

03-1265-CD
MOBILE CONSULTANTS, INC. vs. DOUGAS H. MILLER et al

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

No. 2003-1265-C0

vs.

COMPLAINT IN REPLEVIN

DOUGLAS M. MILLER AND HEATHER
L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#02101499

FILED

AUG 25 2003
11:30 AM
Eun
William A. Shaw
Prothonotary/Clerk of Courts
2 CENT TO SHFB

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No.

DOUGLAS M. MILLER AND HEATHER
L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

COMPLAINT IN REPLEVIN AND NOTICE TO DEFEND

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 judgment 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 YOUR LAWYER AT ONCE. OF 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

LAWYER REFERRAL SERVICE
PA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
(800) 692-7375

COUNT I - REPLEVIN

1. Plaintiff is a corporation having offices at 111 Glamorgan Street, Alliance, Ohio 44601.
2. Defendants are adult individuals residing at RR1, Box 527 B, Oscelo Mills, Clearfield County, Pennsylvania 16666.
3. Plaintiff is the holder of a Mobile Home Installment Sale Contract (hereinafter the "Contract") and Security Agreement secured by a mobile home duly executed and delivered by Defendants in favor of Family Mobile Homes, Inc. on or about March 8, 1995. A true and correct copy of the Contract and Security Agreement is attached hereto, marked as Exhibit "1" and made a part hereof.
4. Pursuant to said Contract and Security Agreement, Defendants took possession of the mobile home more particularly identified in the Contract as a 1995 Skyline, 64' x 14', Serial Number 2N11-0490H.
5. Family Mobile Homes, Inc. subsequently assigned its right, title and interest in said Installment Sale Contract and Security Agreement to Plaintiff.
6. Under the terms of the Contract, Defendants were to make One Hundred Eighty (180) consecutive monthly payments of \$189.32 beginning April 7, 1995.
7. The total principal amount due to Plaintiff pursuant to the Contract was \$35,818.00.

8. Plaintiff maintains a first lien on the aforesaid mobile home by virtue of the Certificate of Title issued by the Commonwealth of Pennsylvania Department of Transportation, a true and correct copy of the Certificate of Title is attached hereto, marked as Exhibit "2" and made a part hereof.

9. Defendants are in default of the terms and conditions of the Contract because Defendants have failed to make the required monthly payments since February 19, 2003.

10. Plaintiff is entitled to immediate possession of said mobile home which Plaintiff holds a security interest in and any proceeds of the mobile home, including insurance proceeds by virtue of Defendants' default.

11. Defendants have made partial payment under the Contract leaving an unpaid balance in the amount of \$14,252.57 as of June 17, 2003.

12. Plaintiff avers that the Contract provides for finance charges at the rate of 10.99% per annum.

13. Plaintiff avers that finance charges from June 17, 2003 to July 17, 2003 amount to \$130.53.

14. Plaintiff has performed all conditions precedent as holder of all right, title and interest in the collateral, but Defendants wrongfully remain in possession of the mobile home at the above-stated address.

15. By virtue of Defendants' default, Plaintiff has an immediate right to possession of the mobile home covered by the Security Agreement the value of which is \$18,435.84, plus continuing finance charges at the aforesaid rate of 10.99% per annum.

16. Under the terms of the Contract, Defendants have undertaken to pay to Plaintiff its reasonable attorneys' fees and costs of retaking possession of the collateral.

WHEREFORE, Plaintiff prays for Judgment against Defendants, Douglas M. Miller and Heather L. Shimmel a/k/a Heather L. Miller, jointly and severally, in Count I of this Complaint In Replevin, as follows:

A. For possession of the mobile home, more particularly identified as a 1995 Skyline, 64' x 14', Serial Number 2N11-0490H

COUNT II
ACTION IN CONTRACT FOR IN PERSONAM DAMAGES

17. Plaintiff incorporates herein by reference thereto each of the preceding paragraphs of this Complaint in their entirety as if the same were more fully set forth herein.

18. In the alternative to Count I, Plaintiff pleads an action in contract as a result of Defendants' default for the accelerated balance due under the Contract in the amount of \$14,383.10, plus appropriate additional finance charges at the rate of 10.99% per annum on the balance due from July 17, 2003 and costs.

19. Under the terms of the Contract, Plaintiff is entitled to recover reasonable attorneys' fees and costs of retaking possession of the collateral.

