

SALTZ, MONGELUZZI, BARRETT & BENDESKY, P.C.

BY: Robert J. Mongeluzzi
IDENTIFICATION NO.: 36283
52ND FLOOR
1650 MARKET STREET
PHILADELPHIA, PA 19103
(215) 496-8282

JON G. JENSON and DAVID W. RESSLER,
Co-administrators of the ESTATE OF JON
CHRISTIAN JENSEN, Deceased,
72 Industrial Circle
Lancaster, PA 17601-5928

and

TYLER A. JENSEN
2253 County Road 203
Durango, CO 81301

v.

IMPORTS OF LANCASTER COUNTY, INC.
5471 Main Street
East Petersburg, PA 17520

and

MICHAEL D. HERSHEY
109 Pennington Drive
Landisville, PA 17538

and

JOHN L. LANDIS, t/a, LANDYSHADE
MULCH PRODUCTS
1801 Colebrook Road
Lancaster, PA 17601

and

MITSUBISHI MOTORS NORTH AMERICA,
INC.
6400 Katella Avenue
Cypress, CA 96630-5208

and

**ATTORNEY FOR
PLAINTIFFS**

Filed and Attested by
PROTHONOTARY
13 JUN 2011 04:53 pm
M. TIERNEY

PHILADELPHIA COUNTY
COURT OF COMMON PLEAS
LAW DIVISION

_____ TERM, 2011

No.

MITSUBISHI MOTOR SALES OF
AMERICA, INC.

6400 Katella Avenue
Cypress, CA 96630-5208

and

MITSUBISHI MOTORS AMERICA, INC.

6400 Katella Avenue
Cypress, CA 96630-5208

"NOTICE

"You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgement may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

"YOU SHOULD TAKE THIS PAPER TO YOU LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION
LAWYER REFERRAL and INFORMATION SERVICE
One Reading Center
Philadelphia, Pennsylvania 19107
(215) 238-1701"

"AVISO

"Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días, de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

"LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL

ASOCIACION DE LICENCIADOS DE FILADELPHIA
SERVICO DE REFERENCIA E INFORMACION LEGAL
One Reading Center
Filadelfia, Pennsylvania 19107
Telefono: (215) 238-1701"

COMPLAINT

1. Plaintiffs Jon George Jensen and David W. Ressler are adult individuals who are the Co-Administrators of the Estate of Jon C. Jensen.

2 Plaintiffs were appointed Co-administrators of the Estate of Jon C. Jensen, Deceased on January 11, 2011 by the Register of Wills of Lancaster County. A copy of a short certificate evidencing their appointment is attached as Exhibit "A".

3. Plaintiffs bring this action on behalf of the Estate and on behalf of next of kin.

4. Jon Christian Jensen was survived by his son, Tyler Alexander Jensen, who is the sole heir and beneficiary of the Estate and whose birth date is January 15, 1990.

5. Plaintiff Tyler A. Jensen is an adult individual residing at the above-captioned address.

6. Defendant Imports of Lancaster County, Inc. ("Imports") is a Pennsylvania corporation which maintains a place of business at the above-captioned address and which regularly conducts business within the Commonwealth of Pennsylvania, specifically in Philadelphia County, by distributing its products throughout the state and county.

7. Defendant Michael D. Hershey ("Hershey") is an adult individual who resides at the above-captioned address.

8. At all times relevant to plaintiffs' cause of action, Hershey was employed by Imports as a licensed vehicle salesperson acting within the course and scope of his employment.

9. Defendant John L. Landis, t/a Landyshade Mulch Products ("Landis"), is an individual that maintains a place of business at the above-captioned address and which regularly conducts business within the Commonwealth of Pennsylvania, specifically in Philadelphia County, by distributing its products throughout the state and county.

10. On December 30, 2010, Jon Jensen and his son, Tyler Jensen, went to Imports' used car lot at 5471 Main Street, East Petersburg, Pennsylvania for the purpose of purchasing a vehicle for Tyler's use.

11. At the aforesaid time and place, Hershey showed Jon Jensen and Tyler Jensen a 2006 Mitsubishi Lancer Evolution that was owned by Imports which Hershey suggested they take it for a test drive.

12. Tyler Jensen drove the vehicle out of Imports' place of business and onto local roads following directions given by Hershey. Hershey was in the front passenger seat and Jon Jensen was in the rear seat.

13. After Tyler drove the vehicle, Hershey insisted that Tyler pull over so that Hershey could drive and demonstrate the vehicle.

14. Immediately upon taking control of the vehicle, and while on Colebrook Road, East Hempfield Township, Lancaster County, Hershey operated the vehicle at a high, reckless and excessive rate of speed and, with a reckless indifference and disregard for the rights and interests of his passengers, reached speeds in excess of 100 miles per hour before losing control of the vehicle causing it to leave the traveled portion of the highway hitting an embankment, rolling over several times during which Jon Jensen was ejected from the vehicle and during which time Jon Jensen received the injuries that caused his death and Tyler Jensen received injuries described hereinafter.

15. Hershey lost control of the vehicle when he swerved to avoid a truck that was being operated over the centerline.

16 The subject truck crossed over the centerline of Colebrook Road while exiting from Landis' business located at 1801 Colebrook Road, Manheim, Pennsylvania,

17. At all times relevant to plaintiffs' cause of action, the subject truck was owned, operated and controlled by Landis in furtherance of his business activities and, at all times relevant to plaintiffs' cause of action, the subject truck was operated by Landis' agent, servant and employee within the course and scope of his employment.

18. After the vehicle came to rest, Tyler got out and searched for and eventually found his father lying nearby, though Jon Jensen's head and face were so horribly injured and mutilated that at first Tyler did not recognize him.

19. Tyler attempted to save his father's life by administering CPR but Mr. Jensen's injuries were too severe. When the EMS crew arrived, Tyler saw them bring out a body bag and place his father's body in the bag.

20. At the time of the crash, the vehicle in which Jon and Tyler Jensen were passengers was a 2006 Mitsubishi Lancer ("Lancer"), VIN No. JA3AH86C46U013511, manufactured, sold and distributed by defendants Mitsubishi Motors North America, Inc., ("MMNA"), Mitsubishi Motor Sales of America, Inc. ("MMSA") and Mitsubishi Motors of America, Inc. ("MMA") (the "Mitsubishi Defendants"). The Lancer failed to protect Jon Jensen and Tyler Jensen from the injuries they sustained during the crash sequence including the initial impact with the embankment, the subsequent rollover and ejection of Jon C. Jensen from the vehicle.

21. At the time Hershey was hired by Imports as a vehicle salesperson, Imports knew, or in the exercise of reasonable care, should have known that Hershey's Pennsylvania driving record contained numerous traffic violations going back to 1998 including driving in excess of 28 miles per hour over the speed limit, following too closely and careless driving, and two charges of driving under the influence in 2002 for which Hershey was incarcerated.

22. One of the employment duties Imports required of its licensed vehicle salespersons, including Hershey, was demonstrating vehicles to prospective customers such as Jon Jensen and Tyler Jensen by taking them on test drives in the vehicles Imports offered for sale.

23. Before the incident involving Jon and Tyler Jensen described herein, but after Hershey's above mentioned driving records were available, Imports approved and submitted to the State Board of Manufacturers, Dealers and Salespersons Hershey's salesperson's license application in which Imports recommended that Hershey be granted a vehicle salesperson's license.

24. This application contained a recitation of Hershey's driving record as alleged herein. A copy of Hershey's application is attached as Exhibit "B".

25. As a result of Imports submission of Hershey's application and its recommendation that a vehicle salesperson's license be granted to Hershey, the State Board was induced to grant Hershey the license that allowed him to work for Imports as a vehicle sales person and which allowed him to come into contact with prospective customers such as Jon and Tyler Jensen.

26. Based on Imports' knowledge of Hershey's driving record, it knew, or in the exercise of reasonable care, should have known, that Hershey was unfit to operate a vehicle taking prospective customers, such as Jon and Tyler Jensen, on vehicle test drives.

27 By allowing a salesperson with Hershey's driving record to operate the vehicle during a test drive, Imports demonstrated a wanton and reckless disregard for the rights and interests of Jon and Tyler Jensen.

28. Defendant Mitsubishi Motors North America, Inc. ("MMNA") is a California corporation which maintains a place of business at the above-captioned address. MMNA has a registered office in Pennsylvania, regularly conducts business within the Commonwealth, specifically in Philadelphia County, by distributing its products throughout the state and county through, among others, Northeast Auto Outlet, Inc., t/a Northeast Mitsubishi, a Pennsylvania

corporation which maintains a place of business at 3301 Grant Avenue, Philadelphia, Pennsylvania.

29. Defendant Mitsubishi Motor Sales of America, Inc. ("MMSA") is a Delaware corporation which maintains a place of business at the above-captioned address. MMSA has a registered office in Pennsylvania, regularly conducts business within the Commonwealth, specifically in Philadelphia County, by distributing its products throughout the state and county through, among others, Northeast Auto Outlet, Inc., t/a Northeast Mitsubishi, a Pennsylvania corporation which maintains a place of business at 3301 Grant Avenue, Philadelphia, Pennsylvania.

30. Defendant Mitsubishi Motors America, Inc. ("MMA") is a Delaware corporation which maintains a place of business at the above-captioned address. MMA has a registered office in Pennsylvania, regularly conducts business within the Commonwealth, specifically in Philadelphia County, by distributing its products throughout the state and county through, among others, Northeast Auto Outlet, Inc., t/a Northeast Mitsubishi, a Pennsylvania corporation which maintains a place of business at 3301 Grant Avenue, Philadelphia, Pennsylvania.

31. No action for personal injury as a result of this incident was brought during the lifetime of Jon C. Jenson.

COUNT I

**PLAINTIFFS JON G. JENSEN AND DAVID W. RESSLER, CO-ADMINISTRATORS
OF THE ESTATE OF JON C. JENSEN, DECEASED V. DEFENDANTS MICHAEL D.
HERSHEY AND IMPORTS OF LANCASTER COUNTY, INC.**

32. Plaintiffs incorporate here by reference all preceding paragraphs.

33. Hershey was careless, negligent and grossly negligent in numerous respects, including without limitation the following:

- (a) Wantonly, recklessly and negligently operating the vehicle at a high, excessive and dangerous rate of speed;
- (b) Wantonly, recklessly and negligently failing to have the vehicle under proper and adequate control;
- (c) Wantonly, recklessly and negligently driving too fast for conditions;
- (d) Wantonly, recklessly and negligently failing to operate the vehicle so as to bring it to a stop within the assured clear distance ahead;
- (e) Wantonly, recklessly and negligently failing to obey the laws of the Commonwealth of Pennsylvania concerning the operation of motor vehicles upon its highways;
- (f) Wantonly, recklessly and negligently failing to keep a proper lookout;
- (g) Wantonly, recklessly and negligently failing to act with due regard for the rights and safety of his passenger, Jon C. Jensen and Tyler A. Jensen;
- (h) Wantonly, recklessly and negligently failing to slow the vehicle to proper and lawful speeds;
- (i) Wantonly, recklessly and negligently failing to observe with reasonable care the traffic and road conditions, including the existence of other vehicles on the highway;
- (j) Operating the vehicle in an outrageous manner and with a reckless indifference to the rights and interests of others in general and Jon C. Jensen and Tyler A. Jensen in particular and,
- (k) Operating the vehicle while impaired by alcohol and marijuana.

34. Imports was careless, negligent and grossly negligent in numerous respects, including without limitation the following:

(a) Hershey was the employee of Imports acting within the course and scope of this employment and:

(b) Was operating the vehicle with the knowledge and approval of Imports;

(c) Was engaged in furthering the business interests of Imports;

(d) Imports authorized the doing and the manner of conducting the test drive of the vehicle;

(e) Imports knew, or with reckless disregard, failed to learn, that Hershey was unfit and Imports' employment of Hershey as a vehicle salesperson was wanton and reckless;

(f) Imports approved Hershey's sales and test driving methods,

(g) Imports knew of Hershey's past driving and criminal record and authorized him to operate its vehicles to take prospective customers, such as Jon and Tyler Jensen, on test drives, and,

(h) Failing to warn its customers of Hershey's prior DUI's, license suspensions and operating record.

35. By reason of the careless, wanton and reckless disregard and negligence of defendants Hershey and Imports, as set forth above, Jon C. Jensen sustained horrific injuries to his head and other parts of his body, causing his death.

