

02-479-CD
CAPITAL ONE BANK et al -vs- JAMES L. ADAMS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CAPITAL ONE BANK,
assignee of Bank of America

CIVIL DIVISION

Plaintiff(s),
v.

JAMES L. ADAMS,
an individual

No. ~~2002~~ 02-479-CO

Defendant(s),

COMPLAINT

Code No. _____

Issue No. _____

Filed on Behalf of:

PLAINTIFF

ATTORNEY OF RECORD FOR THIS PARTY

Louis B. Swartz

PA. ID # 242

SEEWALD, SWARTZ & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300
28023

NOTE: THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION
OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE

July 5, 2002 Document
Reinstated/Resisted to Sheriff/Attorney
for service.

Cohen
Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

No. 2002

v.

JAMES L. ADAMS,
an individual

Defendant(s),

NOTICE TO DEFEND AND CLAIM RIGHTS

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 days (20) after this Complaint and Notice are served by entering a written appearance personally or by 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 judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any 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 YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE OR KNOW A LAWYER, THEN YOU SHOULD GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PENNSYLVANIA LAWYER REFERRAL SERVICE
100 South Street
P.O. Box 186
Harrisburg, PA 17108

1-800-692-7375

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

No. 2002

v.

JAMES L. ADAMS,
an individual

Defendant(s),

COMPLAINT

1. Plaintiff(s) is CAPITAL ONE BANK, assignee of Bank of America. Plaintiff's address is 456 N KIMBALL PLACE, BOSIE ID 83704.

2. Defendant(s) is JAMES L. ADAMS, an individual. Defendant's address is RR 2 BOX 102, CLEARFIELD PA 16830.

3. Defendant entered into a loan agreement with Plaintiff's assignor, Bank of America, and the account was designated as account number 2222-2510-0000-8544 which has been assigned to Plaintiff for value.

4. Defendant thereafter breached the agreement by failing to make the payments due and there is a balance now owing in the amount of \$6839.04 ever since October 8, 2001.

Attached hereto is a statement of the account which has been presented to Defendant as an account stated and accepted by Defendant.

WHEREFORE, Plaintiff demands Judgment against Defendant(s) in the amount of \$6,839.04 plus interest from October 08, 2001 and costs.



Louis B. Swartz
Attorney for PLAINTIFF
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300

Collection Resource System
Name: ADAMS, JAMES L
Address: RR 2 BOX 102

ATTORNEY

Oct 8, 2001

Master # 950579 SS# 170-70-9634

City, St CLEARFIELD PA 16830
Phone (H) (814) 274-1759 (W) GET PHONE
Employer GET EMPLOYER
E

Status 43 RECOMMEND LEGAL
Coll Unit LC1 LC QUEUE
Strategy None
1 Accounts Totaling 6839.04

Detail of Account			
Date	Time	A/R	Comment
10/08/01	16:58	TA/AU1	Client# CAP1AL-L Recv 10/05/01
			CAPITAL ONE(AUTO LOANS) *
			** NEW **
10/08/01	16:58	CS/10	ZIS
			Cur Bal 6839.04 Orig 6839.04
			Costs 0.00 Comm% 27.000%
			CkChg/Fee 0.00 Other 0.00
			Interest 0.00 Int % 0.000%
			Date Lst 02/05/97 Ccd 10/06/01
			Client Acct# 2222251000008544
			Re: HV6IV4
			Last Pmt On 00/00/00 For 0.00

OPTIONS: U pdate Info S scroll Trans M aster C omments-Page

T ransaction P ayments PF1 N ew Account * More

Exhibit "A"

Collection Resource System

ATTORNEY

Oct 11, 2001

Name: ADAMS, JAMES L
Address: RR 2 BOX 102

Master # 950579 SS# 170-70-9634

City, St CLEARFIELD PA 16830
Phone (H) (814) 274-1759 (W) GET PHONE
Employer GET EMPLOYER
LStatus 21 LEGAL
Coll Unit 281 SEEWALD, SWARTZ & ASC
Strategy None
1 Accounts Totaling 6839.04

