

05-58-CD
Deutsche Bank et al vs. Wright et al

etal. vs. EDWIN J. WRIGHT, et al.

Deutsche Bank v. Edwin Wright et al
2005-058-CD

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

DEUTSCHE BANK NATIONAL TRUST COMPANY AS
TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN
STANLEY ABS CAPITAL I INC., TRUST 2004-HE2,
MORTGAGE PASS THROUGH CERTIFICATES,
SERIES 2004- HE2
7105 CORPORATE DRIVE
PLANO, TX 75024

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-58-0

CLEARFIELD COUNTY

Plaintiff

v.

EDWIN J. WRIGHT
PHYLLIS A. WRIGHT
A/K/A PHYLLIS A CARUSO
1004 DAISY STREET
CLEARFIELD, PA 16830

FILED
0 11:28 AM pd 85-
4 ec to shg
JAN 13 2005

Defendants

William A. Shaw
Prothonotary

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE
ON BEHALF OF THE CERTIFICATEHOLDERS OF MORGAN
STANLEY ABS CAPITAL I INC., TRUST 2004-HE2,
MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2004-HE2
7105 CORPORATE DRIVE
PLANO, TX 75024

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

EDWIN J. WRIGHT
PHYLLIS A. WRIGHT
A/K/A PHYLLIS A CARUSO
1004 DAISY STREET
CLEARFIELD, PA 16830

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

3. On 01/23/2004 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to HOMEOWNERS LOAN CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200401326. 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 07/28/2004 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.

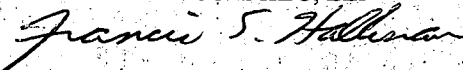
6. The following amounts are due on the mortgage:

Principal Balance	\$63,862.61
Interest	3,607.87
06/28/2004 through 01/12/2005 (Per Diem \$18.13)	
Attorney's Fees	1,250.00
Cumulative Late Charges	171.60
01/23/2004 to 01/12/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 69,442.08
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00
TOTAL	\$ 69,442.08

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.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 69,442.08, together with interest from 01/12/2005 at the rate of \$18.13 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



By: /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL that certain lot or piece of ground situate in the Borough of Clearfield, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF:

BEGINNING at a point on the Northeast corner of Daisy Street and an alley directly across the alley from the Joseph Pellerite house; thence along said alley South 27 degrees 45 minutes West 81 feet to a stake; thence North 62 degrees 15 minutes West 38 feet to line of lot of Mary Ann Lombardo Estate property; thence along the Lombardo Estate property North 27 degrees 45 minutes East 81 feet to the line of Daisy Street; thence South 62 degrees 15 minutes East 38 feet to the corner of an alley and place of beginning. On this lot is erected a garage, but if a dwelling was placed on it facing Daisy Street, it would be known as 1012 Daisy Street.

RESTRICTION-No building or part of buildings shall be erected or maintained within twenty (20) feet of the curblin of Daisy Street.

BEING the same premises which Joseph Pellerite and Jennie Pellerite, husband and wife; conveyed to Anthony J. Guy and Helen Guy, husband and wife by Deed dated the 6th day of January 1966, said Deed being recorded in the office of the Register and Recorder of Clearfield County, Pennsylvania in Deed Book 519 at Page 453.

THE SECOND THEREOF:

ALL that certain piece or parcel of land situate in the Borough of Clearfield, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the northerly side of Daisy Street at the Southeast corner of the lot of Antonio Mucio; thence by the Mucio property North 27 degrees 45 minutes East 81 feet to a stake; thence by land now or formerly of Harbison-Walker Refractories Company South 62 degrees 15 minutes East 38 feet to a stake at the Northwest corner of Joseph Pellerite garage lot; thence by the Pellerite lot South 27 degrees 45 minutes West 81 feet to the Northerly side of Daisy Street; thence along the Northerly side of Daisy Street North 62 degrees 15 minutes West 38 feet to the place of beginning. Being known as 1010 Daisy Street and the Lombardo Estate property.