WHEREFORE, plaintiffs Jon G. Jensen and David W. Ressler, co-administrators of the Estate of Jon C. Jensen, Deceased, claim compensatory and punitive damages from defendants Hershey and Imports in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT II

**PLAINTIFF TYLER A. JENSEN V. DEFENDANTS MICHAEL D. HERSHEY
AND IMPORTS OF LANCASTER COUNTY, INC.**

36. Plaintiff incorporates paragraphs 1 through 31 here by reference.

37. As a result of the joint and several negligence of the defendants, Tyler A. Jensen suffered physical and emotional injuries, some or all of which may be permanent, including:

- (a) Shoulder;
- (b) Neck;
- (c) Limitation of motion;
- (d) Headaches;
- (e) Pain and suffering;
- (f) Severe Emotional distress;
- (g) Post traumatic stress;
- (h) Embarrassment and humiliation;
- (i) Loss of life's pleasures;
- (j) Disfigurement;
- (k) Loss of income;
- (l) Loss of earning capacity;
- (m) Cost of past and future medical treatment and occupational therapy; and
- (n) Other emotional, orthopedic and neurological injuries the full extent of which has

yet to be determined.

38. As part of, and in addition to, the physical injuries sustained by Tyler Jensen, as alleged in paragraph 37 of this complaint, the conduct of Hershey and Imports caused Tyler

Jensen to suffer severe emotional distress as a result of being in the vehicle while it was operated by Hershey prior to the crash and during the crash sequence, and witnessing the horrible mutilation, disfigurement and death of his father in the aftermath of the crash. Tyler Jensen saw the EMS team bring out a body bag and place the body of his lifeless father in the bag.

39. The conduct of Hershey and Imports, as described above, was extreme and outrageous and recklessly and wantonly exceeded all possible bounds of decency; was atrocious and utterly intolerable in a civilized community; and subjected Tyler A. Jensen to severe emotional distress which included:

- (a) Fright;
- (b) Horror;
- (c) Grief;
- (d) Shame;
- (e) Humiliation;
- (f) Embarrassment;
- (g) Anger;
- (h) Chagrin;
- (i) Disappointment;
- (j) Worry; and
- (k) Other emotional maladies, the full extent of which have not yet been determined.

WHEREFORE, plaintiff Tyler A. Jensen claims compensatory and punitive damages from defendants Hershey and Imports in a sum in excess of \$50,000 including along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT III

**PLAINTIFFS JON G. JENSEN AND DAVID W. RESSLER, CO-ADMINISTRATORS
OF THE ESTATE OF JON C. JENSEN, DECEASED V. JOHN L. LANDIS, T/A
LANDYSHADE MULCH PRODUCTS**

40. Plaintiff incorporates paragraphs 1 through 31 here by reference.

41. The injuries and death of Jon C. Jensen were caused by the joint and several negligence and carelessness of Landis and his agents, employees, and servants generally, and in the following respects:

- (a) Failing to have the vehicle under proper and adequate control;
- (b) Failing to obey the laws of the Commonwealth of Pennsylvania concerning the operation of motor vehicles upon its highways;
- (c) Failing to keep a proper lookout;
- (d) Failing to act with due regard for the rights and safety of others on the highway;
- (e) Failing to observe with reasonable care the traffic and road conditions, including the existence of other vehicles on the highway; and,
- (f) Operating the truck in such a manner so as to cause it to cross over the center line of the line.

42. By reason of the negligence of said defendants, acting jointly and severally as set forth above, Jon C. Jensen sustained horrific injuries to his head and other parts of his body, resulting in his death.

WHEREFORE, plaintiffs Jon G. Jensen and David W. Ressler, co-administrators of the Estate of Jon C. Jensen, Deceased, claim compensatory damages from the John L. Landis, t/a Landyshade Mulch Products in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT IV

**PLAINTIFF TYLER A. JENSEN V. JOHN L. LANDIS, T/A
LANDYSHADE MULCH PRODUCTS**

43. Plaintiff incorporates paragraphs 1 through 31 here by reference.

44. The injuries suffered by Tyler A. Jensen were caused by the negligence and carelessness of Landis and his agents, employees, and servants generally, and in the following respects:

- (a) Failing to have the vehicle under proper and adequate control;
- (b) Failing to obey the laws of the Commonwealth of Pennsylvania concerning the operation of motor vehicles upon its highways;
- (c) Failing to keep a proper lookout;
- (d) Failing to act with due regard for the rights and safety of others on the highway;
- (e) Failing to observe with reasonable care the traffic and road conditions, including the existence of other vehicles on the highway; and,
- (f) Operating the truck in such a manner so as to cause it to cross over the center line of the line.

45. As a result of the aforesaid negligence and carelessness of said defendants, acting jointly and severally, Tyler A. Jensen suffered injuries alleged in paragraph 37 of this complaint.

WHEREFORE, plaintiff Tyler A. Jensen claims compensatory damages from the John L. Landis, t/a Landyshade Mulch Products in a sum in excess of \$50,000 including along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT V

**PLAINTIFFS JON G. JENSEN AND DAVID W. RESSLER, CO-ADMINISTRATORS
OF THE ESTATE OF JON C. JENSEN, DECEASED V.
THE MITSUBISHI DEFENDANTS
NEGLIGENCE**

46. Plaintiff incorporates paragraphs 1 through 31 here by reference.

47. The injuries and death of Jon C. Jensen were caused by the negligence and carelessness of the agents, employees, and servants of the Mitsubishi defendants generally, and in the following respects:

(a) Failure to design and/or utilize proper designs or procedures for the manufacture, assembly, and sale of the vehicle in question;

(b) Failure to incorporate proper and adequate seat belts, restraints, guards, airbags and other devices to protect the user;

(c) Failure to design vehicles safe for the use intended;

(d) Designing, manufacturing and selling the vehicle without passenger restraint systems that were safe and appropriate for the use intended;

(e) Designing, manufacturing and selling the vehicle that was unstable and prone to roll over;

(f) Failure to design and equip the vehicle with reliable and defect free component parts and warning systems and labels;

(g) Designing or utilizing defective designs or procedures for the manufacture, assembly, and sale of the vehicle;

(h) Failing to properly test the component parts of the vehicle after its manufacture and prior to sale;

- (i) Failing to include proper instructions for operation of the vehicle;
- (j) Failing to adequately inform and/or warn purchasers or ultimate users of the vehicle as to the instability of the vehicle;
- (k) Failing to adequately inform and/or warn purchasers or ultimate users of the vehicle as to the proper procedures for proper operation and control;
- (l) Manufacturing the vehicle knowing it was inherently dangerous;
- (m) Failing to recall the vehicle from the purchaser and/or ultimate users;
- (n) Failing to remove the vehicle from the marketplace;
- (o) Failing to provide training and instruction to those who defendants knew, or in the exercise of reasonable caution should have known, would be using the vehicle.

48. By reason of the negligence of said defendants, acting jointly and severally as set forth above, Jon C. Jensen sustained horrific injuries to his head and other parts of his body, resulting in his death.

WHEREFORE, plaintiffs Jon G. Jensen and David W. Ressler, co-administrators of the Estate of Jon C. Jensen, Deceased, claim compensatory damages from the Mitsubishi defendants in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT VI

PLAINTIFF TYLER A. JENSEN V. THE MITSUBISHI DEFENDANTS NEGLIGENCE

49. Plaintiff incorporates paragraphs 1 through 31 here by reference.

50. The injuries suffered by Tyler A. Jensen were caused by the negligence and carelessness of the agents, employees, and servants of the Mitsubishi defendants generally, and in the following respects:

(a) Failure to design and/or utilize proper designs or procedures for the manufacture, assembly, and sale of the vehicle in question;

(b) Failure to incorporate proper and adequate seat belts, restraints, guards, airbags and other devices to protect the user;

(c) Failure to design vehicles safe for the use intended;

(d) Designing, manufacturing and selling the vehicle without passenger restraint systems that were safe and appropriate for the use intended;

(e) Designing, manufacturing and selling the vehicle that was unstable and prone to roll over;

(f) Failure to design and equip the vehicle with reliable and defect free component parts and warning systems and labels;

(g) Designing or utilizing defective designs or procedures for the manufacture, assembly, and sale of the vehicle;

(h) Failing to properly test the component parts of the vehicle after its manufacture and prior to sale;

(i) Failing to include proper instructions for operation of the vehicle;

(j) Failing to adequately inform and/or warn purchasers or ultimate users of the vehicle as to the instability of the vehicle;

(k) Failing to adequately inform and/or warn purchasers or ultimate users of the vehicle as to the proper procedures for proper operation and control;

(l) Manufacturing the vehicle knowing it was inherently dangerous;

(m) Failing to recall the vehicle from the purchaser and/or ultimate users;

(n) Failing to remove the vehicle from the marketplace;

(o) Failing to provide training and instruction to those who defendants knew, or in the exercise of reasonable caution should have known, would be using the vehicle.

51. As a result of the aforesaid negligence and carelessness of said defendants, acting jointly and severally, Tyler A. Jensen suffered injuries alleged in paragraph 37 of this complaint.

WHEREFORE, plaintiff Tyler A. Jensen claims compensatory damages from the Mitsubishi defendants in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT VII

**PLAINTIFFS JON G. JENSEN AND DAVID W. RESSLER, CO-ADMINISTRATORS
OF THE ESTATE OF JON C. JENSEN, DECEASED V.
THE MITSUBISHI DEFENDANTS
PRODUCTS LIABILITY (STRICT LIABILITY)**

52. Plaintiff incorporates paragraphs 1 through 31 here by reference.

53. The Mitsubishi defendants designed, manufactured, marketed and sold the vehicle that caused Jon C. Jensen to suffer the injuries that caused his death.

54. Said defendants designed, manufactured, marketed and sold the vehicle in the regular course of its business.

55. The vehicle was expected to, and did, reach Jon C. Jensen without substantial change in its condition.

56. At the time said defendants sold the vehicle, it was in a defective condition because of its unsafe and improper design and construction.

57. The vehicle's defective design and condition were causes of the injuries and damages that Jon C. Jensen sustained.

58. At the time of the accident, the condition of the vehicle had not been substantially changed from its condition when manufactured and distributed by said defendants.

59. Said defendants are strictly liable to Jon C. Jensen for the injuries he has suffered.

60. By reason of the negligence of said defendants, acting jointly and severally as set forth above, Jon C. Jensen sustained horrific injuries to his head and other parts of his body, resulting in his death.

WHEREFORE, plaintiffs Jon G. Jensen and David W. Ressler, co-administrators of the Estate of Jon C. Jensen, Deceased, claim compensatory damages from the Mitsubishi defendants in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT VIII

PLAINTIFF TYLER A. JENSEN V. THE MITSUBISHI DEFENDANTS PRODUCTS LIABILITY (STRICT LIABILITY)

61. Plaintiff incorporates paragraphs 1 through 31 here by reference.

62. The Mitsubishi defendants designed, manufactured, marketed and sold the vehicle that caused Tyler A. Jensen to suffer the injuries alleged in this complaint.

63. Said defendants designed, manufactured, marketed and sold the vehicle in the regular course of its business.

64. The vehicle was expected to, and did, reach Tyler A. Jensen without substantial change in its condition.

65. At the time said defendants sold the vehicle, it was in a defective condition because of its unsafe and improper design and construction.

66. The vehicle's defective design and condition were causes of the injuries and damages that Tyler A. Jensen sustained.

67. At the time of the accident, the condition of the vehicle had not been substantially changed from its condition when manufactured and distributed by said defendants.

68. Said defendants are strictly liable to Tyler A. Jensen for the injuries he has suffered.

69. As a result of the aforesaid negligence and carelessness of said defendants, acting jointly and severally, Tyler A. Jensen suffered injuries alleged in paragraph 37 of this complaint.

WHEREFORE, plaintiff Tyler A. Jensen claims compensatory damages from the Mitsubishi defendants in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT IX

WRONGFUL DEATH ACTION AGAINST ALL DEFENDANTS

70. Plaintiff incorporates paragraphs 1 through 31 here by reference.

71. As a result of the carelessness and negligence of defendants, as set forth above, Tyler A. Jensen, as the sole beneficiary of the Estate of Jon C. Jensen, Deceased is entitled to recover the following damages:

(a) Medical expenses, funeral expenses, and expenses incurred in the administration of the decedent's estate;

(b) Loss of net projected pecuniary contributions from the decedent;

(c) Loss of the decedent's services, companionship, comfort, society, solace, protection, advice, tutelage and care;

(d) Grief, mourning and mental anguish resulting from the violent, terrible death of his father which plaintiff witnessed; and

(e) Such other damages as are recognized by Pennsylvania law, and those that may be recognized during the pendency of the action, as well as hedonic damages.

