

DOCKET NO. 174

NUMBER	TERM	YEAR
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472	May	1961
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Clearfield Hospital, Inc. a

nonprofit corporation

**VERSUS**

Sami Soudani

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
NO. 478 *May* TERM, 1961  
ASSUMPSIT

CLEARFIELD HOSPITAL, INC.,  
a nonprofit corporation

VS.

SAMI SOUDANI

C O M P L A I N T

TO THE WITHIN DEFENDANT:

You are hereby notified to  
file defensive pleadings to  
the within Complaint within  
twenty (20) days from ser-  
vice hereof.

SMITH, SMITH & WORK

BY: *Frank P. Work*  
ATTORNEYS FOR PLAINTIFF

**FILED**  
JUL 10 1961  
WM. T. HAGERITY  
PROTHONOTARY  
SMITH, SMITH & WORK  
ATTORNEYS-AT-LAW  
CLEARFIELD, PA.

4-50  
*May*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLEARFIELD HOSPITAL, INC.,  
a nonprofit corporation

VS.

SAMI SOUDANI

:  
:  
: No. 472 May Term, 1961  
:  
:

C O M P L A I N T

NOW COMES, CLEARFIELD HOSPITAL, INC., and files this claim in assumpsit against SAMI SOUDANI, the above named defendant, to recover the sum of Five Hundred Thirty-six and 30/100 (\$536.30) Dollars upon a cause of action of which the following is a statement:

(1). The plaintiff is a nonprofit corporation, organized and existing under the laws of the Commonwealth of Pennsylvania, it conducts a hospital for the care of the sick and injured, in the Borough of Clearfield, County of Clearfield, and State of Pennsylvania.

(2). The defendant is a resident and citizen of the Township of Lawrence, County of Clearfield, and State of Pennsylvania, residing at Susquehanna Terrace.

(3). The plaintiff at the special instance and request of the defendant, rendered certain hospital services to the defendant's wife, Alice Soudani, at the times set forth in Exhibit "A" hereto attached and made an integral part hereof.

(4). The defendant, Sami Soudani, accepted said services for his wife, Alice Soudani and agreed to pay therefor at the current rates for such services, as shown on Exhibit "A", attached hereto, and is legally liable for said obligation or is legally obligated for the same.

(5). Attached hereto, marked Exhibit "A", and made an integral part hereof, are detailed statements of the charges made by the plaintiff against the defendant for said hospital services rendered to the defendant's wife, Alice Soudani, which

charges are fair and reasonable, and are the charges normally made for such services.

(6). The contract between the plaintiff and the defendant was oral.

(7). The plaintiff avers that the whole amount of said obligation, to-wit the sum of Five Hundred Thirty-six and 30/100 (\$536.30), with interest on the component parts thereof from the due dates, as shown on Exhibit "A" hereto attached and made an integral part hereof, remains due and payable and that the defendant is not entitled to any off-sets or other deductions from said amount.

WHEREFORE, plaintiff brings this action to recover from the defendant the sum of Five Hundred Thirty-six and 30/100 (\$536.30) Dollars, with interest on the component parts thereof from the due dates, as shown on Exhibit "A" hereto attached and made an integral part hereof, with costs of suit.

SMITH, SMITH & WORK

BY: 

ATTORNEYS FOR PLAINTIFF

STATE OF PENNSYLVANIA:

SS:

COUNTY OF CLEARFIELD :

PAUL LOUBRIS being duly sworn according to law, deposes and says that he is Administrator of the Clearfield Hospital, Inc., and as such is authorized to make this affidavit; further that the facts set out in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.

*Paul E. Loubris*  
(Paul Loubris)

Subscribed and sworn to

before me this *6<sup>th</sup>* day *July*, 1961  
of July, 1961.

*Notary Public M. J. Thompson*

NOTARY PUBLIC  
My Commission Expires  
February 1, 1965

## STATEMENT OF ACCOUNT



# THE CLEARFIELD HOSPITAL

CLEARFIELD, PA.

