

08-2277-CD
Oliphant Fin. Vs Bethanie Martini

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of Clearfield

46th

NOTICE OF APPEAL

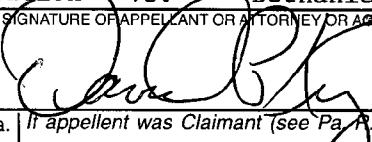
FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 08-2277-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 Bethanie K. Martini	MAG. DIST. NO. 46-3-01	NAME OF MDJ Patrick N. Ford
ADDRESS OF APPELLANT 1057 Treasure Lake	CITY DuBois	STATE PA
ZIP CODE 15801		
DATE OF JUDGMENT 11/03/08	IN THE CASE OF (Plaintiff) Oliphant Financial Corporation	(Defendant) Bethanie K. Martini
DOCKET No. CV-460-08	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT  David P. King, Esq. P.O. Box 1016 DuBois, PA 15801	
<p>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.</p> <p><i>Atty's m/10:54 AM King NOV 25 2008 pd. 9500 (m)</i></p> <p>Signature of Prothonotary or Deputy</p> <p><i>William A. Shaw Prothonotary/Clerk of Courts ICC to Atty Lashin (Plff) Atty King MDJ Ford</i></p> <p><i>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.</i></p>		

FILED*Atty's m/10:54 AM
King NOV 25 2008
pd. 9500 (m)*

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

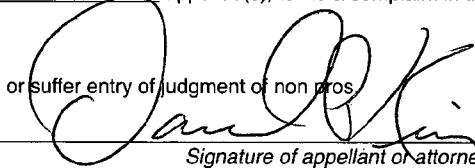
This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon Oliphant Financial Corporation

Name of appellee(s)

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

(Common Pleas No. 08-2277-CD within twenty (20) days after service of rule or suffer entry of judgment of non pros
Signature of appellant or attorney or agentRULE: To Oliphant Financial Corp. 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 Nov. 25, 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) 1/17/20, by personal service by (certified) (registered) mail,
sender's receipt attached hereto, and upon the appellee, (name) _____ on
1/17/20 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

01/17/20

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of Clearfield

46th

NOTICE OF APPEAL

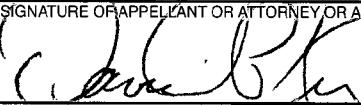
FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 08-2277-C

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 Bethanie K. Martini	MAG. DIST. NO. 46-3-01	NAME OF MDJ Patrick N. Ford
ADDRESS OF APPELLANT 1057 Treasure Lake	CITY DuBois	STATE PA ZIP CODE 15801
DATE OF JUDGMENT 11/03/08	IN THE CASE OF (Plaintiff) Oliphant Financial Corporation	(Defendant) Bethanie K. Martini
DOCKET No. CV-460-08	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT  David P. King, Esq. P.O. Box 1016 DuBois, PA 15801	
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 		

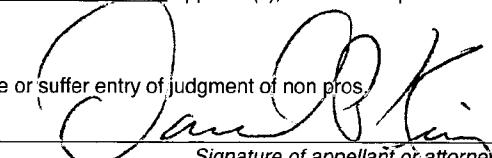
PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

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 Oliphant Financial Corporation appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. 08-2277-C) within twenty (20) days after service of rule or suffer entry of judgment of non pros.



David P. King
Signature of appellant or attorney or agent

RULE: To Oliphant Financial Corp. appellee(s)*Name of appellee(s)*

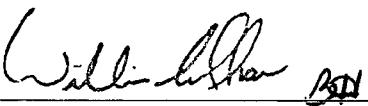
OWNER

(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 Nov 25, 2008



Walter Oberhauser
Signature of Prothonotary or Deputy

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

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

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

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; SS

AFFIDAVIT: I hereby swear or affirm that i served

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

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 20_____

Signature of official before whom affidavit was made

Signature of affiant

Title of official

My commission expires on _____, 20_____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

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

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

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

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

OLIPHANT FINANCIAL CORPORATION
HAYT, HAYT
400 MARKET STR, 6TH FLOOR
PHILADELPHIA, PA 19106

NAME and ADDRESS

DEFENDANT:

MARTINI, BETHANIE K
1057 TREASURE LAKE
DUBOIS, PA 15801

NAME and ADDRESS

VS.

Docket No.: **CV-0000460-08**
 Date Filed: **9/25/08**

**THIS IS TO NOTIFY YOU THAT:**Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **11/03/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) OLIPHANT FINANCIAL CORPORATION	
<input checked="" type="checkbox"/> Judgment was entered against: (Name) MARTINI, BETHANIE K in the amount of \$ 5,425.01	
<input type="checkbox"/> Defendants are jointly and severally liable.	Amount of Judgment \$ 5,295.01
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Judgment Costs \$ 130.00
<input type="checkbox"/> This case dismissed without prejudice.	Interest on Judgment \$.00
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Attorney Fees \$.00
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	Total \$ 5,425.01
	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 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.

11-3-08 Date Patrick N. Ford-Pat, 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: **11/03/08 8:24:00 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

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

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

OLIPHANT FINANCIAL CORPORATION

%HAYT, HAYT

400 MARKET STR, 6TH FLOOR
PHILADELPHIA, PA 19106

VS.