Date	Time	A/R	Comment	Usr	Notes for CAP1AL-L
10/11/01	10:22	GC/GC		CAN	
10/11/01	10:22	RN/Z	10-12-01	CAN	C/O-\$6839.04 ON 02-05-1998
10/11/01	10:22	TA/LC1		CAN	LST PMT-\$0.00
10/11/01	10:21	CC/CC	ADD ATTY 692	CAN	PRINCIPAL: 6839.04
10/11/01	10:21	CS/43		CAN	INTEREST: 0.00
COMMENTS		COMMENTS		(Page 3)	
NON-PAYMENT OF AUTO LOAN		C/B 11/12/01		SECURED CARD: N STATUS CODE: A	

OPTIONS: U pdate Info S scroll Trans M aster C omments-Page

T ransaction P ayments PF1 New Account * More

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

No. 2002

v.

JAMES L. ADAMS,
an individual

Defendant(s),

VERIFICATION

The undersigned, Tracy Eller, avers
that the statements of fact contained in the attached
Complaint are true and correct to the best of his/her
information, knowledge and belief, and are made subject
to the penalties of 18 Pa. Cons. Stat. Ann. Section 4904
relating to unsworn falsification to authorities.

Date

3-7-02

Tracy Eller

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12313

CAPITAL ONE BANK

02-479-CD

VS.

ADAMS, JAMES L.

COMPLAINT

SHERIFF RETURNS

NOW APRIL 29, 2002 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN
THE WITHIN COMPLAINT "NOT FOUND" AS TO JAMES L. ADAMS, DEFENDANT.
DEFENDANT RESIDES IN CLARION, PA. GOING TO COLLEGE THERE.

Return Costs

Cost	Description
21.00	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

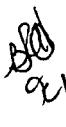
Sworn to Before Me This

30th Day Of April 2002
William A. Shaw

So Answers,


Chester A. Hawkins
Sheriff

FILED NO
04:58 AM
APR 30 2002


William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CAPITAL ONE BANK,
assignee of Bank of America

CIVIL DIVISION

v.
JAMES L. ADAMS,
an individual

Plaintiff(s),

Defendant(s),

No. 2002-419-C

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

MAR 28 2002

Attest.

William A. Brown
Prothonotary/
Clerk of Courts

COMPLAINT

Code No. _____

Issue No. _____

Filed on Behalf of:

PLAINTIFF

ATTORNEY OF RECORD FOR THIS PARTY

Louis B. Swartz

PA. ID # 242

SEEWALD, SWARTZ & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300
28023

NOTE: THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION
OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

v.

No. 2002

JAMES L. ADAMS,
an individual

Defendant(s),

NOTICE TO DEFEND AND CLAIM RIGHTS

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 days (20) after this Complaint and Notice are served by entering a written appearance personally or by 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 judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any 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 YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE OR KNOW A LAWYER, THEN YOU SHOULD GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PENNSYLVANIA LAWYER REFERRAL SERVICE
100 South Street
P.O. Box 186
Harrisburg, PA 17108

1-800-692-7375

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

v.

JAMES L. ADAMS,
an individual

No. 2002

Defendant(s),

COMPLAINT

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2. Defendant(s) is JAMES L. ADAMS, an individual. Defendant's address is RR 2 BOX 102, CLEARFIELD PA 16830.
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4. Defendant thereafter breached the agreement by failing to make the payments due and there is a balance now owing in the amount of \$6839.04 ever since October 8, 2001.

Attached hereto is a statement of the account which has been presented to Defendant as an account stated and accepted by Defendant.

WHEREFORE, Plaintiff demands Judgment against Defendant(s) in the amount of \$6,839.04 plus interest from October 08, 2001 and costs.

