

08-1910-CD
Bobby Patel vs Vickie Ward

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

BOBBY PATEL,
Plaintiff

vs.

VICKIE WARD,
Defendant

NO.: 08- 1910 -CD

Type of Case: Appeal from a
Magisterial District Court
Judgment

Type of Pleading: Praecipe to
Proceed in Forma Pauperis

Filed on Behalf of: Vickie Ward

Counsel of Record for this Party:
Katherine M. Forcey, Esquire

Supreme Court No.: 95110

MidPenn Legal Services
211 East Locust Street
Clearfield, PA 16830
(814)765-9646
Fax: (814) 765-1396

FILED

OCT 10 3 30 PM '08
OCT 08 2008

icc
Atty Forcey

S William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION--LAW

Bobbie Patel,
Plaintiff/Appellee

v.

Vickie Ward,
Defendant/Appellant

: No. 08- -CD
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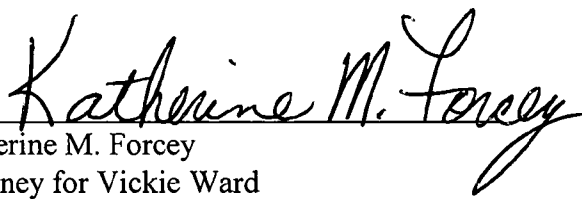
PRAECIPE TO PROCEED IN FORMA PAUPERIS

TO THE PROTHONOTARY:

Kindly allow Defendant/Appellant, to proceed in forma pauperis and waive the filing fee and the payment of rent required pursuant to Pa. R.C.P.M.D.J. 1008.

I, Katherine M. Forcey, attorney for the party proceeding in forma pauperis, certify that I believe the party is unable to pay the costs and that I am providing free legal service to the party. The party's affidavit showing inability to pay the costs of litigation is attached hereto.

MIDPENN LEGAL SERVICES,

By: 
Katherine M. Forcey
Attorney for Vickie Ward
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION--LAW

Bobbie Patel,
Plaintiff/Appellee

v.

Vickie Ward,
Defendant/Appellant

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No. 08-

-CD

PETITION TO PROCEED IN FORMA PAUPERIS

TO THE HONORABLE JUDGES OF THE SAID COURT:

The Petition of Vickie Ward respectfully represents:

1. I am the Defendant/Appellant in the above matter and because of my financial condition 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 and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(a) Name: Vickie Ward

Address: P. O. Box 185, 1208 S. Second St., Apartment 11, Clearfield,
Pennsylvania 16830

(b) Employment--If you are presently employed, state

Employer: NA

Address:

Salary or wages per month:

Type of work:

--If you are presently unemployed, state:

Date of last employment:

Employer:

Address:

Salary or wages:

Type of work:

(c) Other income within the past twelve months

Business or profession: None

Other self-employment: None

Interest: None

Dividends: None

Pension and annuities: None

Social security benefits: None

Support payments: None

Disability payments: \$664.00

Unemployment compensation and supplemental benefits: None

Workman's compensation: None

Public assistance:

Other: \$176.00 per month in Food Stamps

(d) Other contributions to household support(please circle)

Name of Spouse, Boyfriend/girlfriend, or Roommate/housemate: NA

If employed, state

Employer:

Salary or wages per month:

Type of work:

Contributions from children: NA

Contributions from parents, family members or any other individuals: NA

(e) Property owned

Cash: None

Checking account: None

Savings account: None

Certificates of deposit: None

Real estate (including home): None

Motor vehicle: Model, Make/Year: None

Cost:

Amount owed:

Stocks, bonds: None

Other: None

(f) Debts and obligations

Utilities: Gas:

Electric: \$

Garbage: \$

Water/Sewer: \$

Cable: \$

Telephone:

Groceries: \$50 plus food stamps

Rent/Mortgage: \$400.00

Loans:

Auto expense:

Child care:

Miscellaneous: \$50.00 (transportation, medical expenses and dog food for service dog)

(g) Persons dependent upon you for support

Spouse's Name: N/A

Children, if any (names/ages): NA

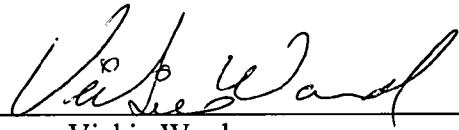
Other persons: Name: None

Relationship: N/A

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. 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. §4904, relating to Unsworn falsification to authorities.

