

05-26-CD
HSBC Bank vs R. Montgomery et al

RY, et al.

HSCB Bank v. Robert Montgomery Et Al
2005-026-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100113
NO: 05-26-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: HSBC BANK USA


VS.

DEFENDANT: ROBERT L. MONTGOMERY a/k/a ROBERT LEE MONTGOMERY and DEBORAH A.
MONTGOMERY a/k/a DEBORAH ANN MONTGOMERY

SHERIFF RETURN

NOW, January 14, 2005 AT 10:09 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ROBERT L. MONTGOMERY a/k/a ROBERT LEE MONTGOMERY DEFENDANT AT Work: McCracken Auto Body Shop, Filbert St., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT L. MONTGOMERY, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO


FILED NO CC
01/10:45 AM
APR 06 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100113
NO: 05-26-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: HSBC BANK USA

vs.

DEFENDANT: ROBERT L. MONTGOMERY a/k/a ROBERT LEE MONTGOMERY and DEBORAH A. MONTGOMERY
a/k/a DEBORAH ANN MONTGOMERY.

SHERIFF RETURN

NOW, January 19, 2005, SHERIFF OF FRANKLIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DEBORAH A. MONTGOMERY a/k/a DEBORAH ANN MONTGOMERY.

NOW, February 03, 2005 AT 9:38 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DEBORAH A. MONTGOMERY a/k/a DEBORAH ANN MONTGOMERY, DEFENDANT. THE RETURN OF FRANKLIN COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100113
NO: 05-26-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: HSBC BANK USA

VS.

DEFENDANT: ROBERT L. MONTGOMERY a/k/a ROBERT LEE MONTGOMERY and DEBORAH A. MONTGOMERY a/k/a DEBORAH ANN MONTGOMERY

SHERIFF RETURN

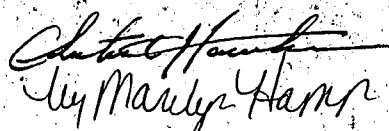
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	397393	20.00
SHERIFF HAWKINS	PHELAN	397440	45.72
FRANKLIN ADV.	PHELAN	400231	35.20

Sworn to Before Me This

Day of 2005

So Answers,



Chester A. Hawkins
Sheriff

SHERIFF'S RETURN - REGULAR

CASE NO.: 2005-00023 T

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF FRANKLINHSBC BANK USA, AS TRUSTEE ETAL

VS

ROBERT L MONTGOMERY ET ALGUS ALEXIOU, Deputy Sheriff of FRANKLIN

County, Pennsylvania; who being duly sworn according to law,

says, the within COMPLAINT-MORT FORECLS was served uponDEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY, theDEFENDANT, at 0009:38 Hour, on the 3rd day of February, 2005at 615 HAMILTON AVECHAMBERSBURG, PA 17201

by handing to

JERRY L. BARNHART (LIVE IN BOY FRIEND)a true and attested copy of COMPLAINT-MORT FORECLS together withand at the same time directing His attention to the contents thereof.

Sheriff's Costs:

Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00

So. Answers:

GUS ALEXIOUBy Gus Alexiou
Deputy Sheriff

02/10/2005

PHELAN HALLINAN AND SCHMIEG

Sworn and Subscribed to before

me this 14th day of
&00

A.D.

Notary

Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
My Commission Expires Jan. 29, 2007

Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
My Commission Expires Jan. 29, 2007

RECEIPT FOR PAYMENT
=====

Franklin County Pennsylvania
157 LINCOLN WAY EAST

Receipt Date 02/01/2005
Receipt Time 14:46:14
Receipt No. 35093

HSBC BANK USA, AS TRUSTEE ETAL (VS) ROBERT L MONTGOMERY ET AL

Case Number 2005-00023 T
Service Info
Remarks PHELAN HALLINAN AND SCHMEIG

Total Check.... +	50.00	Number ..	400231
Total Cash.... +	.00		
Cash Out..... -	.00		
Receipt total. =	50.00		

----- Distribution Of Payment -----

Transaction Description	Payment Amount	
ADVANCE PAYMENT	50.00	PHELAN HALLINAN AND SCHMIEG
	<hr/> 50.00	



Sheriff's Office Clearfield County

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

CHESTER A. HAWKINS
SHERIFF

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

ROBERT SNYDER
CHIEF DEPUTY
CYNTHIA AUGHENBAUGH
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 100113

HSBC BANK USA

TERM & NO. 05-26-CD

COMPLAINT IN MORTGAGE FORECLOSURE

VS.

ROBERT L. MONTGOMERY a/k/a ROBERT LEE MONTGOMERY and DEBORAH A. MONTGOMERY a/k/a DEBORAH ANN MONTGOMERY

SERVE BY: 02/04/05

MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG LLP

SERVE: DEBORAH A. MONTGOMERY a/k/a DEBORAH ANN MONTGOMERY

ADDRESS: 615 HAMILTON AVE., CHAMBERSBURG, PA 17201

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF FRANKLIN COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, January 19, 2005.

RESPECTFULLY,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

RECEIVED
JAN 24 2005

FRANKLIN COUNTY SHERIFF'S OFFICE

RECEIPT FOR DISTRIBUTION OF ADVANCE PAYMENTS HELD IN ESCROW

Franklin County Pennsylvania
157 LINCOLN WAY EAST

Receipt Date 02/14/2005
Receipt Time 09:42:05

Receipt No. 35262

HSBC BANK USA, AS TRUSTEE ETAL (VS) ROBERT L MONTGOMERY ET AL

Case Number 2005-00023 T

Service Info

Remarks Escrow Transfer Out

Advance Payment Balance

50.00

PHELAN HALLINAN AND SCHMIEG

Total Amount Distributed

50.00

Balance Remaining

00

Distribution

Transaction Description

Amount

Payee

DOCKETING GEN

9.00

FRANKLIN COUNTY TREASURER

MILEAGE

3.20

FRANKLIN COUNTY TREASURER

NOTARY FEE

4.00

COUNTY OF FRANKLIN/NOTARY

SERVICE CHARGE

9.00

FRANKLIN COUNTY TREASURER

SURCHARGE - CVL CR

10.00

SPECIAL SURCHARGE ESCROW ACCT

REFUND TO ATTY/PLT

14.80

PHELAN HALLINAN AND SCHMIEG

Total Amount Distributed

50.00

2005 02 14

Notary Public
for the State of Pennsylvania
Commission Expires 02/14/2006

FILED

APR 06 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME-EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET-BACKED
PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE
CORPORATION
6501 IRVINE CENTER DRIVE
IRVINE, CA 92618

No. 05-26-CD

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY
1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833

FILED

APR 08 2005

William A. Shaw
Prothonotary/Clerk of Courts

ilco Notice
to Defs.

Statement to

Any
@ Jgd 2005

**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY and DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint	\$71,336.99
Interest (1/5/05 to 3/18/05)	<u>1,097.19</u>
TOTAL	\$72,434.18

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.

Daniel G. Schmieg

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: April 8, 2005

William A. Shaw
PRO. PROTHY

PMB

PHELAN, HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

HSBC BANK USA, AS TRUSTEE FOR ACE : COURT OF COMMON PLEAS
SECURITIES CORP. HOME EQUITY LOAN TRUST, : CIVIL DIVISION
SERIES 2003-OP1 ASSET BACKED PASS-THROUGH :
CERTIFICATES BY OPTION ONE MORTGAGE : CLEARFIELD COUNTY
CORPORATION :

Plaintiff

NO: 05-26-CD

Vs.