Being No. **1010 Daisy Street**

VERIFICATION

MICHAEL D. VESTAL hereby states that he/she is VICE PRESIDENT of COUNTRYWIDE HOME LOANS, INC. mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Michael D. Vestal

DATE: 1/8/5

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100138

NO: 05-58-CD

SERVICE # 1 OF 4

COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

VS.

DEFENDANT: EDWIN J. WRIGHT and PHYLLIS A. WRIGHT

SHERIFF RETURN

NOW, January 17, 2005 AT 9:00 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON EDWIN J. WRIGHT DEFENDANT AT 1004 DAISY ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO EDWIN J. WRIGHT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

FILED

64 FEB 11 2005

0/2:50 PM
William A. Shaw

Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100138

NO: 05-58-CD

SERVICE # 2 OF 4

COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

VS.

DEFENDANT: EDWIN J. WRIGHT and PHYLLIS A. WRIGHT

SHERIFF RETURN

NOW, January 17, 2005 AT 9:03 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON PHYLLIS A. WRIGHT a/k/a PHYLLIS A. CARUSO DEFENDANT AT 1004 DAISY ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO EDWIN J. WRIGHT, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100138

NO. 05-58-CD

SERVICE # 3 OF 4

COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

VS.

DEFENDANT: EDWIN J. WRIGHT and PHYLLIS A. WRIGHT

SHERIFF RETURN

NOW, January 17, 2005 AT 9:03 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON EDWIN J. WRIGHT DEFENDANT AT 1004 DAISY ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA; BY HANDING TO EDWIN J. WRIGHT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100138

NO: 05-58-CD

SERVICE # 4 OF 4

COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

VS.

DEFENDANT: EDWIN J. WRIGHT and PHYLLIS A. WRIGHT

SHERIFF RETURN

NOW, January 17, 2005 AT 9:03 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON PHYLLIS A. WRIGHT a/k/a PHYLLIS A. CARUSO DEFENDANT AT 1004 DAISY ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO EDWIN WRIGHT, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100138
NO 05-58-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY
vs.
DEFENDANT: EDWIN J. WRIGHT and PHYLLIS A. WRIGHT

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	399363	20.00
SURCHARGE	PHELAN	399411	20.00
SHERIFF HAWKINS	PHELAN	399411	38.00

Sworn to Before Me This

____ Day of _____ 2005

So Answers,


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY
AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY
ABS CAPITAL I INC., TRUST 2004-HE2,
MORTGAGE PASS THROUGH CERTIFICATES,
SERIES 2004-HE2
7105 CORPORATE DRIVE
PLANO, TX 75024

No.: 05-58-CD

vs.

EDWIN J. WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO
1010 DAISY STREET
CLEARFIELD, PA 16830

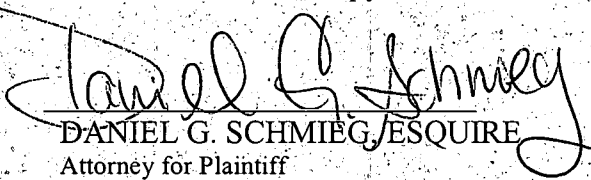
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against EDWIN J. WRIGHT and PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO, 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	\$69,442.08
Interest (1/13/05 to 2/25/05)	<u>797.72</u>
TOTAL	\$70,239.80

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, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: MARCH 1, 2005

PRO PROTHY

KIO

FILED

MAR 01 2005

m.f.2.4016
William A. Shaw

Prothonotary/Clerk of Courts

NOTICE TO DEPTS

STATEMENT TO ATT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

DEUTSCHE BANK NATIONAL TRUST COMPANY
AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY
ABS CAPITAL I INC., TRUST 2004-HE2,
MORTGAGE PASS THROUGH CERTIFICATES,
SERIES 2004-HE2

No.: 05-58-CD

Plaintiff

vs.

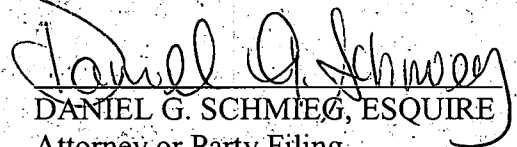
EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on March 1, 2005.

By: _____ DEPUTY

If you have any questions concerning this matter please contact:


DANIEL G. SCHMIEGE, 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.****

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

DEUTSCHE BANK NATIONAL TRUST COMPANY : COURT OF COMMON PLEAS
AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY : CIVIL DIVISION
ANC CAPITAL I INC., TRUST 2004-HE2,
MORTGAEG PASS THROUGH CERTIFICATES, : CLEARFIELD COUNTY
SERIES 2004-HE2

Plaintiff

: NO. 05-58-CD

Vs.

FILE COPY

EDWIN J. WRIGHT
PHYLIS A. WRIGHT A/K/A PHYLLIS A CARUSO
Defendants

**TO: EDWIN J. WRIGHT
1010 DAISY STREET
CLEARFIELD, PA 16830**

DATE OF NOTICE: FEBRUARY 11, 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
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ANC CAPITAL I INC., TRUST 2004-HE2, :
MORTGAEG PASS THROUGH CERTIFICATES, : CLEARFIELD COUNTY
SERIES 2004-HE2

Plaintiff

: NO. 05-58-CD

Vs.

FILE COPY

EDWIN J. WRIGHT
PHYLIS A. WRIGHT A/K/A PHYLLIS A CARUSO
Defendants

TO: PHYLLIS A. WRIGHT A/K/A PHYLLIS A CARUSO
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FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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SERIES 2004-HE2

Plaintiff

: NO. 05-58-CD

Vs.

EDWIN J. WRIGHT
PHYLIS A. WRIGHT A/K/A PHYLLIS A CARUSO
Defendants

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1004 DAISY STREET
CLEARFIELD, PA 16830

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SERIES 2004-HE2

Plaintiff

: NO. 05-58-CD

Vs.

EDWIN J. WRIGHT
PHYLIS A. WRIGHT A/K/A PHYLLIS A CARUSO
Defendants

FILE COPY

TO: PHYLIS A. WRIGHT A/K/A PHYLLIS A CARUSO
1004 DAISY STREET
CLEARFIELD, PA 16830

DATE OF NOTICE: FEBRUARY 11, 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

PHILAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

ONE PENN CENTER AT SUBURBAN STATION

1617 JOHN F. KENNEDY BLVD., SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

DEUTSCHE BANK NATIONAL TRUST COMPANY

AS TRUSTEE ON BEHALF OF THE

CERTIFICATEHOLDERS OF MORGAN STANLEY

ABS CAPITAL I INC., TRUST 2004-HE2,

MORTGAGE PASS THROUGH CERTIFICATES,

SERIES 2004-HE2

CLEARFIELD COUNTY

No.: 05-58-CD

vs.

EDWIN J WRIGHT

PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

VERIFICATION OF NON-MILITARY SERVICE

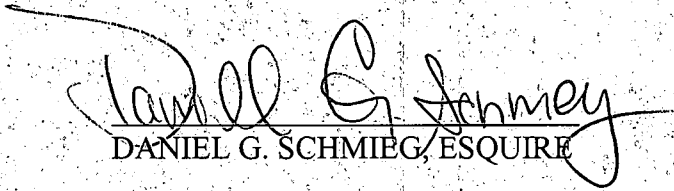
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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, EDWIN J WRIGHT, is over 18 years of age, and resides at 1010 DAISY STREET, CLEARFIELD, PA 16830.

(c) that defendant, PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO, is over 18 years of age, and resides at 1010 DAISY STREET, CLEARFIELD, PA 16830.

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
STATEMENT OF JUDGMENT

Deutsche Bank National Trust Company
Plaintiff(s)

No.: 2005-00058-CD

Real Debt: \$70,239.80

Atty's Comm: \$

Costs: \$

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 1, 2005

Expires: March 1, 2010

Vs.

Edwin J. Wright
Phyllis A. Wright
Defendant(s)

Certified from the record this March 1, 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

**DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE ON BEHALF OF
THE CERTIFICATEHOLDERS OF MORGAN
STANLEY ABS CAPITAL I INC., TRUST 2004-
HE2, MORTGAGE PASS THROUGH
CERTIFICATES, SERIES 2004-HE2**

vs.

**EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A.
CARUSO**

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due

Interest from 2/25/05 to
Date of Sale (\$11.55 per diem)

\$70,239.80

and Costs.

Prothonotary costs

Daniel G. Schmiegel
Daniel G. Schmiegel, 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.

KIO

FILED

MAR 01 2005

William A. Shaw
William A. Shaw

Prothonotary/Clerk of Courts

6. Writs issued to Shaw

No. 05-58-CD

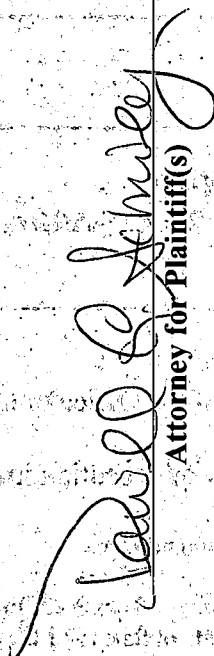
**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

DEUTSCHE BANK NATIONAL TRUST COMPANY AS
TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY ABS
CAPITAL I INC., TRUST 2004-HE2, MORTGAGE PASS
THROUGH CERTIFICATES, SERIES 2004-HE2

vs.

EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

**PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)**


Attorney for Plaintiff(s)

Address: 1010 DAISY STREET, CLEARFIELD, PA 16830
1010 DAISY STREET, CLEARFIELD, PA 16830
Where papers may be served.

ALL THAT CERTAIN LOT OR PIECE OF GROUND SITAUTE IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

THE FIRST THEREOF:

BEGINNING AT A POINT ON THE NORTHEAST CORNER OF DAISY STREET AND AN ALLEY DIRECTLY ACROSS THE ALLEY FROM THE JOSEPH PELLERITE HOUSE; THENCE ALONG SAID ALLEY SOUTH 27 DEGREES 45 MINUTES WEST 81 FEET TO A STAKE; THENCE NORTH 62 DEGREES 15 MINUTES WEST 38 FEET TO LINE OF LOT OF MARY ANN LOMBARDO ESTATE PROPERTY; THENCE ALONG THE LOMBARDO ESTATE PROPERTY NORTH 27 DEGREES 45 MINUTES EAST 81 FEET TO THE LINE OF DAISY STREET; THENCE 62 DEGREES 15 MINUTES EAST 38 FEET TO THE CORNER OF AN ALLEY AND PLACE OF BEGINNING. ON THIS LOT IS ERECTED A GARAGE, BUT IF A DWELLING WAS PLACED ON IT FACING DAISY STREET, IT WOULD BE KNOWN AS 1012 DAISY STREET.

RESTRICTION- NO BUILDING OR PART OF BUILDINGS SHALL BE ERECTED OR MAINTAINED WITHIN TWENTY (20) FEET OF THE CURB LINE OF DAISY STREET.

THE SECOND THEREOF:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF DAISY STREET AT THE SOUTHEAST CORNER OF THE LOT OF ANTONIO MUCIO; THENCE BY THE MUCIO PROPERTY NORTH 27 DEGREES 45 MINUTES EAST 81 FEET TO A STAKE; THENCE BY LAND NOW OR FORMERLY OF HARBISON-WALKER REFRACTORIES COMPANY SOUTH 62 DEGREES 15 MINUTES EAST 38 FEET TO A STAKE AT THE NORTHWEST CORNER OF JOSEPH PELLERITE GARAGE LOT; THENCE BY THE PELLERITE LOT SOUTH 27 DEGREES 45 MINUTES WEST 81 FEET TO THE NORTHERLY SIDE OF DAISY STREET; THENCE ALONG THE NORTHERLY SIDE OF DAISY STREET NORTH 62 DEGREES 15 MINUTES WEST 38 FEET TO THE PLACE OF BEGINNING. BEING KNOWN AS 1010 DAISY STREET AND THE LOMBARDO ESTATE PROPERTY.