Date: 10-6-08


Vickie Ward

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION--LAW

Bobbie Patel,
Plaintiff/Appellee

v.

Vickie Ward,
Defendant/Appellant

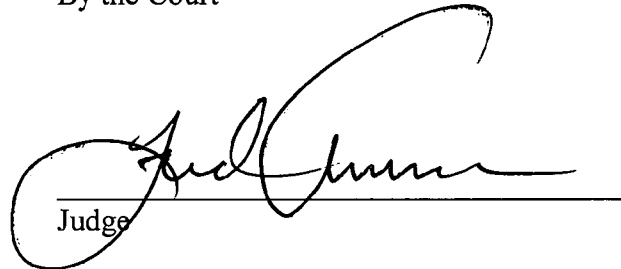
No. 08- 1910 -CD

ORDER

AND NOW, this 10 day of October, 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 Filing fee is waived. FJA*

~~If the Petition is GRANTED, the filing fee and the payment of rent required pursuant to Pa. R.C.P.M.D.J. 1008 are hereby WAIVED.~~ *FJA*

By the Court


Judge

FILED

OCT 13 2008

Att'y Forcey
(610)

William A. Shaw
Prothonotary/Clerk of Courts

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

No. 08-1910 -CD

TENANT'S SUPERSEDEAS AFFIDAVIT
(NON-SECTION 8)

I, Vickie Ward, P.O. Box 185, 1208 S. Second St., Apartment 11, Clearfield, PA 16830 (print name and address here), have filed a notice of appeal from a magisterial district court judgment awarding to my landlord possession of real property that I occupy, and I do not have the financial ability to pay the lesser of three (3) times my monthly rent or the judgment for rent awarded by the magisterial district court. My total household income does not exceed the income limits set forth in the supplemental instructions for obtaining a stay pending appeal and I have completed an in forma pauperis (IFP) affidavit to verify this. I have ~~have not~~ (cross out the one that does not apply) paid the rent this month.

I verify that the statements made in this affidavit 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. § 4909, relating to unsworn falsification to authorities.

Date: 10-6-08

Signature of Tenant: Vickie Ward

FILED
OCT 13 2008
William A. Shaw
Prothonotary/Clerk of Courts
Atty Forney
C10

FILED

OCT 13 2008

Copy to
PIFF
MDS Ireland
(GIL)

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

William A. Shaw
Prothonotary/Clerk of Courts

Judicial District, County Of

Clearfield

NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 08-1910-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 Vickie Ward	MAG. DIST. NO. 46-3-02	NAME OF MDJ Richard A. Ireland
ADDRESS OF APPELLANT P.O. Box 185 Clearfield PA 16830	CITY Clearfield	STATE PA
DATE OF JUDGMENT 9/29/08	IN THE CASE OF (Plaintiff) Bobby Patel v. Vickie Ward	(Defendant)
DOCKET No. LT-0000366-08	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT Katherine M. Forney, Esquire	
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 William A. Shaw		

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

(Common Pleas No. 08-1910-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To Bobby Patel 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 October 13 20 08

Katherine M. Forney, Esquire
Signature of appellant or attorney or agent
mid Penn Legal Services
211 E. Locust St.
Clearfield, PA 16830
814-765-9646

Signature of Prothonotary or Deputy
William A. Shaw

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

Judicial District, County Of

Clearfield

NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 08-1910-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 <i>Vickie Ward</i>	MAG. DIST. NO. <i>46-3-02</i>	NAME OF MDJ <i>Richard A. Ireland</i>
ADDRESS OF APPELLANT <i>P.O. Box 185 Clearfield PA 16830</i>	CITY <i>PA</i>	STATE <i>16830</i>
DATE OF JUDGMENT <i>9/29/08</i>	IN THE CASE OF (Plaintiff) <i>Bobby Patel v. Vickie Ward</i>	(Defendant)
DOCKET No. <i>LT-0000366-08</i>	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT <i>Katherine M. Forey, Esquire</i>	

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.

