

04-2009-CD
COMMONWEALTH FINANCIAL SYSTEMS, INC. vs. MELISSA M. TOOHEY

**Comm Fin vs Melissa Toohey
2004-2009-CD**

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-04

DJ Name: Hon.

JAMES L. HAWKINS
Address: **251 SPRING STREET**
P.O. BOX 362
HOUTZDALE, PA

Telephone: **(814) 378-7160**

16651-0362

PATRICIA A COBB, ESQ
120 N. KEYSER AVE
SCRANTON, PA 18504

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

COMMONWEALTH FINANCIAL SYSTEMS, INC
120 N. KEYSER AVE
SCRANTON, PA 18504

NAME and ADDRESS

DEFENDANT:

TOOHEY, MELISSA M
310 PINE ST
PO BOX 84
HOUTZDALE, PA 16651

NAME and ADDRESS

VS.

Docket No.: **CV-0000107-04**
Date Filed: **8/09/04**



04-2009-CD

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **COMMONWEALTH FINANCIAL SYSTEMS**

Judgment was entered against: (Name) **TOOHEY, MELISSA M**

in the amount of \$ **2,027.23** on: (Date of Judgment) **10/14/04**

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical damages arising out of residential lease \$ _____

Amount of Judgment	\$ 1,928.48
Judgment Costs	\$ 98.75
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 2,027.23
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

10-14-04 Date James L. Hawkins, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

12-6-04 Date James L. Hawkins, District Justice

My commission expires first Monday of January, **2006**.

SEAL

Commonwealth Financial Systems, Inc.	:	In the Court of Common Pleas of
120 North Keyser Avenue	:	Clearfield County, Pennsylvania
Scranton, PA 18504	:	Civil Division
Plaintiff		
vs.	:	No _____
MELISSA M TOOHEY	:	
70 Hemlock St	:	PRAECIPE FOR ENTRY OF JUDGMENT
Houtzdale, PA 16651	:	
Defendant(s)		

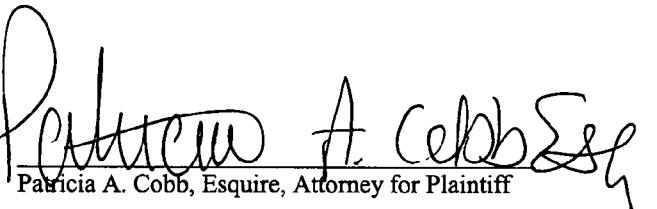
To the Prothonotary of Clearfield County:

- 1) Enter Judgment on the attached Certified copy of Judgment from a District Justice.
 - A) Date of Instrument: 10/14/2004
 - B) Amount of Judgment: \$2,027.23
 - C) Interest From: 10/14/2004
- 2) Enter the judgment in favor or the original holder, or (unless expressly forbidden in the instrument) in favor of the assignee or other transferee;
- 3) I hereby certify that the address of the plaintiff is:

Commonwealth Financial Systems, Incorporated
 120 North Keyser Avenue
 Scranton, PA 18504

- 4) I hereby certify that the address of the defendant is:

MELISSA M TOOHEY
 70 Hemlock St
 Houtzdale, PA 16651


 Patricia A. Cobb, Esquire, Attorney for Plaintiff

Patricia A Cobb, Esquire
 120 North Keyser Avenue
 Scranton, PA 18504
 570-342-1600 Ext. 202
 Attorney ID 39688

Commonwealth Financial Systems, Inc. : In the Court of Common Pleas of
120 North Keyser Avenue : Clearfield County, Pennsylvania
Scranton, PA 18504 : Civil Division

Plaintiff :
vs. :
: No. _____

MELISSA M TOOHEY :
70 Hemlock St : Affidavit under Soldiers and Sailors Relief
Houtzdale, PA 16651 : Civil Relief Act of 1940 as amended.