ROBERT L. MONTGOMERY A/K/A ROBERT LEE
MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A DEBORAH
ANN MONTGOMERY

Defendants

TO: ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
1722 RIDGE AVENUE EXT.
CURWENSVILLE, PA 16833

DATE OF NOTICE: MARCH 4, 2005

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, ESQUIRE
Attorneys for Plaintiff

PHELAN, HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

HSBC BANK USA, AS TRUSTEE FOR ACE : COURT OF COMMON PLEAS

SECURITIES CORP. HOME EQUITY LOAN TRUST,

SERIES 2003-OP1 ASSET BACKED PASS-THROUGH : CIVIL DIVISION

CERTIFICATES BY OPTION ONE MORTGAGE

CORPORATION : CLEARFIELD COUNTY

Plaintiff

: NO. 05-26-CD

Vs.

ROBERT L. MONTGOMERY A/K/A ROBERT LEE

MONTGOMERY

DEBORAH A. MONTGOMERY A/K/A DEBORAH

ANN MONTGOMERY

Defendants

TO: DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY

615 HAMILTON ROAD

CHAMBERSBURG, PA 17201

DATE OF NOTICE: MARCH 4, 2005

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.

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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, ESQUIRE
Attorneys for Plaintiff

PHILAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

ATTORNEY FOR PLAINTIFF

ONE PENN CENTER AT SUBURBAN STATION

1617 JOHN F. KENNEDY BLVD., SUITE 1400

PHILADELPHIA, PA 19103-1814

COURT OF COMMON PLEAS

(215) 563-7000

CIVIL DIVISION

HSBC BANK USA, AS TRUSTEE FOR ACE CLEARFIELD COUNTY
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED No.: 05-26-CD
PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE
CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the 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, ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY, is over 18 years of age, and resides at 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833 .

(c) that defendant, DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY, is over 18 years of age, and resides at 615 HAMILTON ROAD, CHAMBERSBURG, PA 17201.

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


DANIEL G. SCHMIEG, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE
CORPORATION

No.: 05-26-CD

COPY

Plaintiff

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on April 8, 2005.

By: _____ DEPUTY

If you have any questions concerning this matter please contact:

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

**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, THIS IS NOT AND SHOULD
NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY
ENFORCEMENT OF A LIEN AGAINST PROPERTY.**

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

COPY

HSBC Bank USA
Plaintiff(s)

No.: 2005-00026-CD

Real Debt: \$72,434.18

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Robert L. Montgomery
Deborah A. Montgomery
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: April 8, 2005

Expires: April 8, 2010

Certified from the record this 8th day of April, 2005.

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

PRAECIPE FOR WRIT OF EXECUTION--(MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180-3183

**HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION**

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

No. 05-26-CD

vs.

**PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

**ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY**

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due

\$72,434.18

Interest from 3/18/05 to
Date of Sale (\$11.91 per diem)

and Costs.

125.00 **Prothonotary costs**

Daniel G. Schmieg

Daniel G. Schmieg, Esquire
Attorney for Plaintiff

One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

FILED

m/b: 50/301
APR 08 2005

William A. Shaw
Prothonotary/Clerk of Courts

Atty pd. 20.00 (6)
100 & 60 wnts
w/prop. descr.
to shff

PMB

No. 05-26-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Daniel H. Schney

Attorney for Plaintiff(s)

Address: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833
615 HAMILTON ROAD, CHAMBERSBURG, PA 17201
Where papers may be served.

William A. Shaw
Prothonotary/Clerk of Courts
APR 08 2005

FILED

CLEARFIELD COUNTY

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN No.: 05-26-CD
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE
CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST,
SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the
date the Praecipe for the Writ of Execution was filed the following information concerning the real property
located at 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833:

1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	--

ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY	1722 RIDGE AVENUE EXT CURWENSVILLE, PA 16833
---	---

DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY	615 HAMILTON ROAD CHAMBERSBURG, PA 17201
---	---

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

I verify that the statements made in this affidavit are true and correct to the best of my personal
knowledge or information and belief. I understand that false statements herein are made subject to the penalties
of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

March 18, 2005

CLEARFIELD COUNTY

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN No.: 05-26-CD
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE
CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)**

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST, SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE CORPORATION, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeipie for the Writ of Execution was filed the following information concerning the real property located at 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833:

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

4. Name and address of last recorded holder of every mortgage of record:

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

5. Name and address of every other person who has any record lien on the property:

Name

Last Known Address (if address cannot be
reasonable ascertained, please indicate)

None.

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale.

Name

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Clearfield County Domestic Relations

Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

March 18, 2005

PHILAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
ONE PENN CENTER AT
SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

HSBC BANK USA, AS TRUSTEE FOR
ACE SECURITIES CORP. HOME
EQUITY LOAN TRUST, SERIES 2003-
OP1 ASSET BACKED PASS-THROUGH
CERTIFICATES BY OPTION ONE
MORTGAGE CORPORATION

No.: 05-26-CD

CLEARFIELD COUNTY

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- ☐ an FHA Mortgage
- ☐ non-owner occupied
- ☐ vacant
- ☒ Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

COPY

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN TRUST,
SERIES 2003-OP1 ASSET BACKED PASS-THROUGH
CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 05-26-CD

vs.

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A DEBORAH
ANN MONTGOMERY

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy
upon and sell the following described property (specifically described property below):

Premises: **1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833**

(See legal description attached.)

Amount Due	\$ <u>72,434.18</u>
Interest from 3/18/05 to	\$ _____
Date of Sale (\$11.91 per diem)	
Total	\$ <u>125.00</u> Plus costs as endorsed

Prothonotary costs

Dated 4/8/05
(SEAL)

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy
PMB

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

No. 05-26-CD

**In the Court of Common Pleas of
Clearfield County, Pennsylvania**

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP.
HOME EQUITY LOAN TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt	<u>\$72,434.18</u>
Int. from 3/18/05 to Date of Sale (\$11.91 per diem)	_____
Costs	_____
Prothy. Pd.	<u>125.00</u>
Sheriff	_____

2000 Vintech

Daniel G. Schmieg
Attorney for Plaintiff

Address: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833
615 HAMILTON ROAD, CHAMBERSBURG, PA 17201
Where papers may be served.

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

DESCRIPTION

ALL THAT CERTAIN lot or parcel of ground situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the East side of a public road Route No. 17115 leading from Curwensville to Greenwood; thence along land of or formerly of Chester A. Hixon in an Easterly direction two hundred (200) feet to an iron pin; thence along land of or formerly of Clarence Wise and Thelma Wise in a Southerly direction two hundred twenty (220) feet to an iron pin; thence still along or formerly along the Wise land in a Westerly direction two hundred (200) feet to an iron pin in the line of Highway Route No. 17115 separating this parcel from parcel now or formerly of John W. and Ella Jean Riddle; thence by right-of-way of Highway Route No. 17115 in a Northerly direction two hundred twenty (220) feet to the iron pin and place of beginning.

CONTAINING one (1) acre of land.

Map #126-H9-45.1

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Robert Lee Montgomery and Deborah Ann Montgomery, husband and wife by Deed from Jancen P. Gill, a married person, dated 6/24/1991 and recorded 7/5/1991 in Deed Book Volume 1406 Page 296.

PREMISES BEING: 1722 RIDGE AVENUE EXT., CURWENSVILLE, PA 16833

PHELAN HALLINAN & SCHMIEG, LLP
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

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES
CORP. HOME EQUITY LOAN TRUST, SERIES 2003-OP1
ASSET BACKED PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE CORPORATION
6501 IRVINE CENTER DRIVE
IRVINE, CA 92618

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-26-9

Plaintiff

CLEARFIELD COUNTY

v.