William L. H. [Signature]
Signature of Prothonotary or Deputy

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.

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 *Bobby Patel* Name of appellee(s) appellee(s), to file a complaint in this appeal

(Common Pleas No. *08-1910-CD*) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To *Bobby Patel* Name of appellee(s) 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 *October 13, 2008*

Katherine M. Forey, Esquire
Signature of appellant or attorney or agent
mid Penn Legal Services
211 E. Locust St.
Clearfield, PA 16830
814-765-9646

William L. H. [Signature]
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.: **46-3-02**
MDJ Name: Hon. **RICHARD A. IRELAND**
Address: **650 LEONARD ST**
STE 113
CLEARFIELD, PA
Telephone: **(814) 765-5335** **16830**

VICKEY WARD
PO BOX 185
CLEARFIELD, PA 16830

NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE

PLAINTIFF: **PATEL, BOBBY**
NAME and ADDRESS
1208 S SECOND STREET
CLEARFIELD, PA 16830

VS.
DEFENDANT: **WARD, VICKEY**
NAME and ADDRESS
PO BOX 185
CLEARFIELD, PA 16830

Docket No.: **LT-0000366-08**
Date Filed: **9/09/08**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

- ☒ Judgment was entered for: (Name) **PATEL, BOBBY**
☒ Judgment was entered against **WARD, VICKEY** in a
☒ Landlord/Tenant action in the amount of \$ **402.35** on **9/29/08** (Date of Judgment)
The amount of rent per month, as established by the Magisterial District Judge, is \$ **400.00**.

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

Total Amount Established by MDJ		Less	Security Deposit Applied	=	Adjudicated Amount
Rent in Arrears	\$ 300.00	-\$.00		=	\$ 300.00
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			\$ 300.00
		Judgment Costs			\$ 102.35
		Attorney Fees			\$.00
		Total Judgment			\$ 402.35
		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.

SEP 29 2008 Date **Richard A. Ireland**, 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

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

**NOTICE OF JUDGMENT/TRANSCRIPT
RESIDENTIAL LEASE**

PLAINTIFF: **PATEL, BOBBY**
**1208 S SECOND STREET
CLEARFIELD, PA 16830**

VS.
DEFENDANT: **WARD, VICKEY**
**PO BOX 185
CLEARFIELD, PA 16830**

**RICHARD A. IRELAND
650 LEONARD ST
STE 113
CLEARFIELD, PA 16830**

FILED
OCT 20 2008

William A. Shaw
Prothonotary/Clerk of Courts

Docket No.: **LT-0000366-08**
Date Filed: **9/09/08**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

08-1910-CD

☒ Judgment was entered for: (Name) **PATEL, BOBBY**

☒ Judgment was entered against **WARD, VICKEY** in a

☒ Landlord/Tenant action in the amount of \$ **402.35** on **9/29/08** (Date of Judgment)

The amount of rent per month, as established by the Magisterial District Judge, is \$ **400.00**.

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

	Total Amount Established by MDJ	Less Security Deposit Applied	=	Adjudicated Amount
Rent in Arrears	\$ 300.00	\$.00	=	\$ 300.00
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				\$ 300.00
Judgment Costs				\$ 102.35
Attorney Fees				\$.00
Total Judgment				\$ 402.35
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.

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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.

SEP 29 2008

Date *Richard A. Ireland*, Magisterial District Judge

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

OCT 16 2008

Date *Richard A. Ireland*, Magisterial District Judge

Date: 11/5/2008
Time: 03:21 PM

Clearfield County Court of Common Pleas
Receipt

NO. 1926657
Page 1 of 1

Received of: Ward, Vickie \$ 400.00

Four Hundred and 00/100 Dollars

Defendant: Bobby Patel vs. Vickie Ward
Case Litigant type

Amount

0008-01910-CD Defendant
Trust account

FILED

400.00

NOV 05 2008

Total: 400.00

01/31/08
William A. Shaw
Prothonotary/Clerk of Courts

UNITED STATES POSTAL SERVICE		POSTAL MONEY ORDER		
Serial Number	Year, Month, Day	Post Office	U.S. Dollars and Cents	
16474240348	2008-11-05	168300	\$400.00	
	Amount		FOUR HUNDRED DOLLARS & 00¢ *****	
Pay to	PROTHONOTARY		From	Clerk
Address			Vickie Ward	0010
			PO Bx 185	
			Clearfield, PA 16830	
Memo	08-1910 CD			
© 2008 United States Postal Service. All Rights Reserved.		SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS		
16474240348		16474240348		

