

03-1487-CD  
WELLS FARGO HOME MORTGAGE, INC. vs. BRENT CODER

Federman and Phelan, LLP  
By: Francis S. Hallinan, Esquire  
Identification No. 62695  
One Penn Center Plaza  
Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Attorney for Plaintiff

Wells Fargo Home Mortgage, Inc.  
3476 Stateview Boulevard  
Fort Mill, SC 29715

: Court of Common Pleas

v.

: Civil Division

: Clearfield County

: Term 2003-1487-cp

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

: No.

:

### **CIVIL ACTION - EJECTMENT**

\*\*This firm is a debt collector attempting to collect a debt and any information obtained will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.\*\*

#### **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 (20) days 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 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. 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. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

**FILED**

OCT 03 2003

m/11-551

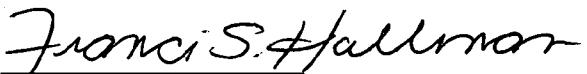
William A. Shaw

Prothonotary/Clerk of Courts

I CERT TO SIAFR

1. Plaintiff is Wells Frago Home Mortgage, Inc.
2. Defendant is Brent Coder Or Occupants.
3. Plaintiff is equitable owner of premises located at 115 Wayne Road, Dubois, PA 15801, a legal description of which is attached.
4. Plaintiff became owner of said premises as a result of foreclosure and judicial sale by the Sheriff of Clearfield County, on September 5, 2003.
5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The defendant is occupying the said premises without right and so far as the plaintiff is informed, without claim of title.
6. Plaintiff has demanded possession of the said premises from the said defendant who has refused to deliver up possession of same.

WHEREFORE, plaintiff seeks to recover possession of said premises.



Francis S. Hallinan, Esquire  
Attorney for Plaintiff

Premises: 115 WAYNE ROAD, TOWNSHIP OF SANDY  
CLEARFIELD COUNTY  
PA

Based upon the examination of evidence in the appropriate public records, Company certifies that the premises endorsed hereon are subject to the liens, encumbrances and exceptions to title hereinafter set forth. This Certificate does not constitute title insurance; liability hereunder is assumed by the Company solely in its capacity as an abstractor for its negligence, mistakes or omissions in a sum not to exceed Two Thousand Dollars.

DESCRIPTION

ALL THAT CERTAIN messuage or piece of land situate and being in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Southwest corner of Lot No. 2 in the E.F. Hand Plan of Lots in Sandy Township; thence North 60 degrees West, 70 feet to a point on a street or alley; thence along said street or alley, North 30 degrees 15 minutes East, 200 feet to a point on the Southerly side of Wayne Road, also being a public road leading from DuBois to Reynoldsville; thence along said road, South 60 degrees East, 70 feet to a point at the Westerly line of said Lot No. 2; which lot is now or formerly owned by Jack E. and Kay Gutridge, South 30 degrees 15 minutes West, 200 feet to the place of beginning. Being known as Lot No. 3 in the E.F. Hand Plan of Lots of Sandy Township, Clearfield County, Pennsylvania.

TAX PARCEL #128.0-B04-438-00024

## VERIFICATION

MARK WOOTON Hereby states that he/ she is the is the  
V.P. LOAN DOCS Of Wells Fargo Home Loan Mortgage Corporation  
Mortgage servicing agent for the Plaintiff in this matter, that he/she is authorized to take  
this Verification, and that the statements made in the foregoing Civil Action in Ejectment  
are true and correct to the best of his /her knowledge, information and belief. The  
Undersigned understands that this statement is made subject to the penalties of 18 Pa,  
C.S. Sec. 4904 relating to unsworn falsification to authorities.



Date: 9/30/03

MARK WOOTON  
VICE PRESIDENT LOAN DOCUMENTATION

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**WELLS FARGO HOMES MORTGAGE INC.**

**VS.**

**CODER, BRENT**

**COMPLAINT IN EJECTMENT**

**Sheriff Docket #** 14629

**03-1487-CD**

**SHERIFF RETURNS**

NOW OCTOBER 17, 2003 AT 1:00 PM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON BRENT CODER, DEFENDANT AT RESIDENCE, 115 WAYNE ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO BRENT CODER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: MCCLEARY/NEVLING

**Return Costs**

<b>Cost</b>	<b>Description</b>
<b>59.04</b>	<b>SHERIFF HAWKINS PAID BY: ATTY</b>
<b>10.00</b>	<b>SURCHARGE PAID BY: ATTY</b>

**Sworn to Before Me This**

22<sup>nd</sup> Day Of Octy 2003

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

**So Answers,**

Chester Hawkins  
By: Marly H. Hays  
Chester A. Hawkins  
Sheriff

**FILED**

*03-15-01*  
OCT 22 2003

*WAS*  
William A. Shaw  
Prothonotary/Clerk of Courts

Wells Fargo v Brent Coder  
Marcy Checking

FAX 215-563-4491

# Fax

**To:**

*Needle*

**From:** William A. Shaw

**Fax:** 215-563-4491

**Date:** 12-1-03

**Phone:**

**Pages:**

*3 + Cover*

**Re:** 03-1487-13

**CC:**

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

**Comments:**

Federman & Phelan

Please remit

December 1, 2002

Remit to: Clearfield County Prothonotary, PO Box 549, Clearfield, PA 16830

Please remit \$5.00 for 1 fax in the above listed case at your earliest convenience.

Thank You.

Nov 14, 2003.

Wells Fargo Home Mortgage INC  
Plaintiff

VS.

Brent Coder

Defendants

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield CTY

NU: 2003-1487

## OBJECTION

The following ATTACHED SHEET is a written  
STATEMENT TO object to the claims SET FORTH AGAINST  
US.

WE ARE ASKING for a reconsideration hearing  
ON THIS MATTER. SEE ATTACHED

Thank you  
Melanie K Coder  
115 Wayne RD  
Dubois PA 15801  
(814) 372-2030 - PHONE

FILED

NOV 14 2003  
Clerk  
William A. Shaw  
Prothonotary/Clerk of Courts

I cert to DMR

ES

Cleaveland County Court House  
& Common Pleas Civil Division:

I Brent & Melanie Cudee am Requesting a Hearing in this matter of Wells Fargo Home Mortgage INC. VS. Brent Cudee. NO 2003-1497. AT This time I ask that all action be stopped until a hearing date can be set.

AT This time I feel we should be eligible for a stay of conveyance in my home & Should be aloud to pay rent. My objections are as follows

ON Nov 7, 2003 Brent was hospitalized with a heart condition & found he is a diabetic AND Also has liver problems.

Melanie is at this time INCARCERATED & ON work release sending money home to pay bills & would be able to help pay rent.

AT This time a move would be extremely stress full on Brent & family to HAVE to move. WE are willing to rent the home. Until Melanies release date in Early Spring.

Another objection to this matter is Mid Penn Legal Services have been contacted upon many occasions & have NOT followed thru with any help on this matter.

Also All Correspondence for Wells Fargo have been through a DEBT Collection Agency / ATTORNEY WE were recently discharged of all dept through Bankruptcy there for this should not be ~~an~~ an attempt to collect a debt, but to inforce a Lien against property

IT IS at this time we are filing this motion ourself to try & keep our RESIDENT until it would be an appropriate time to MOVE

Thank you, Please Contact us ASAP.  
(814) 372-2030

Brent J. Coker  
Melanie K. Coker

11-13-03

\*\*\* TRANSMISSION REPORT \*\*\*

Dec. 2 '03 15:28

DATE	START	TIME	PARTNER	MODE	PAGE	RESULT
Dec. 2	15:25	2'10	12155634491	G3	04	OK

Nov 14, 2003.

CA

Wells Fargo Home Mortgage INC  
Plaintiff

VS.

Brent Coder

Defendants

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield CTY

NU: 2003-1487

## OBJECTION

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WE ARE ASKING FOR A RECONSIDERATION HEARING  
ON THIS MATTER. SEE ATTACHED

Thank you  
Melanie K Coder  
115 Wayne RD  
Dubois PA 15801  
(814) 372-2030 - PHONE

## FILED

NOV 14 2003

5/21/04

William A. Shaw

Prothonotary/Clerk of Courts

1 copy to Deen,

ED

Clerkefield County Court House  
& Common Pleas Civil Division:

I Brent & Melanie Coder are Requesting a Hearing in this matter of Wells Fargo Home Mortgage INC. VS. Brent Coder. NO 2003-1487. AT This time I ask that all action be stopped until a hearing date can be set.

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Thank you, PLEASE Contact us ASAP.  
(814) 372-2030

Brent S. Coder  
Melanie K. Coder

11-13-03

FILED

APR 01 2004

William A. Shaw  
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP  
By: NOELLE A. CONNOR, ESQUIRE  
Identification No. 83130  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Wells Fargo Home Mortgage, Inc.  
3476 Stateview Boulevard  
Fort Mill, SC 29715

vs.

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

Attorney for Plaintiff

: Court of Common Pleas  
: Civil Division  
: Clearfield County

: No. 2003-1487

PLEASE BE ADVISED THAT THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST THE PROPERTY.

**MOTION FOR SUMMARY JUDGMENT**

Plaintiff, Wells Fargo Home Mortgage, Inc. (hereinafter "Plaintiff"), by its attorney, Noelle A. Connor, Esquire, respectfully requests that this Honorable Court enter an Order granting summary judgment in the above-captioned matter for the following reasons:

1. As the successful bidder at a Sheriff's Sale, Plaintiff became the owner of the premises located at 115 Wayne Road, Dubois, PA 15801, by a Deed from the Sheriff of Clearfield County. A true and correct copy of the Deed is attached hereto as Exhibit A.
2. Plaintiff notified the occupants to vacate the premises, but, to date, they have remained in the property. A true and correct copy of Plaintiff's notice to vacate is attached hereto as Exhibit B.
3. Because the occupants have refused to vacate the property on their own, Plaintiff filed an ejectment action on October 3, 2003. A true and correct copy of the Complaint is attached hereto as Exhibit C.
4. An Answer to the Complaint has been filed in which no defense has been raised. A true and correct copy of the Answer is attached hereto as Exhibit D.

5. Plaintiff respectfully submits that it has established its right to immediate, exclusive possession of the premises, and there are no material issues of fact in this case for a fact-finder.

6. Plaintiff incorporates herein its Brief in support of its Motion for Summary Judgment.

WHEREFORE, Plaintiff respectfully requests that Judgment for possession be entered as prayed for in the Complaint.

Respectfully submitted,  
FEDERMAN AND PHELAN, LLP

Noelle A. Connor  
Noelle A. Connor, Esquire  
Attorney for Plaintiff

RECEIVED

APR 01 2004

COURT ADMINISTRATOR'S  
OFFICE

FEDERMAN AND PHELAN, LLP  
By: NOELLE A. CONNOR, ESQUIRE  
Identification No. 83130  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Wells Fargo Home Mortgage, Inc.  
3476 Stateview Boulevard  
Fort Mill, SC 29715

vs.

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

Attorney for Plaintiff

: Court of Common Pleas  
: Civil Division  
: Clearfield County

: No. 2

Brief

PLAINTIFF'S BRIEF IN SUPPORT  
OF ITS MOTION FOR SUMMARY JUDGMENT

**I. PLAINTIFF HAS A RIGHT TO IMMEDIATE EXCLUSIVE POSSESSION**

In order to prevail in an ejectment action, Plaintiff must establish a right to immediate, exclusive possession of the subject premises. Doman v. Brogan, 405 Pa.Super. 254, 263, 592 A.2d 104, 108 (1991). Hallman v. Turns, 334 Pa.Super. 184, 189, 482 A.2d 1284, 1287 (1984). Accordingly, Plaintiff bears the burden of proving prima facie title to the property in question. Id. Pennsylvania Rule of Civil Procedure 1054(b) provides that in an ejectment action, a party must set forth the abstract of title upon which he relies in order to recover possession, unless superior title is shown by the adverse party.

Pennsylvania law states that one who purchases real property at a sheriff's sale acquires an equitable interest. Walker v. PNC Bank, 2002 WL 31098417 (3rd Cir.). The purchaser acquires an equitable interest which becomes complete title upon complying with the terms of sale. Pennsylvania Company for Insurances v. Broad Street Hosp., 354 Pa. 123, 128, 47 A.2d 281, 283 (1946). The bona fide purchaser instantly acquires a vested right to property sold at a public sale of land at the moment it is knocked off to him if he complies in all respects with the conditions of sale. Id. at 129, 47 A.2d at 284.

In the present case, Plaintiff has presented a Sheriff's Deed, which demonstrates its ownership of the property in question. In contrast, no evidence has been presented challenging Plaintiff's title.

## **II. PLAINTIFF HAS DEMANDED POSSESSION**

Attached as Exhibit B is a letter from Francis S. Hallinan, Esquire, counsel for Plaintiff, advising the occupants of Plaintiff's ownership and directing them to vacate the premises and deliver up possession of same. Prior to the filing of this Motion, the occupants have had ample opportunity to peacefully vacate the premises on their own, but have failed to do so.

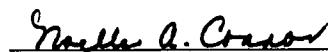
## **III. CONCLUSION**

The purpose of the summary judgment procedure is to prevent vexation and delay, improve the machinery of justice, promote the expeditious disposition of cases and avoid unnecessary trials when no genuine issue of material fact is raised. Thompson v. Nason, 379 Pa.Super. 115, 535 A.2d 1177 (1988), affirmed, 527 Pa.330, 591 A.2d 703 (1991). In making its determination to grant summary judgment, the Court must accept as true all properly pleaded facts, as well as all reasonable inferences which might be drawn therefrom. Id.

Plaintiff requests that its motion be granted so that it can gain possession of its premises and recover the unjust financial losses it has incurred. Due to the occupants' failure to peacefully vacate the premises, Plaintiff requires the aid of this Court to gain rightful possession of its premises.

WHEREFORE, Plaintiff respectfully requests that Judgment for possession be entered as prayed for in the Complaint.

Respectfully submitted,  
FEDERMAN AND PHELAN, LLP

  
\_\_\_\_\_  
Noelle A. Connor, Esquire  
Attorney for Plaintiff

**EXHIBIT A**

# CLEARFIELD COUNTY RECORDER OF DEEDS

Karen L. Starck, Recorder

Maurene Inlow - Chief Deputy

P.O. Box 361

1 North Second Street, Suite 103

Clearfield, Pennsylvania 16830

AMENDAVIT No: 37242

## \*RETURN DOCUMENT TO:

CLEARFIELD CO SHERIFF

Instrument Number - 200402234

Recorded On 2/12/2004 At 2:06:54 PM

\* Instrument Type - DEED

\* Total Pages - 5

Invoice Number - 105720

\* Grantor - CLEARFIELD CO SHERIFF

\* Grantee - WELLS FARGO HOME MORTGAGE INC

\* Customer - CLEARFIELD CO SHERIFF

### \* FEES

RECORDING FEES -	\$13.50
RECORDER	
COUNTY IMPROVEMENT FUND	\$2.00
RECORDER IMPROVEMENT	\$3.00
FUND	
JCS/ACCESS TO JUSTICE	\$10.00
STATE WRIT TAX	\$0.50
TOTAL	\$29.00

I hereby CERTIFY that this document  
is recorded in the Recorder's Office of  
Clearfield County, Pennsylvania.



*Karen J. Starck*

Karen L. Starck  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

# Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

SHERIFF'S DEED

-ACT OF 1905

**Know all Men by these Presents,**

That I, **Chester A. Hawkins**, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$1.00 plus costs

, to me in hand, do hereby grant and convey to **WELLS FARGO HOME MORTGAGE, INC. F/K/A NORWEST MORTGAGE, INC.**

the following described property, to wit:

ALL THAT CERTAIN messuage or piece of land situate and being in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Southwest corner of Lot No. 2 in the E.F. Hand Plan of Lots in Sandy Township; thence North 60 degrees West, 70 feet to a point on a street or alley; thence along said street or alley, North 30 degrees 15 minutes East, 200 feet to a point on the Southerly side of Wayne Road, also being a public road leading from DuBois to Reynoldsville; thence along said road, South 60 degrees East, 70 feet to a point at the Westerly line of said Lot No. 2; which lot is now or formerly owned by Jack E. and Kay Guthridge, South 30 degrees 15 minutes West, 200 feet to the place of beginning. Being known as Lot No. 3 in the E.F. Hand Plan of Lots of Sandy Township, Clearfield County, Pennsylvania.

TAX PARCEL #128.0-B04-438-00024

**TITLE TO SAID PREMISES IS VESTED IN** Brent P. Coder and Melanie K. Coder, husband and wife by Deed from Gavin B. Chafin and Jane D. Chafin, husband and wife dated 10/22/1996, recorded 10/25/1996, in Record Book 1798, Page 47.

**SEIZED**, taken in execution and sold as the property of BRENT P. CODER AND MELANIE K. CODER, at the suit of **WELLS FARGO HOME MORTGAGE, INC. F/K/A NORWEST MORTGAGE, INC.** JUDGMENT NO. 02-1964-CD.

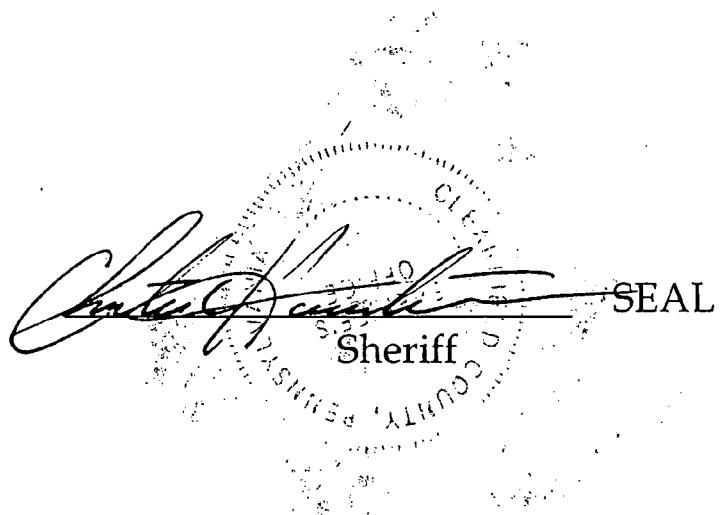
Now, FEBRUARY 12, 2004 the same having been sold by me to the said  
grantee on the 5TH day of SEPTEMBER Anno Domini two thousand and three  
after due advertisement according to law, under and by virtue of writ of execution  
issued on the 21ST day of MAY Anno Domini two thousand and three out of the  
Court of Common Pleas of said County of Clearfield as of case number 02-1964-CD at  
the suit of

WELLS FARGO HOME MORTGAGE, INC. F/K/A NORWEST  
MORTGAGE, INC.

against

BRENT P. CODER AND MELANIE K. CODER

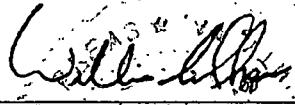
IN WITNESS WHEREOF, I have hereunto affixed my signature this 12TH  
day of FEBRUARY Anno Domini Two thousand and four.



State of Pennsylvania  
County of Clearfield

On 12TH day of FEBRUARY , 2004, before me a Prothonotary, the undersigned officer personally appeared, **Chester A. Hawkins**, High Sheriff of the State of Pennsylvania known to me (or satisfactory proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity reinstated and for the purposes therein contained.

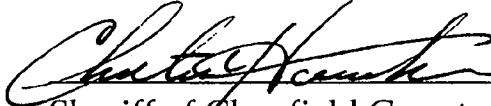
In witness whereof, I have hereunto set my hand and official seal.

  
Prothonotary Title of Officer

Deputy Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

#### CERTIFICATE OF RESIDENCE

"I hereby Certify that the precise Residence of the Grantee or Grantees is,

  
Sheriff of Clearfield County

WELLS FARGO HOME MORTGAGE, INC. F/K/A NORWEST  
MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217

Deed - #011.

No.

**Chester A. Hawkins**

High Sheriff of Clearfield County

TO

WELLS FARGO HOME MORTGAGE, INC. F/K/A NORWEST MORTGAGE, INC.

5024 PARKWAY PLAZA BOULEVARD

CHARLOTTE, NC 28217

**SHERIFF DEED**

Dated FEBRUARY 12, 2004  
For \$1.00 + COSTS

Sold as the property of

BRENT P. CODER AND MELANIE K. CODER

Sold on 02-1964-CD

**EXHIBIT B**

Federman and Phelan, LLP  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000  
Fax # (215) 563-5534

October 1, 2003

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

RE: 115 Wayne Road  
Dubois, PA 15801

Dear Occupant:

We represent Wells Frago Home Mortgage, Inc., which became equitable owner of the above premises as a result of foreclosure and judicial sale by the Sheriff of the County of Clearfield on September 5, 2003.

You are now in possession of the premises without Authority or permission of our client and you must vacate immediately.

Unless you immediately vacate the premises and make them available for possession, court action will be taken against you at once.

Very truly yours,

FEDERMAN AND PHELAN

Francis S. Hallinan, Esquire

## **EXHIBIT C**

OCT 03 2003

William A. Shaw  
Prothonotary/Clerk of Courts

Federman and Phelan, LLP  
By: Francis S. Hallinan, Esquire  
Identification No. 62695  
One Penn Center Plaza  
Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Attorney for Plaintiff

Wells Fargo Home Mortgage, Inc.  
3476 Stateview Boulevard  
Fort Mill, SC 29715

: Court of Common Pleas

: Civil Division

: Clearfield County

: Term 2003-1487

: No.

**FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN**

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

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We hereby certify the  
within to be a true and  
correct copy of the  
original filed of record  
**FEDERMAN AND PHELAN**

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

*FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN*

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WHEREFORE, plaintiff seeks to recover possession of said premises.

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Francis S. Hallinan, Esquire  
Attorney for Plaintiff

Premises: 115 WAYNE ROAD, TOWNSHIP OF SANDY  
CLEARFIELD COUNTY  
PA

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DESCRIPTION

ALL THAT CERTAIN messuage or piece of land situate and being in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Southwest corner of Lot No. 2 in the E.F. Hand Plan of Lots in Sandy Township; thence North 60 degrees West, 70 feet to a point on a street or alley; thence along said street or alley, North 30 degrees 15 minutes East, 200 feet to a point on the Southerly side of Wayne Road, also being a public road leading from DuBois to Reynoldsville; thence along said road, South 60 degrees East, 70 feet to a point at the Westerly line of said Lot No. 2; which lot is now or formerly owned by Jack E. and Kay Guthridge; South 30 degrees 15 minutes West, 200 feet to the place of beginning. Being known as Lot No. 3 in the E.F. Hand Plan of Lots of Sandy Township, Clearfield County, Pennsylvania.

TAX PARCEL #128.0-804-438-00024

## VERIFICATION

MARK WOOTON

V.P. LOAN DOCS

Hereby states that he/ she is the is the

Wells Fargo Home Loan Mortgage Corporation

Mortgage servicing agent for the Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Ejectment are true and correct to the best of his /her knowledge, information and belief. The

Undersigned understands that this statement is made subject to the penalties of 18 Pa,

C.S. Sec. 4904 relating to unsworn falsification to authorities.



Date: 9/30/03

MARK WOOTON  
VICE PRESIDENT LOAN DOCUMENTATION

**EXHIBIT D**

Wells Fargo Home Mortgage INC  
Plaintiff

VS.

Brent Coder  
Defendant

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield CTY  
NO: 2003-1487

## OBJECTION

The following ATTACHED SHEET IS A WRITTEN  
STATEMENT, TO object to the claims SET forth AGAINST  
US.

WE ARE ASKING for a reconsideration hearing  
ON THIS MATTER. SEE ATTACHED

Thank you

Melanie K Coder

115 Wayne RD

Dubois PA 15801

(814) 372-2030 -Phone

## FILED

NOV 14 2003

2003-1487

William A. Shaw

Prothonotary/Clerk of Courts

1 copy to DCM

80

Clearfield County Court House  
& Common Pleas Civil Division:

I Brent & Melanie Codee am Requesting a Hearing in this matter of Wells Fargo Home Mortgage INC. VS. Brent Codee No 2003-1487. AT This time I ask that all action be stopped until a hearing date can be set.

AT This time I feel we should be eligible for a stay of Conveyance in my home & Should be aloud to pay rent. My objections are as follows

ON Nov 7. 2003 Brent was hospitalized with a heart condition & found he is a diabetic AND ALSO has liver problems.

Melanie is at this time INCARCERATED & ON WORK release sending money home to pay bills & would be able to help pay rent.

AT This time a move would be extremely Stress full on Brent & family to HAVE to move. WE are willing to rent the home. Until Melanies release date, in Early Spring.

Another objection to this matter is Mid Penn Legal Services have been contacted upon many occasions & have NOT followed thru with any help on this matter:

Also All coraspondance for Wells Fargo have been through a DEBT Collection Agency /ATTORNEY WE were recently discharged of all dept. through Bankruptcy there for this should not be ~~an~~ an attempt to collect a debt, but to inforce a Lien. against property

IT IS at this time we are filing this motion ourself to try & keep our RESIDENT until it would be an approriate time to MOVE

Thank you, Please Contact us ASAP.  
(814) 372-2030

Brent L. Coder  
Melanie K. Coder

11-13-03

**VERIFICATION**

Noelle A. Connor, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion for Summary Judgment and supporting Brief are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Noelle A. Connor  
Noelle A. Connor, Esquire  
Attorney for Plaintiff

*file name & #: coder, E6742826*

**FEDERMAN AND PHELAN, LLP**  
By: NOELLE A. CONNOR, ESQUIRE  
Identification No. 83130  
**One Penn Center at Suburban Station**  
**1617 John F. Kennedy Boulevard**  
**Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

**Wells Fargo Home Mortgage, Inc.**  
**3476 Stateview Boulevard**  
**Fort Mill, SC 29715**

**vs.**

**Brent Coder**  
**Or Occupants**  
**115 Wayne Road**  
**Dubois, PA 15801**

**Attorney for Plaintiff**  
: **Court of Common Pleas**  
: **Civil Division**  
: **Clearfield County**  
: **No. 2003-1487**

**CERTIFICATION OF SERVICE**

I hereby certify true and correct copies of the foregoing Plaintiff's Motion for Summary Judgment and Supporting Brief were served by regular mail on Defendant at the address and on the date listed below:

Brent Coder, Pro Se  
115 Wayne Road  
Dubois, PA 15801

Melanie Coder  
115 Wayne Road  
Dubois, PA 15801

DATE: 3-30-04

Noelle A. Connor  
Noelle A. Connor, Esquire  
Attorney for Plaintiff

**FILED**

APR 01 2004

William A. Shaw  
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP  
By: NOELLE A. CONNOR, ESQUIRE  
Identification No. 83130  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Wells Fargo Home Mortgage, Inc.  
3476 Stateview Boulevard  
Fort Mill, SC 29715

vs.

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

Attorney for Plaintiff

: Court of Common Pleas

: Civil Division

: Clearfield County

: No. 2003-1487

**PRAECIPE TO INDEX MELANIE CODER AS A DEFENDANT**

TO THE PROTHONOTARY:

Please index Melanie Coder as a Defendant in the above referenced case.

3-30-04  
Date

Noelle A. Connor  
Noelle A. Connor, Esquire  
Attorney for Plaintiff

FILED

APR 01 2004

William A. Shaw  
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP  
By: NOELLE A. CONNOR, ESQUIRE  
Identification No. 83130  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Wells Fargo Home Mortgage, Inc.  
3476 Stateview Boulevard  
Fort Mill, SC 29715

vs.

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

Attorney for Plaintiff

: Court of Common Pleas

: Civil Division

: Clearfield County

: No. 2003-1487

CERTIFICATION OF SERVICE

I hereby certify a true and correct copy of the foregoing Praeclipe to Index Defendant was served by regular mail on Defendant on the date listed below:

Brent Coder, Pro Se  
115 Wayne Road  
Dubois, PA 15801

Melanie Coder  
115 Wayne Road  
Dubois, PA 15801

DATE: 3-30-04

Noelle A. Connor  
Noelle A. Connor, Esquire  
Attorney for Plaintiff

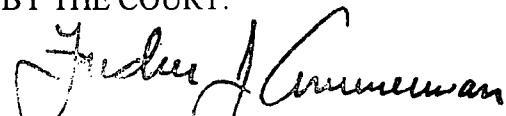
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL DIVISION

WELLS FARGO HOME :  
MORTGAGE, INC. :  
vs. : No. 03-1487-CD  
BRENT CODER :  
:

O R D E R

NOW, this 8th day of April, 2004, upon consideration of Plaintiff's Motion for Summary Judgment, a Rule is hereby issued upon the Defendant to Appear and Show Cause why the Motion should not be granted. Argument is scheduled the 7 day of May, 2004, at 2:30 P.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge

FILED

APR 12 2004

William A. Shaw  
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP  
By: NOELLE A. CONNOR, ESQUIRE  
Identification No. 83130  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Wells Fargo Home Mortgage, Inc.  
3476 Stateview Boulevard  
Fort Mill, SC 29715

vs.

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

**Attorney for Plaintiff**

: Court of Common Pleas

: Civil Division

: Clearfield County

: No. 2003-1487

**CERTIFICATION OF SERVICE**

I hereby certify a true and correct copy of the foregoing Order scheduling argument on Plaintiff's Motion for Summary Judgment was served via overnight mail on Defendants on the date listed below:

Brent Coder, Pro Se  
Melanie K. Coder, Pro Se  
115 Wayne Road  
Dubois, PA 15801

DATE: 4.28.04

Noelle A. Connor  
Noelle A. Connor, Esquire  
Attorney for Plaintiff

**FILED**

**MAY 03 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

WELLS FARGO HOME :  
MORTGAGE, INC. :  
vs. : No. 03-1487-CD  
BRENT CODER :  
:

**ORDER**

NOW, this 8<sup>th</sup> day of April, 2004, upon consideration of Plaintiff's Motion for Summary Judgment, a Rule is hereby issued upon the Defendant to Appear and Show Cause why the Motion should not be granted. Argument is scheduled the 7 day of May, 2004, at 2:30 P.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN  
President Judge

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

APR 12 2004

Attest.

*William B. Shaw*  
Prothonotary/  
Clerk of Courts

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

WELLS FARGO HOME  
MORTGAGE, INC.  
Plaintiff

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Docket No. 03-1487-CD

v.

BRENT CODER,  
Defendant

\*

Type of Pleading:  
PRAECIPE TO ENTER APPEARANCE

Filed on Behalf of:  
Plaintiff:  
WELLS FARGO HOME MORTGAGE, INC.

Counsel of Record for  
This Party:

Dwight L. Koerber, Jr., Esquire  
PA I.D. No. 16332

LAW OFFICES OF  
DWIGHT L. KOERBER, JR.  
110 N. Second Street  
P.O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

**MAY 07 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

WELLS FARGO HOME  
MORTGAGE, INC.,  
Plaintiff

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Docket No. 03-1487-CD

v.

BRENT CODER,  
Defendant

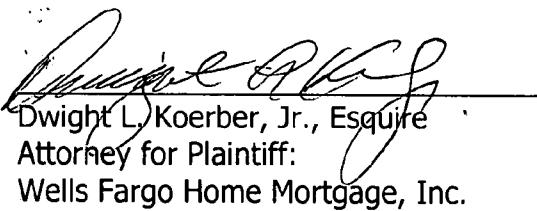
\*

**PREACIPE TO ENTER APPEARANCE**

TO THE PROTHONOTARY:

Please enter my appearance on behalf of Plaintiff, Wells Fargo Home Mortgage, Inc., in this proceeding.

Respectfully submitted,

  
Dwight L. Koerber, Jr., Esquire  
Attorney for Plaintiff:  
Wells Fargo Home Mortgage, Inc.

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

WELLS FARGO HOME  
MORTGAGE, INC.,  
Plaintiff

\*  
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Docket No. 03-1487-CD

v.

BRENT CODER,  
Defendant

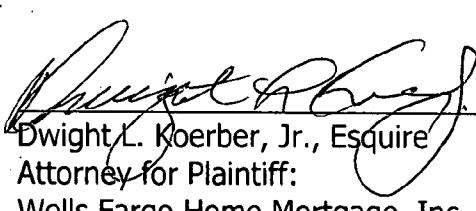
\*

**CERTIFICATE OF SERVICE**

I certify that on the 7<sup>th</sup> day of May, 2004, the undersigned served certified copies of the Praeclipe to Enter Appearance in the above-captioned matter upon the following via United States First Class Mail.

Brent Coder or Occupant  
115 Wayne Road  
DuBois, PA 15801

Noelle A. Connor, Esquire  
FEDERMAN AND PHELAN, LLP  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814

  
Dwight L. Koerber, Jr., Esquire  
Attorney for Plaintiff:  
Wells Fargo Home Mortgage, Inc.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
DOCKET NO. 03-1487-CD

WELLS FARGO HOME MORTGAGE, INC.  
Plaintiff

v.

BRENT CODER,  
Defendant

PRAECIPE TO ENTER APPEARANCE

FILED 4CC  
MAY 10 2004 BY ATTY Koerber  
William A. Shaw  
Prothonotary/Clerk of Courts  
copy to cja

LAW OFFICE:

DWIGHT KOERBER, JR.  
ATTORNEY-AT-LAW  
110 NORTH SECOND STREET  
P. O. BOX 1320  
CLEARFIELD, PENNSYLVANIA 16830

Date: 05/27/2004

**Clearfield County Court of Common Pleas**

User: DGREGG

Time: 09:58 AM

Page 1 of 1

**ROA Report**

Case: 2003-01487-CD

Current Judge: Fredric Joseph Ammerman

Wells Fargo Home Mortgage, Inc. vs. Brent Coder, Melanie Coder

**Civil Other**

Date	Judge	
10/03/2003	Filing: Civil Complaint-Ejectment, Paid by: Federman & Phelan LLP Receipt number: 1867026 Dated: 10/03/2003 Amount: \$85.00 (Check) 1 Cert. to Sheriff	No Judge
10/22/2003	Sheriff Returns, Complaint on Defendant. So Answers, Chester A. Hawkins by s/Marilyn Hamm \$69.04 paid by Attorney	No Judge
11/14/2003	OBJECTION. filed by, s/Brent Coder 1 cc to Defendant	No Judge
04/01/2004	Motion For Summary Judgment. filed by, s/Noelle A. Connor, Esquire no c Certificate of Service of Motion for Summary Judgment and Supporting Brief on Def. No CC.	No Judge
04/02/2004	Praecipe to Index Melanie Coder as Defendant filed by Atty. Connor. No CC.	No Judge
04/12/2004	ORDER, NOW, this 8th day of April, 2004, re: Rule issued upon Defendant. Fredric Joseph Ammerman Argument is scheduled the 7th day of May, 2004 at 2:30 p.m. in Courtroom No. 1. by the Court, s/FJA, P.J. 2 cc & Memo re: Service to Atty Connor	
05/03/2004	Certificate of Service, Order of April 8, 2004, upon Brent Coder, Pro Se and Fredric Joseph Ammerman Melanie K. Coder, Pro Se filed by, s/Noelle A. Connor, Esquire no cc	
05/07/2004	Praecipe To Enter Appearance On Behalf Of Wells Fargo Home Mortgage, Fredric Joseph Ammerman Inc. s/Dwight L. Koerber, Jr., Esquire Certificate of Service 4 cc Atty Koerber Copy to C/A	

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WELLS FARGO HOME MORTGAGE, INC. :

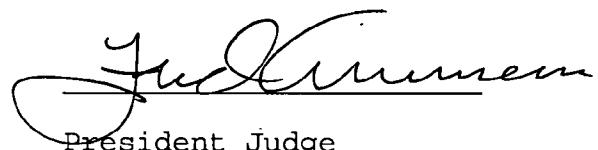
VS. : NO. 2003-1487-CD

BRENT CODER and MELANIE CODER :

O R D E R

NOW, this 28th day of May, 2004, it is the ORDER of this Court that the Plaintiff's Motion for Summary Judgment be and is hereby granted. The Plaintiff is hereby given the exclusive possession of the premises in question against the Defendants and any other individuals who may be occupying the property located at 115 Wayne Road, Dubois, Clearfield County, Pennsylvania.

BY THE COURT:



*Jud Krumm*  
President Judge

**FILED**

MAY 27 2004

William A. Shaw  
Prothonotary

Federman and Phelan  
BY: Francis S. Hallinan, Esquire  
Identification No. 62695  
Suite 1400, One Penn Center  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Wells Fargo Home Mortgage, Inc. : COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: vs : No. 2003-1487-CD  
Brent Coder : Clearfield County  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

**PRAECIPE FOR JUDGMENT IN EJECTMENT**

**TO THE PROTHONOTARY:**

Kindly enter Judgment in Ejectment in favor of the Plaintiff, Wells Fargo Home Mortgage, Inc. and against the Defendant(s) Brent Coder and Or Occupants for possession of premises 115 Wayne Road, Dubois, PA 15801, pursuant to the attached court order dated May 28, 2004.

  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

Default Judgment entered as indicated above.

DATE

**FILED**

JUN 15 2004

William A. Shaw  
Prothonotary/Clerk of Courts

Federman and Phelan  
BY: Francis S. Hallinan, Esquire  
Identification No. 62695  
Suite 1400, One Penn Center  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Wells Fargo Home Mortgage, Inc. : COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: vs : No. 2003-1487-CD  
Brent Coder : Clearfield County  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801

**VERIFICATION OF NON-MILITARY SERVICE**

Francis S. Hallinan, Esquire, hereby verifies that he is Attorney for Plaintiff in the above captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

- (a) That the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.
- (b) That defendant Brent Coder Or occupants, is over 18 years of age, and resides at 115 Wayne Road, Dubois, PA 15801.

This statement is made subject to the penalties of 18 PA. C.S.S 4904 relating to unsworn falsification to authorities.

*Francis S. Hallinan*  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

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

WELLS FARGO HOME MORTGAGE, INC. :

VS. : NO. 2003-1487-CD

BRENT CODER and MELANIE CODER :

O R D E R

NOW, this 28th day of May, 2004, it is the ORDER of this Court that the Plaintiff's Motion for Summary Judgment be and is hereby granted. The Plaintiff is hereby given the exclusive possession of the premises in question against the Defendants and any other individuals who may be occupying the property located at 115 Wayne Road, Dubois, Clearfield County, Pennsylvania.

BY THE COURT:

/s/ Fredric J. Ammerman

President Judge

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

MAY 27 2004

Attest.

*L. Ammerman*  
Prothonotary/  
Clerk of Courts

**COPY**

## OFFICE OF THE PROTHONOTARY

### COURT OF COMMON PLEAS

TO: Brent Coder OR OCCUPANTS  
115 Wayne Road  
Dubois, PA 15801

Wells Fargo Home Mortgage, Inc. : COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: Vs : No. 2003-1487-CD  
Brent Coder : Clearfield County  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801  
Attorney ID # 62695

### NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

Prothonotary

6/15/04

- Judgment by Default
- Money Judgment
- Judgment in Replevin
- Judgment for Possession
- Judgment on Award of Arbitration
- Judgment on Verdict
- Judgment on Court Findings

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY: Francis S. Hallinan Esquire, at this telephone number: (215) 563-7000.

PRAECIPE FOR WRIT OF POSSESSION

FILED

COMMONWEALTH OF PENNSYLVANIA

JUN 15 2004

William A. Shaw  
Prothonotary/Clerk of Courts

COUNTY OF Clearfield

Wells Fargo Home Mortgage, Inc. : COURT OF COMMON PLEAS

: CIVIL DIVISION

: vs : No. 2003-1487-CD

Brent Coder  
Or Occupants  
115 Wayne Road  
Dubois, PA 15801 : Clearfield County

*PRAECIPE FOR WRIT OF POSSESSION*

TO THE PROTHONOTARY:

Issue Writ of Possession in the above matter for possession of:

115 Wayne Road, Dubois, PA 15801

\*\*PLEASE SEE THE ATTACHED LEGAL DESCRIPTION\*\*\*

125.00 Prothonotary costs

Being Known as No. 115 Wayne Road

*Francis S. Hallinan*  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

# Commonwealth of Pennsylvania

County of Clearfield

Court of Common Pleas

Wells Fargo Home Mortgage, Inc.

vs.

NO.2003-1487-CD

Brent Coder  
Or occupants  
115 Wayne Road  
Dubois, PA 15801

## 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:

**Wells Fargo Home Mortgage, Inc.**

(2) To satisfy the costs against

Brent Coder  
Or occupants  
115 Wayne Road  
Dubois, PA 15801

you are

directed to levy upon any property of

Brent Coder  
Or occupants  
115 Wayne Road  
Dubois, PA 15801

and sell

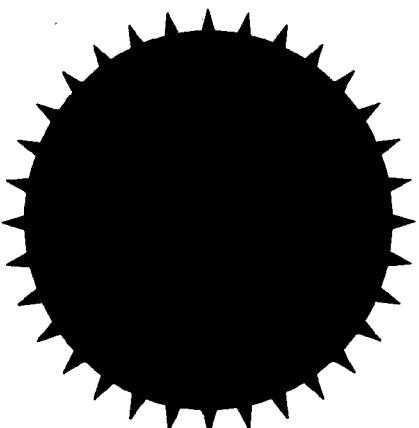
interest therein.

125.00 Prothonotary costs

*Prothonotary*

By \_\_\_\_\_  
*Clerk*

Date 9/15/04



**Court of Common Pleas**

*-TERM,*

**NO. 2003-1487-CD**

**Wells Fargo Home Mortgage, Inc.**

**vs.**

**Brent Coder  
Or occupants  
115 Wayne Road  
Dubois, PA 15801**

**WRIT OF POSSESSION**

**Federman & Phelan, LLP  
One Penn Center at Suburban Station  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000**

*Francis S. Hallinan*  
Francis S. Hallinan, Esquire

Premises: 115 WAYNE ROAD, TOWNSHIP OF SANDY  
CLEARFIELD COUNTY  
PA

Based upon the examination of evidence in the appropriate public records, Company certifies that the premises endorsed hereon are subject to the liens, encumbrances and exceptions to title hereinafter set forth. This Certificate does not constitute title insurance; liability hereunder is assumed by the Company solely in its capacity as an abstractor for its negligence, mistakes or omissions in a sum not to exceed Two Thousand Dollars.

DESCRIPTION

ALL THAT CERTAIN messuage or piece of land situate and being in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Southwest corner of Lot No. 2 in the E.F. Hand Plan of Lots in Sandy Township; thence North 60 degrees West, 70 feet to a point on a street or alley; thence along said street or alley, North 30 degrees 15 minutes East, 200 feet to a point on the Southerly side of Wayne Road, also being a public road leading from DuBois to Reynoldsville; thence along said road, South 60 degrees East, 70 feet to a point at the westerly line of said Lot No. 2; which lot is now or formerly owned by Jack E. and Kay Gutridge; South 30 degrees 15 minutes West, 200 feet to the place of beginning. Being known as Lot No. 3 in the E.F. Hand Plan of Lots of Sandy Township, Clearfield County, Pennsylvania.

TAX PARCEL #128.0-B04-438-00024

**FEDERMAN AND PHELAN, LLP**  
By: Frank Federman, Esquire  
Atty. I.D. No.: 12248  
One Penn Center at Suburban Station  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

**WELLS FARGO HOME MORTGAGE, INC.**

Plaintiff

vs.

Court of Common Pleas  
CLEARFIELD County  
No. 2003-1487-CD

**BRENT CODER OR OCCUPANTS**

Defendant(s)

**FILED**  
M 2:15 SA 1cc v Court  
to Act on  
Copy to EA  
SEP 27 2004

PRAECIPE TO WITHDRAW COMPLAINT,  
VACATE JUDGMENT AND DISCONTINUE AND  
END ACTION, WITHOUT PREJUDICE

William A. Shaw  
Prothonotary

TO THE PROTHONOTARY:

Kindly withdraw the complaint filed in the instant matter, without prejudice, vacate the judgment and mark this case discontinued and ended, upon payment of your costs only.

Date

9/21/04

Frank Federman  
Frank Federman  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Wells Fargo Home Mortgage, Inc.

Vs. No. 2003-01487-CD  
**Brent Coder**  
**Melanie Coder**

**CERTIFICATE OF DISCONTINUATION**

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on September 27, 2004, marked:

Discontinued, Settled and Ended.

Record costs in the sum of \$194.04 have been paid in full by Attorney Federman..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 27th day of September A.D. 2004.

---

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15956  
NO: 03-1487-CD

PLAINTIFF: WELLS FARGO HOME MORTGAGE, INC.  
vs.  
DEFENDANT: BRENT CODER

WRIT OF EXECUTION POSSESSION

**SHERIFF RETURN**

**SERVICES**

07/16/2004 @ 11:18 AM SERVED BRENT CODER OR OCCUPANTS  
SERVED BRENT CODER, DEFENDANT, AT HIS RESIDENCE, 115 WAYNE ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY  
HANDING TO BRENT CODER

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

@ SERVED

NOW, 8/3/04 PROPERTY RECHECKED, RESIDENCE EMPTY, 8/5/04 INFORMED ATTORNEY.

@ SERVED  
NOW MARCH 19, 2004 RETURN WRIT AS BEING SERVED.

**FILED**  
019:55 AM  
MAR 21 2005 (OK)

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15956  
NO: 03-1487-CD

PLAINTIFF: WELLS FARGO HOME MORTGAGE, INC.

vs.

DEFENDANT: BRENT CODER

WRIT OF EXECUTION POSSESSION

SHERIFF RETURN

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SHERIFF HAWKINS \$37.25

SURCHARGE \$10.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2005

  
In Comptroller's Office  
Chester A. Hawkins  
Sheriff

# Commonwealth of Pennsylvania

County of Clearfield

Court of Common Pleas

Wells Fargo Home Mortgage, Inc.

vs.

NO.2003-1487-CD

Brent Coder  
Or occupants  
115 Wayne Road  
Dubois, PA 15801

## 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:

Wells Fargo Home Mortgage, Inc.

(2) To satisfy the costs against

Brent Coder  
Or occupants  
115 Wayne Road  
Dubois, PA 15801

directed to levy upon any property of

you are

Brent Coder  
Or occupants  
115 Wayne Road  
Dubois, PA 15801

and sell

interest therein.

125.00 Prothonotary  
Costs

Prothonotary

By Willie L. Hause  
Clerk

Date 6/15/04

Received June 15, 2004 at 3:00 P.M.  
Chester C. Hawkins  
by Cynthia Button-Aughbaugh

# Court of Common Pleas

*TERM,*

NO. 2003-1487-CD

Wells Fargo Home Mortgage, Inc.

vs.

Brent Coder  
Or occupants  
115 Wayne Road  
Dubois, PA 15801

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## WRIT OF POSSESSION

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Federman & Phelan, LLP  
One Penn Center at Suburban Station  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

*Francis S. Hallinan*  
Francis S. Hallinan, Esquire

Premises: 115 WAYNE ROAD, TOWNSHIP OF SANDY  
CLEARFIELD COUNTY  
PA

Based upon the examination of evidence in the appropriate public records, Company certifies that the premises endorsed hereon are subject to the liens, encumbrances and exceptions to title hereinafter set forth. This Certificate does not constitute title insurance; liability hereunder is assumed by the Company solely in its capacity as an abstractor for its negligence, mistakes or omissions in a sum not to exceed Two Thousand Dollars.

DESCRIPTION

ALL THAT CERTAIN messuage or piece of land situate and being in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Southwest corner of Lot No. 2 in the E.F. Hand Plan of Lots in Sandy Township; thence North 60 degrees West, 70 feet to a point on a street or alley; thence along said street or alley, North 30 degrees 15 minutes East, 200 feet to a point on the Southerly side of Wayne Road, also being a public road leading from DuBois to Reynoldsville; thence along said road, South 60 degrees East, 70 feet to a point at the westerly line of said Lot No. 2; which lot is now or formerly owned by Jack E. and Kay Guthridge, South 30 degrees 15 minutes West, 200 feet to the place of beginning. Being known as Lot No. 3 in the E.F. Hand Plan of Lots of Sandy Township, Clearfield County, Pennsylvania.

TAX PARCEL #128.0-B04-438-00024