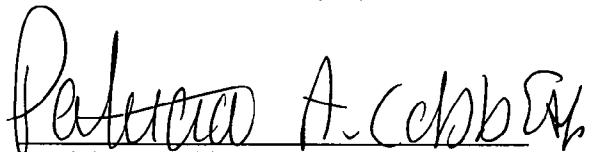
Defendant(s) :

State of Pennsylvania
County of Clearfield } SS:

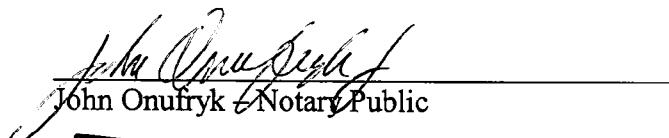
Patricia A. Cobb, Esquire being duly sworn according to law deposes and says that the above named defendant(s): MELISSA M TOOHEY; is(are) not in the military service of the United States of America as defined by the Soldiers' and Sailors' Civil Relief Act of 1940 as amended;

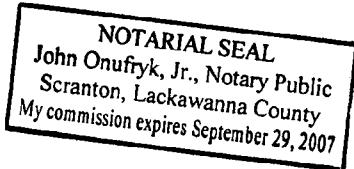
That the defendant(s): MELISSA M TOOHEY; is(are) older than eighteen years of age;

That the employment status of the defendant(s): MELISSA M TOOHEY; is(are) unknown.


Patricia A. Cobb, Esquire

Subscribed before me this 15th day of December 20 04


John Onufryk Notary Public



Commonwealth Financial Systems, Inc
120 North Keyser Avenue
Scranton, PA 18504

In the Court of Common Pleas of
Clearfield, Pennsylvania
Civil Division

Plaintiff(s) : File / Index No. _____

vs.

MELISSA M TOOHEY
70 Hemlock St
Houtzdale, PA 16651

NOTICE OF FILING JUDGMENT

Defendant(s) :

Notice is hereby given that a money judgment in the above-captioned matter has been entered against you in the

Amount of \$ _____ on _____.

By: _____

If you have any questions regarding this notice, please contact the filing party:

Commonwealth Financial Systems, Inc.
120 North Keyser Avenue
Scranton, PA 18504
Telephone: 570-347-1115

(Notice is given in accordance with PA Supreme Court Rule of Civil Procedure No. 236)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Commonwealth Financial Systems, Inc.

Plaintiff(s)

No.: 2004-02009-CD

Real Debt: \$2,027.23

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Melissa M. Toohey

Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: December 21, 2004

Expires: December 21, 2009

Certified from the record this 21st day of December, 2004

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

Commonwealth Financial Systems, Inc :
120 North Keyser Avenue : In the Court of Common Pleas of
Scranton PA 18504 : CLEARFIELD County, Pennsylvania
Plaintiff : Civil Division

vs.

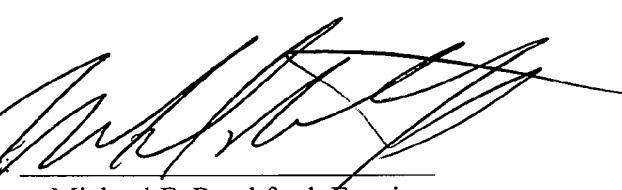
MELISSA M TOOHEY : NO: 2004-02009-CD
70 Hemlock St :
Houtzdale PA 16651

Defendant :

Praecipe for Entry of Appearance

Kindly enter my appearance on behalf of Commonwealth Financial Systems, Inc in the above-captioned matter.

Date: 12/17/07

Signature: 

Print Name: Michael F. Ratchford, Esquire

Address: 1729 Pittston Avenue
Scranton, PA 18508

Telephone No: (570) 558-5510 Ext. 120

Supreme Court ID No: 86285

FILED ^{No CC}
12/27/07
DEC 21 2007 (6K)

William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE FOR WRIT OF EXECUTION – (MONEY JUDGMENT) RULES PA. R.C.P. 3252,3111 (a)

Commonwealth Financial Systems, Inc
120 North Keyser Avenue
Scranton PA 18504

Plaintiff : In the Court of Common Pleas of

CLEARFIELD County, Pennsylvania

Civil Division

vs.

MELISSA M TOOHEY
70 Hemlock St
Houtzdale PA 16651

Defendant

NO: 2004-02009-CD

PRAECIPE FOR WRIT OF EXECUTION AND
ATTACHMENT

(MONEY JUDGMENT)

To the Prothonotary: **TO SATISFY THE JUDGMENT, ISSUE WRIT OF EXECUTION IN THE ABOVE MATTER**

(1) Directed to the Sheriff of CLEARFIELD County, Pennsylvania;
(2) Against: MELISSA M TOOHEY 70 Hemlock St Houtzdale PA 16651

(5)	Judgment Amount	<u>\$2,027.23</u>
	Interest	<u>\$37.53</u>
	Clerks Fee	<u>\$ 40.00</u>
	Sheriff	<u>\$250.00</u>
	Poundage	<u>\$ _____</u>
	Total	<u>\$ _____</u>

