

08-1596-CD

Robert Dixon vs Mike Segalla

FILED

100

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

CLEARFIELD COUNTY

Judicial District, County Of

4671+

NOTICE OF APPEAL

FROM

AUG 26 2008

0110-3014

William A. Shaw

Prothonotary/Clerk of Courts

MAGISTERIAL DISTRICT JUDGE JUDGMENT

MOT - & PFL

COMMON PLEAS No. 2008-1596-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT MIKE SEGALLA	MAG. DIST. NO. 46-3-01	NAME OF MDJ PATRICK N FORO
ADDRESS OF APPELLANT 21 PONDEROSA DR	CITY PENFIELD	STATE PA
DATE OF JUDGMENT 7/29/08	IN THE CASE OF (Plaintiff) ROBERT DIXON	(Defendant) MIKE SEGALLA
DOCKET No. CV-0000 264-08	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT Michael Segalla	
This block will be signed ONLY when this notation is required under Pa. R.C.P.D. J. No. 1008B. This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.		
If appellant was Claimant (see Pa. R.C.P.D. J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.		
Signature of Prothonotary or Deputy		

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon **ROBERT DIXON**

appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. **2008-1596-CD** within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Michael Segalla
Signature of appellant or attorney or agent

RULE: To **ROBERT DIXON** appellee(s)

Name of appellee(s)

OWNER

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date **8-26- 2008**

Michael Segalla
Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the Magisterial District Judge designated therein on
(date of service) _____, 20_____, by personal service by (certified) (registered) mail,
sender's receipt attached hereto, and upon the appellee, (name) _____ on
_____, 20_____, by personal service by (certified) (registered) mail,
sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 20_____

Signature of official before whom affidavit was made

Signature of affiant

Title of official

My commission expires on _____, 20_____

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

CLEARFIELD COUNTY
Judicial District, County Of

46T1

NOTICE OF APPEAL

150
010-301W

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT
MOS - PFL
COMMON PLEAS No. 2008-1596-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT MIKE SEAGALLA	MAG. DIST. NO. 46-3-01	NAME OF MDJ PATRICK N FORD
ADDRESS OF APPELLANT 21 PONDEROSA DR	CITY CITY	STATE PA
DATE OF JUDGMENT 7/29/08	IN THE CASE OF (Plaintiff) ROBERT DIXON	(Defendant) MIKE SEAGALLA
DOCKET No. CV-0000 264-08	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT <i>Michael J. Seagalla</i>	
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.D. J. No. 1008B.</p> <p>This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>If appellant was Claimant (see Pa. R.C.P.D. J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.</p> <p>_____ Signature of Prothonotary or Deputy</p>		

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon **ROBERT DIXON** _____ appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. **2008-1596-CD** within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Michael J. Seagalla
Signature of appellant or attorney or agent

RULE: To **ROBERT DIXON** appellee(s)
Name of appellee(s)

OWNER

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date **8-26- 2008**

Michael J. Seagalla
Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the Magisterial District Judge designated therein on
(date of service) _____, 20_____, by personal service by (certified) (registered) mail,
sender's receipt attached hereto, and upon the appellee, (name) _____ on
_____, 20_____, by personal service by (certified) (registered) mail,
sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 20_____

Signature of official before whom affidavit was made

Signature of affiant

Title of official

My commission expires on _____, 20_____,

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

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

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

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

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

DIXON, ROBERT
878 MUN ROAD
PENFIELD, PA 15849

NAME and ADDRESS

DEFENDANT:

SEGALLA, MIKE
21 PONDEROSA DRIVE
PENFIELD, PA 15849

NAME and ADDRESS

Docket No.: **CV-0000264-08**
Date Filed: **6/11/08**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF**

