

FILED
m 2:40 pm 10/26/04

BURTON NEIL & ASSOCIATES, P.C.
By: Burton Neil, Esquire
Identification No. 11348
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120
Attorney for Plaintiff

SEP 27 2004

William A. Shaw
Prothonotary

CITIBANK (SOUTH DAKOTA) N.A.
701 East 60th Street North, Sioux Falls, SD
Plaintiff

v.

ROBERT JAMES DICK JR
114 Jackson Street, Coalport PA 16627-9246
Defendant

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

: NO. 04-1477-CD

: CIVIL ACTION - LAW

**COMPLAINT
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 claim 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. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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**LAWYER REFERENCE AND
INFORMATION SERVICE**

David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

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v.

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114 Jackson Street, Coalport, PA
Defendant

: IN THE COURT OF COMMON PLEAS
:
: CLEARFIELD COUNTY, PENNSYLVANIA
:
: NO.
:
: CIVIL ACTION - LAW

Complaint

1. The plaintiff is Citibank (South Dakota) N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.

2. The defendant is Robert James Dick JR, who resides at 114 Jackson Street, Coalport, Clearfield County, Pennsylvania.

3. Plaintiff, a national banking association, engages in various types of banking business including consumer lending through the issuance of credit cards.

4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 4417033011199718 hereinafter referred to as the credit card account.

5. Plaintiff maintained an accurate and running record of all debits and credits to the credit card account in its books of account.

6. Plaintiff mailed defendant a written statement each month which accurately stated the debits and credits to the credit card account for the prior billing period.

7. Defendant received the monthly statements from plaintiff for the credit card account including the statement attached hereto as Exhibit A statement without protest, dispute or objection.

8. Defendant in not protesting, disputing or objecting to the statements including the Exhibit A statement thereby assented and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

9. The amount due plaintiff on the account stated, less credits, if any issued subsequent to the Exhibit A statement, is \$12,332.26.

Wherefore, plaintiff demands judgment against defendant for the sum of \$12,332.26, and the costs of this action.

BURTON NEIL & ASSOCIATES, P.C.

By: 

Burton Neil, Esquire
Attorney for Plaintiff

The law firm of Burton Neil & Associates, P.C. is a debt collector.

08/12/04 \$12332.26 \$9999.99 SITE:KC-CL TM:CO-5000 ACID:KCB7150
 PMT DUE DATE NEW BALANCE MIN AMT DUE 08/10/04 17:54:21:

ROBERT JAMES DICK JR
 BLANCHE DICK
 114 JACKSON ST
 COALPORT PA
 16627-9246000

CITI CARDS
 P.O. BOX 8112
 S HACKENSACK, NJ
 07606-8112

Citi® Card



Account Number
 4417 0330 1119 9718

Customer Service:

1-800-983-6453

P.O. Box 44167
 Jacksonville, FL
 32231-4167

Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
\$10600	\$0	\$8800	\$0	\$12332.26
Statement/ Closing Date	Amount Over Credit Line	Past Due	Purch/Adv Minimum Due	Minimum Amount Due
07/19/2004	\$1732.26	\$1640.00	\$255.00	\$12332.26

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	7/19		Standard Purch	
			OVER CREDIT LIMIT FEE	29.00
			62 0000	0
	7/19		PURCHASES*FINANCE CHARGE*PERIODIC RATE	70000000000
			84 0000	0
				53.40
				70000000000
	7/19		Standard Adv	
			ADVANCES*FINANCE CHARGE*PERIODIC RATE	31.46
			84 0000	0
				70000000000
	7/19		Rate Sale - Charged To Offer 4	
			ADVANCES*FINANCE CHARGE*PERIODIC RATE	124.45
			84 0000	0
				70000000000

Help is available! Please call the toll-free number shown above to learn about our special payment options. Call Monday - Friday, 7 am to 9 pm, or Saturday, 8 am to 5 pm, Central Time. Please give us the opportunity to assist you.

Our records show home phone 814-672-3382 and business phone 000-000-0000. Please update coupon if incorrect.

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$3,248.76	\$29.00	\$0.00	\$53.40	\$3,331.16
ADVANCES	\$8,845.19	\$0.00	\$0.00	\$155.91	\$9,001.10
TOTAL	\$12,093.95	\$29.00	\$0.00	\$209.31	\$12,332.26

Days This Billing Period: 32

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$3,274.55	0.05096%(D)	18.600%	18.600%
ADVANCES				
Standard Adv	\$1,795.14	0.05477%(D)	19.990%	19.990%
Offer 4	\$7,125.34	0.05458%(D)	19.920%	19.920%

EXHIBIT A

VERIFICATION

SUSAN CAREY is Attorney Management Specialist for Citibank (South Dakota) N.A. the within Plaintiff in this action, and that the statements of fact made in the foregoing Complaint are true and correct to the best of the undersigned verifier's knowledge and belief. The undersigned understands that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Date: 9/16/04

✓ Susan Carey

Robert James Dick Jr
4417033011199718

BURTON NEIL & ASSOCIATES, P.C.

BY: Burton Neil, Esquire

Identification No. 11348

1060 Andrew Drive, Suite 170

West Chester, PA 19380

610-696-2120

ATTORNEY FOR: Plaintiff

CITIBANK (SOUTH DAKOTA) N.A.
Plaintiff

VS.

ROBERT JAMES DICK JR
Defendant

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 04-1477-CD

: CIVIL ACTION - LAW

PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Kindly discontinue the above-captioned action without prejudice.

BURTON NEIL & ASSOCIATES, P.C.

BY: 

Burton Neil, Esquire
Attorney for Plaintiff

The law firm of Burton Neil & Associates is a debt collector.

C-3233

FILED

M 2:39 PM 10/15/04
copy to atty + Clerk
copy to CA

OCT 15 2004

William A. Shaw
Prothonotary

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

CIVIL DIVISION

Citibank (South Dakota) N.A.

Vs.

No. 2004-01477-CD

Robert James Dick Jr.

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 October 15, 2004, marked:

Discontinued, Settled and Ended without prejudice.

Record costs in the sum of \$85.00 have been paid in full by Attorney Burton Neil.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 15th day of October A.D. 2004.

William A. Shaw, Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

CITIBANK

VS.

DICK, ROBERT JAMES JR.

COMPLAINT

Sheriff Docket #

16334

04-1477-CD

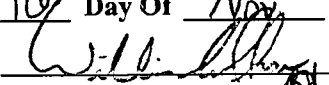
SHERIFF RETURNS

NOW NOVEMBER 16, 2004 RETURN THE WITHIN COMPLAINT "NOT SERVED" AS TO ROBERT JAMES DICK JR., DEFENDANT, "DECEASED".


Return Costs

Cost	Description
35.37	SHERIFF HAWKINS PAID BY: ATTY CK# 12440
10.00	SURCHARGE PAID BY: ATTY CK# 12441

Sworn to Before Me This

16th Day Of Nov 2004

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

So Answers,


Chester A. Hawkins
Sheriff

FILED ^{EGK}
0/12:53PM
NOV 16 2004

William A. Shaw
Prothonotary/Clerk of Courts

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Attorney for Plaintiff

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701 East 60th Street North, Sioux Falls, SD
Plaintiff

v.

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LAWYER REFERENCE AND
INFORMATION SERVICE
David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

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

C-3233

SEP 27 2004

Attest.

William L. Shaw
Prothonotary/
Clerk of Courts

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Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
v. : NO.
ROBERT JAMES DICK JR
114 Jackson Street, Coalport, PA
Defendant : CIVIL ACTION - LAW

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5. Plaintiff maintained an accurate and running record of all debits and credits to the credit card account in its books of account.
6. Plaintiff mailed defendant a written statement each month which accurately stated the debits and credits to the credit card account for the prior billing period.
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Wherefore, plaintiff demands judgment against defendant for the sum of \$12,332.26, and the costs of this action.

By:

The law firm of Burton Neil & Associates, P.C. is a debt collector.

THE SIGNATURE ABOVE CERTIFIES THAT THIS IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILE IN THIS CAUSE.

08/12/04 \$12332.26 \$9999.99

SITE:KC-CL

TM:CO-5000

ACID:KCB7150

PMT DUE DATE

NEW BALANCE

MIN AMT DUE

08/10/04

17:54:21:

ROBERT JAMES DICK JR
 BLANCHE DICK
 114 JACKSON ST
 COALPORT
 16627-9246000

PA

CITI CARDS
 P.O. BOX 8112
 S HACKENSACK, NJ
 07606-8112

Citi® Card



Account Number

4417 0330 1119 9718

Customer Service:

1-800-983-6453

P0 Box 44167
 Jacksonville, FL
 32231-4167

Total Credit Line

\$10600

Available Credit Line

\$0

Cash Advance Limit

\$8800

Available Cash Limit

\$0

New Balance

\$12332.26

Statement/
Closing Date

07/19/2004

Amount Over
Credit Line

\$1732.26

Past Due

\$1640.00

Purch/Adv
Minimum Due

\$255.00

Minimum
Amount Due

\$12332.26

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
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