Prothonotary costs

Date: 12/17/07

Michael F. Ratchford, Esquire
Edwin A. Abrahamsen & Associates, P.C.
Attorney for Plaintiff
mratchford@eaa-law.com

FILED Atty pd. 20.00
11/29/2007 200 & 6 wnts
to Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

(6K)

Rules of Civil Procedure 3101 to 3149

Commonwealth Financial Systems, Inc :
120 North Keyser Avenue : In the Court of Common Pleas of
Scranton PA 18504 : CLEARFIELD County, Pennsylvania
Plaintiff : Civil Division
vs. :
MELISSA M TOOHEY : NO: 2004-02009-CD
70 Hemlock St :
Houtzdale PA 16651 :
Defendant : WRIT OF EXECUTION (Money Judgment)

NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or rights.

If you have claimed an exemption, you should do the following promptly: (1) fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption you may lose some of your property.

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.

Name

Address

Telephone Number

Writ of Execution – (Money Judgments)
PA RCP 3101 to 3149

Commonwealth Financial Systems, Inc
120 North Keyser Avenue
Scranton PA 18504

Plaintiff : In the Court of Common Pleas of
CLEARFIELD County, Pennsylvania
Civil Division

vs.

MELISSA M TOOHEY
70 Hemlock St
Houtzdale PA 16651

Defendant : NO: 2004-02009-CD
WRIT OF EXECUTION AND ATTACHMENT
(MONEY JUDGMENT)

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300 statutory exemption
2. Bibles, School books, sewing machines, uniforms and equipment
3. Most wages and unemployment benefits
4. Social Security Benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law.

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF
CLEARFIELD COUNTY:

WRIT OF EXECUTION – CLAIM FOR EXEMPTION

To the Sheriff of CLEARFIELD County, Pennsylvania:

I, the defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

a. I desire that my \$300.00 statutory exemption be

(1) Set aside in kind (specify property to be set aside in kind): _____

(2) paid in cash following the sale of the property levied upon; or
b. I claim the following exemption (specify property and basis for exemption)

(2) From my property which is in the possession of a third party, I claim the following exemptions:

a. My statutory exemption: in cash; in kind (specify

property): _____

b. Social Security Benefits on deposit in the amount of

\$ _____.

c. Other (specify amount and basis of exemption) \$ _____

I request a court hearing to determine the exemption. Notice of hearing should be given to me at:

(Address) (Telephone Number)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
(Defendant)

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY

Commonwealth Financial Systems, Inc
120 North Keyser Avenue
Scranton PA 18504

Plaintiff : In the Court of Common Pleas of

CLEARFIELD County, Pennsylvania
Civil Division

vs.

MELISSA M TOOHEY
70 Hemlock St
Houtzdale PA 16651

NO: 2004-02009-CD

Defendant

Return Of Service of Process

Service Attempts:

Date: _____ Time: _____ Date: _____

Date: _____ Person Served: _____

Date: _____ Relation: _____

Date: _____ Place of Service: _____

Date: _____ Deputy: _____

Additional Defendant _____

Additional Defendant _____

Garnishee _____

Special Instructions:

Commonwealth Financial Systems, Inc
120 North Keyser Avenue
Scranton PA 18504

Plaintiff : In the Court of Common Pleas of
CLEARFIELD County, Pennsylvania
Civil Division

vs.

MELISSA M TOOHEY
70 Hemlock St
Houtzdale PA 16651

Defendant : NO: 2004-02009-CD

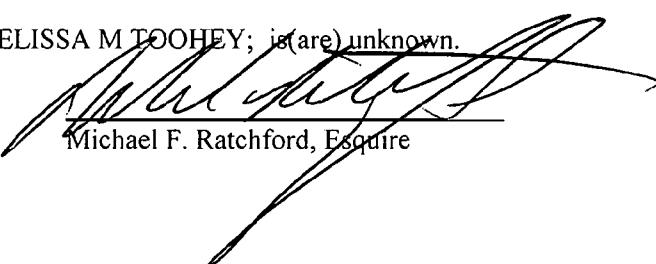
:
: AFFIDAVIT UNDER SOLDIERS AND SAILORS
: RELIEF CIVIL RELIEF ACT OF 1940 AS
: AMENDED

State of Pennsylvania
County of CLEARFIELD SS:

