

Docket Number: 3396

CARLOS R. LEFFLER

PRO SE

Douglas H. Swart, Director of Finance

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~Andrew S. Gordon, Chief Counsel~~
~~Audrey F. Miner, Assistant Counsel~~

May 31, 2001

Claim and filing fee filed by Plaintiff. Amount of Claim:
\$15,440.69.

June 4, 2001

Copy of Claim forwarded to attorney for Defendant and Chief Deputy
Attorney General. ANSWER DUE FROM DEFENDANT **July 5, 2001]**

June 6, 2001

Acceptance of Service of Claim received from Chief Deputy Attorney
General. Receipt of same acknowledged by Chief Deputy Attorney
General June 6, 2001.

July 2, 2001

Letter received from Plaintiff requesting a hearing date.

July 6, 2001

Preliminary Objections of Defendant Department of Transportation
and Brief of Defendant Department of Transportation in Support of
Preliminary Objections filed by attorney for Defendant. Copy
forwarded to Plaintiff by attorney for Defendant.

January 28, 2002

Letter forwarded to parties requesting a status report. DUE
2/28/02.

February 27, 2002

Letter received from attorney for Defendant advising that they are
waiting for Plaintiff to secure counsel in order to proceed with
the case.

April 5, 2002

The Board rendered an Opinion and made the following Order: **AND NOW** this 5th day of April, 2002, it is **ORDERED** and **DECREED** that Carlos R. Leffler, Inc, does not need to be presented by an attorney for purposes of proceeding with this litigation. It is further **ORDERED** that the parties shall prepare for trial in this matter the Board shall rule on Defendant's outstanding pleadings in due course. Copy forwarded to Plaintiff and attorney for Defendant.

April 12, 2002

Acceptance of Service of Opinion and Order dated April 5, 2002 received from Plaintiff. Receipt of same acknowledged by Plaintiff April 11, 2002.

October 22, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 22nd day of October, 2002, upon consideration of the Preliminary Objections filed by the Defendant, Commonwealth of Pennsylvania, Department of Transportation it is **ORDERED** that the Preliminary Objections are **OVERRULED**. The Defendant is ordered to respond to the Plaintiff's Carlos Leffler, Inc., Complaint within thirty (30) days of the exit date of this Order. Copies forwarded to Plaintiff and attorney for Defendant.

October 25, 2002

Acceptance of Service of Opinion and Order dated October 22, 2002, received from Plaintiff. Receipt of same acknowledged by Plaintiff October 24, 2002.

November 21, 2002

Answer and New Matter filed by attorney for Defendant. Copy forwarded to Plaintiff by attorney for Defendant. **Response due from Defendant 12/26/02.**

March 27, 2003

Letter forwarded to parties requesting a status report. **Response due 4-25-03.**

April 24, 2003

Letter received from attorney for Defendant advising that Plaintiff has failed to respond to Defendant's New Matter which was filed on November 21, 2002.

October 31, 2003

Board issued letter to parties requesting a status report. Status Report due on or before November 30, 2003.

December 1, 2003

Defendant filed letter advising that Plaintiff has not responded to Defendant's New Matter. Copy forwarded to Plaintiff.

August 12, 2004

Board issued letter to parties requesting a status report.

September 10, 2004

Defendant filed Proposed Order and Defendant's Motion to Dismiss. Copy forwarded to Plaintiff.

October 4, 2004

Board issued an Opinion. Order as follows: **AND NOW**, this 4th day of October, 2004, a Rule to Show Cause is issued upon Plaintiff, Carlos R. Leffler, Inc., wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to why the Motion to Dismiss should not be granted in the above-captioned matter. In the event the Board does not receive a timely response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked "closed, discontinued and ended with prejudice". Copy forwarded to Plaintiff and Defendant.

February 25, 2005

Board issued an Opinion and Order. Order as follows: **AND NOW**, this 25th day of February, 2005, this Order is issued as a result of the failure of Plaintiff, Carlos R. Leffler, to file with the Board of Claims, within thirty (30) days from October 4, 2004, a response to the Rule to Show Cause advising whether or not Plaintiff wishes to pursue the above-captioned matter. Therefore, it is **DIRECTED** that the Rule of October 4, 2004, be made **ABSOLUTE** and the record be marked "closed discontinued and ended with prejudice." Copy forwarded to all parties of record.