20. Plaintiff avers that such attorneys' fees amount to \$200.00 to date.

21. Contemporaneously hereunder, Defendants have been advised of his/her right to dispute the validity of this debt, or any part thereof, pursuant to the Fair Debt Collection Practices Act 30 Day Notice, attached hereto, marked Exhibit "3" and made a part hereof.

WHEREFORE, Plaintiff prays for the entry of Judgment on Count II against Defendants, jointly and severally, in the amount of \$14,583.10 plus continuing finance charges at the aforesaid rate of 10.99% per annum from July 17, 2003, reasonable attorneys fees and expenses for retaking possession and costs.

WELTMAN, WEINBERG AND REIS, CO. L.P.A.



William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#:02101499

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE USED FOR THAT PURPOSE.

11495439

EXHIBIT
2

FAIR DEBT COLLECTION PRACTICES ACT 30 DAY NOTICE

By law, this firm is required to advise you that unless within 30 days after receipt of this notice you dispute the validity of this debt or any portion thereof, the debt will be assumed to be valid by us. If said notification is sent to us in writing, we are required to provide you with verification of the debt. In the event within a 30-day period you request in writing the name of the original creditor, it will be provided to you if different from the current creditor. In the event that you dispute the debt and/or request the name of the original creditor in writing within the 30-day period, no further action will be taken to obtain a Judgment in the pending lawsuit until the verification and/or name of the original creditor has been provided to you.

This law firm is attempting to collect this debt for our client and any information obtained will be used for that purpose.

The above Notice is being given pursuant to the Fair Debt Collection Practices Act and is separate and distinct from the foregoing Complaint which must be responded to in conformity with the instructions therein. Because of the difference in time parameters, we will not move for Default Judgment for at least thirty (30) days from the date of service of this Complaint upon you, and if you request verification, we will not move for Default Judgment until a reasonable time after verification has been provided, and after the expiration of the thirty (30) day period from the date of service.

EXHIBIT

"2"

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 P.A.C.S. §4904 relating

to unsworn falsifications to authorities, that he/she is Levell M. Ficau
(Name)
Supervisor / Officer of Bank One, plaintiff herein, that
(Title) (Company)

he/she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint are true and correct to the best of his/her knowledge, information and belief.

Levell M. Ficau
(Signature)

Wwr# 02101499

In The Court of Common Pleas of Clearfield County, Pennsylvania

MOBILE CONSULTANTS, INC. ATTORNEY IN FACT FOR BANK ONE
VS.
MILLER, DOUGLAS M. & HEATHER L. SHIMMEL A/K/A
COMPLAINT N REPLEVIN

Sheriff Docket # 14475
03-1265-CD

SHERIFF RETURNS

NOW AUGUST 27, 2003 AT 11:58 AM SERVED THE WITHIN COMPLAINT IN REPLEVIN ON HEATHER L. SHIMMEL a/k/a HEATHER L. MILLER, DEFENDANT AT RESIDENCE, 40 MILLER LANE, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HEATHER MILLER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN REPLEVIN AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: NEVLING

NOW AUGUST 27, 2003 AT 11:58 AM SERVED THE WITHIN COMPLAINT IN REPLEVIN ON DOUGLAS M. MILLER, DEFENDANT AT RESIDENCE, 40 MILLER LANE, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HEATHER MILLER, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN REPLEVIN AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: NEVLING

Return Costs

Cost	Description
38.40	SHERIFF HAWKINS PAID BY: ATTY CK# 8094099
20.00	SURCHARGE PAID BY: ATTY CK# 8094100

Sworn to Before Me This

26th Day Of Sept. 2003
William A. Shaw

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

So Answers,

Chester A. Hawkins
Chester A. Hawkins
Sheriff

FILED
09:27 AM
SEP 26 2003

William A. Shaw
Prothonotary/Clerk of Courts

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff No. 2003-1265-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA. I.D.#47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#02101499

OCT 29 2003

William A. Shaw
Prothonotary

THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No. 2003-1265-CD

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

COUNT I

Kindly enter Judgment against the Defendants, Douglas M. Miller and Heather L. Shimmel a/k/a Heather L. Miller, above named, in the default of an Answer as follows:

For possession of the vehicle, more particularly identified as a 1995 Skyline, 64' X 14', Serial Number 2N11-0490H.