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY
1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833

FILED
M 11:30 AM JEL 05-02
2005

JAN 05 2005

William A. Shaw
Prothonotary

FILED
11:30 AM
JAN 05 2005

JAN 05 2005

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

William A. Shaw
Prothonotary

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 twenty (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, 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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES
CORP. HOME EQUITY LOAN TRUST, SERIES 2003-OP1
ASSET BACKED PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION
6501 IRVINE CENTER DRIVE
IRVINE, CA 92618

2. The name(s) and last known address(es) of the Defendant(s) are:

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY
1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 08/29/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to OPTION ONE MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200316717. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 03/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$64,143.82
Interest	5,095.17
02/01/2004 through 01/04/2005 (Per Diem \$15.03)	
Attorney's Fees	1,250.00
Cumulative Late Charges	298.00
8/29/2003 to 01/04/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 71,336.99
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	<u>\$ 0.00</u>
TOTAL	\$ 71,336.99

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 71,336.99, together with interest from 01/04/2005 at the rate of \$15.03 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

Francis S. Hallinan
By: /s/Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

ALL that certain lot or parcel of ground situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the east side of a public road Route No. 17115 leading from Curwensville to Greenwood; thence along land of or formerly of Chester A. Hixon in an easterly direction two hundred (200) feet to an iron pin; thence along land of or formerly of Clarence Wise and Thelma Wise in a southerly direction two hundred twenty (220) feet to an iron pin; thence still along or formerly along the Wise land in a westerly direction two hundred (200) feet to an iron pin in the line of Highway Route No. 17115 separating this parcel from parcel now or formerly of John W. and Ella Jean Riddle; thence by right-of-way of Highway Route No. 17115 in a northerly direction two hundred twenty (220) feet to the iron pin and place of beginning. Containing one (1) acre of land.

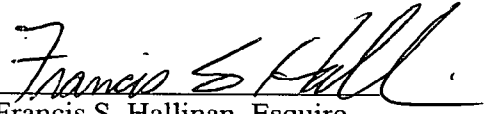
BEING the same premises granted and conveyed to the Grantor herein by Warranty Deed of Janeen P. Gill, dated August 28, 1987, and recorded in Deed Book Volume 1179, Page 026.

PROPERTY BEING: 1722 RIDGE AVENUE EXT

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 1/4/5

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20138
NO: 05-26-CD

PLAINTIFF: HSBC BANK USA, AS TRUSTEE FOR ACE SSECURITIES CORP. HOME EQUITY LOAN TRUST, ET AL
vs.
DEFENDANT: ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY AND DEBORAH A MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 04/08/2005

LEVY TAKEN 06/07/2005 @ 11:19 AM

POSTED 06/07/2005 @ 11:19 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 09/26/2005

DATE DEED FILED **NOT SOLD**

FILED

SEP 26 2005
07:25
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

06/07/2005 @ 11:33 AM SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY, AT HIS PLACE OF EMPLOYMENT, MCCracken AUTO BODY 613
FILBERT ST, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ROBERT L. MONTGOMERY

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE
LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY
DEBORAH MOVED TO 615 HAMILTON ROAD, CHAMBERSBURG, PA 17201

@ SERVED

NOW, JUNE 22, 2005 RECEIVED A LETTER FROM MIDPENN LEGAL SERVICES CONFIRMING BANKRUPTCY FILING FOR DEFENDANTS.
JUNE 29, 2005 RECEIVED A FAX LETTER FROM PLAINTIFF'S ATTORNEY STAYING THE SHERIFF'S SALE.

@ SERVED

NOW, SEPTEMBER 26, 2005 RETURN WRIT AS NO SALE HELD. THE PLAINTIFF'S ATTORNEY STAYED THE SHERIFF SALE DUE TO
CHAPTER 13 BANKRUPTCY FILING AND REQUESTED THE WRIT RETURNED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20138

NO: 05-26-CD

PLAINTIFF: HSBC BANK USA, AS TRUSTEE FOR ACE SSECURITIES CORP.HOME EQUITY LOAN TRUST, ET AL
vs.

DEFENDANT: ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY AND DEBORAH A MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

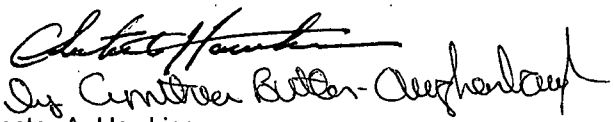
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$179.16

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,


Chester A. Hawkins
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN TRUST,
SERIES 2003-OP1 ASSET BACKED PASS-THROUGH
CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 05-26-CD

vs.

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A DEBORAH
ANN MONTGOMERY

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property (specifically described property below):

Premises: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833

(See legal description attached.)

Amount Due

\$72,434.18

Interest from 3/18/05 to

\$ _____

Date of Sale (\$11.91 per diem)

Total

\$ _____ Plus costs as endorsed.

125.00

Prothonotary costs

William L. ...
Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated 4/18/05

(SEAL)

Received April 8, 2005 @ 2:45 PM

Chester A. ...

By *Cynthia Butler*

By

Deputy
PMB

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

No. 05-26-CD

**In the Court of Common Pleas of
Clearfield County, Pennsylvania**

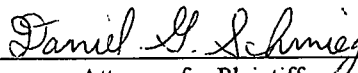
HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP.
HOME EQUITY LOAN TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION

VS.

ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt	<u>\$72,434.18</u>
Int. from 3/18/05 to Date of Sale (\$11.91 per diem)	_____
Costs	_____
Prothy. Pd.	_____
Sheriff	_____



Attorney for Plaintiff

Address: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833
615 HAMILTON ROAD, CHAMBERSBURG, PA 17201
Where papers may be served.

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

DESCRIPTION

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BEGINNING at an iron pin on the East side of a public road Route No. 17115 leading from Curwensville to Greenwood; thence along land of or formerly of Chester A. Hixon in an Easterly direction two hundred (200) feet to an iron pin; thence along land of or formerly of Clarence Wise and Thelma Wise in a Southerly direction two hundred twenty (220) feet to an iron pin; thence still along or formerly along the Wise land in a Westerly direction two hundred (200) feet to an iron pin in the line of Highway Route No. 17115 separating this parcel from parcel now or formerly of John W. and Ella Jean Riddle; thence by right-of-way of Highway Route No. 17115 in a Northerly direction two hundred twenty (220) feet to the iron pin and place of beginning.

CONTAINING one (1) acre of land.

Map #126-H9-45.1

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Robert Lee Montgomery and Deborah Ann Montgomery, husband and wife by Deed from Jancen P. Gill, a married person, dated 6/24/1991 and recorded 7/5/1991 in Deed Book Volume 1406 Page 296.

PREMISES BEING: 1722 RIDGE AVENUE EXT., CURWENSVILLE, PA 16833

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY

NO. 05-26-CD

NOW, September 26, 2005, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on August 05, 2005, I exposed the within described real estate of Robert L. Montgomery A/K/A Robert Lee Montgomery And Deborah A Montgomery A/K/A Deborah Ann Montgomery 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:

RDR	15.00
SERVICE	15.00
MILEAGE	4.86
LEVY	15.00
MILEAGE	4.86
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$179.16

DEED COSTS:

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$0.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	72,434.18
INTEREST @ 11.9100	1,667.40
FROM 03/18/2005 TO 08/05/2005	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$74,141.58

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	179.16
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$304.16

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



MidPenn Legal Services

211 East Locust Street, Clearfield, PA 16830
Phone 800-326-9177 814-765-9646 FAX 814-765-1396
www.midpenn.org

June 22, 2005

Sheriff's Office
Clearfield County Courthouse
230 E. Market Street
Clearfield, Pennsylvania 16830

ATTENTION: Cindy

RE: HSBC Bank USA vs. Robert L. Montgomery and Deborah A.
Montgomery
No.: 05-26-CD

Dear Cindy:

This is to confirm our conversation that I have filed a Chapter 13 bankruptcy on behalf of Robert L. Montgomery. It was filed in the Western District of Pennsylvania on May 25, 2005. The docket number for the bankruptcy is 05-71146. I have notified the mortgage holder's attorney of the bankruptcy and they should be contacting you to take it off of the sheriff sale list. Thank you for your attention to this matter.

