

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 100  
OCT 08 2008 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, : No. 08- -CD  
Plaintiff/Appellee :  
: v. :  
: Vickie Ward, :  
Defendant/Appellant :  
:

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  
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,	:	No. 08-	
Plaintiff/Appellee	:		-CD
	:		
v.	:		
	:		
Vickie Ward,	:		
Defendant/Appellant	:		
	:		

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

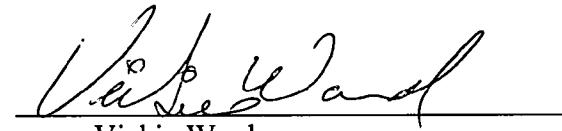
Other persons: Name: None

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

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

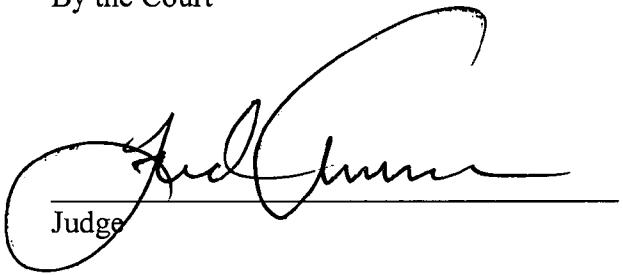
Bobbie Patel, : No. 08- 1910 -CD  
Plaintiff/Appellee :  
:  
v. :  
:  
Vickie Ward, :  
Defendant/Appellant :  
:  
:

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 <sup>1CC</sup>  
S 013:21301 OCT 13 2008 Atty Forcey  
S (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  
S 01/3/2009 10:44 AM  
OCT 13 2008 Atty Forcey  
Clerk  
William A. Shaw  
Prothonotary/Clerk of Courts  
(610)

FILED

013:39 AM  
OCT 13 2008

Copy to  
Plff

MDJ Ireland

(GIC)

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

*Willie Shaw* 31

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 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.

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

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 mailing.

Date October 13, 2008

*Willie Shaw* 31

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

Judicial District, County Of  
*Clearfield*

## NOTICE OF APPEAL

FROM  
MAGISTERIAL DISTRICT JUDGE JUDGMENTCOMMON PLEAS No. 08-1910-CD

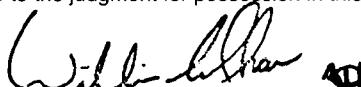
## NOTICE OF APPEAL

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



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

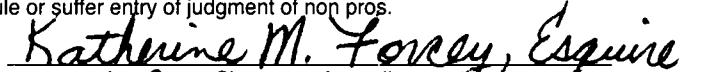
This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon Bobby Patel 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.



*Katherine M. Forsey, Esquire*  
Signature of appellant or attorney or agent

*Mid Penn Legal Services*  
*211 E. Locust St.*  
*Clearfield, PA 16830*  
*844-765-9646*

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 13, 2008



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: NAME and ADDRESS

**WARD, VICKEY**  
**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	\$ <b>300.00</b>	-\$ <b>.00</b>	=	\$ <b>300.00</b>
Physical Damages Leasehold Property	\$ <b>.00</b>	-\$ <b>.00</b>	=	\$ <b>.00</b>
Damages/Unjust Detention	\$ <b>.00</b>	-\$ <b>.00</b>	=	\$ <b>.00</b>
		Less Amt Due Defendant from Cross Complaint	-	\$ <b>.00</b>
		Interest (if provided by lease)	\$	<b>.00</b>
		L/T Judgment Amount	\$	<b>300.00</b>
		Judgment Costs	\$	<b>102.35</b>
		Attorney Fees	\$	<b>.00</b>
		<b>Total Judgment</b>	\$	<b>402.35</b>
		Post Judgment Credits	\$	
		Post Judgment Costs	\$	
		<b>Certified Judgment Total</b>	\$	

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**

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

**NOTICE OF JUDGMENT/TRANSCRIPT  
RESIDENTIAL LEASE**

PLAINTIFF: **PATEL, BOBBY** NAME and ADDRESS

**1208 S SECOND STREET**  
**CLEARFIELD, PA 16830**

VS.

