
Tina H. Fox
Tina H. Fox, Esquire
Supreme Court I.D. 93366
CGA Law Firm
135 North George Street
York, PA 17401
717-848-4900
Attorney for Plaintiff

Date: June 15, 2009

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of June 2009, a true and correct copy of the foregoing Praecipe was served, via first class mail, postage prepaid, upon the following:

Roswell and Cindy Babcock
39 Bressler Road
Curwensville, PA 16833


Ruth Kissinger, Paralegal for
Tina H. Fox, Esquire

William A. Shaw
Prothonotary/Clerk of Courts

JUL 01 2009

FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20839
NO: 08-1423-CD

PLAINTIFF: MACK SMITH

vs.

DEFENDANT: ROSWELL BABCOCK, III AND CINDY BABCOCK

Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 8/25/2008

LEVY TAKEN 10/27/2008 @ 11:00 AM

POSTED 10/31/2008 @ 1:21 PM

SALE HELD 1/9/2009

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 2/17/2012

DATE DEED FILED

PROPERTY ADDRESS 39 BRESSLER ROAD CURWENSVILLE , PA 16833

5 FILED
0/11/9LM
FEB 17 2012
WAS

William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

SEE ATTACHED SHEET(S) OF SERVICES

SHERIFF HAWKINS \$101.72

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2012

Chester A. Hawkins
By: Cynthia Better-Aylenard
Chester A. Hawkins
Sheriff

MACK SMITH

vs

ROSWELL BABCOCK, III AND CINDY BABCOCK

1 10/27/2000 @ 11:00 AM SERVED ROSWELL BABCOCK, III

SERVED ROSWELL BABCOCK, III, DEFENDANT, AT HIS RESIDENCE 39 BRESSLER ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CINDY BABCOCK, WIFE/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

2 10/27/2000 @ 11:00 AM SERVED CINDY BABCOCK

SERVED CINDY BABCOCK, DEFENDANT, AT HER RESIDENCE 39 BRESSLER ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CINDY BABCOCK,

A TRUE AND ATTESTED COPY OF THE ORGINAL WRIT OF EXECUTON AND COPY OF THE LEVY AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

3 11/4/2008 @ 10:40 AM SERVED ROSWELL BABCOCK, III

SERVED ROSWELL BABCOCK, III, DEFENDANT, AT HIS RESIDENCE 39 BRESSLER ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CINDY BABCOCK, WIFE/CO-DEFENDNAT

A NOTICE OF SALE AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

4 11/4/2008 @ 10:40 AM SERVED CINDY BABCOCK

SERVED CINDY BABCOCK, DEFENDANT, AT HER RESIDENCE 39 BRESSLER ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CINDY BABCOCK

A NOTICE OF SALE AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

@ SERVED

NOW, DECEMBER 5, 2008 RECEIVED A LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE PLAINTIFF UNABLE TO ATTEND. ATTY OFFICE TO CALL TO RESCHEDULE.

@ SERVED

NOW, FEBRUARY 17, 2012 RETURN WRIT AS TIME EXPRIED.

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

Mack Smith

Vs.

NO.: 2008-01423-CD

Roswell Babcock III, and Cindy Babcock

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against MACK SMITH, Plaintiff(s) from ROSWELL BABCOCK III, and CINDY BABCOCK, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:

Personal property of the Defendant located at 39 Bressler Road, Curwensville, PA 16833, as follows: All personal property, including but not limited to, all appliances, furniture, cookware, household goods, electronics (televisions, VCRs, stereos, computers, camcorders), cameras, telephones, lawn and garden equipment, cash, jewelry, etc.

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
as garnishee(s):

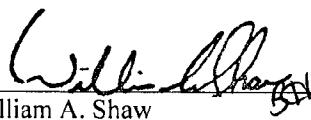
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the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

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

(4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL:.....\$3,552.66
ADDITIONAL INTEREST FROM 5/12/08:....\$57.23
ATTY'S COMM: \$
DATE: 8/25/2008

PROTH./DOCKET COSTS PAID:.....\$40.00
SHERIFF: \$
OTHER COSTS: \$
PAYMENTS RECEIVED:.....(\$200.00)



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 25th day
of August A.D. 2008
At 4:30 A.M./P.M.

Requesting Party: Tina Fox, Esq.
135 North George St.
York, PA 17401
(717) 848-4900

Charles G. Hawkins

Sheriff by Cynthia Button-Deppendorf

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME ROSWELL BABCOCK, III

NO. 08-1423-CD

NOW, February 17, 2012, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Roswell Babcock, III And Cindy Babcock to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR SERVICE	9.00
MILEAGE	9.00
LEVY	7.02
MILEAGE	20.00
POSTING	7.02
HANDBILLS	9.00
COMMISSION	0.00
POSTAGE	1.68
HANDBILLS	10.00
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	9.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$101.72

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	3,552.66
INTEREST @ %	0.00
FROM TO 01/09/2009	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	57.23
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$3,791.61

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	

SHERIFF COSTS	101.72
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	40.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$141.72
TOTAL COSTS	\$3,791.61

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

CHESTER A. HAWKINS, Sheriff



L A W F I R M

Glenn J. Smith, Attorney
gsmith@cgalaw.com
Ext. 135

December 3, 2008

Chester A. Hawkins, Sheriff
Clearfield County
1 North Second Street
Clearfield, PA 16830

Re: **Mack Smith v. Roswell Babcock, III and Cindy Babcock**
No. 2008-1423-CD
Case #20839

Dear Sheriff Hawkins:

As you are aware, this firm represents the Plaintiff, Mack Smith, regarding the above-captioned matter. A Sheriff's Sale of personal property, specifically a 1969 Chevrolet truck, has been scheduled for January 16, 2009 at 10:00 a.m. We are requesting a continuance of that sale on behalf of Mr. Smith as he is scheduled for surgery on January 15, 2009. He will be unable to attend the sale.

We also ask that if a continuance is given that possibly a levy could be done for additional personal property owned by the Defendants. We believe they own other items besides the truck. Please advise as to a new date and time for the sale of their personal property. If you have any questions, you may contact my office. I am handling this matter while Attorney Fox is on maternity leave. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Glenn J. Smith'.

GJS/br

Cc Mack Smith
Roswell Babcock, III and Cindy Babcock

Will call me to reschedule

(00262519/1)