Very truly yours,

MIDPENN LEGAL SERVICES
By

Robin Jean Foor
Attorney at Law

RJF: djo

Federman and Phelan is now

Law Offices

PHELAN HALLINAN & SCHMIEG, LLP

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Sandra.Cooper@fedphe.com

SANDRA COOPER

Judgment Department, Ext. 1258

Representing Lenders in

Pennsylvania and New Jersey

June 29, 2005

Office of the Sheriff

Clearfield County Courthouse

230 East Market Street

Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

**Re: HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY
LOAN TRUST, SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE CORPORATION v. ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN
MONTGOMERY**

No. 05-26-CD

1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

The Defendant (s) filed a Chapter 13 Bankruptcy (No. 05-71146) on 5/23/05.

Very truly yours,

Sandra Cooper

VIA TELECOPY (814) 765-5915

CC:	ROBERT L. MONTGOMERY	DEBORAH A. MONTGOMERY	OPTION ONE MORTGAGE
	A/K/A ROBERT LEE	A/K/A DEBORAH ANN	CORPORATION

PRAECIPE FOR WRIT OF EXECUTION--(MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180-3183

**HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION**

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

No. 05-26-CD

vs.

**PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

**ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY**

To the Director of the Office of the Prothonotary:

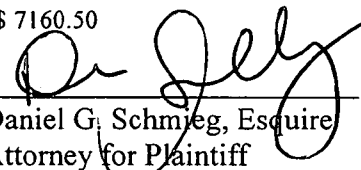
Issue writ of execution in the above matter:

Amount Due

\$72,434.18

Interest from 3/18/05 to
Date of Sale (\$11.91 per diem)
Add'l fees

and Costs.
145.00 **Prothonotary costs**
\$ 7160.50


Daniel G. Schmieg, Esquire
Attorney for Plaintiff
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

KAM

FILED *Att'y pd. 20.00*
m 11:26 AM
AUG 11 2006 *icc & 6 wnts*
w/ prop descr. @
William A. Shaw
Prothonotary/Clerk of Courts *to Shff*

No. 05-26-CD

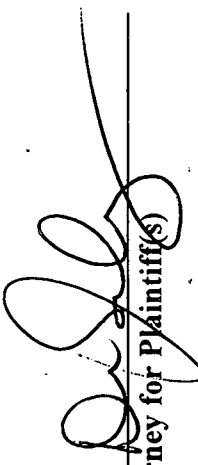
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)


Attorney for Plaintiff(s)

Address: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833
615 HAMILTON ROAD, CHAMBERSBURG, PA 17201
Where papers may be served.

William A. Shaw
Prothonotary/Clerk of Courts

AUG 11 2006

FILED

DESCRIPTION

ALL THAT CERTAIN lot or parcel of ground situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the East side of a public road Route No. 17115 leading from Curwensville to Greenwood; thence along land of or formerly of Chester A. Hixon in an Easterly direction two hundred (200) feet to an iron pin; thence along land of or formerly of Clarence Wise and Thelma Wise in a Southerly direction two hundred twenty (220) feet to an iron pin; thence still along or formerly along the Wise land in a Westerly direction two hundred (200) feet to an iron pin in the line of Highway Route No. 17115 separating this parcel from parcel now or formerly of John W. and Ella Jean Riddle; thence by right-of-way of Highway Route No. 17115 in a Northerly direction two hundred twenty (220) feet to the iron pin and place of beginning.

CONTAINING one (1) acre of land.

Map #126-H9-45.1

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Robert Lee Montgomery and Deborah Ann Montgomery, husband and wife by Deed from Janeen P. Gill, a married person, dated 6/24/1991 and recorded 7/5/1991 in Deed Book Volume 1406 Page 296.

PREMISES BEING: 1722 RIDGE AVENUE EXT., CURWENSVILLE, PA 16833

CLEARFIELD COUNTY

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN No.: 05-26-CD
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE
CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST,
SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the
date the Praecept for the Writ of Execution was filed the following information concerning the real property
located at 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833:

1. Name and address of Owner(s) or reputed Owner(s):

Name

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY

1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833

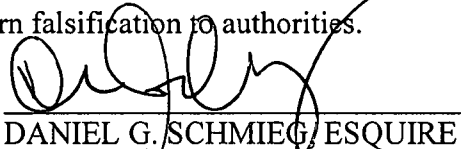
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

615 HAMILTON ROAD
CHAMBERSBURG, PA 17201

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

I verify that the statements made in this affidavit are true and correct to the best of my personal
knowledge or information and belief. I understand that false statements herein are made subject to the penalties
of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

August 10, 2006

CLEARFIELD COUNTY

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN No.: 05-26-CD
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE
CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST,
SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the
date the Praecipe for the Writ of Execution was filed the following information concerning the real property
located at 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833:

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real
property to be sold:

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	--

None.

4. Name and address of last recorded holder of every mortgage of record:

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	--

None.

5. Name and address of every other person who has any record lien on the property:

Name

Last Known Address (if address cannot be
reasonable ascertained, please indicate)

None.

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale.

Name

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Clearfield County Domestic Relations

Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

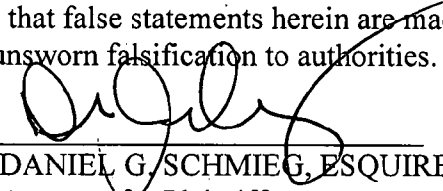
Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

August 10, 2006

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
ONE PENN CENTER AT
SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

HSBC BANK USA, AS TRUSTEE FOR
ACE SECURITIES CORP. HOME
EQUITY LOAN TRUST, SERIES 2003-
OP1 ASSET BACKED PASS-THROUGH
CERTIFICATES BY OPTION ONE
MORTGAGE CORPORATION

No.: 05-26-CD

CLEARFIELD COUNTY

vs.

ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- ☐ an FHA Mortgage
- ☐ non-owner occupied
- ☐ vacant
- ☒ Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

COPY

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

NO.: 05-26-CD

vs.

ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:
County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

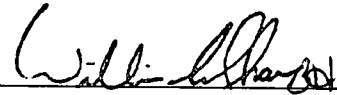
To satisfy the judgment, interest and costs in the above matter you are directed to levy
upon and sell the following described property (specifically described property below):

Premises: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833

(See legal description attached.)

Amount Due	\$72,434.18
Interest from 3/18/05 to Date of Sale (\$11.91 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed.
Add'l fees	\$7160.50

145.00 Prothonotary costs


Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated 8/11/06
(SEAL)

By:

Deputy

KAM

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

No. 05-26-CD

**In the Court of Common Pleas of
Clearfield County, Pennsylvania**

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP.
HOME EQUITY LOAN TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION

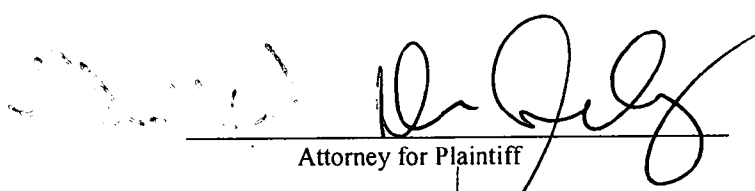
vs.

ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt	<u>\$72,434.18</u>
Int. from 3/18/05 to Date of Sale (\$11.91 per diem)	_____
Costs	_____
Prothy. Pd.	<u>145.00</u>
Sheriff	_____

21000 1/10/05 11:00 AM



Attorney for Plaintiff

Address: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833
615 HAMILTON ROAD, CHAMBERSBURG, PA 17201
Where papers may be served.