WHEREFORE, plaintiffs Jon G. Jensen and David Ressler, co-administrators of the Estate of Jon C. Jensen, Deceased, claim compensatory damages from all defendants in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT X

SURVIVAL ACTION AGAINST DEFENDANTS MICHAEL D. HERSHEY AND IMPORT OF LANCASTER COUNTY

72. Plaintiff incorporates paragraphs 1 through 31 here by reference.

73. As a result of the wanton recklessness, carelessness and negligence of Hershey and Imports, as set forth above, the Estate of Jon C. Jensen is entitled to recover for pain and suffering, emotional distress at the anticipation of imminent death, injury or disfigurement, as well as for loss of future earnings.

WHEREFORE, plaintiffs Jon G. Jensen and David W. Ressler, co-administrators of the Estate of Jon C. Jensen, Deceased, claim compensatory and punitive damages from defendants Hershey and Imports in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT XI

SURVIVAL ACTION AGAINST JOHN L. LANDIS, T/A LANDYSHADE MULCH PRODUCTS

74. Plaintiff incorporates paragraphs 1 through 31 here by reference.

75. As a result of the carelessness and negligence of Landis, as set forth above, the Estate of Jon C. Jensen is entitled to recover for pain and suffering, emotional distress at the anticipation of imminent death, injury or disfigurement, as well as for loss of future earnings.

WHEREFORE, plaintiffs Jon G. Jensen and David W. Ressler, co-administrators of the Estate of Jon C. Jensen, Deceased, claim compensatory damages from John L. Landis, t/a Landyshade Mulch Products in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

COUNT XII

SURVIVAL ACTION AGAINST THE MITSUBISHI DEFENDANTS

76. Plaintiff incorporates paragraphs 1 through 31 here by reference.

77. As a result of the carelessness and negligence of the Mitsubishi defendants, as set forth above, the Estate of Jon C. Jensen is entitled to recover for pain and suffering, emotional distress at the anticipation of imminent death, injury or disfigurement, as well as for loss of future earnings.

WHEREFORE, plaintiffs Jon G. Jensen and David W. Ressler, co-administrators of the Estate of Jon C. Jensen, Deceased, claim compensatory damages from the Mitsubishi defendants in a sum in excess of \$50,000 along with damages for delay in accordance with Pa.R.C.P. 238 and costs.

SALTZ, MONGELUZZI, BARRETT & BENDESKY, P.C.

By: s/ Robert J. Mongeluzzi
Robert J. Mongeluzzi, Esquire
John A. Lord, Esquire
Attorneys for Plaintiffs

VERIFICATION

The averments or denials of fact contained in the foregoing are true based upon the signer's personal knowledge or information and belief. If the foregoing contains averments which are inconsistent in fact, signer has been unable, after reasonable investigation, to ascertain which of the inconsistent averments are true, but signer has knowledge or information sufficient to form a belief that one of them is true. This Verification is made subject to the penalties of the 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

DATE: June 13, 2011

s/ Robert J. Mongeluzzi

ROBERT J. MONGELUZZI

EXHIBIT A

File Number: 36-2011-0061
SHORT CERTIFICATE

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LANCASTER

I, Mary Ann Gerber, Register of Wills in the County of Lancaster, in the Commonwealth of Pennsylvania,
DO HEREBY CERTIFY that on the 11th day of January, 2011, LETTERS OF ADMINISTRATION on the Estate
of JON CHRISTIAN JENSEN, deceased, were granted to DAVID W. RESSLER and JON GEORGE JENSEN
having first been qualified well and truly to administer the same. And I further certify that no revocation of said
Letters appears of record in my office.

Date of Death: 12/30/2010

Social Security Number: 188-56-4407

Given under my hand and seal of office this

11th day of January, 2011

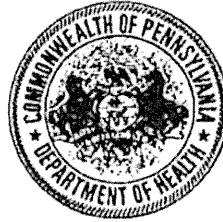

Register of Wills

NOT VALID WITHOUT IMPRESSED SEAL

LOCAL REGISTRAR'S CERTIFICATION OF DEATH

WARNING: It is illegal to duplicate this copy by photostat or photograph.

Fee for this certificate, \$6.00



P 17071812

Certification Number

This is to certify that the information here given is correctly copied from an original Certificate of Death duly filed with me as Local Registrar. The original certificate will be forwarded to the State Vital Records Office for permanent filing.

Bessieann Rabush 31/12/11
Local Registrar Date Issued

MINIMUM REQUIRED
TYPE / PRINT ON
PERMANENT
BLACK INK

FINAL

COMMONWEALTH OF PENNSYLVANIA - DEPARTMENT OF HEALTH - VITAL RECORDS

CORONER'S CERTIFICATE OF DEATH

(See instructions and examples on reverse)

STATE FILE NUMBER

1. Name of Deceased (Print, include last, middle) Jon Christian Jensen		2. Sex M	3. Social Security Number 188 - 56 - 4407	4. Date of Death (Month, day, year) 12/30/10
5. Age (Last birthday) 48	6. Date of Birth (Month, day, year) 2/2/62	7. Birthplace (City and state or foreign country) Philadelphia, PA	8. Place of Death (Print only one) roadway	
9. County of Death Lancaster E. Hempfield Twp.	10. City, Boro, Twp. of Death Colebrook Road	11. Decedent's Usual Residence (Print or check one) Home	12. Race (Print or check one) white	13. Marital Status (Print or check one) Divorced
14. Decedent's Usual Residence (Print or check one) 45 Sellers Church Road Leola, PA 17540	15. Decedent's Education (Print or check one) High School Graduate	16. Decedent's Occupation (Print or check one) Administration	17. Decedent's Religion (Print or check one) Protestant	18. Decedent's Ethnicity (Print or check one) Other
19. Decedent's Name (Print, include last, middle) Jon George Jensen	20. Decedent's Name (Print, include last, middle) Charlotte Lynch	21. Decedent's Name (Print, include last, middle) Stradling Funeral Homes Inc.	22. Decedent's Name (Print, include last, middle) P. O. Box 137 Akron, PA 17501	23. Decedent's Name (Print, include last, middle) Evans Crematorium Service
24. Date of Death 12/30/10	25. Time of Death 7:25 p.m.	26. Date of Death December 30, 2010	27. Date of Death December 30, 2010	28. Date of Death December 30, 2010
29. Cause of Death (Print or check one) MULTIPLE TRAUMATIC INJURIES				
30. Place of Death (Print or check one) roadway				
31. Date of Death (Print or check one) December 30, 2010				
32. Time of Death (Print or check one) 7:25 p.m.				
33. Date of Death (Print or check one) December 30, 2010				
34. Time of Death (Print or check one) 7:25 p.m.				
35. Date of Death (Print or check one) December 30, 2010				
36. Time of Death (Print or check one) 7:25 p.m.				
37. Date of Death (Print or check one) December 30, 2010				
38. Time of Death (Print or check one) 7:25 p.m.				
39. Date of Death (Print or check one) December 30, 2010				
40. Time of Death (Print or check one) 7:25 p.m.				
41. Date of Death (Print or check one) December 30, 2010				
42. Time of Death (Print or check one) 7:25 p.m.				
43. Date of Death (Print or check one) December 30, 2010				
44. Time of Death (Print or check one) 7:25 p.m.				
45. Date of Death (Print or check one) December 30, 2010				
46. Time of Death (Print or check one) 7:25 p.m.				
47. Date of Death (Print or check one) December 30, 2010				
48. Time of Death (Print or check one) 7:25 p.m.				
49. Date of Death (Print or check one) December 30, 2010				
50. Time of Death (Print or check one) 7:25 p.m.				
51. Date of Death (Print or check one) December 30, 2010				
52. Time of Death (Print or check one) 7:25 p.m.				
53. Date of Death (Print or check one) December 30, 2010				
54. Time of Death (Print or check one) 7:25 p.m.				
55. Date of Death (Print or check one) December 30, 2010				
56. Time of Death (Print or check one) 7:25 p.m.				
57. Date of Death (Print or check one) December 30, 2010				
58. Time of Death (Print or check one) 7:25 p.m.				
59. Date of Death (Print or check one) December 30, 2010				
60. Time of Death (Print or check one) 7:25 p.m.				
61. Date of Death (Print or check one) December 30, 2010				
62. Time of Death (Print or check one) 7:25 p.m.				
63. Date of Death (Print or check one) December 30, 2010				
64. Time of Death (Print or check one) 7:25 p.m.				
65. Date of Death (Print or check one) December 30, 2010				
66. Time of Death (Print or check one) 7:25 p.m.				
67. Date of Death (Print or check one) December 30, 2010				
68. Time of Death (Print or check one) 7:25 p.m.				
69. Date of Death (Print or check one) December 30, 2010				
70. Time of Death (Print or check one) 7:25 p.m.				
71. Date of Death (Print or check one) December 30, 2010				
72. Time of Death (Print or check one) 7:25 p.m.				
73. Date of Death (Print or check one) December 30, 2010				
74. Time of Death (Print or check one) 7:25 p.m.				
75. Date of Death (Print or check one) December 30, 2010				
76. Time of Death (Print or check one) 7:25 p.m.				
77. Date of Death (Print or check one) December 30, 2010				
78. Time of Death (Print or check one) 7:25 p.m.				
79. Date of Death (Print or check one) December 30, 2010				
80. Time of Death (Print or check one) 7:25 p.m.				
81. Date of Death (Print or check one) December 30, 2010				
82. Time of Death (Print or check one) 7:25 p.m.				
83. Date of Death (Print or check one) December 30, 2010				
84. Time of Death (Print or check one) 7:25 p.m.				
85. Date of Death (Print or check one) December 30, 2010				
86. Time of Death (Print or check one) 7:25 p.m.				
87. Date of Death (Print or check one) December 30, 2010				
88. Time of Death (Print or check one) 7:25 p.m.				
89. Date of Death (Print or check one) December 30, 2010				
90. Time of Death (Print or check one) 7:25 p.m.				
91. Date of Death (Print or check one) December 30, 2010				
92. Time of Death (Print or check one) 7:25 p.m.				
93. Date of Death (Print or check one) December 30, 2010				
94. Time of Death (Print or check one) 7:25 p.m.				
95. Date of Death (Print or check one) December 30, 2010				
96. Time of Death (Print or check one) 7:25 p.m.				
97. Date of Death (Print or check one) December 30, 2010				
98. Time of Death (Print or check one) 7:25 p.m.				
99. Date of Death (Print or check one) December 30, 2010				
100. Time of Death (Print or check one) 7:25 p.m.				

Disposition Print No. 6532877

EXHIBIT B

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
HARRISBURG, PENNSYLVANIA
17120

Right-to-Know Law Office
Room 302, North Office Building
401 North Street
Harrisburg, PA 17120-0500

Mailing Date: February 14, 2011

Cliff K. Goldsmith
Cliff K. Goldsmith Associates, Inc.
P. O. Box 432
Marlton, NJ 08053

RE: Right-to-Know Law Request No. 2011-27

Dear Mr. Goldsmith:

On February 7, 2011, the Department of State received your request for information pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101, et seq. (RTKL), wherein you asked for records on Michael D. Hershey. A copy of your request is enclosed.

Your request is granted in part and denied in part as follows:

- The records for which access is granted are enclosed.
- We redacted social security numbers, home contact information, dates of birth and legal signatures. This information is exempt from disclosure under §67.706 (Redaction) and §67.708(b)(6)(personal information).
- We did not provide copies of academic transcripts (§67.708(b)(15) and letters of recommendation.
- Assuming that such records exist, the Department of State has denied your request for information related to noncriminal investigations that is exempt from disclosure under §67.708(b)(17) of the RTKL.

With regard to the records that were not produced, you have a right to appeal this response in writing to Terry Mutchler, Executive Director, Office of Open Records (OOR), Commonwealth Keystone Building, 400 North Street, 4th

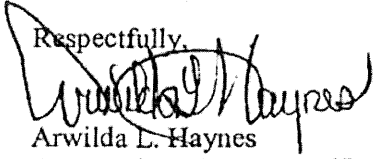
Floor, Harrisburg, PA 17120. If you choose to file an appeal, you must do so within 15 business days of the mailing date of this response and send to the OOR:

- 1) this response;
- 2) your request;
- 3) the reason why you think the agency is incorrect in its response.

