

Docket Number: 3829

LUKE B. MIHALY AND MATTHEW G. MIHALY

Jeffrey S. Treat, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
BY AND THROUGH ITS ADMINISTRATIVE DEPARTMENT OF DEPARTMENT OF
GENERAL SERVICES, AND PENNSYLVANIA STATE POLICE

March 16, 2006

By Order of Court of Common Pleas of Wayne County, case filed, Order as follows: **AND NOW**, this 16th day of March, 2006, it is hereby **ORDERED** that the Preliminary Objection to jurisdiction is **GRANTED**. It is further **ORDERED** that the Prothonotary of Wayne County shall **TRANSFER** this matter to the Board of Claims pursuant to 42 Pa. C.S.A. 5103(d).

THE FOLLOWING FILED IN COURT OF COMMON PLEAS OF WAYNE COUNTY

November 28, 2005

Caption: Luke B. Mihaly and Matthew G. Mihaly vs. Commonwealth of Pennsylvania, by and through its Administrative Department of General Services, and Pennsylvania State Police.

November 28, 2005

Complaint in Ejectment filed.

December 19, 2005

Sheriffs return of service. Complaint served upon Commonwealth of Pennsylvania by deputized service through Dauphin County on 12-5-05 and upon Pennsylvania State Police by serving Sgt. Relph on 12-1-05.

December 20, 2005

Defendant's Preliminary Objections to Plaintiffs Complaint.

December 20, 2005

Certificate of Service - Defendant's Preliminary Objections.

June 23, 2005

Plaintiff filed Praecipe to Discontinue with Prejudice as to Additional Defendant only.

February 2, 2006

Notice of (Argument on Preliminary Objections set for March 8, 2006 at 10:00 a.m.

February 6, 2006

Administrative Order - this 3rd day of February, 2006, it is the Order of Court this court that a status conference in the above-captioned matter is scheduled for Monday, March 13, 2006, at 10:45 a.m., in the Judge's chambers, fourth floor, Wayne County Courthouse, Honesdale, Pennsylvania. Linus H. Myers, C.A. served 2-6-06.

February 22, 2006

Defendant's Brief in support of Preliminary Objections to Plaintiff's Complaint.

February 22, 2006

Certificate of Service - Defendant's Brief in Support of Preliminary Objections filed by Defendant.

February 23, 2006

Administrative Order - this 23rd day of February, 2006. It is the Order of this Court that the status conference is continued from March 13, 2006 to Friday, March 17, 2006 at 9:45 a.m. Judge's Chambers, fourth floor, Wayne County Courthouse, Honesdale, PA. Linus H. Myers, C.A. served 2-23-06.

March 2, 2006

Plaintiff's Brief in Opposition to Defendant's Preliminary Objections.

March 8, 2006

Order **AND NOW**, to wit this 8th day of March, 2006, after conference, this court issues the following order with respect to the above-captioned case: All discovery proceedings, including depositions, shall be completed by July 7, 2006. Non-jury trial is scheduled for August 8, 2006, at 9:15 a.m. Linus H. Meyers, CA served 3-8-06.

March 16, 2006

Opinion and Order: **NOW** this 16th day of March, 2006, it is ordered that the preliminary objection to jurisdiction is granted. It is further ordered that the prothonotary of Wayne County shall transfer this matter to the Board of Claims, pursuant to 42 PA C.S. A. 5103(D). Robert J. Conway, served 3/16/06.

BEFORE THE BOARD OF CLAIMS

March 16, 2006

Court of Common Pleas of Wayne County transferred record.

March 29, 2006

Docket Entries as recorded above received from Wayne County Prothonotary's Office.

March 30, 2006

Board of Claims received file from Court of Common Pleas of Wayne County. Amount of Claim:

April 3, 2006

Board issued letter to Plaintiff requesting additional copies of Claim, proof of mailing and filing fee.

**CASE CAN BE FOUND AT DOCKET
NO. 3861**