Telephone PO 5-6581

6.30 1961BILL TO: Sammie Soudan - Husbandof

FOR CARE OF:

Mrs. Alice Soudan

All Hospital Accounts Are Due Weekly in Advance and Any  
Balance is Payable When Patient is Discharged

DATE	ITEM	CHARGES	CREDITS	BALANCE DUE
	Bill Rendered			
	Laboratory Services—D. F. McClure, M.D.	15 00		
	Prescriptions	42 80		
	Operating Room or <del>Delivery Room</del>	35 00		
	Anesthesia	15 00		
	X-Ray Services—F. R. Gilmore, M.D.	120 00		
	Dressings & Casts			
	Electrocardiogram			
	Infant's Care			
	Transfusion—Administration (No Charge For Blood)			
	Oxygen			
	Physio Therapy	20 00		
	Daily Hospital Service <u>12/24/58 to 1/6/59</u>			
	No of days <u>23</u> @ <u>12.50</u>	287 50		
	No of days			
	Sundries <u>Examination</u>	1 00		
	TOTALS	4536 30		

WE APPRECIATE YOUR COOPERATION IN BUILDING THIS  
NON-PROFIT COMMUNITY HOSPITAL  
MEMBER AMERICAN HOSPITAL ASSOCIATION  
MEMBER HOSPITAL ASSOCIATION OF PENNSYLVANIA

In the court of Common Pleas of Clearfield, County, Pa.

Clearfield Hospital Inc  
vs  
Sami Soudani

No 472 May Term 1961  
Complaint

\*\*\*\*\*  
(Sheriff's Return)

Now, July 10, 1961 deputized the Sheriff of Allegheny County to serve the within Complaint on Sami Soudani.

Now, July 31, 1961 served the within Complaint on Sami Soudani by deputizing the Sheriff of Allegheny County. The return of service of William H. Davis, Sheriff of Allegheny County is hereto attached and made part of this return of service.

Costs Sheriff Ammerman \$6.00  
Sheriff of Allegheny County \$10.00  
(Paid by Atty Work)

So Answers

*Charles G. Ammerman*  
Charles G. Ammerman  
Sheriff

Sworn to before me this 3rd  
day of August 1961 A D.

*John P. Wazerty*  
Prothonotary.

Know all men by these Presents, That I, Charles G. Ammerman

High Sheriff of Clearfield County, State of Pennsylvania, do hereby deputize Sheriff of W.H. Davis  
Allegheny County to execute this writ; this deputation being made at the  
request and risk of the Plaintiff.

Given under my hand and seal this 10th day of July

A. D. 1961.

Charles G. Ammerman Sheriff.



The Commonwealth of Pennsylvania  
ALLEGHENY COUNTY

} ss.:

Personally appeared before me, Joseph Piontek a Deputy for  
Willaim H. Davis, Sheriff of Allegheny County, Pennsylvania, who being duly sworn according to law,  
deposed and says that on the 31st. day of July 19 61 at 10:30 A.M. he served  
Sami Soudani,

at No. -- Western State Penitentiary ~~sum~~ correct Pittsburgh  
Allegheny County, Pennsylvania, with a true and ~~attached~~ correct copy of the within ~~with~~ Complaint  
No. 472 May Term 1961

by handing the same to and leaving with Sami Soudani, personally

and making known to him

the contents thereof.

The sum of \$10.00 Sheriff  
Davis costs paid.

Joseph Piontek  
Deputy Sheriff, Allegheny County, Pennsylvania.

Sworn and subscribed to before me this 1st.

Day of August, 1961.

Howard J. McMillen  
Notary Public.

So Answers.

Willaim H. Davis  
Sheriff, Allegheny County, Pennsylvania

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLEARFIELD HOSPITAL, INC. :  
A nonprofit Corporation :  
v. : No. 472 May Term, 1961  
SAMI H. SOUDANI :

ANSWER TO PLAINTIFF'S COMPLAINT

NOW COMES, Sami H. Soudani, and makes answer to Plaintiff's Complaint as follows:

- 1) Neither admitted nor denied.
- 2) The defendant was a resident at 110 East Market Street, Clearfield, Pa.
- 3) Denied. Defendant had never requested the plaintiff to render any hospital services to his estranged wife, Alice Soudani. When said services were rendered, the defendant had been confined in Clearfield County jail, and therefore, he was physically prevented from having any contact with the outside world except in writing. Further, the defendant denies that he had ever issued either written or oral request to the plaintiff or anybody else for the rendering of said services.
- 4) Denied. It is a fraud and vulgar lie for the plaintiff to claim so falsely that the defendant had ever accepted said services for his then estranged wife, Alice E. Soudani, from whom he is now divorced, or agreed to pay therefore at any rate.