Check: Money Order

Payment Method: Money Order
Amount Tendered: 400.00
Change Returned: 0.00
Clerk: BILLSHAW

William A. Shaw, Prothonotary/Clerk of Cou
By: _____
Deputy Clerk

FILED 2cc
01/08/49301
NOV 18 2008
Atty Forcey
(GCL)

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

:
:
:
:
:
:
:

No. 08-1910-CD

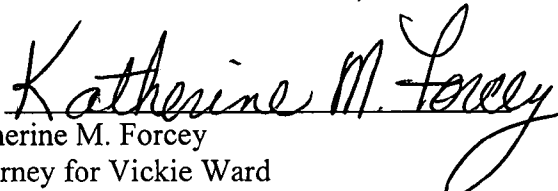
PRAECIPE FOR NON PROS

Please enter a Non Pros against Plaintiff/Appellee, Bobby Patel, for the reason that the Plaintiff/Appellee has failed to file a Complaint although more than twenty (20) days have elapsed since the Notice of Appeal and Rule to File Complaint were served upon Plaintiff/Appellee.

I hereby certify that a written notice of intention to file this praecipe was mailed or delivered to the Plaintiff, on November 5, 2008, being at least ten (10) days prior to the date of my filing of this praecipe. A copy of the written notice given to the Plaintiff is attached.

MIDPENN LEGAL SERVICES,

By:


Katherine M. Forcey
Attorney for Vickie Ward
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

:
:
:
:
:
:
:

No. 08-1910-CD

To: Bobby Patel
Date of Notice: November 5, 2008

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

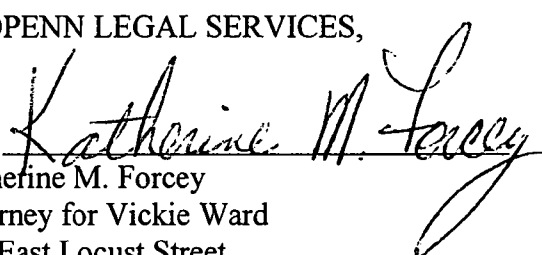
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A 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 Court of Common Pleas
230 East Market Street
Clearfield, PA 16830
(814) 765-2641 Ext. 5982

MIDPENN LEGAL SERVICES,

By:


Katherine M. Forcey
Attorney for Vickie Ward
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646

William A. Shaw
Prothonotary/Clerk of Courts

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

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No. 08-1910-CD

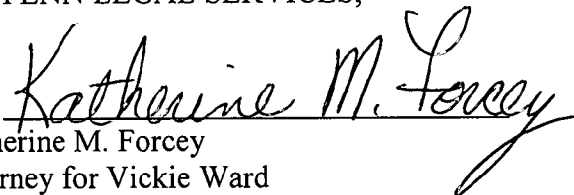
PRAECIPE TO RELEASE FUNDS FROM ESCROW ACCOUNT

Please release funds held in the escrow account for the above-captioned matter to:

Vickie Ward
c/o Katherine M. Forcey
MidPenn Legal Services
211 East Locust Street
Clearfield, PA 16830

MIDPENN LEGAL SERVICES,

By:



Katherine M. Forcey
Attorney for Vickie Ward
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

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:

No. 08-1910-CD

MOTION FOR RELEASE OF ESCROWED FUNDS AFTER ENTRY OF A
JUDGMENT OF NON PROS

Defendant/Petitioner, Vickie Ward, by and through his attorneys, Katherine M. Forcey,
Esquire and MidPenn Legal Services, hereby respectfully moves this Honorable Court, as
follows:

1. Movant filed a timely de novo appeal to this Court from an adverse Magisterial
District Judge's judgment, which included a judgment for possession of residential real property,
pursuant to Pa. R.C.P.M.D.J. No. 1002 and especially No. 1002B. Said Notice of Appeal was
filed to the above term and number on October 8, 2008.