MAP NOS. 4.4-K08-248-29 & 4.4-K08-248-28

Vesting Information:

Vested by: Special Warranty Deed dated 1/23/04, given by Anthony J. Guy, Widower to Phyllis A. Wright and Edwin J. Wright, wife and husband recorded 1/27/03 in Instrument # 200301145

Premises: 1010 Daisy Street, Clearfield, PA 16830

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180 to 3183 and Rule 3257

**DEUTSCHE BANK NATIONAL TRUST COMPANY AS
TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY ABS
CAPITAL I INC., TRUST 2004-HE2, MORTGAGE PASS
THROUGH CERTIFICATES, SERIES 2004-HE2**

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

NO.: 05-58-CD

vs.

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

**EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO**

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: 1010 DAISY STREET, CLEARFIELD, PA 16830.

(See legal description attached.)

Amount Due

\$70,239.80

Interest from 2/25/05 to

\$

Date of Sale (\$11.55 per diem)

Total

\$

Plus costs as endorsed.

Prothonotary costs

**Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania**

Dated MARCH 1, 2005

(SEAL)

By

Deputy

KIO

**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. 05-58-CD

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

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON
BEHALF OF THE CERTIFICATEHOLDERS OF MORGAN STANLEY
ABS CAPITAL I INC., TRUST 2004-HE2, MORTGAGE PASS
THROUGH CERTIFICATES, SERIES 2004-HE2

vs.

EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

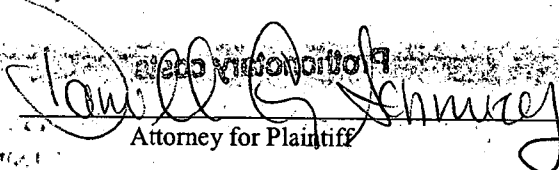
Real Debt \$70,239.80

Int. from 2/25/05
to Date of Sale (\$11.55 per diem)

Costs

Prothy. Pd.

Sheriff


Attorney for Plaintiff

Address: 1010 DAISY STREET, CLEARFIELD, PA 16830

1010 DAISY STREET, CLEARFIELD, PA 16830

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

ALL THAT CERTAIN LOT OR PIECE OF GROUND SITUATE IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

THE FIRST THEREOF:

BEGINNING AT A POINT ON THE NORTHEAST CORNER OF DAISY STREET AND AN ALLEY DIRECTLY ACROSS THE ALLEY FROM THE JOSEPH PELLERITE HOUSE; THENCE ALONG SAID ALLEY SOUTH 27 DEGREES 45 MINUTES WEST 81 FEET TO A STAKE; THENCE NORTH 62 DEGREES 15 MINUTES WEST 38 FEET TO LINE OF LOT OF MARY ANN LOMBARDO ESTATE PROPERTY; THENCE ALONG THE LOMBARDO ESTATE PROPERTY NORTH 27 DEGREES 45 MINUTES EAST 81 FEET TO THE LINE OF DAISY STREET; THENCE 62 DEGREES 15 MINUTES EAST 38 FEET TO THE CORNER OF AN ALLEY AND PLACE OF BEGINNING. ON THIS LOT IS ERECTED A GARAGE, BUT IF A DWELLING WAS PLACED ON IT FACING DAISY STREET, IT WOULD BE KNOWN AS 1012 DAISY STREET.

RESTRICTION- NO BUILDING OR PART OF BUILDINGS SHALL BE ERECTED OR MAINTAINED WITHIN TWENTY (20) FEET OF THE CURB LINE OF DAISY STREET.

THE SECOND THEREOF:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF DAISY STREET AT THE SOUTHEAST CORNER OF THE LOT OF ANTONIO MUCIO; THENCE BY THE MUCIO PROPERTY NORTH 27 DEGREES 45 MINUTES EAST 81 FEET TO A STAKE; THENCE BY LAND NOW OR FORMERLY OF HARBISON-WALKER REFRACTORIES COMPANY SOUTH 62 DEGREES 15 MINUTES EAST 38 FEET TO A STAKE AT THE NORTHWEST CORNER OF JOSEPH PELLERITE GARAGE LOT; THENCE BY THE PELLERITE LOT SOUTH 27 DEGREES 45 MINUTES WEST 81 FEET TO THE NORTHERLY SIDE OF DAISY STREET; THENCE ALONG THE NORTHERLY SIDE OF DAISY STREET NORTH 62 DEGREES 15 MINUTES WEST 38 FEET TO THE PLACE OF BEGINNING. BEING KNOWN AS 1010 DAISY STREET AND THE LOMBARDO ESTATE PROPERTY.