S-Louis B. Swartz

Louis B. Swartz
Attorney for PLAINTIFF
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300

Collection Resource System
Name: ADAMS, JAMES L
Address: RR 2 BOX 102

ATTORNEY

Oct 8, 2001

Master # 950579 SS# 170-70-9634

City, St CLEARFIELD PA 16830
Phone (H) (814) 274-1759 (W) GET PHONE
Employer GET EMPLOYER
E

Status 43 RECOMMEND LEGAL
Coll Unit LC1 LC QUEUE
Strategy None
1 Accounts Totaling 6839.04

Detail of Account			
Date	Time	A/R	Comment
10/08/01	16:58	TA/AU1	FILE TO LC-DOCS TO SERRY
10/08/01	16:58	CS/10	
		Usr ZIS	Client# CAP1AL-L Recv 10/05/01 CAPITAL ONE(AUTO LOANS) * ** NEW **
		ZIS	Cur Bal 6839.04 Orig 6839.04 Costs 0.00 Comm% 27.000% CkChg/Fee 0.00 Other 0.00 Interest 0.00 Int % 0.000% Date Lst 02/05/97 Ccd 10/06/01 Client Acct# 2222251000008544 Re: HV6IV4 Last Pmt On 00/00/00 For 0.00

OPTIONS: U pdate Info S croll Trans M aster C omments-Page

T ransaction P ayments PF1 N ew Account * More

Exhibit "A"

Collection Resource System
Name: ADAMS, JAMES L
Address: RR 2 BOX 102

ATTORNEY

Oct 11, 2001

Master # 950579 SS# 170-70-9634

City, St CLEARFIELD PA 16830
Phone (H) (814) 274-1759 (W) GET PHONE
Employer GET EMPLOYER
L

Status 21 LEGAL
Coll Unit 281 SEEWALD, SWARTZ & ASC
Strategy None
1 Accounts Totaling 6839.04

Date	Time	A/R	Comment	Usr	Notes for CAP1AL-L
10/11/01	10:22	GC/GC		CAN	
10/11/01	10:22	RN/Z	10-12-01	CAN	C/O-\$6839.04 ON 02-05-1998
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10/11/01	10:21	CC/CC	ADD ATTY 692	CAN	PRINCIPAL: 6839.04
10/11/01	10:21	CS/43		CAN	INTEREST: 0.00
COMMENTS		COMMENTS		(Page 3)	
NON-PAYMENT OF AUTO LOAN		C/B 11/12/01		SECURED CARD: N STATUS CODE: A	

OPTIONS: U pdate Info S scroll Trans M aster C omments-Page

T ransaction P aym ents PF1 N ew Account * More

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

v.

No. 2002

JAMES L. ADAMS,
an individual

Defendant(s),

VERIFICATION

The undersigned, Tracey Ellers, avers
that the statements of fact contained in the attached
Complaint are true and correct to the best of his/her
information, knowledge and belief, and are made subject
to the penalties of 18 Pa. Cons. Stat. Ann. Section 4904
relating to unsworn falsification to authorities.

Date 3-7-02

Tracey Ellers

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),
v.

JAMES L. ADAMS,
an individual

Defendant(s),

CIVIL DIVISION

No. 2002-479 CD

PRAECIPE TO REINSTATE THE
COMPLAINT

Code No. _____

Issue No. _____

Filed on Behalf of:

PLAINTIFF

ATTORNEY OF RECORD FOR THIS PARTY

Louis B. Swartz

PA. ID # 242

SEEWALD, SWARTZ & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300
t 28023

**NOTE: THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION
OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE**

FILED

JUL 05 2002
W/1:00/m *LBS*
William A. Shaw
Prothonotary
no c/c
Issued *Reinstate*
complaint to SAPP

t 28023

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

v.

No. 2002-479 CD

JAMES L. ADAMS,
an individual

Defendant(s),

PRAECIPE TO REINSTATE THE COMPLAINT

TO THE PROTHONOTARY:

Reinstate the Complaint in the above captioned case.