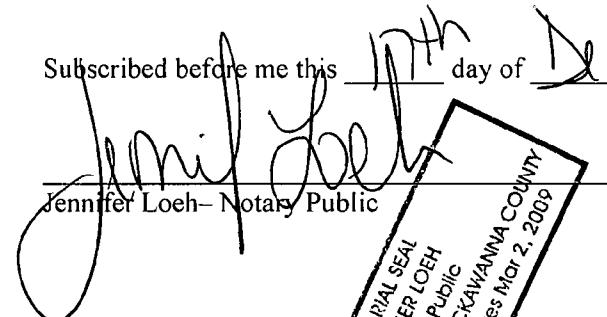
Michael F. Ratchford, Esquire being duly sworn according to law deposes and says that the above named defendant(s): MELISSA M TOOHEY; is(are) not in the military service of the United States of America as defined by the Soldiers' and Sailors' Civil Relief Act of 1940 as amended;

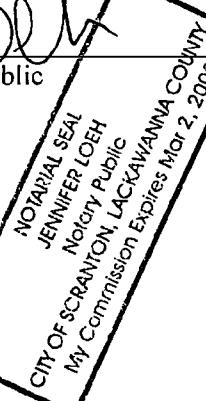
That the defendant(s): MELISSA M TOOHEY; is(are) older than eighteen years of age;

That the employment status of the defendant(s): MELISSA M TOOHEY; is(are) unknown.


Michael F. Ratchford, Esquire

Subscribed before me this 10th day of DEC 2007


Jennifer Loeh - Notary Public



WRIT OF EXECUTION – (MONEY JUDGMENT) RULES PA. R.C.P. 3252,3111 (a)

Commonwealth Financial Systems, Inc
120 North Keyser Avenue
Scranton PA 18504

Plaintiff : In the Court of Common Pleas of

CLEARFIELD County, Pennsylvania

Civil Division

vs.

MELISSA M TOOHEY
70 Hemlock St
Houtzdale PA 16651

Defendant

NO: 2004-02009-CD

WRIT OF EXECUTION AND ATTACHMENT

(MONEY JUDGMENT)

Commonwealth of Pennsylvania, County of **CLEARFIELD**
TO THE SHERIFF OF **CLEARFIELD** County, Pennsylvania:

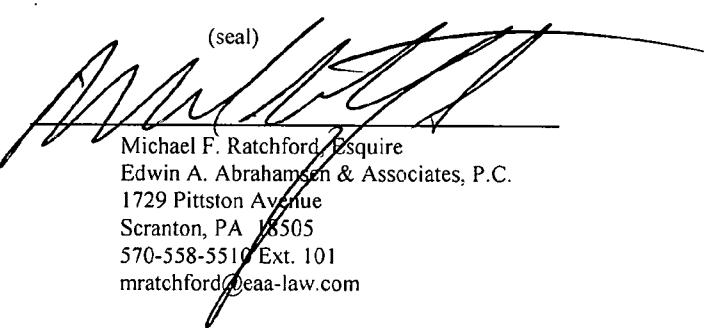
To satisfy the judgment, interest and costs against :

MELISSA M TOOHEY 70 Hemlock St Houtzdale PA 16651

You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein;
70 Hemlock St Houtzdale PA 16651

Date: _____

(seal)



Michael F. Ratchford, Esquire
Edwin A. Abrahamsen & Associates, P.C.
1729 Pittston Avenue
Scranton, PA 18505
570-558-5510 Ext. 101
mratchford@eaa-law.com

Judgment Amount	<u>\$2,027.23</u>
Interest	<u>\$373.53</u>
Clerks Fee	<u>\$ 40.00</u>
Sheriff	<u>\$ 250.00</u>
Poundage	<u>\$</u>
Total	<u>\$</u>

<u>\$2,027.23</u>
<u>\$373.53</u>
<u>\$ 40.00</u>
<u>\$ 250.00</u>
<u>\$</u>
<u>\$</u>

Prothonotary costs

 12/21/07
Clerk of Judicial Records

Sheriff / Deputy

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE
DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY
AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED
TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT
SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20709
NO: 04-2009-CD

PLAINTIFF: COMMONWEALTH FINANCIAL SYSTEMS, INC.
vs.
DEFENDANT: MELISSA M. TOOHEY

Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 12/21/2007

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 1/27/2012

5
FILED
01/27/2012
JAN 27 2012

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED MELISSA M. TOOHEY

DEPUTIES UNABLE TO LEVY OR SERVE MELISSA H. TOOHEY, DEFENDANT, AT 70 HEMLOCK ROAD, HOUTZDALE, PENNSYLVANIA SHE DOES NOT LIVE AT THAT ADDRESS.