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

DESCRIPTION

ALL THAT CERTAIN lot or parcel of ground situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the East side of a public road Route No. 17115 leading from Curwensville to Greenwood; thence along land of or formerly of Chester A. Hixon in an Easterly direction two hundred (200) feet to an iron pin; thence along land of or formerly of Clarence Wise and Thelma Wise in a Southerly direction two hundred twenty (220) feet to an iron pin; thence still along or formerly along the Wise land in a Westerly direction two hundred (200) feet to an iron pin in the line of Highway Route No. 17115 separating this parcel from parcel now or formerly of John W. and Ella Jean Riddle; thence by right-of-way of Highway Route No. 17115 in a Northerly direction two hundred twenty (220) feet to the iron pin and place of beginning.

CONTAINING one (1) acre of land.

Map #126-H9-45.1

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Robert Lee Montgomery and Deborah Ann Montgomery, husband and wife by Deed from Janeen P. Gill, a married person, dated 6/24/1991 and recorded 7/5/1991 in Deed Book Volume 1406 Page 296.

PREMISES BEING: 1722 RIDGE AVENUE EXT., CURWENSVILLE, PA 16833

AFFIDAVIT OF SERVICE

PLAINTIFF

CLEARFIELD COUNTY

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

F&P. #108666

DEFENDANT

COURT NO.: 05-26-CD

ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

SERVE DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY AT:
615 HAMILTON ROAD
CHAMBERSBURG, PA 17201

TYPE OF ACTION

XX Notice of Sheriff's Sale
SALE DATE: 11-3-06

FILED
SEP 14 2006

William A. Shaw
Prothonotary/Clerk of Courts

SERVED

Served and made known to Deborah A. Montgomery Defendant on the 7th day of Sept, 2006, at 7:22 o'clock P. M., at 615 Hamilton Ave., Chambersburg, Commonwealth of Pennsylvania, in the manner described below:

☐ Defendant personally served.

☒ Adult family member with whom Defendant(s) reside(s).

Relationship is co-habitor & Gerry Bernhart

☐ Adult in charge of Defendant's residence who refused to give name or relationship.

☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).

☐ Agent or person in charge of Defendant's office or usual place of business.

☐ an officer of said Defendant's company.

☐ Other: _____

Description: Age 65 Height 5'10" Weight 170 Race Wh Sex M Other beard

I, Charence L. Carty, Jr, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 7th day
of Sept, 2006.

NOTARIAL SEAL
LUCILLE H. CARTY, Notary Public
Lettokenny Township, Franklin County
My Commission Expires Nov. 10, 2007

Notary: Lucille H. Carty

NOT SERVED

On the _____ day of _____, 200__, at _____ o'clock __. M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200__.

By: _____

Notary: _____

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

PHELAN HALLINAN & SCHMIEG, LLP
BY: DANIEL G. SCHMIEG, ESQUIRE
Attorney I.D. No.: 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

HSBC BANK USA AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

Plaintiff

v.

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Defendants

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 05-26-CD

RECEIVED

OCT 06 2006

COURT ADMINISTRATOR
OFFICE

PLAINTIFF'S MEMORANDUM OF LAW

Pursuant to Pennsylvania Rule of Civil Procedure, Rule 3129.2, it is necessary in a foreclosure action for the Sheriff or Process Server to serve upon the Defendant Notice of the Sale of the mortgaged premises. Specifically, Pa.R.C.P., Rule 3129.2 (c) provides in applicable part as follows:

The written notice shall be prepared by the plaintiff, shall contain the same information as the handbills or may consist of the handbill and shall be served at least thirty days before the sale on all persons whose names and addresses are set forth in the affidavit required by Rule 3129.1.

- (1) Service of the Notice shall be made:
 - (i) upon a defendant...
 - (A) by the sheriff or by a competent adult in the manner prescribed by Rule 402 (a) for the service of original process upon a defendant, or

- (B) by the plaintiff mailing a copy of the manner prescribed by Rule 403 to the addresses set forth in the affidavit; or
- (C) if service cannot be made as provided in the subparagraph (A) or (B), the notice shall be served pursuant to special order of court as prescribed by Rule 430, except that if original process was served pursuant to a special order of court under Rule 430 upon the defendant in the judgment, the notice may be served upon that defendant in the manner provided by the order for service of original process without further application to the court.

Because the whereabouts of Defendant, ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY , are unknown, a reasonable investigation of their last known address was made in accordance with Pa.R.C.P. 430(a).

Pennsylvania Rule of Civil Procedure, Rule 430 (a) provides as follows:

- (a) If service cannot be made under the applicable rule the Plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.

Note: A Sheriff's Return or Affidavit of Service of "not found" or the fact that a defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa.Super. 362, 357 A.2d 580 (1976). Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address. Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives, neighbors, friends and employers of the defendant and (3) examinations of local telephone directories, voter registration records, local tax records and motor vehicle records.

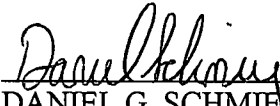
As indicated by the attached Affidavit of Return of Service, marked hereto as Exhibit "A", the Process Server has been unable to serve the Notice of Sale.

A good faith effort to discover the whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Reasonable Investigation, marked as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833 and 615 HAMILTON AVENUE, CHAMBERSBURG, PA 17201 and 1 RD APT. 389, CURWENSVILLE, PA 16833.

Respectfully submitted,

PHELAN HALLINAN & SCHMIEG, LLP

By: 
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Attorney I.D. No.: 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY
OPTION ONE MORTGAGE CORPORATION
Plaintiff,

v.

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 05-26-CD

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Defendant(s).

FILED ^{NO CC}
OCT 25 2006
m 11:04 AM
LSP

William A. Shaw
Prothonotary/Clerk of Courts

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE
PURSUANT TO P.R.C.P., 404(2)/403**

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY** on **OCTOBER 19, 2006** at **1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833 & 615 HAMILTON AVENUE, CHAMBERSBURG, PA 17201 & 1 RD APT. 389, CURWENSVILLE, PA 16833** in accordance with the Order of Court dated **OCTOBER 6, 2006**.

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

PHELAN HALLINAN & SCHMIEG, LLP

By:

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

Dated: October 24, 2006

7160 3901 9849 6782 6020

TO: ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
1 RD APT. 389
CURWENSVILLE, PA 16833

SENDER: PAW TEAM 4

REFERENCE: MONTGOMERY, ROBERT

PS Form 3800, January 2005

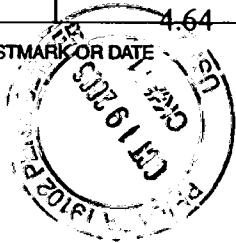
RETURN RECEIPT SERVICE	Postage	.39
	Certified Fee	2.40
	Return Receipt Fee	1.85
	Restricted Delivery	0.00
	Total Postage & Fees	4.64

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE



7160 3901 9849 6782 6006

TO: ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833

SENDER: PAW TEAM 4

REFERENCE: MONTGOMERY, ROBERT

PS Form 3800, January 2005

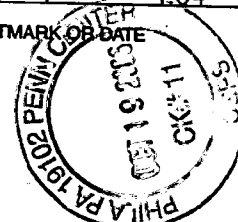
RETURN RECEIPT SERVICE	Postage	.39
	Certified Fee	2.40
	Return Receipt Fee	1.85
	Restricted Delivery	0.00
	Total Postage & Fees	4.64

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE



7160 3901 9849 6782 6013

TO: ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
615 HAMILTON AVENUE
CHAMBERSBURG, PA 17201

SENDER: PAW TEAM 4

REFERENCE: MONTGOMERY, ROBERT

PS Form 3800, January 2005

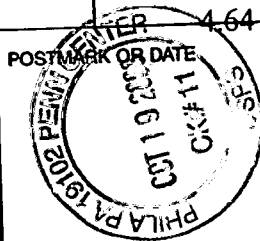
RETURN RECEIPT SERVICE	Postage	.39
	Certified Fee	2.40
	Return Receipt Fee	1.85
	Restricted Delivery	0.00
	Total Postage & Fees	4.64

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HSBC BANK USA AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

CIVIL DIVISION

NO. 05-26-CD

Plaintiff

v.

