

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

v.

: Civil Division

: Clearfield County

: Term

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

: No. 2004-1242-CO

:

#### 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  
*12:05 PM*

AUG 13 2004  
*m/12:05/04*  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 cent to Rec  
1 cent to Shcr

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 BOUNDING 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. MCCLAREN 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 RECORDER'S 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.

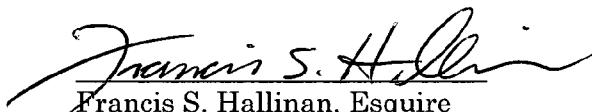
THIS IS A CONVEYANCE BETWEEN HUSBAND AND WIFE AND IS THEREFORE EXEMPT FROM  
ANY AND ALL TRANSFER TAX.

### **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, Esquire  
Attorney for Plaintiff

Q1-11-2

8/12/04

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

2<sup>nd</sup> 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 Marley Hunter  
Chester A. Hawkins  
Sheriff

FILED  
10/2/2004  
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**

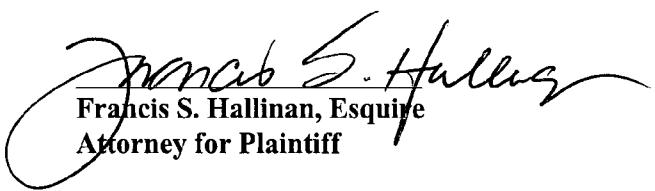
Sovereign Bank : COURT OF COMMON PLEAS  
vs. : CIVIL DIVISION  
Todd G. Donahue : No. 2004-1242-CD  
Or Occupants : Clearfield County  
614 Hale Street  
Osceola Mills, PA 16666

**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 1cc Notice  
m/2/2004 to Def.  
OCT 05 2004 No CC  
William A. Shaw Atty pd. \$0.00  
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 : COURT OF COMMON PLEAS  
Plaintiff : CIVIL DIVISION  
Vs. : CLEARFIELD COUNTY  
TODD G. DONAHUE OR OCCUPANTS : NO. 2004-1242-CD  
Defendants

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

DATE OF NOTICE: SEPTEMBER 17, 2004

FILE COPY

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

*Francis S. Hallinan*  
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  
vs : CIVIL DIVISION  
Todd G. Donahue : No. 2004-1242-CD  
Or Occupants : Clearfield County  
614 Hale Street  
Osceola Mills, PA 16666

**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.

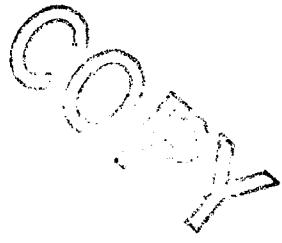
This statement is made subject to the penalties of 18 PA. C.S.S 4904 relating to unsworn falsification to authorities.



Francis S. Hallinan, Esquire  
Attorney for Plaintiff

# OFFICE OF THE PROTHONOTARY

## COURT OF COMMON PLEAS



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 : Clearfield County  
Or Occupants  
614 Hale Street  
Osceola Mills, PA 16666  
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.

PRAECIPE FOR WRIT OF POSSESSION

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Clearfield

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

PRAECIPE FOR WRIT OF POSSESSION

TO THE PROTHONOTARY:

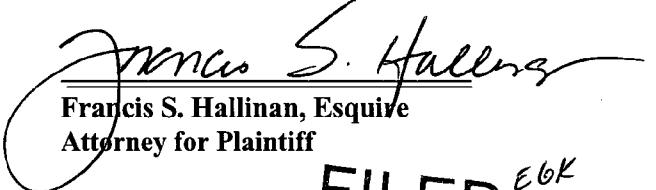
Issue Writ of Possession in the above matter for possession of:

614 Hale Street , Osceola Mills, PA 16666

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

Prothonotary costs 125.00

Being Known as No. 614 Hale Street

  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

FILED E6K  
7/23/04  
OCT 05 2004  
W/J prop to  
J. Shaw  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty Ad. 2000

# Commonwealth of Pennsylvania

County of Clearfield

Sovereignn Bank

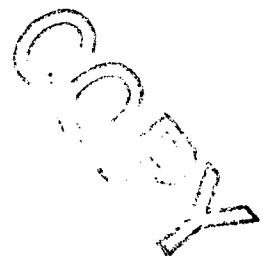
vs.

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:

**Sovereignn Bank**

(2) To satisfy the costs against

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

you are

directed to levy upon any property of

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

and sell

interest therein.

**\* 125.00 Prothonotary costs**

*Prothonotary*

By William Shantz  
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  
Francis S. Hallinan, Esquire

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE IN THE BOROUGH OF OSCEOLA, CLEARFIELD COUNTY, PENNSYLVANIA, AND BOUNDING 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. MCCLAREN 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 1/8/96 AND RECORDED IN THE CLEARFIELD COUNTY RECORDERS OFFICE IN CLEARFIELD COUNTY ON 6/6/96 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.

**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.

1/25/05  
Date

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

**FILED**  
M 3400 Out of Disc  
to add. copy to CA  
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**  
09:57AM  
JUN 20 2005  
6P

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*  
Sgt. Amherst Butler-Clearfield  
Chester A. Hawkins  
Sheriff

# Commonwealth of Pennsylvania

## County of Clearfield

Sovereignn Bank

vs.

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

Court of Common Pleas

Term,

NO. 2004-1242-CD

### Writ of Possession

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Or Occupants  
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Osceola Mills, PA 16666

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

and sell

interest therein.

\$ 125.00 Prothonotary costs

Prothonotary

By Willie H. Hayes  
Clerk

Date 10/5/04

5-81 (Rev. 1/80)

Received October 5, 2004 at 3:00 p.m.  
Chester G. Hawkins  
by Captain Brian Butler-Aughercay

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

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