Respectfully submitted,
SEEWALD, SWARTZ AND ASSOCIATES

by:


Attorneys for Plaintiff

REINSTAT.PLE

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12313

CAPITAL ONE BANK

02-479-CD

VS.

ADAMS, JAMES L.

COMPLAINT

SHERIFF RETURNS

NOW JULY 11, 2002 AT 2:40 PM DST SERVED THE WITHIN COMPLAINT ON JAMES L. ADAMS, DEFENDANT AT RESIDENCE, RD#2 BOX 102, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO TED ADAMS, FATHER A TRUE AND ATTESTD COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: RYEN

Return Costs

Cost	Description
11.37	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

26th Day Of August 2002


WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,


Chester A. Hawkins
Sheriff 

FILED

AUG 20 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CAPITAL ONE BANK,
assignee of Bank of America

CIVIL DIVISION

Plaintiff(s),
v.

No. 2002-479 CD

JAMES L. ADAMS,
an individual

Defendant(s),

PRAECIPE FOR DEFAULT JUDGMENT

Code No. _____

Issue No. _____

Filed on Behalf of:

PLAINTIFF

ATTORNEY OF RECORD FOR THIS PARTY

Louis B. Swartz

PA. ID # 242

SEEWALD, SWARTZ & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300
t 28023

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FILED

SEP 17 2002
m/9/00/Atty Swartz
William A. Shaw pd 20.00
Prothonotary
4 lot. to D.
Stat. to Atty. C
t 28023

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

v.

JAMES L. ADAMS,
an individual

No. 2002-479 CD

Defendant(s),

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Enter judgment against Defendant(s) and in favor of Plaintiff in Default of an Answer or a Notice of Intention to Appear as follows:

AMOUNT CLAIMED IN COMPLAINT	\$ 6,839.04
PLUS INTEREST FROM 10-08-2001 TO: 09-16-2002	\$ 385.61
<hr/>	
TOTAL	\$ 7,224.65

I certify that I mailed a notice of default to the defendant(s) in the form attached hereto on the date stated thereon which was more than ten (10) days before filing this praecipe.



Louis B. Swartz
Attorney for PLAINTIFF
SEEWALD, SWARTZ & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

v.

No. 2002-479 CD

JAMES L. ADAMS,
an individual

Defendant(s),

DEFAULT NOTICE

TO THE DEFENDANT: JAMES L. ADAMS,
an individual
RR 2 BOX 102
CLEARFIELD PA 16830

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

PENNSYLVANIA LAWYER REFERRAL SERVICE
100 SOUTH STREET, P.O. BOX 186
HARRISBURG, PA 17108
1-800-692-7375 S-Louis B. Swartz

Date 8-28-02

Louis B. Swartz
Attorney for PLAINTIFF
SEEWALD, SWARTZ & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),
v.

JAMES L. ADAMS,
an individual

Defendant(s),

CIVIL DIVISION

No. 2002-479 CD

AFFIDAVIT OF NON-MILITARY SERVICE

Code No. _____

Issue No. _____

Filed on Behalf of:

PLAINTIFF

ATTORNEY OF RECORD FOR THIS PARTY

Louis B. Swartz

PA. ID # 242

SEEWALD, SWARTZ & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

(412) 288-0300
t 28023

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

v.

No. 2002-479 CD

JAMES L. ADAMS,
an individual

Defendant(s),

AFFIDAVIT OF NON-MILITARY SERVICE

I, LOUIS B. SWARTZ, do depose and say that the above-named defendant(s) James L. Adams are not currently in the naval or military services of the United States, either directly or indirectly.

These statements are made subject to the penalties of 18 Pa. Cons. Stat. Ann. Section 4904 relating to unsworn falsification to authorities.

NONMIL.PLE

A handwritten signature consisting of several loops and vertical strokes, appearing to be a stylized 'L' or 'S'.