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Defendants

ATTORNEY FILE COPY
PLEASE RETURN

ATTORNEY FILE COPY
PLEASE RETURN

ORDER

AND NOW, this 6th day of October, 2006, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above-captioned Defendant, **ROBERT L.**

MONTGOMERY A/K/A ROBERT LEE MONTGOMERY, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833 and 615 HAMILTON AVENUE, CHAMBERSBURG, PA 17201 and 1 RD APT. 389, CURWENSVILLE, PA 16833.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

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

BY THE COURT:

/s/ Fredric J. Ammerman

J.

OCT 09 2006

Attest.

William A. Brown
Prothonotary/
Clerk of Courts

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

HSBC BANK USA AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

CIVIL DIVISION

NO. 05-26-CD

Plaintiff

v.

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Defendants

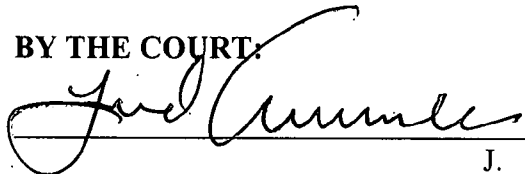
ORDER

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MONTGOMERY A/K/A ROBERT LEE MONTGOMERY, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833 and 615 HAMILTON AVENUE, CHAMBERSBURG, PA 17201 and 1 RD APT. 389, CURWENSVILLE, PA 16833.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:


J.

FILED

06:06/01
OCT 09 2006

2cc
Atty Schmieg
CR

PHELAN HALLINAN & SCHMIEG, LLP
BY: DANIEL G. SCHMIEG, ESQUIRE
Attorney I.D. No.: 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

HSBC BANK USA AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

Plaintiff

v.

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Defendants

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION
NO. 05-26-CD

FILED

OCT 05 2006

William A. Shaw
Prothonotary/Clerk of Courts

1 sent to Am

**MOTION FOR SERVICE OF NOTICE OF SALE
PURSUANT TO SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court
for an Order directing service of the Notice of Sale upon the above-captioned Defendant,

ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY, by certified mail
and regular mail to 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833 and 615
HAMILTON AVENUE, CHAMBERSBURG, PA 17201 and 1 RD APT. 389,
CURWENSVILLE, PA 16833, and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for


NOVEMBER 3, 2006.

2. Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 3129.2 requires that the Defendants be served with a notification of Sheriff's Sale at least thirty (30) days prior to the scheduled sale date.
3. Attempts to serve Defendant with the Notice of Sale have been unsuccessful, as indicated by the Return of Service attached hereto as Exhibit "A".
4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833 and 615 HAMILTON AVENUE, CHAMBERSBURG, PA 17201 and 1 RD APT. 389, CURWENSVILLE, PA 16833.

PHELAN HALLINAN & SCHMIEG, LLP

By:


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

**FULL SPECTRUM LEGAL SERVICES, INC.
AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 108666
Attorney Firm: Phelan, Hallinan & Schmieg, LLP
Subject: Robert L. Montgomery & Deborah A. Montgomery

Current Address: 615 Hamilton Avenue, Chambersburg, PA 17201
Property Address: 1722 Ridge Avenue Extension, Curwensville, PA 16833
Mailing Address: 615 Hamilton Avenue, Chambersburg, PA 17201

I, Brendan Booth, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct

Robert L. Montgomery - 207-38-3000

Deborah A. Montgomery - 177-48-3839

B. EMPLOYMENT SEARCH

Robert L. Montgomery & Deborah A. Montgomery - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that Robert L. Montgomery reside(s) at: 1 RD, Apartment 389, Curwensville, PA 16833 & Deborah A. Montgomery reside(s) at: RR 1 Box 389, Curwensville, PA 16833.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which indicated that Robert L. Montgomery reside(s) at: 1722 Ridge Avenue Extension, Curwensville, PA 16833, however had no listing for Deborah A. Montgomery. On 09-14-06 our office made a telephone call to the subject's phone number (814) 236-2329 and received the following information: wrong number.

B. On 09-14-06 our office made several telephone calls to the phone number (717) 267-1519 and received the following information: answering machine. On 09-14-06 our office made several telephone calls to the phone number (814) 236-1645 and received the following information: answering machine.

III. INQUIRY OF NEIGHBORS

On 09-14-06 our office made a phone call in an attempt to contact Richard Harvey (717) 263-8728, 627 Hamilton Avenue, Chambersburg, PA 17201: spoke with an unidentified female who confirmed that Robert L. Montgomery & Deborah A. Montgomery reside(s) at 615 Hamilton Avenue, Chambersburg, PA 17201.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 09-14-06 we reviewed the National Address database and found the following information: Robert L. Montgomery - 1722 Ridge Avenue Expressway, Curwensville, PA 16833 & Deborah A. Montgomery - 615 Hamilton Avenue, Chambersburg, PA 17201.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: no addresses on file.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on Robert L. Montgomery & Deborah A. Montgomery.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 09-14-06 Vital Records and all public databases have no death record on file for Robert L. Montgomery & Deborah A. Montgomery.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for Robert L. Montgomery & Deborah A. Montgomery residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

Robert L. Montgomery - 05-01-1946
Deborah A. Montgomery - 11-29-1955

B. A.K.A.

Deborah A. Peterson; Deborah A. Wiggins

* Our accessible databases have been checked and cross-referenced for the above named individual(s).

* Please be advised our database information indicates the subject resides at the current address.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing states made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.

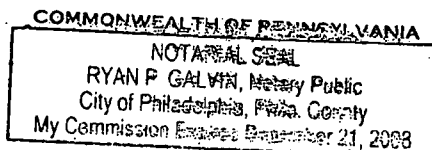
Brendan Booth

AFFIANT - Brendan Booth
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 14th day of September, 2006.

The above information is obtained from available public records
and we are only liable for the cost of the affidavit.

IND



Ryan P. Galvin

AFFIDAVIT OF SERVICE

PLAINTIFF

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

CLEARFIELD COUNTY

F&P. #108666

DEFENDANT

ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

COURT NO.: 05-26-CD

SERVE ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY AT:
1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833

TYPE OF ACTION

XX Notice of Sheriff's Sale

SALE DATE: 11/3/06

SERVED

Served and made known to _____, Defendant on the ____ day of _____, 200 ____, at _____, o'clock __. M., at _____, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 200__.

Notary:

By:

NOT SERVED

On the 23RD day of August, 2006, at 4:30 o'clock P. M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☒ Vacant

Other: House & garage empty - power off

Sworn to and subscribed
before me this 25th day
of AUGUST, 2006.

By: Thomas Holmberg

Notary:

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007

Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE

PLAINTIFF

CLEARFIELD COUNTY

**HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-0P1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION**

F&P. #108666

DEFENDANT

COURT NO.: 05-26-CD

**ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY**

**SERVE ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY AT:
615 HAMILTON AVENUE
CHAMBERSBURG, PA 17201**

TYPE OF ACTION

XX Notice of Sheriff's Sale

SALE DATE: 11/3/06

SERVED

Served and made known to _____, Defendant on the ____ day of _____, 200 ____, at _____, o'clock __ M., at _____, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
- ☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
- ☐ Adult in charge of Defendant's residence who refused to give name or relationship.
- ☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
- ☐ Agent or person in charge of Defendant's office or usual place of business.
- ☐ _____ an officer of said Defendant's company.
- ☐ Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, _____, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 200__.