DEFENDANT: NAME and ADDRESS

**WARD, VICKEY**  
**PO BOX 185**  
**CLEARFIELD, PA 16830**

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



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

**FILED**

*m112:4467*  
**OCT 20 2008**

*William A. Shaw*  
Prothonotary/Clerk of Courts

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	\$ <b>300.00</b> - \$ <b>.00</b> = \$ <b>300.00</b>
Physical Damages Leasehold Property	\$ <b>.00</b> - \$ <b>.00</b> = \$ <b>.00</b>
Damages/Unjust Detention	\$ <b>.00</b> - \$ <b>.00</b> = \$ <b>.00</b>

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 \$ **.00**

Post Judgment Costs \$ **.00**

**Certified Judgment Total** \$ **.00**

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

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

Possession not granted.

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SEP 29 2008 Date *Ricardo 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 *Ricardo 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

2008-01910-CD Defendant  
Trust account

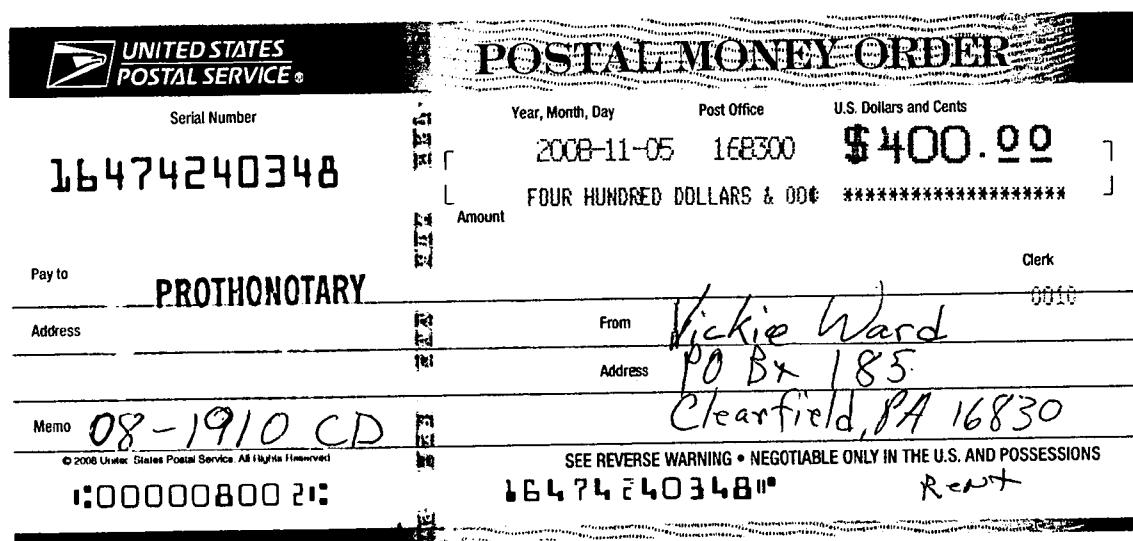
Amount

FILED *F*

NOV 05 2008

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

Total: 400.00



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

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: Praeclipe for  
Non Pros

\*

\*

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 2cc  
018-49821 NOV 18 2008 Atty Forcey  
S William A. Shaw  
Prothonotary/Clerk of Courts

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

Bobby Patel,  
Plaintiff

vs.

No. 08-1910-CD

Vickie Ward,  
Defendant

## 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  
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. :  
: No. 08-1910-CD  
Vickie Ward, :  
Defendant :  
:

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.