MAP NOS. 4.4-K08-248-29 & 4.4-K08-248-28

Vesting Information:

Vested by: Special Warranty Deed dated 1/23/04, given by Anthony J. Guy, Widower to Phyllis A. Wright and Edwin J. Wright, wife and husband recorded 1/27/03 in Instrument # 200301145

Premises: 1010 Daisy Street, Clearfield, PA 16830

SALE DATE: July 1, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE ON BEHALF OF No.: 05-58-CD
THE CERTIFICATEHOLDERS OF
MORGAN STANLEY ABS CAPITAL I INC.,
TRUST 2004-HE2, MORTGAGE PASS
THROUGH CERTIFICATES, SERIES 2004-
HE2

vs.

EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A.
CARUSO:

FILED
MAY 19 2005
11:30 AM

William A. Shaw
Prothonotary/Clerk of Courts

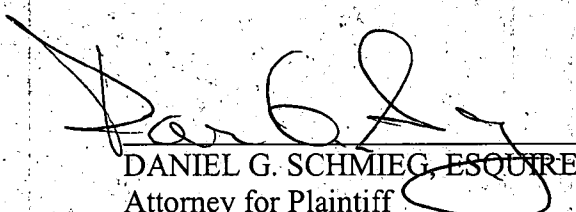
**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

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:

1010 DAISY STREET, CLEARFIELD, PA 16830.

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 Supplemental 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.

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

CLEARFIELD COUNTY

DEUTSCHE BANK NATIONAL TRUST COMPANY
AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY
ABS CAPITAL I INC., TRUST 2004-HE2,
MORTGAGE PASS THROUGH CERTIFICATES,
SERIES 2004-HE2

No.: 05-58-CD

vs.

EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY ABS CAPITAL I INC., TRUST 2004-HE2,
MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2004-HE2, Plaintiff in the above action, by its
attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeceptum for the Writ of Execution was filed
the following information concerning the real property located at 1010 DAISY STREET, CLEARFIELD, PA
16830:

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

Name

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

EDWIN J WRIGHT

1010 DAISY STREET
CLEARFIELD, PA 16830

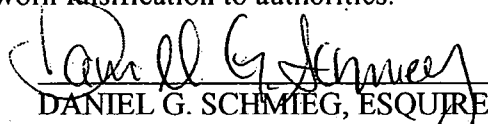
PHYLLIS A. WRIGHT A/K/A
PHYLLIS A. CARUSO

1010 DAISY STREET
CLEARFIELD, PA 16830

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

February 28, 2005

CLEARFIELD COUNTY

DEUTSCHE BANK NATIONAL TRUST COMPANY
AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY
ABS CAPITAL I INC., TRUST 2004-HE2,
MORTGAGE PASS THROUGH CERTIFICATES,
SERIES 2004-HE2

No. : 05-58-CD

vs.

EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY ABS CAPITAL I INC., TRUST 2004-HE2,
MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2004-HE2, 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 1010 DAISY STREET, CLEARFIELD, PA
16830:

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)

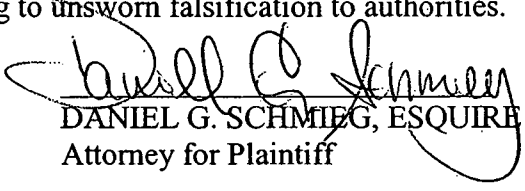
Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

1010 DAISY STREET
CLEARFIELD, PA 16830

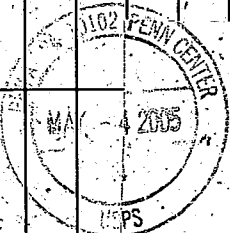
I verify that the statements made in this affidavit are true and correct to the best of my
personal knowledge or information and belief. I understand that false statements herein are made
subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