Notary:

By:

NOT SERVED

On the 22nd day of Sept., 2006, at 6:58 o'clock P. M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

Other: Robert Montgomery lives in the Greensville, PA area
according to Gerry Barnhart, current resident.

Sworn to and subscribed
before me this 22nd day
of Sept., 2006.

By:

Notary:

Lucille Harty

Charles R. Schmiege

**ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEGE, ESQUIRE
D.#62205
One Penn Center at Suburban Station
1417 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000**

**NOTARIAL SEAL
LUCILLE H. CARTY, Notary Public
Letherkenny Township, Franklin County
My Commission Expires Nov. 10, 2007**

AFFIDAVIT OF SERVICE

CLEARFIELD COUNTY

PLAINTIFF

HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-0P1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

F&P. #108666

DEFENDANT

ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY

COURT NO.: 05-26-CD

SERVE ROBERT L. MONTGOMERY A/K/A
ROBERT LEE MONTGOMERY AT:
1 RD, APT. 389
CURWENSVILLE, PA 16833

TYPE OF ACTION

XX Notice of Sheriff's Sale

SALE DATE: 11/3/06

SERVED

Served and made known to _____, Defendant on the ____ day of _____, 200 __, at _____, o'clock __. M., at _____, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 200__.

Notary:

By:

NOT SERVED

On the 26th day of Sept, 2006, at 5:04 o'clock P. M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☒ Vacant

Other: RD Address is old address for 1722 Ridge Ave Ext. - confirmed by post office

Sworn to and subscribed
before me this 27th day
of SEPT, 2006.

By:

Notary:

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007

Member, Pennsylvania Association of Notaries

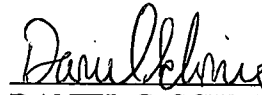
ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

VERIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in this action, that he is authorized to take the verification and that the statements made in the foregoing Motion for Service of Notice of Sale pursuant to Special Order of Court are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: October 4, 2006



DANIEL G. SCHMIEG, ESQUIRE

PHELAN HALLINAN & SCHMIEG, LLP
BY: DANIEL G. SCHMIEG, ESQUIRE
Attorney I.D. No.: 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

HSBC BANK USA AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN TRUST
SERIES 2003-OP1 ASSET BACKED PASS-
THROUGH CERTIFICATES BY OPTION ONE
MORTGAGE CORPORATION

Plaintiff

v.

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Defendants

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

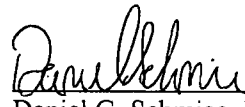
CIVIL DIVISION

NO. 05-26-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Service of Notice of Sale Pursuant to Special Order of Court, Proposed Order, Memorandum of Law, Certification of Service and Verification in the above captioned matter was sent by first class mail, postage prepaid to the following interested parties on the date indicated below.

ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY
1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833
and
615 HAMILTON AVENUE
CHAMBERSBURG, PA 17201
and
1 RD APT. 389
CURWENSVILLE, PA 16833


Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: October 4, 2006

SALE DATE: **DECEMBER 1, 2006**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**HSBC BANK USA, AS TRUSTEE FOR
ACE SECURITIES CORP. HOME
EQUITY LOAN TRUST, SERIES 2003-
OP1 ASSET BACKED PASS-THROUGH
CERTIFICATES BY OPTION ONE
MORTGAGE CORPORATION**

No.: 05-26-CD

FILED *no cc*
m/10.55/
NOV 07 2006 *LM*

William A. Shaw
Prothonotary/Clerk of Courts

vs.

**ROBERT L. MONTGOMERY
DEBORAH A. MONTGOMERY**

**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praecept for the Writ of Execution was filed the following information concerning the real property located at:

1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

Daniel L. Schmieg

DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

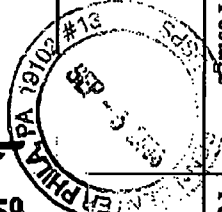
November 1, 2006

Name and Address of Sender
 PHELAN HALLINAN & SCHMIEG
 One Penn Center at Suburban Station
 Philadelphia, PA 19103-1814
 Suite 1400
 SUPPORT TEAM

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY	Tenant/Occupant, 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833		
2	0011671922	Clearfield County Domestic Relations Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830		
3		Commonwealth of Pennsylvania Department of Welfare PO Box 2675 Harrisburg, PA 17105		
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
Total Number of Pieces Listed By Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name Of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of non-registered documents under Express Mail document reconstruction insurance is \$50,000.00 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.



UNITED STATES POSTAGE
 PITNEY BOWES
 02 1M
 0004218010
 \$ 00.950
 SEP 05 2006
 MAILED FROM ZIP CODE 19103



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20417

NO: 0526-CD 05-26-CD

PLAINTIFF: HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST, SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE CORPORATION
vs.

DEFENDANT: ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY AND DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 08/11/2006

LEVY TAKEN 09/05/2006 @ 9:45 AM

POSTED 09/05/2006 @ 9:45 AM

SALE HELD 12/01/2006

SOLD TO HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST, SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 01/12/2007

DATE DEED FILED 01/12/2007

PROPERTY ADDRESS 1722 RIDGE AVENUE EXT. CURWENSVILLE , PA 16833

SEE ATTACHED SHEETS FOR SERVICE INFORMATION

FILED
012.01.07
JAN 12 2007
JS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20417
NO: 0526-CD

PLAINTIFF: HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUT, SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE CORPORATION
vs.
DEFENDANT: ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY AND DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY

Execution REAL ESTATE

SHERIFF RETURN

SERVICES

09/05/2006 @ 10:04 AM SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY, DEFENDANT AT HIS PLACE OF EMPLOYMENT 613 FILBERT STREET, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ROBERT L. MONTGOMERY

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY
FRANKLIN COUNTY RETURNED WRIT, NOTICE OF SALE AND COPY OF LEVY NOT SERVED, ADDRESS NOT CORRECT.

11/08/2006 @ SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY, DEFENDANT, BY CERT AND REGULAR MAIL PER COURT ORDER TO RD 1, APT. 389, CURWENSVILLE, PA SIGNED FOR BY HOWARD H. ASKEY IN CLEARFIELD, PA CERT #70050390000372351766

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

11/09/2006 @ SERVED DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY
SERVED DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY, DEFENDANT, BY REG AND CERT MAIL TO 615 HAMILTON AVENUE, CHAMBERSBURG, PA CERT #70050390000372351889 SIGNED FOR BY DEBORAH MONTGOMERY

10/31/2006 @ SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
SERVED ROBERT L. MONTGOMEYA/K/A ROBERT LEE MONTGOMERY, DEFENDANT, BY REG AND CERT MAIL PER COURT ORDER TO 1722 RIDGE AVENUE EXT., CURWENSVILLE, PA CERT #70050390000372351810 SIGNED FOR BY BONNIE ASKEY

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

10/25/2006 @ SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
SERVED ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY BY REG & CERT MAIL PER COURT ORDER TO 615 HAMILTON AVENUE, CHAMBERSBURG, PA 17201. REG MAIL RETURNED UNCALIMED TO SHERIFF OFFICE ON 11/22/2006

@ SERVED
NOW, OCTOBER 25 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR NOVEMBER 3, 2006 TO DECEMBER 1, 2006.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20417

NO: 0526-CD

PLAINTIFF: HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUT, SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE CORPORATION
vs.

DEFENDANT: ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY AND DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Execution REAL ESTATE

SHERIFF RETURN



SHERIFF HAWKINS \$247.79

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,



Chester A. Hawkins
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

**HSBC BANK USA, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION**

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

NO.: 05-26-CD

vs.