2. The Prothonotary for the Clearfield Court of Common Pleas served Respondent
with the Notice of Appeal on October 13, 2008, in accordance with local rules. A copy thereof is
attached and incorporated herein as Exhibit A.

3. Plaintiff having failed to file a Complaint, Movant served said party with the ten-
day notice of default required by Pa.R.C.P., No. 237.1 and No. 237.4, having served said notice
by first class mail, postage prepaid, sent to the Plaintiff at 1208 S. Second Street, Clearfield, PA
16830 on November 5, 2008. A copy thereof is attached and incorporated herein as Exhibit B.

4. No complaint having been filed in response to the ten-day notice and no request for additional time within which to file having been received by the undersigned, Movant filed a praecipe for a judgment of non pros on November 18, 2008. A copy thereof is attached hereto as Exhibit C.

5. Movant has deposited in escrow with the Prothonotary the sum of \$400.00.

6. As the within action has, by reason of Plaintiff's failure to prosecute it, been ended of record, Movant's need to maintain the escrow account has ceased to exist.

7. There are no judgments herein in favor of Plaintiff against Movant, but only a judgment of non pros in favor of Defendant against Plaintiff, making this case procedurally analogous to those cases routinely dismissed for inactivity under Pa. R.C.P. No. 230.2.

Wherefore, as with cases dismissed under Rule 230.2, there being no active litigation in the case at bar, Movant asks your Honorable Court to order the Prothonotary to forthwith refund to Defendant all funds in escrow with him related to this action.

MIDPENN LEGAL SERVICES,

Date:

12/15/08

By:

Katherine M. Forcey
Katherine M. Forcey
Attorney for Vickie Ward
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of

Clearfield

NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 08-1910 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 <u>Vickie Ward</u>	MAG. DIST. NO. <u>46-3-02</u>	NAME OF MDJ <u>Richard A. Ireland</u>
ADDRESS OF APPELLANT <u>P.O. Box 185 Clearfield</u>	CITY <u>PA</u>	STATE <u>16830</u>
DATE OF JUDGMENT <u>9/29/08</u>	IN THE CASE OF (Plaintiff) <u>Bobby Patel</u>	(Defendant) <u>Vickie Ward</u>
DOCKET No. <u>LT-0000366-08</u>	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT <u>Katherine M. Fovey, Esquire</u>	

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.

Will Lisher

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

Name of appellee(s)

(Common Pleas No. 08-1910 CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To Bobby Patel 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 October 3, 2008

Will Lisher

Signature of Prothonotary or Deputy

Katherine M. Fovey, Esquire
Signature of appellant or attorney or agent
Mid Penn Legal Services
211 E. Locust St.
Clearfield, PA 16830
814-765-7646

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

Exhibit A
APPELLANT'S COPY

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

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:
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:
:
:
:

No. 08-1910-CD

To: Bobby Patel
Date of Notice: November 5, 2008

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, 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 A 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 Court of Common Pleas
230 East Market Street
Clearfield, PA 16830
(814) 765-2641 Ext. 5982

MIDPENN LEGAL SERVICES,

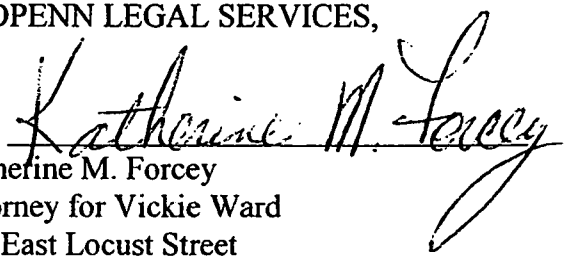
By: 
Katherine M. Forcey
Attorney for Vickie Ward
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646

Exhibit B

Exhibit C

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

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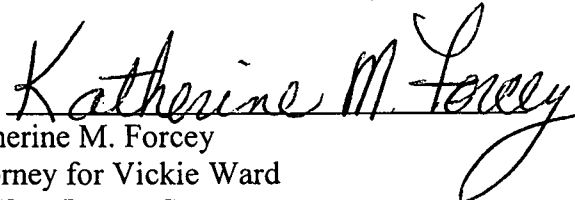
No. 08-1910-CD

PRAECIPE FOR NON PROS

Please enter a Non Pros against Plaintiff/Appellee, Bobby Patel, for the reason that the Plaintiff/Appellee has failed to file a Complaint although more than twenty (20) days have elapsed since the Notice of Appeal and Rule to File Complaint were served upon Plaintiff/Appellee.

