

08-1628-CD
Russell Real Estate vs Derrick Martell

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**

**NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE**

PLAINTIFF:

NAME and ADDRESS

**RUSSELL REAL ESTATE
2640 GREENVILLE PIKE**

DANIEL J. RUSSELL

GRAMPIAN, PA 16838 *2008-1628-CD*

VS.

DEFENDANT:

NAME and ADDRESS

MARTELL, DERRICK, ET AL.

12496 BENNETT VALLEY HWY.

PENFIELD, PA 15849

**RUSSELL REAL ESTATE
2640 GREENVILLE PIKE
DANIEL J. RUSSELL
GRAMPIAN, PA 16838**

FILED

AUG 29 2008

William A. Shaw mailed del

Docket No.: **LT-0000184-07**

Date Filed: **4/12/07**



THIS IS TO NOTIFY YOU THAT: Prothonotary/Clerk of Courts *180 Bell Lane, Woodbury, PA 16881*

Judgment:

FOR PLAINTIFF

☒ Judgment was entered for: (Name) **RUSSELL REAL ESTATE**

☒ Judgment was entered against **MARTELL, DERRICK** in a

☒ Landlord/Tenant action in the amount of \$ **1,785.91** on **4/19/07** (Date of Judgment)

The amount of rent per month, as established by the Magisterial District Judge, is \$ **641.93**.

The total amount of the Security Deposit is \$ **.00**

	Total Amount	Established by MDJ	Less Security Deposit Applied	=	Adjudicated Amount
Rent in Arrears	\$	1,663.86	-\$.00	\$ 1,663.86
Physical Damages Leasehold Property	\$.00	-\$.00	\$.00
Damages/Unjust Detention	\$.00	-\$.00	\$.00
Less Amt Due Defendant from Cross Complaint					-\$.00
Interest (if provided by lease)					\$.00
L/T Judgment Amount					\$ 1,663.86
Judgment Costs					\$ 122.05
Attorney Fees					\$.00
Total Judgment					\$ 1,785.91
Post Judgment Credits					\$
Post Judgment Costs					\$
Certified Judgment Total					\$

☐ Attachment Prohibited/
42 Pa.C.S. § 8127

☐ This case dismissed without prejudice.

☐ Possession granted.

☐ Possession granted if money judgment is not satisfied by time of eviction.

☒ Possession not granted.

☐ Defendants are jointly and severally liable.

IN AN ACTION INVOLVING A RESIDENTIAL LEASE, ANY PARTY HAS THE RIGHT TO APPEAL FROM A JUDGMENT FOR POSSESSION WITHIN TEN DAYS AFTER THE DATE OF ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. THIS APPEAL WILL INCLUDE AN APPEAL OF THE MONEY JUDGMENT, IF ANY. IN ORDER TO OBTAIN A SUPERSEDEAS, THE APPELLANT MUST DEPOSIT WITH THE PROTHONOTARY/CLERK OF COURTS THE LESSER OF THREE MONTHS RENT OR THE RENT ACTUALLY IN ARREARS ON THE DATE THE APPEAL IS FILED.

IF A PARTY WISHES TO APPEAL ONLY THE MONEY PORTION OF A JUDGMENT INVOLVING A RESIDENTIAL LEASE, THE PARTY HAS 30 DAYS AFTER THE DATE OF ENTRY OF JUDGMENT IN WHICH TO FILE A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURTS OF THE COURT OF COMMON PLEAS, CIVIL DIVISION.

THE PARTY FILING AN APPEAL MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THE 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.

4-19-07

Date

Patrick N. Ford - PNF

, Magisterial District Judge

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

10-30-07

Date

Patrick N. Ford

, Magisterial District Judge

FILED

AUG 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

Russell Real Estate
Plaintiff(s)

No.: 2008-01628-CD

Real Debt: \$1875.91

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Derrick Martell
Defendant(s)

Entry: \$20.00

Instrument: District Justice Judgment

Date of Entry: August 29, 2008

Expires: August 29, 2013

Certified from the record this August 29, 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

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

COPY

Russell Real Estate

Vs.