(Date of Judgment) **7/29/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) DIXON, ROBERT	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Amount of Judgment</td> <td style="padding: 5px; text-align: right;">\$ 4,800.00</td> </tr> <tr> <td style="padding: 5px;">Judgment Costs</td> <td style="padding: 5px; text-align: right;">\$ 130.00</td> </tr> <tr> <td style="padding: 5px;">Interest on Judgment</td> <td style="padding: 5px; text-align: right;">\$.00</td> </tr> <tr> <td style="padding: 5px;">Attorney Fees</td> <td style="padding: 5px; text-align: right;">\$.00</td> </tr> <tr> <td style="padding: 5px;">Total</td> <td style="padding: 5px; text-align: right;">\$ 4,930.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Post Judgment Credits</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Post Judgment Costs</td> </tr> <tr> <td colspan="2" style="padding: 5px; text-align: right;">Certified Judgment Total \$</td> </tr> </table>	Amount of Judgment	\$ 4,800.00	Judgment Costs	\$ 130.00	Interest on Judgment	\$.00	Attorney Fees	\$.00	Total	\$ 4,930.00	Post Judgment Credits		Post Judgment Costs		Certified Judgment Total \$	
Amount of Judgment		\$ 4,800.00															
Judgment Costs	\$ 130.00																
Interest on Judgment	\$.00																
Attorney Fees	\$.00																
Total	\$ 4,930.00																
Post Judgment Credits																	
Post Judgment Costs																	
Certified Judgment Total \$																	
<input checked="" type="checkbox"/> Judgment was entered against: (Name) SEGALLA, MIKE in the amount of \$ 4,930.00																	
<input type="checkbox"/> Defendants are jointly and severally liable.																	
<input type="checkbox"/> Damages will be assessed on Date & Time _____																	
<input type="checkbox"/> This case dismissed without prejudice.																	
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____																	
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____																	

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.

7/29/08 Date Patrick N. Ford - PAF, Magisterial District Judge

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

Date _____, Magisterial District Judge

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

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

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

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

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

DIXON, ROBERT
878 MUN ROAD
PENFIELD, PA 15849

NAME and ADDRESS

DEFENDANT:

SEGALLA, MIKE
21 PONDEROSA DRIVE
PENFIELD, PA 15849

NAME and ADDRESS

Docket No.: **CV-0000264-08**
Date Filed: **6/11/08**



08-1596-CD
7/29/08

THIS IS TO NOTIFY YOU THAT:

FOR PLAINTIFF

Judgment: _____ (Date of Judgment) **7/29/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) DIXON, ROBERT	Amount of Judgment \$ 4,800.00 Judgment Costs \$ 130.00 Interest on Judgment \$.00 Attorney Fees \$.00
<input checked="" type="checkbox"/> Judgment was entered against: (Name) SEGALLA, MIKE in the amount of \$ 4,930.00	
<input type="checkbox"/> Defendants are jointly and severally liable.	Total \$ 4,930.00
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Post Judgment Credits \$ _____ Post Judgment Costs \$ _____
<input type="checkbox"/> This case dismissed without prejudice.	=====
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Certified Judgment Total \$ _____
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	

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.

FILED
7/29/08 4:46 PM
SEP 03 2008
(610)

William A. Shaw
Prothonotary/Clerk of Courts
Magisterial District Judge

7/29/08 Date *Patrick N. Ford - PAF*

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

Date _____, Magisterial District Judge

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

CIVIL COMPLAINT

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

PATRICK N. FORD

Address: **309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA**

15801

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

PLAINTIFF:

NAME and ADDRESS

Robert Dixon

**787 Munn Rd
Penfield**

vs.

PA 15849

DEFENDANT:

NAME and ADDRESS

Mike Segalla

21 Panorama Dr



Docket No.:

Date Filed:

penfield

PA 15849

Docket No: **Cl-264-08**

Date **6-11-08**

	AMOUNT	DATE PAID
FILING COSTS	\$ <u>130.00</u>	<u>6/11/08</u>
POSTAGE	\$ _____	<u>1/1</u>
SERVICE COSTS	\$ _____	<u>1/1</u>
CONSTABLE ED.	\$ _____	<u>1/1</u>
TOTAL	\$ _____	<u>1/1</u>

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 4,800 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Didn't make payment

I, Robert Dixon, verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

Robert Dixon

(Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: _____ Address: _____

Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within magisterial district judge jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.