

DOCKET NO. 32 175

NUMBER	TERM	YEAR
--------	------	------

<u>317</u>	<u>November</u>	<u>1961</u>
------------	-----------------	-------------

John Lommock

VERSUS

Victor L. Kezel

175 ✓

JOHN TOMMOCK ✓  
VERSUS  
VICTOR L. KEZEL

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PA.

No. 317 Term Nov 19 61

IN TRESPASS

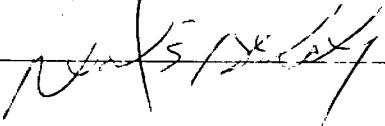
To ARCHIE HILL  
Prothonotary.

Sir: Enterxxxxxxxxxxxxxxfor Mark the above settled,  
discontinued and ended.

in above case.

AMMERMAN & BLAKLEY

BY

  
Attorney for Plaintiff

No. \_\_\_\_\_ Term \_\_\_\_\_ 19\_\_\_\_\_

vs.

APPEARANCE

For \_\_\_\_\_

APR 5 1965

# Affidavit of Service

John Lommock  
vs.  
Victor Kezel



No. 317 Nov Term, 19 61

Complaint In Trespass

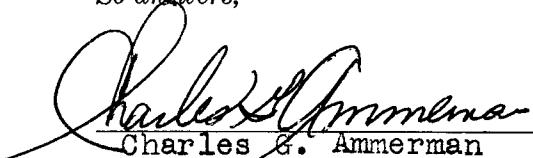
Returnable within \_\_\_\_\_ days  
from date of service hereof.

NOW December 21, 19 61 at 6:30 o'clock P.M.  
served the within Complaint In Trespass  
on Victor Kezel  
at place of Residence, 307 South Ave, Du Bois, Pa.  
by handing to him personally  
a true and attested copy of the original Complaint In Trespass  
known to him the contents thereof. Costs.

Sworn to before me this 22nd  
day of Dec A. D. 19 61

Carl E. Walker  
Prothonotary

Sheriff Amerman \$13.10  
Paid By Atty Blakley  
So answers,

  
Charles G. Amerman  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOHN LOMMOCK ( No. 317 Nov Term, 1961  
}  
VS. ( In Trespass  
}  
VICTOR L. KEZEL (

C O M P L A I N T

(1). The plaintiff is John Lommock, an individual residing at 102 Chestnut Street, DuBois City, Clearfield County, Pennsylvania.

(2). The defendant is Victor L. Kezel, an individual residing at 307 South Avenue, DuBois City, Clearfield County, Pennsylvania.

(3). On or about September 27, 1959, the plaintiff was the owner of a 1957 Oldsmobile bearing Pennsylvania license number J-16718.

(4). On or about 11:00 A.M. on September 27, 1959, the plaintiff's daughter, Linda Lommock, was, with the permission of the plaintiff herein, lawfully operating the plaintiff's vehicle in an easterly direction at the intersection of Rumbarger and South Main Streets in DuBois City, Clearfield County, Pennsylvania.

(5). At the time and date aforesaid the defendant was operating a 1955 Buick bearing Pennsylvania license number 252681 in a southerly direction on South Main Street at the intersection of Rumbarger Street in DuBois City, Clearfield County, Pennsylvania.

(6). At the time, date and place aforesaid the defendant, Victor L. Kezel, was operating the aforesaid Buick automobile at an excessive speed in a southerly direction on South Main Street and upon approaching the intersection of South Main Street and

Rumbarger Street failed to observe the plaintiff's vehicle which had emerged from Rumbarger Street onto South Main Street and obtained the right of way and the automobile of the said defendant, Victor L. Kezel, violently struck the left side of the automobile of the plaintiff, John Lommock, causing extensive damage thereto which is set forth more fully hereinafter.

(7). The defendant, Victor L. Kezel, was negligent

(a). in failing to take notice of other users of the highway.

(b). in failing to yield right of way.

(c). in entering an intersection under such circumstances that a reasonable man would see possible harm to the plaintiff's automobile which was traveling through the said intersection.

(d). in traveling at such an excessive rate of speed as to be unable to properly maintain control of his vehicle.

(e). in failing to observe the provisions of the Pennsylvania Motor Vehicle Code.

(8). As a result of the aforesaid collision, the plaintiff's automobile was severely damaged which necessitated excessive repairs in the amount of \$252.44, an itemized list which is marked "Exhibit A" which is attached hereto and made a part hereof.

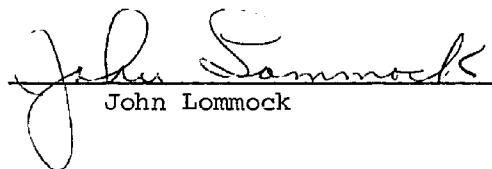
WHEREFORE, the plaintiff demands judgment against the defendant for \$252.44 and damages for delay.

AMMERMAN & BLAKLEY

By   
Attorneys for Plaintiff

STATE OF PENNSYLVANIA ( )  
COUNTY OF CLEARFIELD ( ) SS:

JOHN LOMMOCK, the above named Plaintiff, being duly sworn according to law deposes and says that the facts set forth in the foregoing complaint are true and correct to the best of his knowledge, information and belief.

  
John Lommock

Subscribed and sworn to

before me this 30<sup>th</sup> day of  
*November*  
October, 1961.

Mrs. Della W. Egan

MRS. DELLA W. EGAN, Notary Public  
DU BOIS, CLEARFIELD CO., PA.  
My Commission expires Sept. 30, 1962

"EXHIBIT A"

Sarge Hoover Body Shop  
4255 Brady Street  
DuBois, Pennsylvania

Repair Costs

John Lommock 102 Chestnut Street, DuBois, Pa.

Description of Car: 1957 Oldsmobile

<u>Description of repairs &amp; replacements:</u>	<u>Labor Hrs.</u>	<u>Parts</u>	<u>Sublets</u>
Hood hinges straightened and adjusted			-----
Left front fender straightened and repaired - R.R.			-----
One left front fender molding	4.90		
One left front fender deflector plate	3.40		
Rod case repaired - R.R.			8.00
Rod support straightened			-----
One bumper for bar - upper	56.65		
One bumper for bar - upper extention left	2.95		
One bumper for bar - lower	60.15		
One bumper for bar - lower extention	9.05		
One bumper for back bar - left	6.65		
One wheel disc - left front	8.40		
Wheel left front tru up			4.50
One upper arm - left front	14.70		
One upper arm - left front shaft	3.65		
Lower arm straightened - left front			11.50
Camber caster toe in - correct			-----
One power steering link cover	1.90		
Two seals	.30		

One quart fluid	.55
R.R. - referred as required	
	15.0
	\$173.25
	\$26.80
<u>Total charges</u>	
Labor 15.0 @ \$4.00	60.00
Parts Net	155.93
Sales Tax 4%	9.71
Sublet	<u>26.80</u>
	\$252.44

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
No. 311, Term, 1961  
PENNSYLVANIA

IN TRESPASS

JOHN LOMMOCK

VS.

VICTOR L. KEZEL

COMPLAINT

TO THE WITHIN NAMED  
DEFENDANT:

You are hereby notified to  
plead to the within Complaint  
within 20 days of service  
thereof.

AMMERMAN & BLAKLEY

BY

AMMERMAN & BLAKLEY  
ATTORNEYS  
FOR THE DEFENDANT  
205  
AMMERMAN & BLAKLEY  
CLEARFIELD, PENNSYLVANIA

Clearfield, Pennsylvania