No. 2008-01628-CD

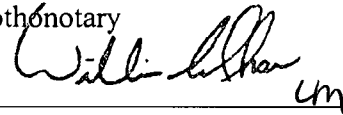
Derrick Martell

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$1785.91 on August 29, 2008.

William A. Shaw

Prothonotary

A handwritten signature in cursive script, appearing to read 'William A. Shaw', with a small 'cm' or similar mark at the end.

William A. Shaw

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

RUSSELL REAL ESTATE,
Plaintiff

vs.

DERRICK MARTELL,
Defendant.

No. 2008-01628-CD

PRAECIPE FOR WRIT OF REVIVAL

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-at-Law
Pa. I.D. #52782

KUBISTA & RYAN LLP
202 South Front Street
P.O. Box 1
Clearfield, PA 16830
(814)765-8972

FILED pd \$20.00
of 10:05 am Atty
OCT 29 2014
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS
K. Kubista

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

RUSSELL REAL ESTATE,
Plaintiff

vs.

No. 2008-01628-CD


DERRICK MARTELL,
Defendant.

PRAECIPE FOR WRIT OF REVIVAL

To the Prothonotary:

Issue writ of revival of lien of judgment entered in the Court of Common Pleas of Clearfield County to No. 2008-01628-CD and enter it in the judgment index against DERRICK MARTELL, in the amount of \$1,875.91 with interest.

Kubista & Ryan LLP


Kimberly M. Kubista
Attorney for Plaintiff

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

RUSSELL REAL ESTATE,
Plaintiff

vs.

DERRICK MARTELL,
Defendant.

:
:
:
:
:
:
:

No. 2008-01628-CD

WRIT OF REVIVAL

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-at-Law
Pa. I.D. #52782

KUBISTA & RYAN LLP
202 South Front Street
P.O. Box 1
Clearfield, PA 16830
(814)765-8972

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

RUSSELL REAL ESTATE,	:	
Plaintiff	:	
	:	
vs.	:	No. 2008-01628-CD
	:	
DERRICK MARTELL,	:	
Defendant.	:	

WRIT OF REVIVAL

To: Derrick Martell
20835 Shawville Croft Highway
Clearfield, PA 16830

1. You are notified that the Plaintiff has commenced a proceeding to revive the lien of the judgment entered in the Court of Common Pleas of Clearfield County at Docket No. 2008-01628-CD.

2. The Plaintiff claims that the amount due and unpaid is \$1,875.91 with interest, attorney's fees and costs.

3. You are required within twenty (20) days after service of this writ to file an answer or otherwise plead to this writ. If you fail to do so judgment of revival in the amount claimed by the Plaintiff may be entered without a hearing and you may lose your property or other important rights.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED RATE OR NO FEE.

COURT ADMINISTRATOR
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641, Ext. 1300

Date: October 29, 2014

Frank Spase um
Prothonotary

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

RUSSELL REAL ESTATE
Plaintiff

vs.

DERRICK MARTELL,
Defendant.

No. 2008-01628-CD

(13) Pd \$20.00
icc, Notice
+ Statement
Att'y
K. Kubista, 01/10/59/LI
Deft
DEC 18 2014
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

PRAECIPE FOR ENTRY OF
JUDGMENT OF REVIVAL

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-at-Law
Pa. I.D. 52782

KUBISTA & RYAN LLP
202 South Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

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

RUSSELL REAL ESTATE
Plaintiff

vs.

DERRICK MARTELL,
Defendant.

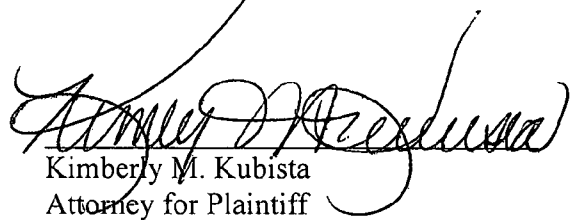
No. 2008-01628-CD

PRAECIPE FOR ENTRY OF JUDGMENT OF REVIVAL
PURSUANT TO Pa.R.C.P. 3031(a)

TO THE PROTHONOTARY:

The Defendant, DERRICK MARTELL, having failed to plead to the Writ of Revival and the 10 Day Notice entered in the above-captioned matter, please enter Judgment of Revival in favor of the Plaintiff and against the Defendant, DERRICK MARTELL, in the amount of \$1,875.91 with interest, attorney's fees and costs.

KUBISTA & RYAN LLP


Kimberly M. Kubista
Attorney for Plaintiff

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Russell Real Estate

Vs.

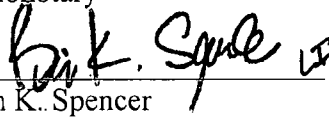
No. 2008-01628-CD

Derrick Martell

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$1,875.91 on December 18th, 2014.

Brian K. Spencer
Prothonotary


Brian K. Spencer

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

Russell Real Estate
Plaintiff(s)

No.: 2008-01628-CD

Real Debt: \$1,875.91

Atty's Comm: Kimberly M. Kubista, esq.

Vs.

Costs: \$

Int. From:

Derrick Martell
Defendant(s)

Entry: \$20.00

Instrument: Dj Judgment

Date of Writ of Revival: 10/29/2014

Date of Judgment: 12/18/2014

Expires: 12/18/2019

Certified from the record this



Brian K. Spencer, 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
CIVIL DIVISION

RUSSELL REAL ESTATE
Plaintiff

vs.

DERRICK MARTELL,
Defendant.

No. 2008-01628-CD

AFFIDAVIT OF SERVICE

Filed on behalf of

Plaintiff

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

KUBISTA & RYAN LLP
202 S. Front Street
Clearfield, PA 16830

(814) 765-8972

SM
FILED *icc*
Athy
S **DEC 05 2014** *K. Kubista*
0/11:06/CD
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

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

RUSSELL REAL ESTATE
Plaintiff

vs.

No. 2008-01628-CD

DERRICK MARTELL,
Defendant.

AFFIDAVIT OF SERVICE

This is to certify that a certified copy of the Writ of Revival was served on Jennifer Martell, wife of Defendant Derrick Martell at their residence of 20835 Shawville Croft Highway, Clearfield, Pennsylvania, in the place and manner set forth in the attached Sheriff's Return.

KUBISTA & RYAN LLP

Date: 12-5-14


Kimberly M. Kubista
Attorney for Plaintiff

To Deputy 10/29/2014

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 2008-01628-CD

RUSSELL REAL ESTATE
vs
DERRICK MARTELL

SERVICE # 1 OF 1

PRAECIPE FOR WRIT OF REVIVAL/WRIT OF REVIVAL

SERVE BY: 01/26/2015 HEARING: PAGE: 112296

DEFENDANT: DERRICK MARTELL
ADDRESS: 20835 SHAWVILLE CROFT HIGHWAY
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

SHERIFF'S RETURN

NOW, Nov 6 2014 AT 11³⁵ AM PM SERVED THE WITHIN

PRAECIPE FOR WRIT OF REVIVAL/WRIT OF REVIVAL ON DERRICK MARTELL, DEFENDANT

BY HANDING TO JENNIFER MARTELL Wife to Defendant

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 20835 Shawville Croft Hwy - Clearfield Pa
☒ Residence ☐ Employment ☐ Sheriff's Office ☐ Other 16830

NOW _____ AT _____ AM / PM POSTED THE WITHIN

PRAECIPE FOR WRIT OF REVIVAL/WRIT OF REVIVAL FOR DERRICK MARTELL

AT (ADDRESS) _____

NOW _____ AT _____ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO DERRICK MARTELL

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2014

So Answers: WESLEY B THURSTON, SHERIFF

BY: [Signature]
Deputy Signature

[Signature]
Print Deputy Name

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

RUSSELL REAL ESTATE
Plaintiff

vs.

DERRICK MARTELL,
Defendant.

