

## MOTOR VEHICLE APPEAL INSTRUCTIONS:

1. COMPLETE PETITION AND BRIEF
2. ATTACH LETTER FROM PENNDOT (EX. A)
3. PRESENT DOCUMENTS (ATTACHED) TO COURT ADMINISTRATION TO SCHEDULE HEARING DATE
4. COURT ADMINISTRATION WILL MAKE COPIES FOR PRO SE PETITIONER
5. PETITIONER WILL FILE (PAYMENT DUE AT TIME OF FILING) IN THE PROTHONOTARY'S OFFICE  
ALL COPIES WILL BE TIMED STAMPED.
6. RETURN A TIMED STAMPED COPY TO COURT ADMINISTRATION, MAIL A TIMED STAMPED COPY  
TO PENNDOT VIA CERTIFIED MAIL, RETAIN ON COPY FOR PETITION FOR DATE AND TIME OF  
HEARING.

\*\*\*IF IT IS A MEDICAL ISSUE THAT CAUSED THE LICENSE SUSPENSION, THE PETITION MUST INFORM PENNDOT OF WHEN THEY WILL PRESENT A 'SUPERSEADAS' MOTION (COPY ATTACHED) TO THE MOTIONS JUDGE (MONDAY – FRIDAY 8:30 – 9:15 AM ). THE JUDGE WILL HAVE A BRIEF HEARING REGARDING THE SUPERSEADAS ONLY. IF THE JUDGE GRANTS THE MOTION, FOLLOW STEPS 1 – 6.

IN THE COURT OF COMMON PLEAS OF LUZERNE COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

\_\_\_\_\_  
Appellant  
v. File No. \_\_\_\_\_  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

**ORDER SCHEDULING DE NOVO HEARING**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the attached Petition for Appeal from an Order of the Department of Transportation suspending Appellant's operating privilege/denial of driver's license/suspension of motor vehicle registration, a hearing de novo is granted to determine whether the action of the Department Transportation should be set aside.

Hearing in the above captioned matter is scheduled for \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.m. in assigned courtroom of the Luzerne County Court House, 200 North River Street (20 North Pennsylvania Avenue) Wilkes-Barre, Pennsylvania.

Pending hearing, the filing of the attached Petition for Appeal and Order Scheduling De Novo Hearing shall serve as a supersedeas, as provided in 75 Pa.C.S.A. § 1550(b)(1)(i).

Appellant is directed forthwith to serve a notice of the entry of the Petition for Appeal and Order for hearing upon the Department of Transportation at the address shown in the Department's notice of entry of order, by certified mail, return receipt requested.

FOR THE COURT:

\_\_\_\_\_  
Court Administrator

IN THE COURT OF COMMON PLEAS  
OF LUZERNE COUNTY

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Appellant

Civil Division

vs.

NO. OF 20\_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Appellee

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**ORDER**

**NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, after *de novo*  
hearing on Appellant's Petition for Appeal, **IT IS HEREBY ORDERED AND DECREED**  
that said appeal is SUSTAINED/OVERRULED.

**BY THE COURT:**

\_\_\_\_\_, J.

IN THE COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, PENNSYLVANIA

CIVIL DIVISION

Appellant

vs.

File No.: \_\_\_\_\_

Commonwealth of Pennsylvania  
Department of Transportation

Appellee

**PETITION FOR APPEAL FROM A SUSPENSION OF OPERATING PRIVILEGE /  
DENIAL OF DRIVER'S LICENSE / SUSPENSION OF MOTOR VEHICLE REGISTRATION**

1. Appellant herein is \_\_\_\_\_  
residing at and having a mailing address of: \_\_\_\_\_

2. Appellee herein is the Department of Transportation of the Commonwealth of Pennsylvania, having a mailing address of:

\_\_\_ Department of Transportation, Bureau of Driver Licensing, Harrisburg, Pennsylvania 17123.

