

04-1242-CD
SOVEREIGN BANK ONE VS TODD G. DONAHUE

Sovereign Bank vs Todd Donahue et al
2004-1242-CD

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

Sovereign Bank
One Sovereign Way,
Mail Stop: RI1-EPV-02-17
East Providence, RI, 02915

: Court of Common Pleas

: Civil Division

v.

: Clearfield County

: Term

Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666

: No. 2004-1242-CD

:

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 and 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 

AUG 13 2004
m/12:05/2
William A. Shaw
Prothonotary/Clerk of Courts
1 CENT TO HON
1 CENT TO SHAW

1. Plaintiff is Sovereign Bank.
2. Defendant is Todd G. Donahue Or Occupants.
3. Plaintiff is equitable owner of premises located at 614 Hale Street, Osceola Mills, PA 16666, 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 July 2, 2004.
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

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE IN THE BOROUGH OF OSCEOLA, CLEARFIELD COUNTY, PENNSYLVANIA, AND BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POST ON HALE STREET AT THE SOUTH EAST CORNER OF LOT NOW OR FORMERLY OWNED BY FRANK DUNLAP; THENCE BY LINE OF SAID DUNLAP LOT IN A NORTHERLY DIRECTION ONE HUNDRED AND SIXTY-FIVE (165) FEET TO CORNER OF LOT OF WILLIAM WEBSTER; THENCE IN AN EASTERLY DIRECTION ALONG THE LINE OF SAID WEBSTER LOT FIFTY-TWO (52) FEET TO A POST; THENCE IN A SOUTHERLY DIRECTION ALONG LINE OF LOT OF S.W. MCLARREN ONE HUNDRED AND SIXTY-FIVE (165) FEET TO A POST ON HALE STREET; THENCE ALONG SAID HALE STREET IN A WESTERLY DIRECTION FORTY-EIGHT (48) FEET TO A POST AND PLACE OF BEGINNING.

BEING THE SAME PREMISES WHICH MARK S. GRAHAM BY DEED DATED 3/8/96 AND RECORDED IN THE CLEARFIELD COUNTY RECORDERS OFFICE IN CLEARFIELD COUNTY ON 6/8/96 IN DEED BOOK VOLUME 1763 AND PAGE 246 AND CONVEYED TO BARBARA C. GRAHAM THE GRANTOR HEREIN.

THIS IS A CONVEYANCE BETWEEN HUSBAND AND WIFE AND IS THEREFORE EXEMPT FROM ANY AND ALL TRANSFER TAX.

VERIFICATION

Francis S. Hallinan hereby states that he is the attorney for the Plaintiff in this eviction action and is authorized to make this verification. The statements made in the foregoing Civil Action - Ejectment are correct to the best of my knowledge, information, and belief. I was the attorney for the Plaintiff or Plaintiff's predecessor in interest in the underlying foreclosure action. I am with the law firm on the writ of execution, and my law firm or an agent of my firm purchased the property on behalf of the Plaintiff by bidding on the property at the sheriff's sale. I am making this verification rather than a representative of the Plaintiff because I have personal knowledge of the purchase of this property at sheriff's sale.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

8/12/04
Date

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

015017

015017

In The Court of Common Pleas of Clearfield County, Pennsylvania

SOVEREIGN BANK

VS.

DONAHUE, TODD G.

COMPLAINT IN EJECTMENT

Sheriff Docket #

16108

04-1242-CD

SHERIFF RETURNS

NOW AUGUST 27, 2004 AT 2:10 PM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON TODD G. DONAHUE, DEFENDANT/OCCUPANT AT RESIDENCE, 614 HALE ST., OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO TODD G. DONAHUE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: NEVLING/HUNTER

Return Costs

Cost	Description
33.00	SHERIFF HAWKINS PAID BY: ATT CK# 371016
10.00	SURCHARGE PAID BY: ATTY CK# 371017

Sworn to Before Me This

2nd Day Of Sept 2004

William A. Shaw
WILLIAM A. SHAW

Prothonotary

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

So Answers,

Chester A. Hawkins
by Maulyn Hamer

Chester A. Hawkins

Sheriff

FILED

SEP 02 2004
SEP 02 2004

William A. Shaw
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP

BY: FRANCIS S. HALLINAN

IDENTIFICATION NO. 62695

One Penn Center @ Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

Sovereign Bank

: COURT OF COMMON PLEAS

: CIVIL DIVISION

vs.

: No. 2004-1242-CD

Todd G. Donahue

: Clearfield County

Or Occupants

614 Hale Street

Osceola Mills, PA 16666

PRAECIPE FOR JUDGMENT IN EJECTMENT

TO THE PROTHONOTARY:

Kindly enter Judgment in Ejectment in favor of the Plaintiff, **Sovereign Bank** and against the Defendant(s) **Todd G. Donahue and Or Occupants** for possession of premises **614 Hale Street , Osceola Mills, PA 16666** for failure to file an Answer within twenty (20) days of service.

I hereby certify that according to Rule 237.1, written 10 day notice of Plaintiff's intention to file a praecipe for Entry of Default Judgment was mailed to Defendant(s), a true and correct copy of which is attached hereto.


Francis S. Hallinan, Esquire
Attorney for Plaintiff

Default Judgment entered as indicated above.

DATE

FILED *iccc Notice*
m/2:30 PM to def.
OCT 05 2004 *16 cc*
William A. Shaw *Attg pd. 20.00*
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP
FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

SOVEREIGN BANK

Plaintiff

Vs.

TODD G. DONAHUE OR OCCUPANTS

Defendants

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 2004-1242-CD

TO: TODD G. DONAHUE OR OCCUPANTS
614 HALE STREET
OSCEOLA MILLS, PA 16666

FILE COPY

DATE OF NOTICE: SEPTEMBER 17, 2004

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

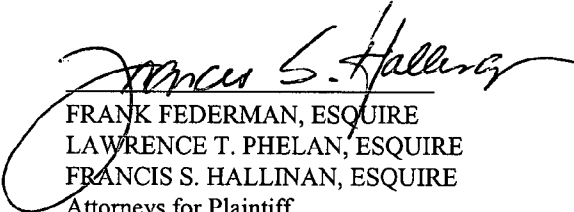
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375


FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP

BY: FRANCIS S. HALLINAN

IDENTIFICATION NO. 62695

One Penn Center @ Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

Sovereign Bank

: COURT OF COMMON PLEAS

: CIVIL DIVISION

VS

: No. 2004-1242-CD

Todd G. Donahue

Or Occupants

614 Hale Street

Osceola Mills, PA 16666

: Clearfield County

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 Todd G. Donahue Or occupants, is over 18 years of age, and resides at 614 Hale Street , Osceola Mills, PA 16666.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

OFFICE OF THE PROTHONOTARY

COURT OF COMMON PLEAS

COPY

TO: Todd G. Donahue or occupants
614 Hale Street
Osceola Mills, PA 16666

Sovereign Bank

: COURT OF COMMON PLEAS

: CIVIL DIVISION

vs.

: No. 2004-1242-CD

Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666

: Clearfield County

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

10/5/04

- ☐ 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.

COMMONWEALTH OF PENNSYLVANIA

Sovereign Bank	:	COURT OF COMMON PLEAS
	:	CIVIL DIVISION
vs.		
	:	No. 2004-1242-CD
Todd G. Donahue		
Or Occupants	:	Clearfield County
614 Hale Street		
Osceola Mills, PA 16666		

FILED
m/238/ST
OCT 05 2004
William A. Shaw
Prothonotary/Clerk of Courts
E6K
1CC & 6 writs
w/prop. 70
Att. J. Shaw
Atty. Ad. 2000

Commonwealth of Pennsylvania

County of Clearfield

Sovereignn Bank

vs.

Court of Common Pleas

Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666

_Term,

NO. 2004-1242-CD

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:

(2) To satisfy the costs against

Sovereignn Bank

Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666

directed to levy upon any property of

you are

Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666

and sell

interest therein.

\$125.00 Prothonotary costs

Prothonotary

By


Clerk

Date 10/5/04

Court of Common Pleas

TERM,

NO. 2004-1242-CD

Sovereign Bank

vs.

**Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666**

WRIT OF POSSESSION

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


Francis S. Hallinan, Esquire

Produced Pursuant to Protective Order

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE IN THE BOROUGH OF OSCEOLA, CLEARFIELD COUNTY, PENNSYLVANIA, AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POST ON HALE STREET AT THE SOUTH EAST CORNER OF LOT NOW OR FORMERLY OWNED BY FRANK DUNLAP; THENCE BY LINE OF SAID DUNLAP LOT IN A NORTHERLY DIRECTION ONE HUNDRED AND SIXTY-FIVE (165) FEET TO CORNER OF LOT OF WILLIAM WEBSTER; THENCE IN AN EASTERLY DIRECTION ALONG THE LINE OF SAID WEBSTER LOT FIFTY-TWO (52) FEET TO A POST; THENCE IN A SOUTHERLY DIRECTION ALONG LINE OF LOT OF S.W. MCLARREN ONE HUNDRED AND SIXTY-FIVE (165) FEET TO A POST ON HALE STREET; THENCE ALONG SAID HALE STREET IN A WESTERLY DIRECTION FORTY-EIGHT (48) FEET TO A POST AND PLACE OF BEGINNING.

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THIS IS A CONVEYANCE BETWEEN HUSBAND AND WIFE AND IS THEREFORE EXEMPT FROM ANY AND ALL TRANSFER TAX.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan Esquire

Atty. I.D. No.: 62695

One Penn Center at Suburban Station

Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

SOVEREIGN BANK

Plaintiff

vs.

Court of Common Pleas

CLEARFIELD County

No. 2004-1242-CD

TODD G. DONAHUE OR OCCUPANTS

Defendant(s)

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

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

1/25/05

Francis S. Hallinan

Francis S. Hallinan
Attorney for Plaintiff

FILED ^{GT}
M 341 ^{at} ^{City of Disc}
to atty
JAN 31 2005

William A. Shaw
Prothonotary

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

CIVIL DIVISION

Sovereign Bank

Vs.

No. 2004-01242-CD

**Todd G. Donahue
Occupants**

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 January 31, 2005, marked:

Discontinued, Settled and Ended

Record costs in the sum of \$168.00 have been paid in full by Attorney Hallinan.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 31st day of January A.D. 2005.

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20003
NO: 04-1242-CD

PLAINTIFF: SOVEREIGN BANK
vs.
DEFENDANT: TODD G. DONAHUE

Execution POSSESSION

SHERIFF RETURN

DATE RECEIVED WRIT: 10/05/2004

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 06/20/2005

DATE DEED FILED

PROPERTY ADDRESS 614 HALE STREET OSCEOLA MILLS , PA 16666

FILED

09:57 AM
JUN 20 2005

CK

William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

11/30/2004 @ 9:02 AM SERVED TODD G. DONAHUE/OR OCCUPANTS

SERVED TODD G. DONAHUE, DEFENDANT, AT HIS RESIDENCE 614 HALE STREET, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO BARBARA DONAHUE, WIFE

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

@ SERVED

NOW, DECEMBER 14, 2004 CALLED TO INFORM ATTORNEY THE HOUSE WAS EMPTY WHEN RECHECK WAS COMPLETED.

@ SERVED

NOW, JUNE 20, 2005 RETURN WRIT AS BEING SERVED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20003
NO: 04-1242-CD

PLAINTIFF: SOVEREIGN BANK
vs.
DEFENDANT: TODD G. DONAHUE

Execution POSSESSION

SHERIFF RETURN


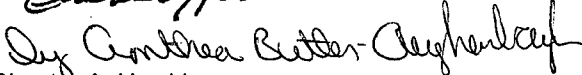
SHERIFF HAWKINS \$68.00

SURCHARGE \$10.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,



Chester A. Hawkins
Sheriff

Commonwealth of Pennsylvania

County of Clearfield

Sovereignn Bank

vs.

Court of Common Pleas

Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666

_Term,

NO. 2004-1242-CD

Writ of Possession

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(2) To satisfy the costs against

Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666

directed to levy upon any property of

you are

Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666

interest therein.

and sell

\$ 125.00 Prothonotary costs

Prothonotary

By


Clerk

Date

10/5/04

5-81 (Rev. 1/80)

Received October 5, 2004 @ 3:00 P.M.
Chas. A. Huchins
by Catherine Butler-Aughenday

Court of Common Pleas

TERM,

NO. 2004-1242-CD

Sovereign Bank

vs.

**Todd G. Donahue
Or Occupants
614 Hale Street
Osceola Mills, PA 16666**

WRIT OF POSSESSION

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


Francis S. Hallinan, Esquire

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