COPY

t 28023

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),
v.

JAMES L. ADAMS,
an individual

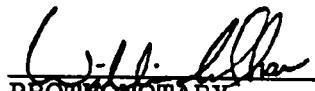
No. 2002-479 CD

Defendant(s),

NOTICE OF JUDGMENT

TO: JAMES L. ADAMS,
an individual
RR 2 BOX 102
CLEARFIELD PA 16830

You, the above named Defendant(s) take notice that Judgment
has been entered with the Court of Common Pleas of CLEARFIELD
County, Civil Division in the sum of \$ 7224.65 plus costs
and Interest.


PROTHONOTARY

9-17-02

Louis B. Swartz
Attorney for PLAINTIFF
SEEWALD, SWARTZ & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

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COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Capital One Bank
Bank of America
Plaintiff(s)

No.: 2002-00479-CD

Real Debt: \$7,224.65

Atty's Comm:

Vs.

Costs: \$

Int. From:

James L. Adams
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: September 17, 2002

Expires: September 17, 2007

Certified from the record this 17th of September, 2002



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, ____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),
v.

JAMES L. ADAMS,
an individual

Defendant(s),

CIVIL DIVISION

No. 2002-479 CD

PETITION TO STRIKE DEFAULT
JUDGMENT

Code No. _____

Issue No. _____

Filed on Behalf of:

PLAINTIFF

ATTORNEY OF RECORD FOR THIS PARTY

Louis B. Swartz

PA. ID # 242

SWARTZ, LOVEJOY & ASSOCIATES
16th FLOOR LAW AND FINANCE BUILDING
PITTSBURGH, PENNSYLVANIA 15219

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

No. 2002-479 CD

v.

JAMES L. ADAMS,
an individual

Defendant(s),

PETITION TO STRIKE DEFAULT JUDGMENT

TO: THE HONORABLE JUDGES OF SAID COURT

The Petition of the Plaintiff above named respectfully
represents:

1. Plaintiff commenced this Civil Action by filing a
Complaint stating a claim against the Defendant for a balance
due on an account in the amount of \$6,839.04, plus
interest and costs.

2. The Complaint was served on Defendant who failed to
defend and on September 17, 2002 a default judgment was entered
in favor of Plaintiff and against the Defendant for the amount
claimed in the Complaint.

3. The Defendant apparently was unable to timely file an
Answer to present defenses.

4. For the above reasons, Plaintiff desires to strike the
default judgment.

WHEREFORE, Petitioner respectfully requests this Honorable
Court to enter an appropriate Order.


LOUIS B. SWARTZ, ESQUIRE
ATTORNEY FOR PLAINTIFF
SWARTZ, LOVEJOY AND ASSOCS.
16th FLOOR LAW AND FINANCE BLDG.
PITTSBURGH, PA 15219
412/288-0300

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISIONCAPITAL ONE BANK,
assignee of Bank of America

Plaintiff(s),

No. 2002-479 CD

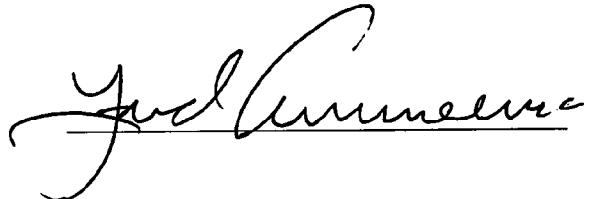
v.

JAMES L. ADAMS,
an individual

Defendant(s),

ORDER TO STRIKE DEFAULT JUDGMENT

AND NOW, this 23 day of December, 2004, upon
consideration of Plaintiff's Petition to Strike Default
Judgment, it is hereby ORDERED, ADJUDGED and DECREED that the
judgment heretofore entered against the Defendant be and it
is hereby stricken.



ORDSTRIK.PLE

FILED
O 10:56 2004
Sccy
DEC 23 2004

William A. Shaw
Prothonotary