Also, the OOR has an appeal form available on the OOR website at:
<https://www.dced.state.pa.us/public/oor/appealformgeneral.pdf>.

An invoice is enclosed.

Respectfully,



Arwilda L. Haynes
Agency Open Records Officer
Department of State
Room 302, North Office Building
401 North Street
Harrisburg, PA 17120-0500
717-787-3796

Enclosures

2011-21
RECEIVED

FEB 07 2011

Cliff K. Goldsmith Associates, Inc.
Licensed Private Detectives NJ/PA

RIGHT-TO-KNOW OFFICE
DEPARTMENT OF STATE

01 February 2011

P.O. Box 432
Marlton, New Jersey 08053
856-797-7300
ckga-investigations.com

Ms. Arwilda Haynes
Agency Open Records Officer
302 N. Office Building
Harrisburg, PA 17120

Re: RTKO - Michael D. Hershey, License #MV 179248

Dear Ms. Haynes:

Please be advised that I am respectfully requesting a Right To Know Request with regard to Michael D. Hershey, License #MV179248. This license is regarding the State Board of Vehicle Manufacturers, Dealers & Salespersons.

I am requesting a copy of the initial application and any subsequent renewal applications under Mr. Hershey's name.

For your information, we believe that Mr. Hershey is currently employed by Imports of Lancaster County, Inc. Their license number is VD023239. According to your application on line, his license expired on 31 May 2011. His initial date of his license is 28 June 2002.

I further request any disciplinary actions, inspections or investigations with respect to Mr. Hershey and/or his license applications.

Should you have any questions or comments, please feel free to contact me at 856-797-7300 or you may do so via this e-mail.

Thank you for your time and consideration in this matter.

Very truly yours,



Cliff K. Goldsmith
Licensed Private Detective, NJ/PA

CKG/km
Sent via email/pdf form

		PENNSYLVANIA	
Department of State			
For questions about this website, please Click Here to send an E-Mail, or to contact your Board directly, Click Here .			
Click the X at the upper right corner to close this window and return to the list of licensees.			
Person Information			
Name: MICHAEL D HERSHEY			
Address Information			
Address(city state zipcode): Landisville PA 17538			
License Information			
Type:	Vehicle Salesperson	Secondary Type:	Number: MV179248
Profession:	Vehicle Board	Status:	Active
Issue Date:	6/28/2002	Date This Status:	8/6/2010
Expires:	5/31/2011	Last Renewed:	4/13/2005
Prerequisite Information			
Licensee:	IMPORTS OF LANCASTER COUNTY INC		Relationship: Business Relationship
Type:	Vehicle Dealer	Number:	VD023239
Date of Association:	10/18/2010	Status:	Active
Date of Expiration:			
Discipline Action History			
No disciplinary actions were found for this license.			
The Information above is considered primary source for verification of license credentials.			

For official use only

M	V									
H	T	R	S	N	A	P	P	L		

1402. 1811

1. Applicant's name: DeShay Michael D
(LAST) (FIRST) (SM)

If you have ever been licensed under a different name, you must attach to this application court documents verifying the name change.

2. Applicant's home address: (STREET) (CITY) (STATE AND ZIP CODE)

Applicant's social security number

Applicant's date of birth (month/day/year)

5. Applicant's home telephone no. _____

IN THE REQUIRED INFORMATION BELOW, PLEASE PROVIDE THE EMPLOYING DEALER'S NAME, LICENSE NUMBER AND MAIN OFFICE ADDRESS EXACTLY AS IT APPEARS ON THE DEALER'S LICENSE.

6. Employing dealership's name as it appears on MD license: THURMON'S OF CALIFORNIA, INC.

Employing Organization's primary location address: 5911 11th St. N. Fairview Park, MN
(STREET) (CITY) (STATE AND ZIP CODE)

Employing dealership's telephone number: (414) 763-0000

9. Employing dealership's license number (write "PENDING" if dealership is submitting an initial application)

VD 7 2 3 3 3 1 -

Be sure you list I'DM; not DINA

10. Have you ever been issued a Vehicle Saleperson (MV) License by the Pennsylvania Vehicle Board?

YES: V. NO

If YES, license number

MY

If you have answered YES to this question, you are submitting the wrong application. Submit application SPOA 260.

11. Have you ever been convicted of or pled guilty or nolo contendere to a felony or misdemeanor or?

YES ☒ NO

If YES, attach a letter describing the circumstances and certified correct documents.

12. Employment start date as a salesperson at this dealer (month, day/year) 01/01/02

13. Have you ever sold vehicles or mobile homes in Pennsylvania for a dealer within the past five (5) years? YES NO
If YES, please give details including dates, names of dealerships and locations (attach a separate sheet if necessary)

14. Have you ever had a Vehicle Salesperson license suspended or revoked? YES NO

Where?

When?

Why?

15. Submit a check or money order in the required amount of \$25.00 made payable to the "Commonwealth of PA". (Cash is not acceptable. If multiple applications are submitted, a separate check or money order is required for each application.)

NOTE: The required fees are fees for the processing of the application and are not refundable. These fees are required regardless of issuance of a license. A processing fee of \$20.00 will be charged for any check returned unpaid by your bank regardless of the reason for non-payment.

16. EMPLOYER'S CERTIFICATION

If you are the owner of the dealership, you may leave blank.

I do hereby request that a license be granted to Michael D. Hershey to operate at this facility. I believe the applicant to be honest, trustworthy, truthful and of good repute.

James L. Miller

Employer's Signature

01/01/02

Date

17. APPLICANT'S CERTIFICATION

I certify that all information supplied on this application is true and correct to the best of my knowledge and belief. Further, I understand that any false statements made are subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities and may result in the suspension or revocation of the license.

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 Pa.C.S. Section 4911.

[Signature]

Applicant's Signature

06/01/02

Date

ALL QUESTIONS ON THIS APPLICATION MUST BE ANSWERED OR IT WILL BE RETURNED TO YOU UNPROCESSED

79278 0320

For official use only

60 SPOA 2606 (12/00)
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
REAL ESTATE AND VEHICLE DIVISION
STATE BOARD OF VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS
PO BOX 2609
HARRISBURG, PA 17105-2609
(717) 733-1697
Fax (717) 733-0750
www.dos.state.pa.us

1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8	9	0
1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8	9	0

SALESPERSON'S CHANGE OF EMPLOYER/REACTIVATING LICENSE APPLICATION

FOLLOW ATTACHED INSTRUCTIONS AND SUBMIT REQUIRED FEES

1. Applicant's name: 1234567890 (LAST) 1234567890 (FIRST) 1234567890 (MIDDLE)
If you have ever been licensed under a different name, you must attach to this application certified documents regarding the name change.
2. Applicant's home address: 1234567890 (STREET) 1234567890 (CITY) 1234567890 (STATE AND ZIP CODE)
3. Applicant's social security number: 1234567890
4. Applicant's date of birth (month/day/year): 12/31/1980
5. Applicant's home telephone number: 1234567890
6. Applicant's license (certificate) number: 1234567890

FOR THE REQUIRED INFORMATION BELOW, PLEASE PROVIDE THE EMPLOYING DEALER'S NAME, LICENSE NUMBER AND MAIN OFFICE ADDRESS (AS IT APPEARS ON THE DEALER'S LICENSE).

7. Employing dealership's name as it appears on VD license: 1234567890
8. Employing dealership's primary location address: 1234567890 (STREET) 1234567890 (CITY) 1234567890 (STATE AND ZIP CODE)
9. Employing dealership's telephone number: 1234567890
10. Employing dealership's license number (the one on the VD license): 1234567890

VD # 1234567890

*Recent revisions to Section 501 of the Board of Vehicles Act allows a vehicle salesperson, who is employed by a dealer who holds a dealer license at more than one facility (branch location), to sell for such a dealer at each such facility provided each facility has the same owners. Therefore, all salesperson licenses will be issued to the primary location (VD license address).

11. Employment start date as a salesperson at this dealer (month/day/year): 12/31/1980
12. Are you returning your current license? YES / NO *If YES, attach original license to this application, keeping a copy for your records. If NO, explain why not.* 1234567890
13. Have you ever been convicted of or pled guilty or nolo contendere to a felony or misdemeanor?
YES / NO *If YES, attach a letter describing the circumstances and certified court documents.*

- 11 Check or money order in the correct amount to pay the fee of \$16.00 (shown on the previous page) to the Commissioner of Public Safety for each application. (If fee is not paid, application will not be accepted.)

NOTE: *It is required by law that the person applying for a license must be a resident of this State. A person who is not a resident of this State is not eligible for a license. A person who is not a resident of this State is not eligible for a license. A person who is not a resident of this State is not eligible for a license.*

Fee Schedule

\$16.00 for change of employer application IF YOU HAVE A CURRENT LICENSE
\$16.00 for change of employer application IF YOU DO NOT HAVE A CURRENT LICENSE

- 18 **APPLICANT'S VERIFICATION OF NON-PRACTICE** (To be completed only when the applicant's MV license has expired, has been placed on a restrictive status, or when a current license has become inactive after a period of not engaging in the practice of a vehicle salesperson.)

I certify that I have not engaged in the practice of a Vehicle Salesperson in the Commonwealth of Pennsylvania since [] and I shall resume full license status when I shall have complied with the requirements of this Act.

(OPTIONAL)

Information on employment is requested. Further, I understand that any false information, including failure to disclose the position of IS PCS Section 4901 relating to my work history, to authorities, and may result in the suspension or revocation of the license of certificate.

Applicant's Signature

Date

- 16 **EMPLOYER'S CERTIFICATION**

If you are the owner of the dealership, you may write: I am.

I do hereby request that a license be granted to [] to operate at this facility. I believe the applicant to be honest, trustworthy, truthful and of good repute.

Employer's Signature

Date

- 17 **APPLICANT'S CERTIFICATION**

I certify that all information supplied on this application is true and correct to the best of my knowledge and belief. Further, I understand that any false statements made on or related to this petition for IS PCS Section 4901 relating to my work history, to authorities, and may result in the suspension or revocation of the license.

I certify that this form is in the original format as supplied by the Department of State and I am not to be altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to IS PCS Section 4901.

Applicant's Signature

Date

ALL QUESTIONS ON THIS APPLICATION MUST BE ANSWERED OR IT WILL BE RETURNED TO YOU UNPROCESSED.

Complaints

14861

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF VEHICLE MANUFACTURERS DEALERS
AND SALESPERSONS
RENEWAL APPLICATION

MV173248
HERSHEY

MICHAEL D HERSHEY

State Board of Vehicle Manufacturers,
Dealers and Salespersons
PO Box 8413
Harrisburg, PA 17105-8413

Online renewal is now available for your convenience - click on www.mvlicense.state.pa.us to process your renewal application. For security purposes you have been assigned Renewal ID# 722110. To access your license record, refer to enclosed instructions for renewing your license online.

- ☐ I will not be practicing this profession in Pennsylvania after the expiration date indicated below and request inactive status. No fee is required.
- ☐ I have a change of name and/or home address. COMPLETE SECTION BELOW.

IF YOU HAVE CHANGED YOUR EMPLOYING DEALER, YOU MUST CONTACT THE BOARD OFFICE FOR THE PROPER APPLICATION TO TRANSFER YOUR LICENSE.

Name Change	Home Address Change
Submit a photocopy of a legal document verifying name change (i.e. marriage certificate, divorce decree or legal document indicating initials of a maiden name, etc.)	

THE FOLLOWING QUESTIONS MUST BE ANSWERED:

If you answer YES to questions 2 through 4 - provide details AND attach certified copies of legal documents(s)		YES	NO
1. Do you hold a license to practice this profession in any other state or jurisdiction?	(List)		X
2. Since your initial application or last renewal, whichever is later, have you had disciplinary action taken against your license in any state or jurisdiction?			X
3. Since your initial application or last renewal, whichever is later, have you withdrawn an application for a license, had an application for a license denied or refused, or for disciplinary reasons agreed not to reapply for a license in any state or jurisdiction?			X
4. Since your initial application or last renewal, whichever is later, have you been convicted, found guilty or pleaded guilty to any criminal offense, or resolved probation without verdict as to any felony or misdemeanor, including any drug law violations, or any criminal charges pending and unresolved in any state or jurisdiction?		X	

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 PA C.S. 4911 and that any false statement made is subject to the penalties of 18 PA C.S. 4904 relating to untruthful testimony and may result in my license being disciplined.