I hereby certify that a written notice of intention to file this praecipe was mailed or delivered to the Plaintiff, on November 5, 2008, being at least ten (10) days prior to the date of my filing of this praecipe. A copy of the written notice given to the Plaintiff is attached.

MIDPENN LEGAL SERVICES,

By: 
Katherine M. Forcey
Attorney for Vickie Ward
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

:
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:
:

No. 08-1910-CD

To: Bobby Patel
Date of Notice: November 5, 2008

IMPORTANT NOTICE

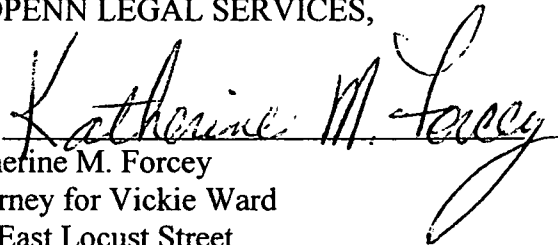
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

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Court Administrator
Clearfield Court of Common Pleas
230 East Market Street
Clearfield, PA 16830
(814) 765-2641 Ext. 5982

MIDPENN LEGAL SERVICES,

By: 
Katherine M. Forcey
Attorney for Vickie Ward
211 East Locust Street
Clearfield, PA 16830
(814) 765-9646

FILED

DEC 16 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

Bobby Patel,
Plaintiff

vs.

Vickie Ward,
Defendant

No. 08-1910-CD

5 **FILED** *Em*

DEC 19 2008

012:30/
William A. Shaw
Prothonotary/Clerk of Courts

ICERT TO Amy
w/ CHECK. #1234

IN THE Amount of
400.-

CEAT TO
P.F.F.

ORDER

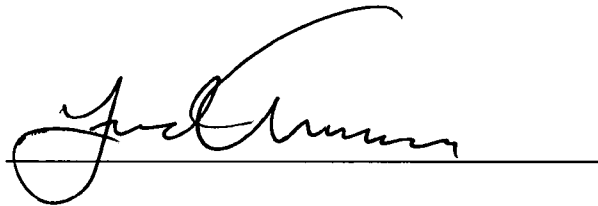
AND NOW, this 19 day of December, 2008, upon consideration
of the foregoing Motion for Release of Escrowed Funds after Entry of a Judgment of Non Pros, it
is the ORDER of this Court that said Motion is GRANTED/ ~~DETERMINED~~.

FJA

If the Motion is granted, escrowed funds shall be released to:

Vickie Ward
c/o Katherine M. Forcey, Esquire
MidPenn Legal Services
211 E. Locust Street
Clearfield, PA 16830

By the Court:



J.

CLEARFIELD COUNTY PROTHONOTARY 7-33
~~XXXXXXXXXX~~ William A. SHAW
ESCROW ACCOUNT
P.O. BOX 549
CLEARFIELD, PA 16830

VOID 60 DAYS FROM
DATE OF ISSUED.

1234

60-629/313

DEC. 19 ~~19~~ 2008

PAY
TO THE
ORDER OF VICKIE WARD

\$ 400.00

Four Hundred AND NO/100

DOLLARS



Main Office
11 North 2nd Street
Clearfield, PA 16830

IMMA

FOR 08-1910-CD REFUND Pen Ct. ORDER

⑆031306294⑆ 1 2 26577 211 1234

Clearfield County Court of Common Pleas

NO. 0020344

DISBURSEMENT

Friday, December 19, 2008

Paid to: Vickie Ward

\$400.00

c/o Atty. Katherine M. Forcey

Mid Penn Legal Serv.

Four Hundred and 00/100 Dollars

Case: 2008-01910-CD

Defendant: Bobby Patel vs. Vickie Ward

For: Trust

400.00 William A. Shaw, Prothonotary/Clerk of Courts

By: _____

Deputy Clerk

Clerk: BILLSHAW

NOT NEGOTIABLE