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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  
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  
\*  
\* Type of Case: Appeal from a  
\* Magisterial District Court  
\* Judgment  
\*  
\*  
\* Type of Pleading: Praecipe to  
\* Release Funds from Escrow Account  
\*  
\* 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  
1CC  
12/3/08 B&L Atty Forcey  
DEC 01 2008

By: William A. Shaw  
Prothonotary/Clerk of Courts

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

Bobby Patel, :  
Plaintiff :  
: :  
vs. : No. 08-1910-CD  
: :  
Vickie Ward, :  
Defendant :  
:

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  
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

\*

\* Type of Case: Appeal from a  
Magisterial District Court  
\* Judgment

REC  
S DEC 16 2009

012301

William A. Shaw  
Prothonotary/Clerk of Courts

1 CLENT TO ATTY

\*

\* Type of Pleading: Motion for  
Release of Escrowed Funds  
\* after Entry of a Judgment of Non Pros

\*

\* 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

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

Bobby Patel, :  
Plaintiff :  
 :  
 :  
vs. : No. 08-1910-CD  
 :  
 :  
Vickie Ward, :  
Defendant :  
 :

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. CR-1910-CD

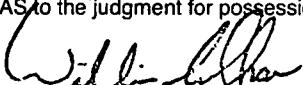
## NOTICE OF APPEAL

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

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.



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

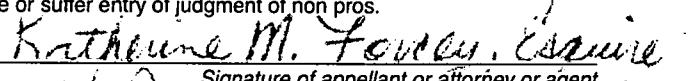
This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

## PRAECIPE: To Prothonotary

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

Name of appellee(s)

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



**Katherine M. Forney, Esquire**  
Signature of appellant or attorney or agent  
**Mid Penn Legal Services**  
**211 E. Locust St.**  
**Clearfield, PA 16830**  
**814-765-9546**

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 13, 2008



Signature of Prothonotary or Deputy

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.

No. 08-1910-CD

Vickie Ward,  
Defendant

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

IMPORTANT NOTICE

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

Exhibit B

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 for  
\* Non Pros  
\*

\* 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 2cc  
08-49601 NOV 12 2008 Atty Forcey  
S William A. Shaw  
Prothonotary/Clerk of Courts  
G.L.

Exhibit C

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

Bobby Patel, :  
Plaintiff :  
: :  
: vs. : No. 08-1910-CD  
: :  
Vickie Ward, :  
Defendant :  
:

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  
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. : No. 08-1910-CD  
Vickie Ward, :  
Defendant :  
:

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

IMPORTANT NOTICE

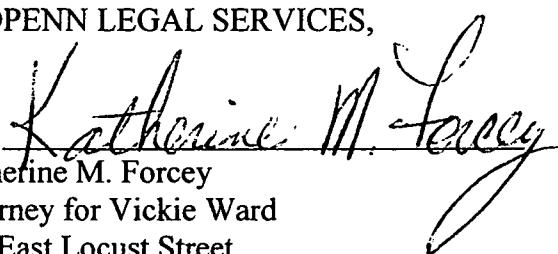
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MIDPENN LEGAL SERVICES,

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

ORDER

S FILED *Em*

DEC 19 2008  
012135  
William A. Shaw  
Prothonotary/Clerk of Courts

1 CERT TO ATTY  
w/ CERT. # 1234  
IN THE AMOUNT OF  
400. -

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/ RECD. *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. Schumacher*  
J.

1234

CLEARFIELD COUNTY PROTHONOTARY 7-33  
ESCROW ACCOUNT  
P.O. BOX 549  
CLEARFIELD, PA 16830

VOID 60 DAYS FROM  
DATE OF ISSUED.

60-629/313

DEC. 19 2008

PAY  
TO THE  
ORDER OF

VICKIE WARD

\$ 400.00

DOLLARS



Main Office  
11 North 2nd Street  
Clearfield, PA 16830

FOR 08-1910-CD REFUND Pen Cr. ORDER

IMMA

A handwritten signature of the name IMMA.

10313062941 1 2 26577 210 1234

**Clearfield County Court of Common Pleas**  
**DISBURSEMENT**

NO. 0020344

Friday, December 19, 2008

\$400.00

Paid to: Vickie Ward

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**