

08-1625-CD

Amy Jo Hyde vs J&D Auto Sales

FILED

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
 CLEARFIELD
 Judicial District, County Of
 46TH

NOTICE OF APPEAL

FROM William A. Shaw
 Prothonotary/Clerk of Courts
 MAGISTERIAL DISTRICT JUDGE JUDGMENT
 COMMON PLEAS No. 2008-1625-CD

AUG 28 2008
10/3/08William A. Shaw
Prothonotary/Clerk of Courts

COURT TO MDS.

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.

Amy Jo Hyde

NAME OF APPELLANT	MAG. DIST. NO.	NAME OF MDJ
101 1/2 Perry St.	46-3-01	Patrick M. Ford
ADDRESS OF APPELLANT	CITY	STATE
Punxsutawney		PA.
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	ZIP CODE
7/29/08	Amy Jo Hyde	15767
DOCKET NO.	(Defendant)	
CV-0000254-08	J & D Auto Sales	

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

Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or attorney or agent

RULE: To _____ 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 _____, 20 _____

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
Judicial District, County Of

46TH

NOTICE OF APPEAL

0/3:45/08

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 2008-1625-CD

DR. P.

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.

Amy Jo Hyde

NAME OF APPELLANT	MAG. DIST. NO.	NAME OF MDJ
121 1/2 Perry St.	416-3-01	Patrick N. Ford
ADDRESS OF APPELLANT	CITY	STATE
Punxsutawney		PA.
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)
7/29/08	Amy Jo Hyde	J & D Auto Sales
DOCKET NO.	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT	
CV-0000254-08	Amy Jo Hyde	

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

Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or attorney or agent

~~RULE: To _____ 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 _____, 20 _____

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_____

FILED
AUG 28 2008
William A. Shaw
Prothonotary/Clerk of Courts

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, PATelephone: (814) 371-5321 **15801****PATRICK N. FORD**
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

HYDE, AMY JO NAME and ADDRESS**347 SNYDER HILL RD**
PUNXSUTAWNEY, PA 15767

VS.

DEFENDANT:

S&D AUTO SERVICE NAME and ADDRESS**349 DUBOIS STREET**
DUBOIS, PA 15801Docket No.: **CV-0000254-08**
Date Filed: **6/04/08****THIS IS TO NOTIFY YOU THAT:**Judgment: **FOR DEFENDANT**(Date of Judgment) **7/29/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) S&D AUTO SERVICE	Amount of Judgment \$.00
<input checked="" type="checkbox"/> Judgment was entered against: (Name) HYDE, AMY JO in the amount of \$.00	Judgment Costs \$.00
<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 \$.00
<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 \$ _____	

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 fmf*, 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

AOPC 315-07

DATE PRINTED: **7/29/08 9:36:00 AM**

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

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

Telephone: (814) 371-5321

15801

	AMOUNT	DATE PAID
FILING COSTS	\$ 130.00	6/14/08
POSTAGE	\$ _____	1/1
SERVICE COSTS	\$ _____	1/1
CONSTABLE ED.	\$ _____	1/1
 TOTAL	\$ _____	1/1

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 \$ 4,500.00 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Amount I paid to have my 1998 Cad. worked on that he said he fixed, but I never even got it a $\frac{1}{2}$ mile when I did get my car back from his place. Never did he fix it. I paid him total of \$3,025.00 and then I took it to Rathmel Auto Service in Reynoldsville to have it fixed there and they said it was in bad shape there was no work done on it all all they I had to pay them so far \$1,500.00 or more for them to fix it.

Amelia Hyde 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.

(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.

CIVIL COMPLAINT

PLAINTIFF:

Amelia Hyde NAME and ADDRESS 938-8235
 347 Snyder Hill Rd.
 Punxsutawney, PA. 15767

DEFENDANT:

S-U-D Auto Service NAME and ADDRESS 372-3640
 349 Dubois St.
 Dubois PA 15801

Docket No.: **CV-25408**
Date Filed: 6/4/08*Trooper Green*

had my
car for
3 mos.
wouldn't
give it
back
till I
paid

3 mos.
to him

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

THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR DEFENDANT**

(Date of Judgment)

08-1625-CD
7/29/08

Judgment was entered for: (Name) **S&D AUTO SERVICE**

Judgment was entered against: (Name) **HYDE, AMY JO**
in the amount of \$ **.00**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time _____

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127
\$ _____

Portion of Judgment for physical damages arising out of
residential lease \$ _____

Amount of Judgment	\$.00
Judgment Costs	\$.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$.00
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
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 SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

FILED

m/1/2008
SEP 12 2008

G10

William A. Shaw
Prothonotary/Clerk of Courts

7-29-08 Date *Patrick N. Ford*, 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

AOPC 315-07

DATE PRINTED: **7/29/08** **9:36:00 AM**

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

CIVIL COMPLAINT

PLAINTIFF:

NAME and ADDRESS

NAME and ADDRESS
Amis Jo Hycle 938-8235
347 Snyder Hill Rd.
Panxutawney, PA 15767

DEFENDANT:

NAME and ADDRESS
S-U-D Auto Service 372-3640
349 DuBois St.
DuBois PA. 15801

Docket No.: CV-25408
Date Filed: 6-4-08



Tripper Green

	AMOUNT	DATE PAID
FILING COSTS	\$ <u>130.00</u>	<u>6/14/08</u>
POSTAGE	\$ _____	<u> / /</u>
SERVICE COSTS	\$ _____	<u> / /</u>
CONSTABLE ED.	\$ _____	<u> / /</u>
 TOTAL	\$ _____	<u> / /</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 \$ 4,500.00 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Amount I paid to have my 1990 Cadi. worked on that he said he fixed, but I never even got it a $\frac{1}{2}$ mile when I did get my car back from his place. Never did he fix it. I paid him total of \$3,025.00 and then I took it to Rothmel Auto Service in Reynoldsville to have it fixed there and they said it was in bad shape there was no work done on it and all they I had to pay them so far is \$1,500.00 or more for them to fix it.

(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.