February 28, 2005

Name and Address of Sender
 PHELAN HALLINAN & SCHMIEG
 One Penn Center at Suburban Station
 Philadelphia, PA 19103-1814
 Suite 1400
 SANDRA COOPER/KIO

Line	Article Number	Name of Addressee, Street, and Post Office Address	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 nonnegotiable 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.
1	EDWIN J. WRIGHT	Tenant/Occupant, 1010 DAISY STREET, CLEARFIELD, PA 16830		
2	55420148	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)	



FILED

MAY 19 2005

William A. Shaw
Prothonotary/Clerk of Courts

RECEIVED
MAY 19 2005

CLERK OF COURTS
JUDICIAL DEPARTMENT

1000 MARKET STREET
PHILADELPHIA, PA 19107

TELEPHONE 215-567-8000
FAX 215-567-8001

WWW.COURTS.PA.GOV

1000 MARKET STREET
PHILADELPHIA, PA 19107

TELEPHONE 215-567-8000
FAX 215-567-8001

WWW.COURTS.PA.GOV

1000 MARKET STREET
PHILADELPHIA, PA 19107

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20113

NO: 05-58-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY ABS CAPITAL I INC., TRUST 2004-HE2

vs.

DEFENDANT: EDWIN J. WRIGHT, PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 03/01/2005

LEVY TAKEN 04/29/2005 @ 12:33 PM

POSTED 04/29/2005 @ 1:42 PM

SALE HELD 08/05/2005

SOLD TO DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY ABS CAPITAL I INC., TRUST 2004-HE2, MORTGAGE PASS
THROUGH CERTIFICATES, SERIES 2004-HE2

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 10/11/2005

DATE DEED FILED 10/11/2005

PROPERTY ADDRESS 1010 DAISY STREET CLEARFIELD PA 16830
SERVICES

05/03/2005 @ 12:33 PM SERVED EDWIN J. WRIGHT

SERVED EDWIN J. WRIGHT, DEFENDANT, AT HIS RESIDENCE 1004 DAISY STREET, CLEARFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA, BY HANDING TO PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO, WIFE/DEFENDANT

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.

05/03/2005 @ 12:33 PM SERVED PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

SERVED PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO, DEFENDANT, AT HER RESIDENCE 1004 DAISY STREET, CLEARFIELD,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

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..

FILED

013:1434
OCT 11 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20113

NO. 05-58-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2004-HE2
vs.

DEFENDANT: EDWIN J. WRIGHT, PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

Execution REAL ESTATE

SHERIFF RETURN

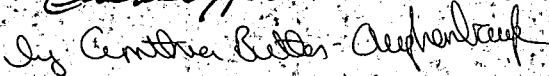
SHERIFF HAWKINS \$229.55

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

Day of 2005

So Answers


By 
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180 to 3183 and Rule 3257

05-58-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA
DEUTSCHE BANK NATIONAL TRUST COMPANY AS
TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF MORGAN STANLEY ABS
CAPITAL I INC., TRUST 2004-HE2, MORTGAGE PASS
THROUGH CERTIFICATES, SERIES 2004-HE2
NO.: **05-58-CD**

vs.

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

**EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO**

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: 1010 DAISY STREET, CLEARFIELD, PA 16830

(See legal description attached.)

Amount Due

\$70,239.80

Interest from 2/25/05 to

\$

Date of Sale (\$11.55 per diem)

Total

\$

Plus costs as endorsed.

Prothonotary costs

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated March 1, 2005
(SEAL)

Received March 1, 2005 @ 3:30 P.M.
Chester A. Banker
By Cynthia Butler-Capenlough

Deputy
notary public in and for
Clearfield County, Pennsylvania

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. 05-58-CD

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

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON
BEHALF OF THE CERTIFICATEHOLDERS OF MORGAN STANLEY
ABS CAPITAL I INC., TRUST 2004-HE2, MORTGAGE PASS
THROUGH CERTIFICATES, SERIES 2004-HE2

vs.