Signature (Mandatory): [Signature] Date: 4/28/03

EXPIRATION DATE	05/31/2001
FEE - Payable to COMMONWEALTH OF PENNSYLVANIA	\$37.00
Write your license number on your DMV/PA 100	MV173248
LATE FEE - \$5.00 per month assessed when submitted after 05/31/2001. Processing fee of \$70.00 charged for renewed license. THIS IS THE ONE AND ONLY NOTICE TO BE MAILED FOR RENEWAL OF THIS LICENSE.	PRACTICING ON AN EXPIRED LICENSE MAY RESULT IN DISCIPLINARY ACTIONS AND ADDITIONAL MONETARY PENALTIES

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF York



POLICE
CRIMINAL COMPLAINT

Register (A) District Number 39-2-01

Place of Arrest: Harold D. Kessler

Address: 110 Pleasant Acres Rd.
York, PA 17402

Telephone: (717) 640-7233

Docket No.: CR-0000482-02-201

Date Filed: **JUL 31 2002**

OTN: H 656034-1

COMMONWEALTH OF PENNSYLVANIA

VR.

DEFENDANT:

NAME and ADDRESS

Michael D. Hershey

☐ Defendant's Municipality ☐ County ☐ Precinct ☐ Township ☐ Borough ☐ City ☐ Other	☐ Defendant's O.C.S. ☐ State ☐ County ☐ Precinct ☐ Township ☐ Borough ☐ City ☐ Other	☐ Defendant's Social Security Number ☐ State ☐ County ☐ Precinct ☐ Township ☐ Borough ☐ City ☐ Other	☐ Defendant's Driver's License Number ☐ State ☐ County ☐ Precinct ☐ Township ☐ Borough ☐ City ☐ Other
☐ Defendant's Vehicle Registration ☐ State ☐ County ☐ Precinct ☐ Township ☐ Borough ☐ City ☐ Other	☐ Defendant's Vehicle Registration ☐ State ☐ County ☐ Precinct ☐ Township ☐ Borough ☐ City ☐ Other	☐ Defendant's Vehicle Registration ☐ State ☐ County ☐ Precinct ☐ Township ☐ Borough ☐ City ☐ Other	☐ Defendant's Vehicle Registration ☐ State ☐ County ☐ Precinct ☐ Township ☐ Borough ☐ City ☐ Other

Office of the Attorney for the Commonwealth: ☐ Approved ☐ Disapproved because:
The attorney for the Commonwealth may require that the complaint, arrest warrant, affidavit, or both be approved by the attorney for the Commonwealth
before it is filed. (Pa.C.S. § 15.01)

Signature of Attorney for the Commonwealth: William Polizzotto Jr. Date: 10/07/02
Signature of Defendant: Michael D. Hershey Date: 10/07/02
Signature of Police Officer: PR0570000 Date: 10/07/02
Signature of District Attorney: PR0570000 Date: 10/07/02

1. ☐ I accuse the above named defendant, who lives at the address set forth above
☐ I accuse an defendant whose name is unknown to me but who is described as
☐ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have
therefore designated as John Doe
with violating the penal laws of the Commonwealth of Pennsylvania at Eastland SR 30 between
Pa. Zion Rd. and the Holler Two, line within Springettsburg
in York County on or about 28 JUL 02 at 0046 HRS
Participants were: (if there were participants, place their names here, repeating the name of the above defendant)
Michael D. Hershey

2. The acts committed by the accused were:
IN THAT on or about said date, Michael D. Hershey did unlawfully drive, operate
and/or was in actual physical control of movement of a motor vehicle: Van 1998
Toyota Camry sedan bearing PA Registration No. HS7730H upon a highway or roadway,
(1) while under the influence of alcohol to a degree which rendered him incapable
of safe driving,
(2) while the amount of alcohol by weight in his blood was
(3) if he was 21 years of age or older, 0.10% or greater;

Bureau of Professional and Occupational Affairs
**STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS
 AND SALESPERSONS**
 PO BOX 2649 HARRISBURG, PA 17105-2649
 717-783-1697; 717-787-0250 (Fax)
 www.dos.state.pa.us/vehicle

SALESPERSON CHANGE OF EMPLOYER/REACTIVATING LICENSE APPLICATION
FOLLOW ATTACHED INSTRUCTIONS AND SUBMIT REQUIRED FEES

1. Applicant's name: Hershey Michael D
 (LAST) (FIRST) (MI)
 If you have ever been licensed under a different name, you must attach to this application court documents verifying the name change.
2. Applicant's home address: _____ _____ _____
 (STREET) (CITY) (STATE AND ZIP CODE)
3. Applicant's social security number: _____
4. Applicant's date of birth (month/day/year): 6 _____ _____
5. Applicant's home telephone number: _____
6. Applicant's license (certificate, not driver's license) number: *MV- 179248 11/30/07

FOR THE REQUIRED INFORMATION BELOW, PLEASE PROVIDE THE EMPLOYING DEALER'S NAME, LICENSE NUMBER AND MAIN OFFICE ADDRESS EXACTLY AS IT APPEARS ON THE DEALER'S LICENSE.

7. Employing dealership's name as it appears on VD license: VD F INC dba Lancaster PreOwned
8. Employing dealership's primary location address: 1143 Manheim Pike Lanc PA 17601
 (STREET) (CITY) (STATE AND ZIP CODE)
9. Employing dealership's telephone number: 717-394-4242
10. Employing dealership's license number (write "PENDING" if dealership is submitting an initial application for the business):
 *VD- 016787-L

Be sure you list VD #, not DIN #

*Recent revisions to Section 5(C) of the Board of Vehicles Act allows a vehicle salesperson, who is employed by a dealer who holds a dealer license at more than one facility (branch location), to sell for such a dealer at each such facility provided each facility has the same owners. Therefore, all salesperson licenses will be issued to the primary location (VD license address).

11. Employment start date as a salesperson at this dealer (month/day/year): 06/15/2010
12. Are you returning your current license? YES NO Current License Expired
 If YES, attach original license to this application, keeping a copy for your records. If NO, explain why not.
13. a. Have you ever been convicted, pleaded guilty or entered a plea of *nota contendere*, or received probation without verdict, accelerated rehabilitative disposition (ARD) or received any other disposition (excluding acquittal or dismissal) of any criminal charges, felony or misdemeanor, including any DUI/DWI, drug law violations, or are there any criminal charges pending and unresolved against you in any state or jurisdiction?
✓ YES NO If YES, please refer to #2 on the instructions and submit all required documentation.

b. Have you ever had disciplinary action taken against a license, certificate or registration issued to you in any profession in any other state or jurisdiction?

YES ☒ NO *IF YES, please attach relevant legal documentation.*

c. Have you ever withdrawn an application for a license, certificate or registration, had an application denied or refused, or for disciplinary reasons agreed not to reapply for a license, certificate or registration in any profession in any other state or jurisdiction?

YES ☒ NO *IF YES, please attach relevant legal documentation.*

14. A check or money order for the amount below made payable to the Commonwealth of Pennsylvania

\$25.00 for Change of Employer application **IF YOUR LICENSE IS CURRENT.**

\$115.00 for Change of Employer application **IF YOU DO NOT HAVE A CURRENT LICENSE** - plus applicable late renewal fees.

NOTE: The required fees are fees for the processing of the application and are not refundable. These fees are required regardless of issuance of a license. A processing fee of \$20.00 will be charged for any check returned unpaid by your bank regardless of the reason for non-payment.

15. **IF YOU DO NOT HAVE A CURRENT LICENSE**, submit a check or money order in the correct amount shown in Section #1 or Section #2 below, made payable to "Commonwealth of PA". To avoid any additional late renewal fees, return this form and your check or money order immediately. ***If you have been practicing as a vehicle salesperson in Pennsylvania on an expired or inactive license, you may be subject to possible disciplinary action as well as being assessed additional late renewal fees.*
YOU MUST CHECK THE BOX IN SECTION #1 OR SECTION #2 BELOW OR THIS APPLICATION WILL BE RETURNED TO YOU UNPROCESSED.

Section #1	Section #2
If you have practiced as a vehicle salesperson in Pennsylvania at any time since the expiration/inactive date of your license, you are subject to late renewal fees (\$5.00 per month) in addition to all required biennial renewal fees. A fee of \$115.00 plus late renewal fees of \$5.00 per month are required if you have practiced as a vehicle salesperson in Pennsylvania since the expiration/inactive date of your license.	If you did not practice as a vehicle salesperson in Pennsylvania since the expiration/inactive date of your license, submit the total fee of \$115.00. To verify that you have been inactive in Pennsylvania since the expiration date of your license, you must complete this section of this application. NOTE: If you have practiced at any time during this period, you may be subject to late renewal fees.
YES, I PRACTICED AFTER MY LICENSE EXPIRED/INACTIVE AND I WISH TO REACTIVATE MY LICENSE AT THIS TIME BY PAYING THE BIENNIAL RENEWAL FEE PLUS APPLICABLE LATE FEES. ☐	NO, I DID NOT PRACTICE AT ANY TIME AFTER MY LICENSE EXPIRED/INACTIVE AND I WISH TO REACTIVATE MY LICENSE AT THIS TIME BY PAYING THE BIENNIAL RENEWAL FEE OF \$115.00. ☒

NOTE: The required fees are fees for the processing of the application and are not refundable. These fees are required regardless of issuance of a license. A processing fee of \$20.00 will be charged for any check returned unpaid by your bank regardless of the reason for non-payment.

16. **EMPLOYER'S CERTIFICATION**

I do hereby request that a license be granted to Michael D Hershey to operate at this facility. I believe the applicant to be honest, trustworthy, truthful and of good repute.

Employer's Signature
(original signature required, rubber stamp not acceptable)

Date

6-15-10

17. APPLICANT'S CERTIFICATION

I hereby certify that I have read the Board of Vehicles Act, Act of December 22, 1983, P.L. 306, No. 84, as amended, 63 P.S. §§818.1 - 818.37, and the Board's regulations, 49 Pa. Code §§19.1 - 19.38, and that I will abide by the Act and the regulations while practicing in the Commonwealth of Pennsylvania.

I certify that all information supplied on this application is true and correct to the best of my knowledge and belief. Further, I understand that any false statements made are subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to authorities and may result in the suspension or revocation of the license.

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 Pa.C.S. Section 4911.

Applicant's Signature
(original signature required)

6/15/10

Date

Note that disclosing your social security number on this application is mandatory in order for the State Board of Vehicle Manufacturers, Dealers and Salespersons to comply with the requirements of the federal Social Security Act pertaining to child support enforcement, as implemented in the Commonwealth of Pennsylvania at 23 Pa. C.S. § 4304.1(a). In order to enforce domestic child support orders, the Commonwealth's licensing boards must provide to the Department of Public Welfare information prescribed by DPW about the licensee, including the social security number.

YOU MAY NOT ACT AS A VEHICLE SALESPERSON UNTIL LICENSED BY THE BOARD.

(Be sure to keep a copy of this checklist and a copy of your completed application for your records.)

IF THE APPLICATION IS INCOMPLETE, IT WILL NOT BE PROCESSED.

FREQUENTLY CHECK THE BOARD'S WEBSITE AT www.dos.state.pa.us/vehicle FOR UPDATED INFORMATION

TO CHECK THE STATUS OF A LICENSE GO TO www.licensepa.state.pa.us

PENNSYLVANIA STATE POLICE

1800 Elmerton Avenue
Harrisburg, Pennsylvania 17110

Control # R6927017

REQUEST FOR CRIMINAL RECORD CHECK

MICHAEL HERSHEY

TELEPHONE

TO WHOM IT MAY CONCERN:

THE PENNSYLVANIA STATE POLICE DOES HEREBY CERTIFY THAT:

Name: Hershey, Michael Donald

Social Security #: 1

Date of Birth: 0

Sex:

Race:

Date of Request: 6/30/2010 1:30:00PM

Purpose of Request: Insurance License

Maiden Name and/or Alias (1)

(2)

(3)

(4)

***** HAS A CRIMINAL RECORD IN PENNSYLVANIA BASED ON A CHECK OF THE ABOVE IDENTIFIERS - CRIMINAL RECORD FOR SID NO: 265-08-27-4 ATTACHED *****

THE INFORMATION DISSEMINATED BY THE CENTRAL REPOSITORY IS BASED SOLELY ON THE FOLLOWING IDENTIFIERS THAT MATCH THOSE FURNISHED BY THE REQUESTER:

☒ NAME ☒ SOCIAL SECURITY NUMBER ☐ MAIDEN / ALIAS NAME
☒ DATE OF BIRTH ☒ RACE ☒ SEX

THE RESPONSE IS BASED ON A COMPARISON OF DATA PROVIDED BY THE REQUESTER AGAINST INFORMATION CONTAINED IN THE FILES OF THE PENNSYLVANIA STATE POLICE CENTRAL REPOSITORY ONLY. PLEASE CONFIRM IDENTIFIERS PROVIDED. POSITIVE IDENTIFICATION CANNOT BE MADE WITHOUT FINGERPRINTS. THE PENNSYLVANIA STATE POLICE RESPONSE DOES NOT PRECLUDE THE EXISTENCE OF CRIMINAL RECORDS, WHICH MIGHT BE CONTAINED IN THE REPOSITORIES OF OTHER LOCAL, STATE, OR FEDERAL CRIMINAL JUSTICE AGENCIES.

☐ COMPARISON MADE WITH FINGERPRINTS

ADDITIONAL INFORMATION MAY BE AVAILABLE FROM QUERIES OF OTHER STATE AND FEDERAL DATABASES.

☐ SEE WEBSITE: <http://www.casnet.org/program-management/volunteer-manage/criminal-bkg-check.htm>

☐ PENNSYLVANIA'S MEGAN'S LAW WEB SITE AT: <http://www.pameganslaw.state.pa.us>

QUESTIONS CONCERNING THIS CRIMINAL RECORD CHECK SHOULD BE DIRECTED TO THE PATCH HELP LINE TOLL FREE AT 1-888-QUERY-PA (1-888-783-7972) OR 717-425-5546 LOCALLY.

CERTIFIED BY:

Kevin J. Deskiawicz

Lieutenant Kevin J. Deskiawicz
DIRECTOR, CRIMINAL RECORDS AND IDENTIFICATION DIVISION
PENNSYLVANIA STATE POLICE

DISSEMINATED BY: 043858

07/20/2010

SP4-137B
COMPILED: 2010/07/21

PAGE: 1 of 2

PENNSYLVANIA STATE POLICE
CENTRAL REPOSITORY
1800 ELMERTON AVENUE
HARRISBURG, PENNSYLVANIA 17110
(717) 787-9092

USE OF THE FOLLOWING CRIMINAL HISTORY RECORD *** SID 265-08-27-4 ***
REGULATED BY ACT 47, AS AMENDED.

IDENTIFICATION

NAME: HERSHEY, MICHAEL DONALD
SID: 265-08-27-4
DOB: DOB: XXX-XX-
SEX: RAC: HAI: 1
HGT: WGT: EYE:
POB: US CITIZEN:
COUNTRY OF CITIZENSHIP:

CRIMINAL HISTORY

NAME: HERSHEY, MICHAEL DONALD OTN: H574270-4
ARRESTED: 2002/05/25 PA0362300 EAST HEMPFIELD TWP PD OCA: 9694
DISPO DATE: 2002/12/17 COMMON PLEAS DOCKET: 3125CR2002

OFFENSE DATE	CHARGE	COUNT	GRADE	DISP CHG	DISPOSITION
2002/05/25	VC3731 DRIVING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE	1	M2		PLEAD GUILTY/ COUNTY PROBATION/ 11 MOS - 01 MOS

NAME: HERSHEY, MICHAEL DONALD OTN: H574271-5
ARRESTED: 2002/05/25 PA0362300 EAST HEMPFIELD TWP PD OCA: 9695
DISPO DATE: 2002/12/12 COMMON PLEAS DOCKET: 3124CR2002

OFFENSE DATE	CHARGE	COUNT	GRADE	DISP CHG	DISPOSITION
2002/05/25	CC2709A HARASSMENT	1	B		PLEAD GUILTY

NAME: HERSHEY, MICHAEL D OTN: H656034-1
ARRESTED: 2002/07/30 PA0670400 SPRINGETTSBURY TWP PD OCA: 0903M0010
DISPO DATE: 2002/12/11
DISTRICT JUSTICE: 19201

OFFENSE DATE	CHARGE	COUNT	GRADE	DISP CHG	DISPOSITION
2002/07/28	VC3731A4 DRIVING UNDER INFLUENCE OF ALCOHOL OR CONTRL SUBSTANCE	1	M2		PLEAD GUILTY/ COUNTY PRISON/ 02 DYS - 11 MOS 29 DYS/ FINES AND COSTS

'SP4-137B

CRIMINAL HISTORY RECORD - CONTINUATION FOR *** 265-08-27-4 ***
COMPILED: 2010/07/21

PAGE: 2 of 2

PROBATION/PAROLE INFORMATION

AGENCY	OCA	START DATE	END DATE	PAR/PRO	LIFE CODE
PA036013G LANCASTER COUNTY PROBATION	VC3731A1	2002/12/17	2004/11/01	PROBATION	
APPLIES TO OTN: H574270-4					

ADDITIONAL IDENTIFIERS

AKAs:
DOBs:
SOCs:
MNU:

F=FELONY, M=MISDEMEANOR, S-SUMMARY AND THE NUMERIC-DEGREE
ARREST(S) SUPPORTED BY FINGERPRINT CARD(S) ON FILE

RESPONSE BASED ON COMPARISON OF REQUESTER FURNISHED INFORMATION AND/OR
FINGERPRINTS AGAINST A NAME INDEX AND/OR FINGERPRINTS CONTAINED IN THE FILES OF
THE PENNSYLVANIA STATE POLICE CENTRAL REPOSITORY ONLY, AND DOES NOT PRECLUDE
THE EXISTENCE OF OTHER CRIMINAL RECORDS WHICH MAY BE CONTAINED IN THE
REPOSITORIES OF OTHER LOCAL, STATE, OR FEDERAL CRIMINAL JUSTICE AGENCIES.

***** END OF RAP SHEET *****



York County Judicial Center
45 North George Street
York, PA 17401-1240
www.york-county.org
drosheh@york-county.org

DON O'SHELL



CLERK OF COURTS
YORK COUNTY - PA

(717) 771-9612
Telephone

(717) 771-8096
Fax

Jennifer Reider
Chief Deputy
J.Reider@york-county.org

Anne E. Zerba, Esq.
Solicitor

July 30, 2010

To: Whom It May Concern

Re: Michael Hershey, DOB:
4468 CR 2002

() Enclosed is a certified copy of Docket of Criminal Records.

(X) Enclosed are certified copies of the documents requested:
Criminal Complaint, Affidavit, and Docket Summary

If you should have any questions, contact Linda at (717) 849-5011 or email at:
lkking@york-county.org.

Sincerely,


70-363

Don O'Shell
Clerk of Courts

DRO/lkk

*This York case
was migrated to
Lancaster. I served
probation in Lancaster
for both DUIs.*

COURT OF COMMON PLEAS OF YORK COUNTY



Docket Number: CP-67-CR-0004468-2002

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Michael D. Hershey

Page 1 of 8

CASE INFORMATION

Judge Assigned: Chronister, John H.

OTN: H6560341

Initial Issuing Authority: Harold D Kessler

Arresting Agency: Springettsbury Twp Police Dept

Case Local Number Type(s)

Legacy Docket Number

Date Filed: 09/04/2002

Initiation Date: 09/04/2002

Lower Court Docket No: CR-0000483-02

Final Issuing Authority: Harold D Kessler

Arresting Officer: Polizzotto, William Jr.

Case Local Number(s)

2002CA4488

STATUS INFORMATION

Case Status: Closed

Status Date

09/04/2002

Processing Status

Migrated Case

Complaint Date: 07/31/2002

DEFENDANT INFORMATION

Date Of Birth:

07/05/1962

City/State/Zip:

CASE PARTICIPANTS

Participant Type

Defendant

Name

Hershey, Michael D.

BAIL INFORMATION

Hershey, Michael D.

Nebbia Status: None

Bail Action

Date

Bail Type

Percentage

Amount

Bail Posting Status

Posting Date

Set

01/01/1980 ROR

\$0.00

Posted

08/28/2002

CERTIFIED A TRUE COPY

DON O'SHELL
CLERK OF COURTS

AOPC 9082 - Rev 07/30/2010

Printed: 07/30/2010

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Case ID: J110600885

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET



Docket Number: CP-87-CR-0004468-2002

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

Page 2 of 8

v.

Michael D. Hershey

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Date	QTN
2	2	M2	75 § 3731 §§A1*	Driving Under The Influence Of Alcohol	07/28/2002	H8560341

DISPOSITION/SENTENCING/REMARKS

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

Linked Offense - Sentence

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Link Type

Final Disposition

Section

Credit For Time Served

Start Date

Linked Docket Number

Migrated Disposition

Migrated Dispositional Event

2 / Driving Under The Influence Of Alcohol

Migrated, Judge

Confinement

09/04/2002

Guilty Plea

09/04/2002

Final Disposition

75§3731§§A1*

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-87-CR-0004488-2002

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

Page 3 of 8

v.

Michael D. Hershey

COMMONWEALTH INFORMATION

ATTORNEY INFORMATION

Name:

Name:

Thomas L. Kearney III, Esq.

Private

Supreme Court No:

Supreme Court No: 025671

Rep. Status: Active

Phone Number(s):

(717) 843-9023 (Phone)

(717) 848-3176 (Fax)

Address:

Kearney & Marshall
44 E Philadelphia St
York PA 17401-1122

Representing: Hershey, Michael D.

(717) 843-9023 (Phone)

(717) 848-3176 (Fax)

Address:

44 E Phila Street
York PA 17401

Representing: Hershey, Michael D.

(717) 843-9023 (Phone)

(717) 848-3176 (Fax)

Address:

46 E Philadelphia St
York PA 17401-1122

Representing: Hershey, Michael D.

COURT OF COMMON PLEAS OF YORK COUNTY



Docket Number: CP-67-CR-0004468-2002

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

Page 4 of 8

v.

Michael D. Hershey

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	
1	09/04/2002		
			Migrated Disposition
			Migrated Automatic Registry Entry (Disposition) Text
			Migrated, Filer
2	09/04/2002		
			Original Papers Received from Lower Court
			Unknown Filer
2	09/04/2002		
			Migrated Sentence
			Migrated Sentence
			Migrated, Filer
1	09/09/2002		
			JUDGE ASSIGNED
			JUDGE CHRONISTER
			JUDGE ASSIGNED
			JUDGE CHRONISTER
			Migrated, Filer
1	09/19/2002		
			INFORMATION FILED
			INFORMATION FILED
			Migrated, Filer
1	09/20/2002		
			ARRAIGNED
			COUNSEL ENTERS APPEARANCE
			AT
			ARRAIGNED
			COUNSEL ENTERS APPEARANCE
			ATTORNEY - KEARNEY, THOMAS L III
			PRE-TRIAL CONFERENCE, 12/10/2002 9:00 AM
			BEFORE JUDGE CHRONISTER. JHC
			Migrated, Filer

AOPC 9082 - Rev 07/30/2010

Printed: 07/30/2010

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assumes any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Case ID: 110600885

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET



Docket Number: CP-87-CR-0004468-2002

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Michael D. Hershey

Page 5 of 8

ENTRIES

Sequence Number CP Filed Date Document Date

1 12/05/2002
JUDGE'S SECRETARY SCHEDULES
PLEA 12/11/
JUDGE'S SECRETARY SCHEDULES
PLEA 12/11/02 @9:30AM. JHC.

Migrated, Filer

1 12/11/2002

GUILTY PLEA TO
DUI-1ST OFFENSE. JHC
SE

GUILTY PLEA TO
DUI-1ST OFFENSE. JHC
SENTENCE YORK COUNTY PRISON
48 HOURS TO 1 YEAR MINUS 1 DAY TO BE SERVED IN LANCASTER COUNTY
PRISON. JHC
OUTMATE
MAY APPLY. JHC
PAY FINE \$500.00, PAY ACT 46 \$10.00, PAY COSTS
JHC
PROBATION/PAROLE SUPERVISION TRANSFERRED
TO LANCASTER COUNTY. JHC
REPORT YORK COUNTY PRISON RE:
REPORT TO LANCASTER COUNTY PRISON ON 12/17/2002 TO SERVE LANCASTER
COUNTY SENTENCE AND THIS SENTENCE. JHC
DRIVERS LICENSE RECEIVED
JHC
CERTIFIED TO PENN DOT

Migrated, Filer

1 12/13/2002

FAXED RE:
ORDER OF 12/11/02 TO LANCASTE
FAXED RE:
ORDER OF 12/11/02 TO LANCASTER CO.