@ SERVED

NOW, JANUARY 26, RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20709
NO: 04-2009-CD

PLAINTIFF: COMMONWEALTH FINANCIAL SYSTEMS, INC.

vs.

DEFENDANT: MELISSA M. TOOHEY

Execution PERSONAL PROPERTY

SHERIFF RETURN

SHERIFF HAWKINS \$50.86

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

*Chester Hawkins
In Commonwealth of Pennsylvania
Chester A. Hawkins
Sheriff*

WRIT OF EXECUTION - (MONEY JUDGMENT) RULES PA. R.C.P. 3252,3111 (a)

Commonwealth Financial Systems, Inc
120 North Keyser Avenue
Scranton PA 18504

Plaintiff

In the Court of Common Pleas of
CLEARFIELD County, Pennsylvania
Civil Division

vs.

MELISSA M TOOHEY
70 Hemlock St
Houtzdale PA 16651

Defendant

NO: 2004-02009-CD

WRIT OF EXECUTION AND ATTACHMENT

(MONEY JUDGMENT)

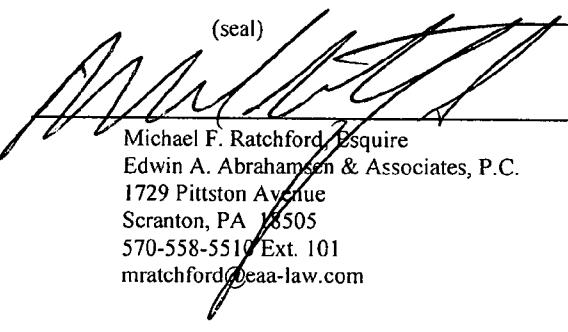
Commonwealth of Pennsylvania, County of **CLEARFIELD**
TO THE SHERIFF OF **CLEARFIELD** County, Pennsylvania:

To satisfy the judgment, interest and costs against :
MELISSA M TOOHEY 70 Hemlock St Houtzdale PA 16651

You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein;
70 Hemlock St Houtzdale PA 16651

Date: _____

(seal)



Michael F. Ratchford, Esquire
Edwin A. Abrahamson & Associates, P.C.
1729 Pittston Avenue
Scranton, PA 18505
570-558-5510 Ext. 101
mratchford@eaa-law.com

	Judgment Amount
Interest	\$2,027.23
Clerks Fee	\$373.50
Sheriff	\$40.00
Poundage	\$250.00
Total	\$

12/21/07

Prothonotary co

Clerk of Judicial Records

Sheriff / Deputy

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE
DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY
AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED
TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT
SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

Received this writ this 21st day
of December A.D. 2007
At 3:00 A.M./P.M.

Chesler A. Hawkins
Sheriff by Cynthia Babb, Deponent

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME MELISSA M. TOOHEY NO. 04-2009-CD

NOW, January 26, 2012, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Melissa M. Toohey to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations. viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	9.00	DEBT-AMOUNT DUE	2,027.23
MILEAGE	18.18	INTEREST @ %	0.00
LEVY		FROM TO	
MILEAGE POSTING		PROTH SATISFACTION	
HANDBILLS		LATE CHARGES AND FEES	
COMMISSION	0.00	COST OF SUIT-TO BE ADDED	
POSTAGE	0.50	FORECLOSURE FEES	
HANDBILLS		ATTORNEY COMMISSION	
DISTRIBUTION		REFUND OF ADVANCE	
ADVERTISING		REFUND OF SURCHARGE	20.00
ADD'L SERVICE		SATISFACTION FEE	
ADD'L POSTING		ESCROW DEFICIENCY	
ADD'L MILEAGE	18.18	PROPERTY INSPECTIONS	
ADD'L LEVY		INTEREST	373.53
BID/ SETTLEMENT AMOUNT		MISCELLANEOUS	
RETURNS/DEPUTIZE		TOTAL DEBT AND INTEREST	\$2,511.62
COPIES			
BILLING/PHONE/FAX	5.00	COSTS:	
CONTINUED SALES		ADVERTISING	0.00
MISCELLANEOUS		TAXES - COLLECTOR	
TOTAL SHERIFF COSTS	\$50.86	TAXES - TAX CLAIM	
		DUE	
		LIEN SEARCH	
		ACKNOWLEDGEMENT	
		SHERIFF COSTS	50.86
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	40.00
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	\$90.86
		TOTAL COSTS	\$2,511.62

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff