

FILING A PETITION FOR APPEAL FROM A SUSPENSION OF AN
INSPECTION MECHANIC/STATION CERTIFICATE

1. Fill out the Petition. You will need to refer to the letter from PennDOT notifying you of the suspension.
 - a. Near the top of the first page, write your name in the space above the word “Appellant”.
 - b. Leave the space after the words “File No.” blank; this is where the Prothonotary will place the docket number when you file the petition.
 - c. In Paragraph 1, write your name (you are the Appellant), address and telephone number.
 - d. In Paragraph 3, write the date of the letter from PennDOT.
 - e. In Paragraph 4, circle “has” or “has not” to indicate whether you have surrendered the certificate of appointment. If you have not surrendered the Certificate of Appointment and would like the Court to Stay the Suspension pending appeal, place a check mark on the line in front of that request.
 - f. In Paragraph 5, explain the reason you believe the suspension is improper.
 - g. Sign on the line above the words “signature of Appellant”.
 - h. Sign the verification on the third page, on the line above the words “signature of Appellant”. Write the date in the space to the left of your signature.
2. Fill out the Motion Cover Sheet.
 - a. Write your name under the word “Caption” in the top left corner of the form.
 - b. Write “Commonwealth of Pennsylvania, Dept. of Transportation” under the “vs.”
 - c. Leave the “Docket No.” and “Case assigned to Judge” spaces blank.
 - d. Write your name after the words “Name of filing party” in section 1.
 - e. Write “pro se” after the words “Filing party’s attorney” in section 2.
 - f. Write “Petition for Appeal From Suspension of an Inspection Mechanic/Station Certificate” in the space after the words “Type of filing” in section 3.
 - g. In section 4, check the box for “Evidentiary Hearing”.

- h. Leave section 5 blank. The hearings are all scheduled in a block of time which appears every other month on the court's schedule.
- i. In section 6, write your name and address and then also write the following:

PennDOT
Office of Chief Counsel
1101 South Front Street, 3rd floor
Harrisburg, PA 17104

- j. Do not write anything below the word "ORDER".

3. Fill out the Civil Cover Sheet.

- a. Write "Lycoming" before the word "County" in the top left corner.
- b. Check the box for "Petition" in the first part of Section A, under "Commencement of Action".
- c. Write your name where it says "Lead Plaintiff's Name".
- d. Write "PennDOT" where it says "Lead Defendant's Name".
- e. Check "NO" after "Are money damages requested?" Leave "Dollar Amount Requested" section blank.
- f. Check "NO" after "Is this a Class Action Suit?"
- g. Check "NO" after "Is this an MDJ Appeal?"
- h. Check the box where it says "Check here if you have no attorney (are a self-represented [Pro Se] Litigant)".
- i. In Section B, check the box under the "Civil Appeals" section, for "Dept. of Transportation".

4. Make three copies of the Petition, three copies of the letter you received from PennDOT, two copies of the Motion Cover Sheet and one copy of the Civil Cover Sheet. Attach a copy of the letter to the back of each copy of the Petition. Save one of these for mailing to PennDOT, and attach the copies of the Motion Cover Sheet to the front of the other two. (Keep the original letter from PennDOT for your records.)
5. Take all of the documents to the Prothonotary for filing. You will have to pay a filing fee of \$146.25 (as of December 2018) unless you also file a Petition for IFP. (Ask for a separate form for that at the Law Library if you are eligible.) Ask the Prothonotary to certify the copy of the petition for appeal which does not have a cover sheet attached.

6. You must mail the certified copy of the Petition for Appeal to PennDOT at the address in Paragraph 2(i), above. This must be sent by certified mail. Keep the receipt for your records.
7. The Prothonotary will send the petition to the Court Scheduling Technician for scheduling of a hearing and then mail one copy to you and one copy to PennDOT with the date and time of the hearing set forth on the Cover Sheet. **You must attend the hearing or your appeal will be dismissed.**

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____ ,	:	NO.
Appellant	:	
	:	
vs.	:	CIVIL ACTION - LAW
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION,	:	
Appellee	:	

**PETITION FOR APPEAL FROM A SUSPENSION OF AN
INSPECTION MECHANIC/STATION CERTIFICATE**

1. Appellant herein is _____,
residing at and having a mailing address of: _____

and telephone number of _____.

2. Appellee herein is the Department of Transportation of the Commonwealth of Pennsylvania, having a mailing address of: Department of Transportation, Bureau of Motor Vehicles, Harrisburg, Pennsylvania 17123.

3. By letter or notice dated _____, a copy of which is attached hereto as Exhibit A, the Department of Transportation suspended the Appellant's inspection mechanic/station certificate and ordered Appellant to return the Certificate of Appointment immediately.

4. Appellant has / has not surrendered the Certificate of Appointment as directed by the Department of Transportation. _____ Appellant requests the Court stay the suspension pending appeal.

5. The suspension of Appellant's Certificate of Appointment is improper or unlawful for the following reasons:

WHEREFORE, Appellant respectfully requests that this matter be set down for hearing and that the order of suspension be set aside..

Respectfully submitted,

(signature of Appellant)

VERIFICATION

I verify that the statements made in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Date: _____

(signature of Appellant)

**COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA
MOTION COVER SHEET**

Caption (may be abbreviated)

Docket No.

vs.

Case assigned to Judge _____

☐ none

☐ Family Court Hearing Officer

1. Name of filing party:
2. Filing party's attorney:
3. Type of filing:

<p>4. The following is/are requested:</p> <ul style="list-style-type: none"><input type="checkbox"/> Argument<input type="checkbox"/> Evidentiary Hearing<input type="checkbox"/> Court conference<input type="checkbox"/> Rule to show cause<input type="checkbox"/> Entry of uncontested order (attach supporting documentation)<input type="checkbox"/> Expedited consideration. State the basis: <p><input type="checkbox"/> Video conferencing requested. Request form has been submitted. See Lyc. Co. R.G.C.B. L8.</p> <p><input type="checkbox"/> Attach this cover sheet to original motion previously filed on:</p> <p>5. Time required:</p>	<p>6. Name and addresses of all counsel of record and unrepresented parties:</p> <p><input type="checkbox"/> Continued on separate sheet.</p>
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ORDER

1. ____ An ____ argument ____ factual hearing ____ court conference is scheduled for _____ at ____ M. in courtroom no. ____, Lycoming County Courthouse, Williamsport, PA.
2. ____ Briefs are to be filed by the following dates:
Filing party _____.
Responding party(ies) _____.
3. ____ A rule is issued upon respondent to show cause why the petitioner is not entitled to the relief requested.
4. ____ A response to the motion/petition shall be filed within _____ days.
5. ____ See order attached. ____ See separate order issued this date.
6. ____ Other _____

Judge

Date

cc: ALL PARTIES OR OTHERS TO BE SERVED WITH NOTICE MUST BE DESIGNATED IN "6." ABOVE.

NOTICE: The parties are directed to confer for the purpose of resolving any issue raised in the motion/petition. If a resolution is reached prior to the scheduled date, the moving party shall immediately notify the court scheduling technician, the judge or hearing officer assigned to hear the matter, and all counsel of record or parties if unrepresented. Such notice may be in writing or by email.

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet

County _____

For Prothonotary Use Only:

Docket No: _____

FILED STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- ☐ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name: _____

Lead Defendant's Name: _____

Are money damages requested? ☐ Yes ☐ No

Dollar Amount Requested: ☐ within arbitration limits
☐ outside arbitration limits

Is this a *Class Action Suit*? ☐ Yes ☐ No

Is this an *MDJ Appeal*? ☐ Yes ☐ No

Name of Plaintiff/Appellant's Attorney: _____

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other: _____

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other: _____

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional: _____

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other _____
☐ Employment Dispute: Discrimination
☐ Employment Dispute: Other _____
☐ Other: _____

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other: _____

CIVIL APPEALS

Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other _____

☐ Zoning Board
☐ Other: _____

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other: _____

NOTICE

Pennsylvania Rule of Civil Procedure 205.5. (Cover Sheet) provides, in part:

Rule 205.5. Cover Sheet

(a)(1) This rule shall apply to all actions governed by the rules of civil procedure except the following:

- (i) actions pursuant to the Protection from Abuse Act, Rules 1901 et seq.
- (ii) actions for support, Rules 1910.1 et seq.
- (iii) actions for custody, partial custody and visitation of minor children, Rules 1915.1 et seq.
- (iv) actions for divorce or annulment of marriage, Rules 1920.1 et seq.
- (v) actions in domestic relations generally, including paternity actions, Rules 1930.1 et seq.
- (vi) voluntary mediation in custody actions, Rules 1940.1 et seq.

(2) At the commencement of any action, the party initiating the action shall complete the cover sheet set forth in subdivision (e) and file it with the prothonotary.

(b) The prothonotary shall not accept a filing commencing an action without a completed cover sheet.

(c) The prothonotary shall assist a party appearing pro se in the completion of the form.

(d) A judicial district which has implemented an electronic filing system pursuant to Rule 205.4 and has promulgated those procedures pursuant to Rule 239.9 shall be exempt from the provisions of this rule.

(e) The Court Administrator of Pennsylvania, in conjunction with the Civil Procedural Rules Committee, shall design and publish the cover sheet. The latest version of the form shall be published on the website of the Administrative Office of Pennsylvania Courts at www.pacourts.us.