The defendant, further, denies that he is either legally or otherwise liable for the so-called obligations or legally obliged for the same.

The fact is that the defendant was legally separated from his estranged wife and paying her a monthly support amount of \$250.00 as ordered by your Honorable Court, No. 17, November Sessions, 1958, which represented the full extent of his legal obligations toward his estranged wife. And even while the defendant was in jail, and having lost his job and only means of earning a livelihood, he continued to pay this support

amount to his estranged wife. Even while he was complying by said court order, Clearfield authorities did the unusual by usurpantly confiscating the car of the brother of the defendant, Hani Soudani, and did not ~~release~~ it untill after Hani paid them \$500.00 from his own funds to apply towards the defendant's future obligations in the distant months to come.

Furthermore, the defendant had published in the local paper, "The Progress" during the first week of February, 1958, an advertisement disclaiming any responsibilities for his wife's debts.

5) Neither admitted nor denied.

6) Denied. The defendant was never as much as consulted on this matter, let alone making a contract either orally or otherwise.

7) Does not concern the defendant.

A..It is respectfully submitted that, during June and July, 1959, the defendant had voluntarily offered, through his attorney Morris L. Silberblatt, to have his estranged wife's hospital expenses paid for through his, then in effect, hospitalization insurance, except that Mrs. Soudani's attorney, Mr. Belin, as well as the Assistant District Attorney E. Kitko, both refused to accept such an offer.

B..All that has been said, it is submitted, proves that the allegations made under Paragraphes 3, 4, 5 and 6 of the Complaint constitute a fraud committed with deliberate malice and dishonesty to take advantage of the defendant's plight while he is confined in a Penitentiary so far away from your Honorable court and thus being unable to appear in person to confront the plaintiff with their fraudulent lies. Such allegations, having been made by the plaintiff under oath, call for criminal proceedings to prosecute the signee for perjury.

C. Besides, the defendant is indigent and pauper as had been previously proven and adjudged by the State Superior Court, in No. 308 October Sessions, 1960.

D..Due to his confinement in the State Correctional Institution at Pittsburgh, Pa., the defendant is prevented physically from appearing in your Honorable court in person to reassert his above mentioned

statements, while he is financially unable to retain counsel.

WHEREFORE, the defendant prays your Honorable court to deny the claims of the plaintiff for being illegal, unjust, and without merit; and to institute and prosecute criminal proceedings against the signee of the affidavit attached to the plaintiff's complaint, for perjury.

And he will ever pray, etc.

Respectfully Submitted

Sami H. Soudani

Sami H. Soudani, C-5231  
P.O. Box 9901  
Pittsburgh 33, Pennsylvania

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF ALLEGHENY ) SS:

Before me, the undersigned authority, personally appeared Sami H. Soudani, who deposes and says that the facts contained in the foregoing petition are true and correct to the best of his knowledge, information, and belief.

Sami H. Soudani

Sworn to and subscribed before me  
this 31 day of July 1961

William C. Schnupp  
Notary Public

WILLIAM C. SCHNUPP, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires December 31, 1962

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLEARFIELD HOSPITAL, INC., :  
a nonprofit corporation :

VS.

: NO. 472

: MAY TERM, 1961

SAMI SOUDANI :

PRAECIPE FOR JUDGMENT

TO: WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Enter judgment in favor of the Plaintiff and against the Defendant above named for want of an answer and assess the Plaintiff's damages as follows:

- (a). Amount claimed in Plaintiff's Complaint - \$536.30
- (b). Interest from January 16, 1959 = 85.81
- (c). costs (to be added)

DATED: August 2, 1961

SMITH, SMITH & WORK

BY:

*Joseph P. Work*  
ATTORNEYS FOR PLAINTIFF

Judgment entered and damages assessed as above.

*Wm. T. Hagerty*  
Prothonotary

*(S) Hand for Return*

536.30  
85.81  
622.11

*200*

Address all letters to: Name Sami H. Soudani No. C-5231  
P. O. Box 9901, Pittsburgh 33, Pa. *JW*

STATE CORRECTIONAL INSTITUTION  
AT PITTSBURGH  
J. F. MARONEY, SUPERINTENDENT

TO Mr. Wm. T. Hagerty, Prothonotary Date August 24, 1961  
Street and Number The Court House  
City and State Clearfield, Pa. Relationship Prothonotary

Dear Mr. Hagerty:

In the absence of receiving any confirmation that Mr. Lawhead did pay you the filing fee balance, & in order to satisfy this requirement promptly, I have put an order through this institution to mail you one dollar as requested. In the event you should receive a similar payment from Mr. Lawhead, please keep both dollars, one of which may be applied to future requirements.

I have just learned that the court had entered a judgment against me in favor of Clearfield Hospital in the amount of \$622.11, on August 2, 1961. This has surprised me to no end.

The fact is that Allegheny County Sheriff came here to serve me with copy of the complaint on July 31, 1961, on the cover of which was stated that I have 20 days to reply. Although I made my reply the very same day, as substantiated by the certification of the Notary Public thereon, my answer was inadvertently delayed & reached you on August 14th, or

### General Information:

Inmates are allowed a regular visit once every calendar month.

You must receive a visiting pass from the inmate in order to visit him.

Visiting hours are 8:30 A.M. to 4:30 P.M. daily except holidays.

The visiting room closes promptly at 4:30 P.M.

Money should be sent by Post Office Money Order, Registered Letter or by Express Money Order.

Inmates only may order books, newspapers or magazines from approved lists.

All correspondence must show return address of sender.

All packages from homes, stores or through visits are prohibited.

Six days before the deadline for filing such an answer.

In the meantime the court went ahead just the same & issued or entered the judgment against me ~~inspite of the~~ on August 2nd, just two days after I was served with the complaint & 18 days before the deadline for my reply had expired.

I certainly would appreciate your enlightening me on this very difficult procedure for me to understand.

Looking forward to hearing from you regarding this matter as well as the other points covered in my previous letters, I remain -

Very truly yours  
Samir H. Saebani

Address all letters to: Name Sami H. Soubani No. C-5231

P. O. Box 9901, Pittsburgh 33, Pa.

STATE CORRECTIONAL INSTITUTION  
AT PITTSBURGH  
J. F. MARONEY, SUPERINTENDENT

JUL 2 1961

TO Mr. Wm. T. Hagerty  
Street and Number The Court House  
City and State Clearfield, Pa.

Date August 17, 1961

Relationship Prothonotary

Dear Mr. Hagerty:

Thank you for your letter of the 14th.

In order to expedite matters I have imposed on Mr. Hugh Lawhead to pay you the \$1.00 still needed to complete the filing fee of my petition for a writ of habeas corpus. In the meantime I am putting an order for \$1.00 through the institution in the event Mr. Lawhead is prevented from making this payment to you. Will appreciate your acknowledging the receipt of the subject Supplementary payment.

Together with the above mentioned petition I had sent my Answer to Clearfield Hospital' suit against me for the payment of certain outstanding charges. Will you kindly acknowledge the receipt of same.

I would appreciate you informing me of the hearing date to be set for my habeas corpus early enough in order to enable me to retain a Pittsburgh attorney & subpoena witnesses. I have no intention of accepting a Clearfield



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All correspondence must show return address of sender.

All packages from homes, stores or through visits are prohibited.

attorney alone, but would want to have such a local attorney work as an associate ~~counsel~~ counsel with a Pittsburgh attorney of my choice in order to afford me some badly needed protection.

Thanking you for your kind consideration, I remain,

Very truly yours

Sam H. Sandani

472 May - 1961