Migrated, Filer

AOPC 9082 - Rev 07/30/2010

Printed: 07/30/2010

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Case ID: 110600885

COURT OF COMMON PLEAS OF YORK COUNTY



Docket Number: CP-67-CR-0004468-2002

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Michael D. Hershey

Page 6 of 8

ENTRIES

Sequence Number	CP Filed Date	Document Date
-----------------	---------------	---------------

1	12/18/2002	
---	------------	--

PAID IN FULL

122-AUTOMATION FEE

PAID IN FULL

122-AUTOMATION FEE

5.00

Migrated, Filer

1	12/23/2002	
---	------------	--

SERVICE OF ORDER TO DEFENSE ATTORNEY
OR

SERVICE OF ORDER TO DEFENSE ATTORNEY
ORDER OF 12/11/02 TO ATT. T. L. KEARNEY.

Migrated, Filer

1	01/10/2003	
---	------------	--

CERTIFICATION TO PENN DOT COMPLETED

CERTIFICATION TO PENN DOT COMPLETED

Migrated, Filer

1	03/26/2003	
---	------------	--

PAID IN FULL

101-COUNTY COSTS

PAID IN FULL

101-COUNTY COSTS

164.90

PAID IN FULL

202-204 COSTS/MV

8.94

PAID IN FULL

241-167 COSTS/MV

7.66

Migrated, Filer

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-87-CR-0004468-2002

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Michael D. Hershey

Page 7 of 8

ENTRIES

Sequence Number CP Filed Date Document Date

1 04/25/2003
PAID IN FULL
103-CO.DUI - FINE 1/2
PAID IN FULL
103-CO.DUI - FINE 1/2 PRISON 125.00
PAID IN FULL
104-CO.DUI FINE - 1/2 D/A 125.00
PAID IN FULL
210-EMS FINE (ACT 45) 10.00
PAID IN FULL
221-CAT FUND (ACT 24) 50.00
PAID IN FULL
232-CVC COSTS/MV (139) 15.00
PAID IN FULL
233-VWS COSTS/MV (96) 25.00
PAID IN FULL
244-FIREARMS ACT/MV (158) 5.00
PAID IN FULL
328-SPRINGETTSBURY TWP 250.00

Migrated, Filer

1 07/30/2010
Records check info given to defendant
Certified copy of Criminal Complaint, Affidavit, and Docket Summary given to defendant
O'Shell, Don R.

COURT OF COMMON PLEAS OF YORK COUNTY



Docket Number: CP-67-CR-0004468-2002

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

Page 6 of 8

v.

Michael D. Hershey

CASE FINANCIAL INFORMATION

Last Payment Date:

Total of Last Payment: \$0.00

Hershey, Michael D.
Defendant

	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Costs/Fees					
Catastrophic Loss Fund (Act 24 of 1989)	\$50.00	\$0.00	-\$50.00	\$0.00	\$0.00
Automation Fee (York)	\$5.00	\$0.00	-\$5.00	\$0.00	\$0.00
CRIM Court Cost - 101 (York)	\$184.90	\$0.00	-\$184.90	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$8.94	\$0.00	-\$8.94	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	-\$25.00	\$0.00	\$0.00
Firearm Education and Training Fund (158 of 1994)	\$5.00	\$0.00	-\$5.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 16 of 1992)	\$7.66	\$0.00	-\$7.66	\$0.00	\$0.00
Crime Victims Compensation (Act 96 of 1984)	\$15.00	\$0.00	-\$15.00	\$0.00	\$0.00
Emergency Medical Services (Act 46 of 1985)	\$10.00	\$0.00	-\$10.00	\$0.00	\$0.00
Costs/Fees Totals:	\$291.50	\$0.00	-\$291.50	\$0.00	\$0.00
Fines					
Local Fine (York)	\$250.00	\$0.00	-\$250.00	\$0.00	\$0.00
Title 75, DUI (Motor License Fund)	\$125.00	\$0.00	-\$125.00	\$0.00	\$0.00
Title 75, DUI (Motor License Fund)	\$125.00	\$0.00	-\$125.00	\$0.00	\$0.00
Fines Totals:	\$500.00	\$0.00	-\$500.00	\$0.00	\$0.00
Grand Totals:	\$791.50	\$0.00	-\$791.50	\$0.00	\$0.00

** - Indicates assessment is subrogated

AOPG 9082 - Rev 07/30/2010

Printed: 07/30/2010

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Case ID: 110600885

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: York



POLICE
CRIMINAL COMPLAINT

Magisterial District Number: 19-2-01
District Justice Name: Hon. Harold D Kessler
Address: 110 Pleasant Acres Rd.
York, PA 17402
Telephone: (717) 840-7233

COMMONWEALTH OF PENNSYLVANIA
VS.

DEFENDANT:
NAME and ADDRESS
Michael D. Hershey

Docket No.: CR-0000483-02-201
Date Filed: JUL 31 2002
OTN: H 656034-1

Defendant's Race/Ethnicity ☒ White ☐ Asian ☐ Black ☐ Hispanic ☐ Native American ☐ Unknown	Defendant's Sex ☐ Female ☒ Male	Defendant's D.O.B. 0	Defendant's Social Security Number	Defendant's SID
Defendant's A.K.A. (also known as)	Defendant's Vehicle Information: Plate Number H57734H		State PA	Registration Sticker (MM/YY) 09/02
Complaint/Incident Number	LiveScan Tracking Number	Complaint/Incident Numbers if other Participants		Defendant's Driver's License Number PA, 19-670-925
LCS/NIBRS Code				

Office of the Attorney for the Commonwealth ☐ Approved ☐ Disapproved because:
(The Attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. Pa.R.Cr.P. 507.)

Name of Attorney for Commonwealth - Please Print or Type: _____ (Signature of Attorney for Commonwealth) _____ (Date)
1. Officer William Polizzotto Jr. 10
(Name of Affiant - Please Print or Type) (Officer Badge Number/I.D.)
of Springettsbury Township Police Dept PA0670400
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number) (Originating Agency Case Number (OCA))
do hereby state: (check the appropriate box)

1. I accuse the above named defendant, who lives at the address set forth above
I accuse an defendant whose name is unknown to me but who is described as _____
I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have
therefore designated as John Doe
with violating the penal laws of the Commonwealth of Pennsylvania at Eastbound SR 30 between
Mt. Zion Rd. and the Hellam Twp. Line within Springettsbury Twp. (Police Subdivision)
in York County on or about 28 Jul 02 at 0046 Hours
Participants were: (If there were participants, place their names here, repeating the name of the above defendant)
Michael D. Hershey

2. The acts committed by the accused were:

IN THAT, on or about said date, Michael D. Hershey did unlawfully drive, operate and/or was in actual physical control of movement of a motor vehicle: Tan 1998 Toyota Camry sedan bearing PA Registration No. H57734H upon a highway or roadway,
(1) While under the influence of alcohol to a degree which rendered him incapable of safe driving,
(4) While the amount of alcohol by weight in his blood was
(i) if he was 21 years of age or older, 0.10% or greater:

To wit: 0.207%

Defendant Name: Michael D. Hershey

Docket Number: CR-000483-02-201
OTN H 656034-1



POLICE
CRIMINAL COMPLAINT

COUNTY: COC 880884581 12:29 83862688

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

1. 3731	(a) (1) (4) 1	of the PA Vehicle Code	1
(Section)	(Subsection)	(PA Statute)	(counts)
2. _____	_____	of the _____	(counts)
(Section)	(Subsection)	(PA Statute)	(counts)
3. _____	_____	of the _____	(counts)
(Section)	(Subsection)	(PA Statute)	(counts)
4. _____	_____	of the _____	(counts)
(Section)	(Subsection)	(PA Statute)	(counts)

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

JULY 31, 2002

[Signature] #10
(Signature of Affiant)

AND NOW, on this date JULY 31, 2002, I certify the complaint has been properly completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

19-2-01
(Magisterial District)

AOPC 412-(4/968)(reproduction)

2-3

[Signature]
(Issuing Authority)

SEAL

Defendant Name: Michael D. Hershey
Docket Number: CR-0000483-02-201
OTN H 656034-1



POLICE
CRIMINAL COMPLAINT

AFFIDAVIT of PROBABLE CAUSE

County/Inc. No.

On 28 Jul 02 at 0046 hours while on patrol in the area of eastbound SR 30 near Mt. Zion Rd. I observed a vehicle driving erratically. I observed the vehicle traveling east in the right eastbound lane of travel swerving several times outside its lane of travel. The vehicle crossed both the center dividing line as well as the right fog line. I activated my emergency lights and sirens and followed behind the vehicle for approximately 1/2 mile before the vehicle pulled to the side of the roadway. When I approached the vehicle I requested the drivers license, registration and insurance information. The driver began to search through several old check books, the glove compartment and his wallet but failed to give me any of the information I requested. I then asked again for his drivers license and the driver then located his drivers license in his wallet. The driver was later identified as Michael D. Hershey. I asked the driver if he knew why I stopped him and he stated that he did not know why. I then detected a strong odor of an alcoholic beverage from his expired breath. Hershey's eyes were bloodshot and he had a flushed face. I then requested Hershey to submit to some standard field sobriety test and he agreed to do so. I instructed him to do the walk and turn and the one leg stand, both of which he failed. I placed Hershey under arrest for DUI and transported him to Memorial Hospital for a BAC test. Upon arrival to the hospital I advised Hershey of the O'Connell Warnings at 0128 hours and he consented to the test. The BAC test was taken at 0132 hours. Hershey was then transported back to STPD where he was later released.

On 29 Jul 02 I received the results of the BAC test. The test indicated a BAC of 0.207%. This officer requests a summons be sent to the above named defendant for violation of PAVC 3731(a) (1) (4) (i).

Don O'Hara
70-363

I, Officer William Polizzotto Jr., BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

William Polizzotto Jr.
#10.
(Signature of Affiant)

Sworn to me and subscribed before me this 31st day of JULY, 2002.

(07/31/02) Date Harold D. Jansen District Justice

My commission expires first Monday of January, 2004.

SEAL

COURT OF COMMON PLEAS OF LANCASTER COUNTY
ADULT PROBATION AND PAROLE SERVICES

Mark A. Wilson
Director



717-299-8016
Telephone

40 East King Street
PO Box 83480
Lancaster, Pennsylvania 17608-3480

July 29, 2010

Re: #3125 or 2002

Mr. Michael D. Hershey,

Please allow this letter to serve as verification that Mr. Hershey has successfully completed and satisfied Court-ordered probation requirements for docket 3125 or 2002 effective 11/1/2004.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. M. Pyne".

Mr. Dana M. Pyne
Probation Officer, Sr.

The York case
was combined.
with this case
and I served
probation in Lancaster.

