

04-414-CD
CREDIGY RECEIVABLES, INC. vs. TIMOTHY J. STARCOVIC

Credigy Receivables Inc vs Timothy Stracovic
2004-414-CD

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

CREDIGY RECEIVABLES, INC. SUCCESSOR IN
INTEREST TO FIRST SELECT, INC.

Plaintiff

vs.

TIMOTHY J. STARCOVIC

Defendant

No. 04-414-CS

COMPLAINT IN CIVIL ACTION

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 Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#02635171

FILED

MAR 26 2004

William A. Shaw
Prothonotary

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

CREDIGY RECEIVABLES, INC. SUCCESSOR IN
INTEREST TO FIRST SELECT, INC.

Plaintiff

vs.

Civil Action No.

TIMOTHY J. STARCOVIC

Defendant

COMPLAINT IN CIVIL ACTION 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. 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

LAWYER REFERRAL SERVICE
PA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
1-800-692-7375

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

CREDIGY RECEIVABLES, INC. SUCCESSOR IN
INTEREST TO FIRST SELECT, INC.

Plaintiff

vs.

Civil Action No.

TIMOTHY J. STARCOVIC

Defendant

COMPLAINT

AND NOW COMES, Plaintiff, Credigy Receivables, Inc., successor in interest to First Select, Inc., by and through its counsel, WELTMAN, WEINBERG & REIS, CO., LPA., and hereby files this Complaint against Defendant, Timothy J. Starcovic, and, in support thereof, Plaintiff avers as follows:


1. The Plaintiff, Credigy Receivables, Inc., successor in interest to First Select, Inc., is a corporation with its principal place of business located at Two Sun Court, Suite 450, Norcross, GA 30092.
2. Plaintiff is the owner of this account, which is the subject matter of this action.
3. Defendant is an adult individual residing at RR8, Box 353, Du Bois, Pennsylvania, 15801 .
4. Defendant requested the account and made use of said account and has currently a balance due and owing to Plaintiff, as of January 12, 2004, in the amount of \$1,991.28.

5. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, Timothy J. Starcovic individually, in the amount of \$1,991.28 with finance charges thereon at the rate of 6% per annum from January 12, 2004, plus costs.

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

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


WILLIAM T. MOLCZAN, ESQUIRE
PA I.D.#47437
Weltman, Weinberg & Reis Co., L.P.A.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#: 02635171

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to unsworn falsifications to authorities, that he/she is Renee White
(Name)
Assistant Vice President of Credigy, 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.

Renee White
(Signature)

FILED

71 12-21 44 900 85.00
MAR 26 2004

William A. Shaw
Prothonotary

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CREDIGY RECEIVABLES, INC.
SUCCESSOR IN INTEREST TO
FIRST SELECT, INC.,
Plaintiff

CIVIL ACTION – LAW

v.

Case No. 04-414- C.D.

TIMOTHY J. STARCOVIC,
Defendant

TYPE OF CASE: Civil

TYPE OF PLEADING:
Answer

FILED ON BEHALF OF:
Defendant

COUNSEL OF RECORD FOR
THIS PARTY: Sharon L. Smith
197 Main Street
Brookville, Pa. 15825
814-849-6720
Pa.I.D. 28738

FILED

APR 28 2004

William A. Shaw
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CREDIGY RECEIVABLES, INC.
SUCCESSOR IN INTEREST TO
FIRST SELECT, INC.
Plaintiff

v.

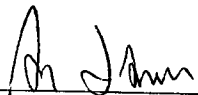
Case No. 04-414-C.D.

TIMOTHY J. STARCOVIC,
Defendant

ANSWER

1. Admitted.
2. Denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averment.
3. Denied. Defendant resides at 1496 Treasure Lake, DuBois, Clearfield County, Pennsylvania 15801.
4. Denied. Defendant has never had an account with Credigy Receivables or First Select. Since he has never had an account with either plaintiff or its predecessor in interest, he does not owe it any money.
5. Denied. Plaintiff has never made any demand for payment prior to filing this complaint. Since the complaint has been filed, defendant has repeatedly contacted plaintiff's counsel for information about the alleged debt including account numbers and bills. Plaintiff's counsel has refused to supply the information.

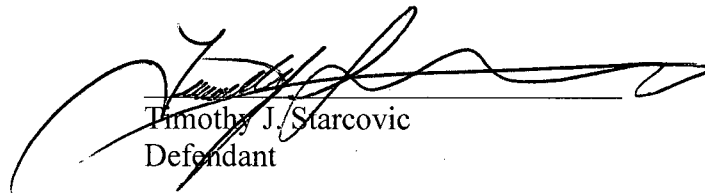
WHEREFORE, Defendant requests judgment in his favor and against plaintiff.



Sharon L. Smith
Attorney for Defendant
197 Main Street
Brookville, Pa. 15825
814-849-6720
Pa.I.D. 28738

I verify that the statements made in this Answer are true and correct. I understand that false statement herein are made subject to the penalties of 18 Pa. 18 P.S. Section 4904, relating to unsworn falsification to authorities.

Date: 27 April 2004



Timothy J. Starcovic
Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CREDIGY RECEIVABLES, INC.
SUCCESSOR IN INTEREST TO
FIRST SELECT, INC.,
Plaintiff

v.

Case No. 04-414-C.D.

TIMOTHY J. STARCOVIC,
Defendant

CERTIFICATE OF SERVICE OF
ANSWER

I, SHARON L. SMITH, certify under penalty of perjury that I served Answer on party at the address listed below on 27 April 2004 by first class mail, postage prepaid.

William T. Molczan, Esquire
Weltman, Weinberg & Reis Co., L.P.A.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, Pa. 15219

EXECUTED ON 27 April 2004

BY: 

Sharon L. Smith
197 Main Street
Brookville, Pa. 15825
814-849-6720
Pa.I.D. 28738

In The Court of Common Pleas of Clearfield County, Pennsylvania

CREDIGY RECEIVABLE, INC.

VS.

STARCOVIC, TIMOTHY J.

COMPLAINT

Sheriff Docket #

15364

04-414-CD

SHERIFF RETURNS

NOW APRIL 6, 2004 AT 10:45 AM SERVED THE WITHIN COMPLAINT ON TIMOTHY J. STARCOVIC, DEFENDANT AT RESIDENCE, RR#8 BOX 353, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ROBIN LEARISH, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: COUDRIET/RYEN

Return Costs

Cost	Description
32.25	SHERIFF HAWKINS PAID BY: ATTY CK# 8128186
10.00	SURCHARGE PAID BY: ATTY CK# 8128187

Sworn to Before Me This

17 Day Of May 2004
William A. Shaw

So Answers,

Chester A. Hawkins
by Marilyn Hamr
Chester A. Hawkins
Sheriff

FILED

0 1:25 37

MAY 17 2004

6/19/04

William A. Shaw
Prothonotary

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

CREDIGY RECEIVABLES INC., SUCCESSOR IN
INTEREST TO FIRST SELECT, INC.,

Plaintiff

vs.

TIMOTHY J STARCOVIC

Defendant

No. 04-414-CD

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

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#02635171

FILED

MAY 20 2004

William A. Shaw
Prothonotary

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

CREDIGY RECEIVABLES INC., SUCCESSOR IN
INTEREST TO FIRST SELECT, INC.,

Plaintiff

vs.

Civil Action No. 04-414-CD

TIMOTHY J STARCOVIC

Defendant


PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Settle, Discontinue and End the above-captioned matter upon the records of the Court without
prejudice to refile and mark the costs paid.

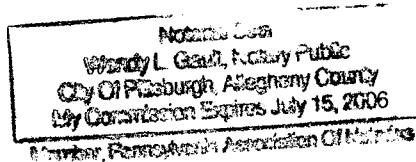
WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
Attorney for Plaintiff
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#02635171

SWORN TO AND SUBSCRIBED

before me this 18 day
of May, 2004


NOTARY PUBLIC



FILED

M 2:05 PM Conf to City
Conf to CA

MAY 20 2004

William A. Shaw
Prothonotary

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

CIVIL DIVISION

Credigy Receivables, Inc.

Vs.

No. 2004-00414-CD

Timothy J. Starcovic

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 May 20, 2004, marked:

Discontinued, settled and ended without prejudice.

Record costs in the sum of \$127.25 have been paid in full by Attorney.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 20th day of May A.D. 2004.

William A. Shaw, Prothonotary

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

JAMES E. DAVIS,
Plaintiff

vs.

DIANA K. DAVIS
Defendant

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:

No. 04-415-CD

PETITION AGAINST
DISSIPATION OF MARITAL
ASSETS AND CHANGE OF
BENEFICIARY

Filed on behalf of

Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-at-Law
Pa. I.D. 52782

BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, PA 16830

(814) 765-8972

FILED

10/31/30/01
DEC 06 2004

William A. Shaw
Prothonotary/Clerk of Courts

3cc
Amy Kubista

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

JAMES E. DAVIS,
Plaintiff

vs.

DIANA K. DAVIS
Defendant

No. 04-415-CD

NOTICE

A Petition or Motion has been filed against you in Court. If you wish to defend against the claims set forth in the following pages, you must take action on or before Jan. 24, 2005 by entering a written appearance personally or by attorney and filing (Rule Returnable) in writing with the Court your defenses or objections to the matter set forth against you. You are warned that if you fail to do so the case may proceed without you and an order may be entered against you by the Court without further notice for relief requested by the Petitioner or Movant. You may lose 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.

Court Administrator
Clearfield County Courthouse
Market & Second Streets
Clearfield, PA 16830
(814) 765-2641, Ext. 1300

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

JAMES E. DAVIS,
Plaintiff

vs.

DIANA K. DAVIS
Defendant

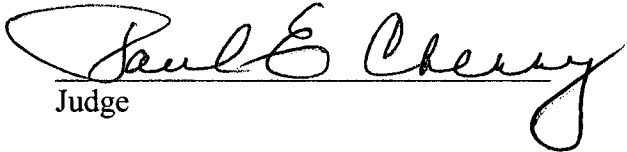
No. 04-415-CD


RULE

AND NOW, this 8th day of December, 2004 upon
consideration of the attached Petition, it is hereby ORDERED and DIRECTED that a rule be
issued upon Respondent to show cause why said Petition should not be granted.

Rule returnable and a hearing thereon the 24 day of January, 2005,
at 3:00 PM at the Clearfield County Courthouse, Courtroom 2. 1 hour(s) has been
allotted for this hearing.

BY THE COURT


Judge


FILED 3CC
01/4:00 PM Amy Kubista
DEC 08 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

JAMES E. DAVIS,
Plaintiff

vs.

DIANA K. DAVIS
Defendant

:
:
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:
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:
:

No. 04-415-CD

PETITION AGAINST DISSIPATION
OF MARITAL ASSETS AND CHANGE OF BENEFICIARY

NOW COMES the Petitioner, JAMES E. DAVIS, by and through his attorneys,
Belin & Kubista, and sets forth the following Petition Against Dissipation of Marital Assets
and Change of Beneficiary, and in support thereof would aver as follows:

1. That Petitioner is James E. Davis, Plaintiff in the above captioned
matter.
2. That Respondent is Diana K. Davis, Defendant, Plaintiff in the above
captioned matter.
3. That Petitioner filed a Complaint in Divorce on March 26, 2004 wherein
he raised the claim of equitable distribution.

COUNT I

4. Paragraphs 1 through 3 are incorporated herein by reference as though
set forth in full.
5. That during the parties marriage, Wife acquired a retirement through the
Commonwealth of Pennsylvania which is marital property.

6. That Petitioner is concerned that Respondent could dissipate marital assets by changing the beneficiary of the state pension prior to the entrance of a final Decree.

WHEREFORE, Petitioner requests Your Honorable Court to enter an Order directing that Respondent maintain Petitioner as a beneficiary on her pension pending the outcome of this action.

COUNT II

7. Paragraphs 1 through 6 are incorporated herein by reference as though set forth in full.

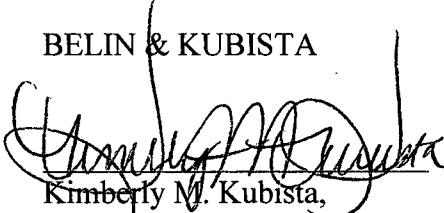
8. That Respondent also was living at the marital residence during separation.

9. That it is Petitioner's understanding that Respondent has vacated the marital residence and removed all items of personalty from the home.

10. That Respondent has no knowledge of where the personalty is located.

WHEREFORE, Petitioner requests Your Honorable Court to enter an Order for Respondent to: a) disclose the whereabouts of the marital property; and b) provide Petitioner with a full accounting of those items taken from the marital residence.

BELIN & KUBISTA



Kimberly M. Kubista,
Attorney for Petitioner

I verify that the statements made in the foregoing Petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

12-03-04
Date

James E. Davis
James E. Davis