COUNT II

Kindly enter Judgment against the Defendants, Douglas M. Miller and Heather L. Shimmel a/k/a Heather L. Miller, above named, in the default of an Answer, in the amount of \$14,951.94 as follows:

Amount claimed in Complaint	\$14,583.10
Interest from 7/17/03 to 10/09/03 at the contract interest rate of 10.99% per annum	\$368.84
TOTAL	\$14,951.94

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
William T. Molczan, Esquire
PA. I.D.#47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#02101499

Plaintiff's address is: c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh,
PA 15219

And that the last known address of the Defendants is: RR 1, Box 527 B, Oscelo Mills, PA 16666

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No. 2003-1265-CD

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

IMPORTANT NOTICE

TO: Heather L. Shimmel a/k/a
Heather L. Miller
RR 1, Box 527 B
Osceola Mills, PA 16666

Date of Notice:

9/26/03

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 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.

LAWYER REFERRAL SERVICE
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczan
William T. Molczan
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR #02101499

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No. 2003-1265-CD

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

IMPORTANT NOTICE

TO: Douglas M. Miller
RR 1, Box 527 B
Osceolo Mills, PA 16666

Date of Notice: 9/26/03

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 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.

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PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczan
William T. Molczan
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR #02101499

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that the parties against whom Judgment is to be entered according to the Praecep attached are not members of the Armed Forces of the United States or any other military or non-military service covered by the Soldiers and Sailors Civil Relief Act of 1940. The undersigned further states that the information is true and correct to the best of the undersigned's knowledge and belief and upon information received from others.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
William T. Molczan, Esquire
PA. I.D.#47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#02101499

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No. 2003-1265-CD

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

You are hereby notified that the following
Order or Judgment was entered against
you on October 29, 2003

(xx) Assumpsit Judgment as to Count I for possession of the vehicle
more particularly identified as a 1995 Skyline, 64' X 14', Serial Number
2N11-0490H and Assumpsit Judgment in the amount of \$14,951.94 on
Count II plus costs.

Trespass Judgment in the amount
of \$14951.94 plus costs.

If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration will be
suspended by the Department of Transportation, Bureau of Traffic Safety,
Harrisburg, PA.

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

OCT 29 2003

Attest.

Heather L. Shimmel
Prothonotary/
Clerk of Courts

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
Award

Prothonotary

Heather L. Shimmel a/k/a
Heather L. Miller
RR 1, Box 527 B
Osceola Mills, PA 16666

By: Heather L. Shimmel
PROTHONOTARY (OR DEPUTY)

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No. 2003-1265-CD

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

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you on October 29, 2003

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suspended by the Department of Transportation, Bureau of Traffic Safety,
Harrisburg, PA.

Entry of Judgment of
 Court Order
 Non-Pros
 Confession
 Default
 Verdict
 Arbitration
Award

Prothonotary

By:

Heather L. Miller
PROTHONOTARY (OR DEPUTY)

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

OCT 29 2003

Attest.

Heather L. Miller
Prothonotary/
Clerk of Courts

Douglas M. Miller
RR 1, Box 527 B
Oscelo Mills, PA 16666

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

MOBILE CONSULTANTS, INC., ATTORNEY IN
FACT FOR BANK ONE, N.A.

Plaintiff No. 2003-1265-CD

vs. PRAECIPE FOR WRIT OF POSSESSION

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L.
MILLER

Defendants

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#02101499

FILED

DEC 11 2003

William A. Shaw
Prothonotary/Clerk of Courts

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No. 2003-1265-CD

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

PRAECIPE FOR WRIT OF POSSESSION

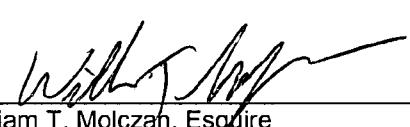
TO THE PROTHONOTARY:

Kindly issue a Writ of Possession in the above matter directed to the Sheriff of Clearfield County, PA...

1. To deliver possession of the mobile home more particularly identified as a 1995 Skyline 64' x 14',

Serial Number 2N11-0490-H.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
William T. Molczah, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

DATED: 12/9/03 WWR#01990542

FILED *Atty pd. 20.00*
M) 2003 DEC 11 2003
DEC 11 2003
William A. Shaw
Prothonotary/Clerk of Courts
KJD

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No. 2003-1265-CD

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

WRIT OF POSSESSION

TO THE SHERIFF OF CLEARFIELD COUNTY:

(1) To satisfy the judgment for possession in the above matter, you are directed to deliver possession of the following described property to: Mobile Consultants, Inc., Attorney In Fact for Bank One, N.A. Plaintiff(s)

being: (premises as follows):

1995 Skyline 64' x 14', Serial Number 2N11-0490H

(2) To satisfy the costs against the defendant(s), you are directed to levy upon any property of the defendant(s) and sell his/her (or their) interest therein.

Prothonotary

Willie H. Hargan

Deputy

DATED: December 11, 2003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 14957
NO: 03-1265-CD

PLAINTIFF: MOBILE CONSULTANTS, INC. ATTORNEY IN FACT FOR BANK ONE, N.A.
vs.
DEFENDANT: MILLER, DOUGLAS M.

WRIT OF EXECUTION POSSESSION

SHERIFF RETURN

DATE RECEIVED WRIT: 12/11/2003

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 04/03/2006

DATE DEED FILED

PROPERTY ADDRESS RR 1, BOX 527B OSCEOLA MILLS , PA 16666

FILED

04/03/2006
APR 03 2006

William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

01/02/2004 @ 12:45 PM SERVED HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

SERVED HEATHER L. SHIMMEL, A/K/A HEATHER L. MILLER, DEFENDANT, AT HER RESIDENCE RR 1, BOX 527B, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HEATHER L. MILLER

A TURE AND ATTESTED COPY OF THE ORIGINAL WRIT OF POSSESSION AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

01/02/2004 @ 12:45 PM SERVED DAVID M. MILLER

SERVED DAVID M. MILLER, DEFENDANT, AT HIS RESIDENCE RR 1, BOX 527B, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER, WIFE/CO DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF POSSESSION AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

@ SERVED

NOW, MAY 28, 2004 RECEIVED A FAX LETTER TO STAY ALL PROCEEDINGS ON THE EXECUTION.

@ SERVED

NOW, APRIL 3, 2006 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 14957
NO: 03-1265-CD

PLAINTIFF: MOBILE CONSULTANTS, INC. ATTORNEY IN FACT FOR BANK ONE, N.A.
vs.
DEFENDANT: MILLER, DOUGLAS M.

WRIT OF EXECUTION POSSESSION

SHERIFF RETURN

SHERIFF HAWKINS	\$57.00
SURCHARGE	\$20.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2006

Chester A. Hawkins
Chester A. Hawkins
Sheriff

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

MOBILE CONSULTANTS, INC., ATTORNEY
IN FACT FOR BANK ONE, N.A.

Plaintiff

vs.

Civil Action No. 2003-1265-CD

DOUGLAS M. MILLER AND
HEATHER L. SHIMMEL A/K/A HEATHER L. MILLER

Defendants

WRIT OF POSSESSION

TO THE SHERIFF OF CLEARFIELD COUNTY:

(1) To satisfy the judgment for possession in the above matter, you are directed to deliver possession of the following described property to: Mobile Consultants, Inc., Attorney In Fact for Bank One, N.A. Plaintiff(s)

being: (premises as follows):

1995 Skyline 64' x 14', Serial Number 2N11-0490H

(2) To satisfy the costs against the defendant(s), you are directed to levy upon any property of the defendant(s) and sell his/her (or their) interest therein.

Prothonotary

Willie L. Hausey
Deputy

DATED: December 11, 2003

Received December 11, 2003 @ 3:00 P.M.
Chester A. Hawkins
by Cynthia Butler-Augustbaugh

WELTMAN, WEINBERG & REIS CO., L.P.A.

ATTORNEYS AT LAW

2718 Koppers Building, 436 Seventh Ave.
Pittsburgh, Pennsylvania 15219
Main Phone: 412.434.7955
Fax Number: 412.434.7959
www.weltman.com

Fax Transmittal

Date: 5/28/2004 No. of Pages: 1
To: Cindy Fax Number: (714) 740-5915
From: Kasley Direct Line: (412) 338-7103

Comments

RE: Douglas Miller
2003-12105-CD
please stay all proceedings on
the above matter immediately.
Thanks!



Burlington, NJ • Cincinnati, OH • Cleveland, OH • Columbus, OH • Detroit, MI • Philadelphia, PA

CONFIDENTIALITY NOTICE

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