**ROBERT L. MONTGOMERY A/K/A ROBERT
LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A
DEBORAH ANN MONTGOMERY**

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

**Commonwealth of Pennsylvania:
County of Clearfield:**

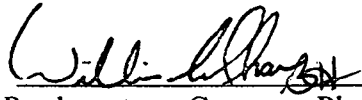
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

**To satisfy the judgment, interest and costs in the above matter you are directed to levy
upon and sell the following described property (specifically described property below):**

Premises: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833

(See legal description attached.)

Amount Due	<u>\$72,434.18</u>
Interest from 3/18/05 to Date of Sale (\$11.91 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed.
Add'l fees	<u>145.00</u> Prothonotary costs \$ 7160.50


Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated 8/11/06
(SEAL)

By:

Deputy

KAM

*Received August 11, 2006 @ 2:45 P.M.
Charles A. Hargis
By Cynthia Butler - Clearfield*

**IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not
be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale
must be postponed or stayed in the event that a representative of the plaintiff is not present
at the sale.**

No. 05-26-CD

**In the Court of Common Pleas of
Clearfield County, Pennsylvania**

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP.
HOME EQUITY LOAN TRUST, SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE
CORPORATION

vs.

ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**


Real Debt \$72,434.18

Int. from 3/18/05 _____
to Date of Sale (\$11.91 per diem)

Costs _____

Prothy. Pd. 145.00

Sheriff _____



Attorney for Plaintiff

Address: 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833
615 HAMILTON ROAD, CHAMBERSBURG, PA 17201
Where papers may be served.

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

DESCRIPTION

ALL THAT CERTAIN lot or parcel of ground situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the East side of a public road Route No. 17115 leading from Curwensville to Greenwood; thence along land of or formerly of Chester A. Hixon in an Easterly direction two hundred (200) feet to an iron pin; thence along land of or formerly of Clarence Wise and Thelma Wise in a Southerly direction two hundred twenty (220) feet to an iron pin; thence still along or formerly along the Wise land in a Westerly direction two hundred (200) feet to an iron pin in the line of Highway Route No. 17115 separating this parcel from parcel now or formerly of John W. and Ella Jean Riddle; thence by right-of-way of Highway Route No. 17115 in a Northerly direction two hundred twenty (220) feet to the iron pin and place of beginning.

CONTAINING one (1) acre of land.

Map #126-H9-45.1

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Robert Lee Montgomery and Deborah Ann Montgomery, husband and wife by Deed from Janceen P. Gill, a married person, dated 6/24/1991 and recorded 7/5/1991 in Deed Book Volume 1406 Page 296.

PREMISES BEING: 1722 RIDGE AVENUE EXT., CURWENSVILLE, PA 16833

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY

NO. 0526-CD

NOW, January 12, 2007, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on December 01, 2006, I exposed the within described real estate of Robert L. Montgomery A/K/A Robert Lee Montgomery And Deborah A. Montgomery A/K/A Deborah Ann Montgomery to public venue or outcry at which time and place I sold the same to HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST, SERIES 2003-OP1 ASSET BACKED PASS-THROUGH CERTIFICATES he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	5.34
LEVY	15.00
MILEAGE	5.34
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	27.11
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	5.00
BILLING/PHONE/FAX	10.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$247.79

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	30.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$30.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	72,434.18
INTEREST @ 11.9100 %	7,419.93
FROM 03/18/2005 TO 12/01/2006	

PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	

TOTAL DEBT AND INTEREST	\$79,894.11
--------------------------------	--------------------

COSTS:

ADVERTISING	384.82
TAXES - COLLECTOR	591.36
TAXES - TAX CLAIM	1,796.50
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	30.50
SHERIFF COSTS	247.79
LEGAL JOURNAL COSTS	180.00
PROTHONOTARY	145.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$3,520.97

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HSBC BANK USA AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST SERIES 2003-OP1 ASSET BACKED
PASS-THROUGH CERTIFICATES BY OPTION
ONE MORTGAGE CORPORATION

CIVIL DIVISION

NO. 05-26-CD

Plaintiff

v.

ROBERT L. MONTGOMERY
A/K/A ROBERT LEE MONTGOMERY
DEBORAH A. MONTGOMERY
A/K/A DEBORAH ANN MONTGOMERY

Defendants

ORDER

AND NOW, this 6th day of October, 2006, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above-captioned Defendant, **ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833 and 615 HAMILTON AVENUE, CHAMBERSBURG, PA 17201 and 1 RD APT. 389, CURWENSVILLE, PA 16833.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT

[Signature]
J.

FILED
OCT 09 2006
William A. Shaw
Prothonotary/Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

Law Offices
PHELAN HALLINAN & SCHMIEG, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Paul.Boccuti@fedphe.com

Paul M. Boccuti
Judgment Department, Ext. 1356

Representing Lenders in
Pennsylvania and New Jersey

October 25, 2006

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: **FIDELITY NATIONAL FORECLOSURE SOLUTIONS**
v. ROBERT L. MONTGOMERY & DEBORAH A. MONTGOMERY
No. 05-26-CD
1722 RIDGE AVENUE EXT, CURWENSVILLE, PA 16833

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for **NOVEMBER 3, 2006**.

The property is to be relisted for the **DECEMBER 1, 2006** Sheriff's Sale.

Very truly yours,

PMB

Paul M. Boccuti

VIA TELECOPY (814) 765-5915

CC: ROBERT L. MONTGOMERY	DEBORAH A. MONTGOMERY
1722 RIDGE AVENUE EXT	1722 RIDGE AVENUE EXT
CURWENSVILLE, PA 16833	CURWENSVILLE, PA 16833



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986

FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

*No deputation
no surcharge ✓*

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20417

TERM & NO. 0526-CD

HSBC BANK USA, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUT, SERIES 2003-OP1 ASSET
BACKED PASS-THROUGH CERTIFICATES BY OPTION ONE MORTGAGE CORPORATION

VS.

ROBERT L. MONTGOMERY A/K/A ROBERT LEE MONTGOMERY AND DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN
MONTGOMERY

RECEIVED
SEP 11 2006

DOCUMENTS TO BE SERVED:
NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

FRANKLIN COUNTY SHERIFF'S OFFICE

SERVE BY: OCTOBER 2, 2006

**MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG LLP
RETURN TO BE SENT TO THIS OFFICE**

SERVE: DEBORAH A. MONTGOMERY A/K/A DEBORAH ANN MONTGOMERY

ADDRESS: 615 HAMILTON ROAD
CHAMBERSBURG, PA 17201

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD
COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF FRANKLIN COUNTY, Pennsylvania
to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Wednesday, September 6, 2006.

RESPECTFULLY,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

SHERIFF'S RETURN - NOT FOUND

CASE NO: 2006-00221 T
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF FRANKLIN

HSBC BANK USA

VS

DEBORAH A MONTGOMERY ET AL

CHRISTIAN M AGUIRRE, Deputy Sheriff, who being duly sworn according to law, says, that he made a diligent search and inquiry for the within named DEFENDANT, to wit: MONTGOMERY DEBORAH A AKA DEBOR AH ANN MONTGOMERY but was unable to locate Her in his bailiwick. He therefore returns the NOTICE OF SHERIFF SALE,

_____, NOT FOUND, as to the within named DEFENDANT, MONTGOMERY DEBORAH A AKA DEBOR AH ANN MONTGOMERY,

615 HAMILTON ROAD

CHAMBERSBURG, PA 17201

NO SUCH ADDRESS

Sheriff's Costs:

Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00

So answers:

CHRISTIAN M AGUIRRE
ROBERT WOLLYUNG, Sheriff

PHELAN HALLINAN AND SCHMIEG
10/03/2006

Sworn and subscribed to before me

this 3rd day of October

2006 A.D.

Richard D. McCarty
Notary

Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
My Commission Expires Jan. 29, 2007