\_\_\_ 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

\_\_\_ Ordered Appellant to surrender his / her operating license / motor vehicle registration for a period of \_\_\_\_\_.

\_\_\_ Denied the issuance / renewal of a driver's license.

4. Supersedeas:

\_\_\_ Pursuant to 75 Pa. C.S.A. § 1550(b)(1)(i), Appellant is retaining driver's license until final determination of the suspension of operating privilege.

\_\_\_ Pursuant to 75 Pa. C.S.A. § 1550(b)(1)(ii), a hearing attended by the Appellant must be held before the Court of Common Pleas before an order of supersedeas can be issued.

\_\_\_ Pursuant to 75 Pa. C.S.A. § 1377(a), Appellant is retaining motor vehicle registration until final determination of the suspension of registration.

5. The said suspension of Appellant's operating privileges / registration is improper or unlawful for the following reasons:

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Appellant respectfully requests that this matter be set down for a hearing and that the order of suspension / order of denial be set aside.

Respectfully submitted by,

\_\_\_\_\_  
Appellant

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.A. § 4904, relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Appellant

\_\_\_\_\_  
(OPERATOR NO.) : IN THE COURT OF COMMON PLEAS  
: :  
PETITIONER : OF LUZERNE COUNTY  
VS : LICENSE SUSPENSION APPEAL  
COMMONWEALTH OF PA :  
DEPARTMENT OF TRANSPORTATION:  
RESPONDENT : NO. OF

**PETITIONER'S BRIEF IN SUPPORT OF THE  
MOTOR VEHICLE SUSPENSION APPEAL**

WHEREFORE, Petitioner respectfully requests the within appeal be sustained.

RESPECTFULLY SUBMITTED,

\_\_\_\_\_  
NAME

DATE: \_\_\_\_\_

_____	:	IN THE COURT OF COMMON PLEAS
_____	:	OF LUZERNE COUNTY
_____	:	
Plaintiff (s)	:	
vs.	:	CIVIL
_____	:	
_____	:	
Defendant (s)	:	NO. _____

**ENTRY OF APPEARANCE OF SELF-REPRESENTED PARTY**  
**PURSUANT TO PA. R.C.P. NO. 1930.8**

Please enter my appearance as a Self-Represented Party in the above captioned proceeding:

1. My name: \_\_\_\_\_  
(Print legibly)
  
2. My address where pleadings and other legal papers may be served:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
3. My contact telephone number (s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Fax number: \_\_\_\_\_
  
4. I understand that I am under a continuing obligation to provide current contact information to the Court, to other self-represented parties and to attorneys of record.
  
5. (If applicable) – I am currently represented by an attorney of record and I wish to be self represented, and
  - a. \_\_\_ I have given contemporaneous notice of this assertion to my attorney of record; or
  - b. \_\_\_ Attached to this entry of appearance is the withdrawal of appearance signed by my attorney of record.

I understand that I must give a filed copy of this entry of appearance to all self-represented parties and attorney s of record.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name



	:	IN THE COURT OF COMMON PLEAS
	:	
	:	OF LUZERNE COUNTY
Petitioner	:	
	:	
vs.	:	LICENSE SUSPENSION APPEAL
	:	
COMMONWEALTH OF PENNSYLVANIA	:	
DEPARTMENT OF TRANSPORTATION	:	
BUREAU OF DRIVER LICENSING	:	
	:	
Respondent	:	NO.
: : : : : : : : : : : : : : : :		

**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, after  
 hearing as required by 75 Pa.C.S.A. §1550(b)(1)(ii), IT IS  
 HEREBY ORDERED AND DECREED that a **SUPERSEDEAS** is **GRANTED** pending  
 appeal and petitioner's operating privileges shall not be  
recalled without further order of court.

It is further ORDERED AND DECREED that a hearing on the  
 merits of the appeal is scheduled for the \_\_\_\_\_ day of  
 \_\_\_\_\_, 2014 at 9:30 A.M. at \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
J.