SENTENCING ORDER

Page 1 of 2

Dkt. No. 3125-2002 OTN H574270-4 Date 1/17/02
 Defendant MICHAEL D. HERSHEY Judge ALLISON
 Offenses DUI 1st (1st) Limit Driv. Left Side A. DUI
 G.P. Y St. Y Plea Agree. Y Mod. Y Def. Ally. Person
 Nolo N/Pros ARD Y Sentencing Y Reporter SAKRA
 Re-sent Sum. Appeal Other Clerk

COUNT: OFFENSE DUI 1st (1st) Limit Driv. Left Side Not Pros Y Merges with Y
 Committed: Yr mo days hrs TO Yr mo days
☐ Mandatory Probation/ARD Yr mo days SERVE AT LCP SCI
 Sentence Intermediate Punishment Program Y "see additional sheet" DUI Y "see additional sheet"
☐ Split FINE 400 & Costs CONC (cc) Y
 Sentence RESTITUTION Y CONS (cs) Y

COUNT: OFFENSE Limit Driv. Left Side Not Pros Y Merges with Y
 Committed: Yr mo days hrs TO Yr mo days
☐ Mandatory Probation/ARD Yr mo days SERVE AT LCP SCI
 Sentence Intermediate Punishment Program Y "see additional sheet" DUI Y "see additional sheet"
☐ Split FINE 25 & Costs CONC (cc) Y
 Sentence RESTITUTION Y CONS (cs) Y

COUNT: OFFENSE Yr mo days hrs TO Yr mo days
☐ Mandatory Probation/ARD Yr mo days SERVE AT LCP SCI
 Sentence Intermediate Punishment Program Y "see additional sheet" DUI Y "see additional sheet"
☐ Split FINE Y & Costs CONC (cc) Y
 Sentence RESTITUTION Y CONS (cs) Y

COUNT: OFFENSE Yr mo days hrs TO Yr mo days
☐ Mandatory Probation/ARD Yr mo days SERVE AT LCP SCI
 Sentence Intermediate Punishment Program Y "see additional sheet" DUI Y "see additional sheet"
☐ Split FINE Y & Costs CONC (cc) Y
 Sentence RESTITUTION Y CONS (cs) Y

COUNT: OFFENSE Yr mo days hrs TO Yr mo days
☐ Mandatory Probation/ARD Yr mo days SERVE AT LCP SCI
 Sentence Intermediate Punishment Program Y "see additional sheet" DUI Y "see additional sheet"
☐ Split FINE Y & Costs CONC (cc) Y
 Sentence RESTITUTION Y CONS (cs) Y

Certified From The Record
 Noted 2/9/02 by SAKRA dated July 20 10
 Clerk of Common Pleas Court

Prepared by: W. Rivera Clerk
Paul L. Allison J.

Page 2 of 4

Date 12/17/02

Allison

Other Conditions: _____

BY THE COURT:

Clerk

•

1522

SENTENCING ORDER

Page 1 of 2

Okl. No. 3124-2002 OTN 4574271-5
Defendant Michael D. Hershey
Offenses S.A. #2, Harb. S.
G.P. Y St. Plea Agree. X Mod.
Nolo N/Pros. ARD Sentencing
Re-sent Sum. Appeal Other

Date 12/17/02
Judge Allison
D.A. 340
Def. Any. Patterson
Reporter Baksa
Clerk Rivera

COUNT: OFFENSE S.A. #2 (3rd) Not Pros X Merges with
Committed: yr mo days hrs TO yr mo days
☐ Mandatory Probation/ARD yr mo days SERVE AT LCP SCI
Sentence Intermediate Punishment Program **see additional sheet DUI ** see additional sheet
☐ Split FINE & Costs CONC (cc)
Sentence RESTITUTION CONS (cs)

COUNT: OFFENSE Harb. S. Not Pros Merges with
Committed: yr mo days hrs TO yr mo days
☐ Mandatory Probation/ARD yr mo days SERVE AT LCP SCI
Sentence Intermediate Punishment Program **see additional sheet DUI ** see additional sheet
☐ Split FINE 1000 & Costs CONC (cc)
Sentence RESTITUTION CONS (cs)

COUNT: OFFENSE Not Pros Merges with
Committed: yr mo days hrs TO yr mo days
☐ Mandatory Probation/ARD yr mo days SERVE AT LCP SCI
Sentence Intermediate Punishment Program **see additional sheet DUI ** see additional sheet
☐ Split FINE & Costs CONC (cc)
Sentence RESTITUTION CONS (cs)

COUNT: OFFENSE Not Pros Merges with
Committed: yr mo days hrs TO yr mo days
☐ Mandatory Probation/ARD yr mo days SERVE AT LCP SCI
Sentence Intermediate Punishment Program **see additional sheet DUI ** see additional sheet
☐ Split FINE & Costs CONC (cc)
Sentence RESTITUTION CONS (cs)

COUNT: OFFENSE Not Pros Merges with
Committed: yr mo days hrs TO yr mo days
☐ Mandatory Probation/ARD yr mo days SERVE AT LCP SCI
Sentence Intermediate Punishment Program **see additional sheet DUI ** see additional sheet
☐ Split FINE & Costs CONC (cc)
Sentence RESTITUTION CONS (cs)

Prepared by:

W. Rivera
ClerkPaul K. Allison
12/17/02 J.

SENTENCING CONDITIONS

Page 2 of 2

Dkt. No. 3124-2002 OTN H574271-5 Date 12/17/02
 Defendant Michael D. Hershey Judge Allison

Condition	Condition
GENERAL OPTIONS	Attend retail theft school & pay costs
Advanced Supervision	Eligible for New Values Program
Impaired Driver Program & pay costs	Eval. for Anger Manag. Class./Attend if deemed nec.
Act 122-Treatment Imposed	Eval. for Batterers Intervention/Attend if deemed nec.
Received license/acknowledgment/update on _____	See attached Domestic Violence Conditions
Eligible for Ignition Interlock program & pay costs	No contact with victim(s) &/or victim's(*) family(ies)
Auto papers to be prepared	Appeal dism., Judg. of DJ reinst. under Rule 1117
☒ Drug and Alcohol Eval./Treat. as deemed necessary	Appeal sust., charges dism. under Rule 86F
Evaluation for Special Offender Services	House Arrest with EM _____ days/months
Psychological Eval./Treat. as deemed necessary	
Pay within _____ Yr. _____ Mo. _____ Days	
Restitution must be paid first	
Supervision may terminate after _____ if fines, costs, &/or restitution paid in full.	
Any counseling deemed necessary by prob. office	
Community Service _____ hours	
Supervision transferred to _____	
Credit for time served (Subject to verification)	
Sent. deferred to: Date _____ Time _____	
Work release approved _____	
Parole w/o pet. subj. to beh. _____	
Eligible for Parole (must petition)	
Eligible for Boot Camp	
	SEX OFFENDER PROGRAM OPTIONS
	No contact with _____
	Victim's family/other _____
	See attached Sex Offender Conditions
	Other Conditions (see below)

Notes: _____

Other Conditions: _____

BY THE COURT:

Prepared by: W. D. M. J. J.
 Clerk

Paul K. Allison
 JSPW

SENTENCING ORDER

Page 1 of 1

Dkt. No. 4533-1998 OTN F-116797-2 Date 3-23-99
Defendant MICHAEL DONALD HERSHEY Judge STENSEL
Offenses [REDACTED] C.D., Follow too closely D.A. MADONSPACHER
G.P. [REDACTED] St. [REDACTED] Plea Agree. [REDACTED] Mod. [REDACTED] Def. Atty. Breit
Nolo [REDACTED] N/Pros. [REDACTED] Sentencing [REDACTED] Reporter Snyder
Re-sent [REDACTED] Sum. Appeal [REDACTED] Other [REDACTED] Clerk Santos

COUNT: OFFENSE [REDACTED] Not Pros [REDACTED] Merges with [REDACTED]
Committed: [REDACTED] yr [REDACTED] mo [REDACTED] days [REDACTED] hrs TO [REDACTED] yr [REDACTED] mo [REDACTED] days
☐ Mandatory Sentence [REDACTED] no [REDACTED] days SERVE AT LCP [REDACTED] SCI [REDACTED]
Intermediate Punishment Program [REDACTED] **see additional sheet
☐ Split Sentence [REDACTED] CONC (cc) [REDACTED]
RESTITUTION [REDACTED] CONS (cs) [REDACTED]

COUNT: OFFENSE C.D.^s Not Pros [REDACTED] Merges with [REDACTED]
Committed: [REDACTED] yr [REDACTED] mo [REDACTED] days [REDACTED] hrs TO [REDACTED] yr [REDACTED] mo [REDACTED] days
☐ Mandatory Sentence Probation/ARD [REDACTED] yr [REDACTED] mo [REDACTED] days SERVE AT LCP [REDACTED] SCI [REDACTED]
Intermediate Punishment Program [REDACTED] **see additional sheet
☐ Split Sentence FINE 25.00 & Costs ✓ CONC (cc) [REDACTED]
RESTITUTION [REDACTED] CONS (cs) [REDACTED]

COUNT: OFFENSE Follow too closely^s Not Pros [REDACTED] Merges with [REDACTED]
Committed: [REDACTED] yr [REDACTED] mo [REDACTED] days [REDACTED] hrs TO [REDACTED] yr [REDACTED] mo [REDACTED] days
☐ Mandatory Sentence Probation/ARD [REDACTED] yr [REDACTED] mo [REDACTED] days SERVE AT LCP [REDACTED] SCI [REDACTED]
Intermediate Punishment Program [REDACTED] **see additional sheet
☐ Split Sentence FINE 25.00 & Costs ✓ CONC (cc) [REDACTED]
RESTITUTION [REDACTED] CONS (cs) [REDACTED]

COUNT: OFFENSE [REDACTED] Not Pros [REDACTED] Merges with [REDACTED]
Committed: [REDACTED] yr [REDACTED] mo [REDACTED] days [REDACTED] hrs TO [REDACTED] yr [REDACTED] mo [REDACTED] days
☐ Mandatory Sentence Probation/ARD [REDACTED] yr [REDACTED] mo [REDACTED] days SERVE AT LCP [REDACTED] SCI [REDACTED]
Intermediate Punishment Program [REDACTED] **see additional sheet
☐ Split Sentence FINE [REDACTED] & Costs [REDACTED] CONC (cc) [REDACTED]
RESTITUTION [REDACTED] CONS (cs) [REDACTED]

[REDACTED]
___ ACT 122 Treatment Imposed
___ Motor Vehicle essentially Involved
___ Drug & Alcohol Eval/Treatment
___ Eval for Spec Offender Svc (Psych. Eval./Treat.)

[REDACTED]
___ Pay within [REDACTED] yr [REDACTED] mo [REDACTED] days
___ Restitution to be paid first

Prepared by: J. Santos
Clerk

___ Credit for time served
(Subject to verification)
___ Sent. Deferred to: Date [REDACTED] Time [REDACTED]
___ Work Release Approved
___ Parole w/o Pet. Subj. to Beh.
___ House Arrest/Elect. Mon.
___ Eligible for BOOT CAMP

BY THE COURT:

Juan F. Angel J.



STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS & SALESPERSONS

P.O. BOX 2649
HARRISBURG, PA 17105-2649
TELEPHONE #: 717-783-1697
FAX #: 717-787-0260
www.dos.state.pa.us/vehicle

JUNE 18, 2010

860
MICHAEL D HERSHEY
LANCASTER PREOWNED
1143 MANHEIM PIKE
LANCASTER PA 17601

RE: MV179248 / REINSTATEMENT

RECEIVED
2010 AUG -4 AM 11:57
REAL ESTATE & LICENSES DIVISION

The State Board of Vehicle Manufacturers, Dealers and Salespersons is in receipt of your application; however, we cannot process your application at this time for the following reason(s):

- ✓ We are returning ckr#73689. We could not do a licensure verification.
- ✓ Please submit a criminal history background check dated within 90 days of the date received in the Vehicle Board office, completed by the State Police in the state where each resides. The record that was submitted stated the record was "under review". The record needs to state "RECORD" or "NO RECORD"

Pennsylvania residents may obtain the background check online at <https://epatch.state.pa.us> or by mail by contacting the Pennsylvania State Police, 1800 Elmerton Avenue, Harrisburg, PA 17110-9758 (717) 783-5593.

Documents exceeding that date must be updated and resubmitted before the application can be processed. Questions about information on a State Police criminal background checker should be directed to the State Police Office that completed the background check.

- ✓ If you have a conviction, please submit the following information for your 1996 conviction, regardless of the time elapsed since the conviction:

- *Certified* copies of convictions documents from the County Court where the conviction occurred;
 - If the court documents do not categorize the offense as a felony or misdemeanor, a letter from the Court explaining the level of the offense;
- A letter from the Probation Officer, dated within 90 days of receipt in the Board office, detailing the current probationary status and/or completion date (if applicable);
 - The document you submitted from the probation office is not acceptable. The board administrator would not accept it. You need a letter that is signed/dated.

*A conviction includes a finding or verdict of guilt, an admission of guilt, a plea or *nolo contendere* or receiving probation without verdict, disposition in lieu of trial, or an Accelerated Rehabilitation Disposition.

Documents exceeding that date must be updated and resubmitted before the application can be processed. Note also that original signatures are required on the application and supporting documentation. Stamps will not be accepted.

IF THE APPLICATION IS INCOMPLETE, IT WILL NOT BE PROCESSED. TO CHECK THE STATUS OF A LICENSE, GO TO:
WWW.LICENSEPA.STATE.PA.US