No. 2008-01628-CD

AFFIDAVIT OF SERVICE

Filed on behalf of

Plaintiff

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

KUBISTA & RYAN LLP
202 S. Front Street
Clearfield, PA 16830

(814) 765-8972

LS FILED *ICC*
Att'y
S DEC 05 2014 *K. Kubista*
0111:06/12
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

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

RUSSELL REAL ESTATE
Plaintiff


vs.

DERRICK MARTELL,
Defendant.

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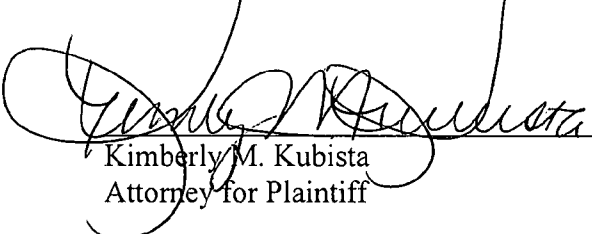
No. 2008-01628-CD

AFFIDAVIT OF SERVICE

This is to certify that a 10 Day Notice was served on Defendant Derrick Martell,
at 20835 Shawville Croft Highway, Clearfield, Pennsylvania 16830 on December 5, 2014,
 a copy of the Notice is attached.

KUBISTA & RYAN LLP

Date: 12-5-14


Kimberly M. Kubista
Attorney for Plaintiff

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

RUSSELL REAL ESTATE
Plaintiff

vs.

No. 2008-01628-CD

DERRICK MARTELL,
Defendant.

To: DERRICK MARTELL
20835 Shawville Croft Highway
Clearfield, PA 16830

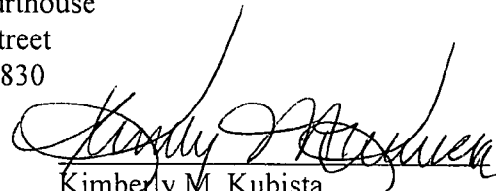
Date of Notice: December 5, 2014

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN **TEN (10) DAYS** FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830


Kimberly M. Kubista
Attorney for Plaintiff

cc: Russell Real Estate

To Deputy 10/29/2014

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 2008-01628-CD

RUSSELL REAL ESTATE
vs
DERRICK MARTELL

SERVICE # 1 OF 1

PRAECIPE FOR WRIT OF REVIVAL/WRIT OF REVIVAL

SERVE BY: 01/26/2015 HEARING: PAGE: 112296

DEFENDANT: DERRICK MARTELL
ADDRESS: 20835 SHAWVILLE CROFT HIGHWAY
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

FILED

NOV 07 2014

01 3:30 PM

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

SHERIFF'S RETURN

NOW, Nov 6 2014 AT 11³⁵ (AM) PM SERVED THE WITHIN

PRAECIPE FOR WRIT OF REVIVAL/WRIT OF REVIVAL ON DERRICK MARTELL, DEFENDANT

BY HANDING TO LENOUEE MARTELL Wife to Defendant

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 20835 Shawville Croft Hwy - Clearfield Pa
☒ Residence ☐ Employment ☐ Sheriff's Office ☐ Other 16830

NOW _____ AT _____ AM / PM POSTED THE WITHIN

PRAECIPE FOR WRIT OF REVIVAL/WRIT OF REVIVAL FOR DERRICK MARTELL

AT (ADDRESS) _____

NOW _____ AT _____ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO DERRICK MARTELL

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2014

So Answers: WESLEY B THURSTON, SHERIFF

BY: [Signature]
Deputy Signature

[Print Name]
Print Deputy Name

FILED

JAN 8 8 2015

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 112296

NO: 2008-1628-CD

SERVICES 1

PRAECIPE FOR WRIT OF REVIVAL/WRIT OF REVIVAL

PLAINTIFF: RUSSELL REAL ESTATE

vs.

DEFENDANT: DERRICK MARTELL

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	KUBISTA & RYAN LLP	5255	10.00
SHERIFF THURSTON	KUBISTA & RYAN LLP	5255	25.72

Sworn to Before Me This

_____ Day of _____ 2014

So Answers,

Wesley B. Thurston

WESLEY B. THURSTON
Sheriff

FILED

JAN 08 2015

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

FILED

NOV 07 2014

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS