

04-1477-CD  
CITIBANK (SOUTH DAKOTA)N.A. vs. ROBERT JAMES DICK JR.

FILED  
M 2:40 PM 10/20/04

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.**

**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.**

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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Attorney for Plaintiff

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CITIBANK (SOUTH DAKOTA) N.A. : IN THE COURT OF COMMON PLEAS  
701 East 60th Street North, Sioux Falls, SD  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
v. : NO.  
ROBERT JAMES DICK JR  
114 Jackson Street, Coalport, PA  
Defendant : 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 is 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  
 PNT: 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	Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
PO Box 44167 Jacksonville, FL 32231-4167	\$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 62 0000 0 PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000 0	29.00 70000000000 53.40 70000000000
	7/19		Standard Adv ADVANCES*FINANCE CHARGE*PERIODIC RATE 84 0000 0	31.46 70000000000
	7/19		Rate Sale - Charged To Offer 4 ADVANCES*FINANCE CHARGE*PERIODIC RATE 84 0000 0	124.45 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

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

VS.

: NO. 04-1477-CD

ROBERT JAMES DICK JR  
Defendant

: 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 attorney  
Clerk

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.**  
**Robert James Dick Jr.** **No. 2004-01477-CD**

**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**

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

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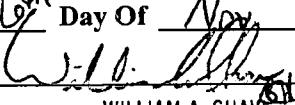
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**Return Costs**

<b>Cost</b>	<b>Description</b>
<b>35.37</b>	<b>SHERIFF HAWKINS PAID BY: ATTY CK# 12440</b>
<b>10.00</b>	<b>SURCHARGE PAID BY: ATTY CK# 12441</b>

---

**Sworn to Before Me This**

16<sup>th</sup> Day Of Nov 2004  
  
\_\_\_\_\_  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

**So Answers,**

  
by Mauley Hasar  
Chester A. Hawkins  
Sheriff

**FILED** *EK*  
0121536N  
NOV 16 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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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. Brown*  
Prothonotary/  
Clerk of Courts

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8. Defendant is 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.

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By:   
Burton Neil, Esquire  
Attorney for Plaintiff

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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  
 PAY DUE DATE NEW BALANCE MVR 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<sup>®</sup> Card**



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