DEFENDANT:

NAME and ADDRESS

MARTINI, BETHANIE K
1057 TREASURE LAKE
DUBOIS, PA 15801

Docket No.: **CV-0000460-08**
Date Filed: **9/25/08**



08-2277-CD

THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **11/03/08**

Judgment was entered for: (Name) **OLIPHANT FINANCIAL CORPORATION**

Judgment was entered against: (Name) **MARTINI, BETHANIE K**
in the amount of \$ **5,425.01**

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	\$ 5,295.01
Judgment Costs	\$ 130.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 5,425.01
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 A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

FILED

11/03/08
DEC 04 2008

4
William A. Shaw
Prothonotary/Clerk of Courts

11-3-08 Date *Patrick N. Ford - PLTF*, 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. **11/03/08** 8:24:00 AM

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF: CLEARFIELD

Mag. Dist. No.: 46-3-01

MDJ Name: Hon. Patrick N Ford

Address: 309 Maple Avenue
P.O. Box 452
DuBois, PA 15801

Telephone: (814) 371-5321

CIVIL COMPLAINT

PLAINTIFF:

NAME and ADDRESS

OLIPHANT FINANCIAL CORPORATION

400 Market Street 6th Floor

Philadelphia, PA 19106

VS.

DEFENDANT:

NAME and ADDRESS

BETHANIE K MARTINI

1057 TREASURE LK

DUBOIS PA 15801



	AMOUNT	DATE PAID
FILING COSTS	\$ 130.00	9/25/08
POSTAGE	\$ _____	/ /
SERVICE COSTS	\$ _____	/ /
CONSTABLE ED.	\$ _____	/ /
TOTAL	\$ _____	/ /

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 \$ 5,295.01 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Account Number: 055713246

Plaintiff issued a revolving credit account to defendant which was subject to terms and conditions as outlined and agreed upon by Defendant which included but were not limited to, interest, and all court and collections costs in the event of default in payment. Defendant utilized said revolving credit account to obtain extensions of credit which Defendant used for the purchase of products, goods, and/or for obtaining services from Plaintiff. Despite Plaintiff's reasonable and repeated demands for payment, Defendant has failed, refused, and continues to refuse to pay all sums due and owing on Defendant's account balance, all to the damage and detriment of Plaintiff. As a consequence of the foregoing there is presently due and owing to Plaintiff the above indicated sum.

I, Arthur Lashin, Esquire 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)

Arthur Lashin, Esquire, #23425

Address: Hayt, Hayt & Landau, 400 Market St.,

6th Floor, Philadelphia, PA 19106Plaintiff's Attorney: Arthur Lashin, Esquire HHL # 243429

Telephone: (215) 928-1400

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD SO 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.

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

OLIPHANT FINANCIAL CORPORATION, NO. 08-2277-C.D.
Plaintiff

vs.

BETHANIE K. MARTINI,
Defendant

Type of Case: Contractual

Type of Pleading: Praeclipe for
Non Pros

Filed on behalf of: Defendant

Counsel of Record for this Party:
David P. King, Esquire
23 Beaver Drive
P. O. Box 1016
DuBois, PA 15801
(814) 371-3760

Supreme Court No. 22980

EW
FILED pd \$20.00 Atty
\$10.00 cm
DEC 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

CENT COPY WITH NOTICE TO
ATTY KING & LARSON

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

OLIPHANT FINANCIAL CORPORATION, :
Plaintiff :
: vs. : NO. 08-2277-C.D.
: :
BETHANIE K. MARTINI, :
Defendant :
:

PRAECIPE

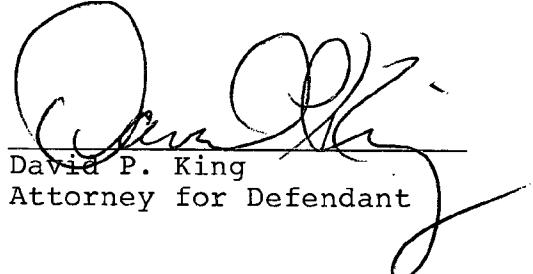
TO THE PROTHONOTARY:

Please enter Judgment of Non Pros against the Plaintiff,
for failure to file a Complaint within twenty days of service of
the Rule to do so.

Formal Notice of Praecipe to Enter Judgment of Non Pros
having been sent to Plaintiff's Counsel of Record, Arthur Lashin,
Esquire, at the following address on the 16th day of December,
2008:

Arthur Lashin, Esquire
Hayt, Hayt & Landau
400 Market Street, 6th Floor
Philadelphia, PA 19106

Copy of such Notice appended hereto and so certified by my
signature hereon.



David P. King
Attorney for Defendant

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

OLIPHANT FINANCIAL CORPORATION, :
Plaintiff :
:
vs. : NO. 08-2277-C.D.
:
BETHANIE K. MARTINI, :
Defendant :
:

NOTICE OF PRAECIPE TO ENTER JUDGMENT OF NON PROS

TO: OLIPHANT FINANCIAL CORPORATION
Plaintiff

Date of Notice: December 16, 2008

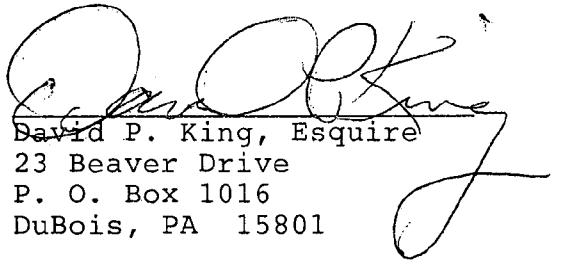
IMPORTANT NOTICE

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 County Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830
(814) 765-2641 Ext. 5982


David P. King, Esquire
23 Beaver Drive
P. O. Box 1016
DuBois, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
NON PROS

Oliphant Financial Corporation

Plaintiff

Vs.

No. 2008-02277-CD

Bethanie K. Martini

Defendant

TO: Arthur Laskin, Esq. :

Notice is hereby given that a judgment of non-pros has been entered in the above captioned matter pursuant to Praeclipe dated December 29, 2008. A copy of said document is hereto attached.

Judgment entered of record December 29, 2008.

Sincerely,


William A. Shaw
Prothonotary

Enclosures