EDWIN J WRIGHT
PHYLLIS A. WRIGHT A/K/A PHYLLIS A. CARUSO

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

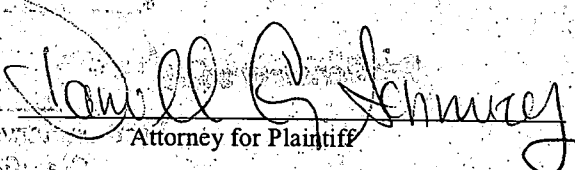
Real Debt \$70,239.80

Int. from 2/25/05
to Date of Sale (\$11.55 per diem)

Costs

Prothy. Pd.

Sheriff


Attorney for Plaintiff

Address: 1010 DAISY STREET, CLEARFIELD, PA 16830
1010 DAISY STREET, CLEARFIELD, PA 16830
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

ALL THAT CERTAIN LOT OR PIECE OF GROUND SITAUTE IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

THE FIRST THEREOF:

BEGINNING AT A POINT ON THE NORTHEAST CORNER OF DAISY STREET AND AN ALLEY DIRECTLY ACROSS THE ALLEY FROM THE JOSEPH PELLERITE HOUSE; THENCE ALONG SAID ALLEY SOUTH 27 DEGREES 45 MINUTES WEST 81 FEET TO A STAKE; THENCE NORTH 62 DEGREES 15 MINUTES WEST 38 FEET TO LINE OF LOT OF MARY ANN LOMBARDO ESTATE PROPERTY; THENCE ALONG THE LOMBARDO ESTATE PROPERTY NORTH 27 DEGREES 45 MINUTES EAST 81 FEET TO THE LINE OF DAISY STREET; THENCE 62 DEGREES 15 MINUTES EAST 38 FEET TO THE CORNER OF AN ALLEY AND PLACE OF BEGINNING. ON THIS LOT IS ERECTED A GARAGE, BUT IF A DWELLING WAS PLACED ON IT FACING DAISY STREET, IT WOULD BE KNOWN AS 1012 DAISY STREET.

RESTRICTION- NO BUILDING OR PART OF BUILDINGS SHALL BE ERECTED OR MAINTAINED WITHIN TWENTY (20) FEET OF THE CURB LINE OF DAISY STREET.

THE SECOND THEREOF:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF DAISY STREET AT THE SOUTHEAST CORNER OF THE LOT OF ANTONIO MUCIO; THENCE BY THE MUCIO PROPERTY NORTH 27 DEGREES 45 MINUTES EAST 81 FEET TO A STAKE; THENCE BY LAND NOW OR FORMERLY OF HARBISON-WALKER REFRACTORIES COMPANY SOUTH 62 DEGREES 15 MINUTES EAST 38 FEET TO A STAKE AT THE NORTHWEST CORNER OF JOSEPH PELLERITE GARAGE LOT; THENCE BY THE PELLERITE LOT SOUTH 27 DEGREES 45 MINUTES WEST 81 FEET TO THE NORTHERLY SIDE OF DAISY STREET; THENCE ALONG THE NORTHERLY SIDE OF DAISY STREET NORTH 62 DEGREES 15 MINUTES WEST 38 FEET TO THE PLACE OF BEGINNING. BEING KNOWN AS 1010 DAISY STREET AND THE LOMBARDO ESTATE PROPERTY.

MAP NOS. 4.4-K08-248-29 & 4.4-K08-248-28

Vesting Information:

Vested by: Special Warranty Deed dated 1/23/04, given by Anthony J. Guy, Widower to Phyllis A. Wright and Edwin J. Wright, wife and husband recorded 1/27/03 in Instrument # 200301145

Premises: 1010 Daisy Street, Clearfield, PA 16830

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME EDWIN J. WRIGHT

NO. 05-58-CD

NOW, October 11, 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 Edwin J. Wright, Phyllis A. Wright A/K/A Phyllis A. Caruso to public venue or outcry at which time and place I sold the same to DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF MORGAN STANLEY ABS CAPITAL I INC., TRUST 2004-HE2, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2004-HE2 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	2.00
LEVY	15.00
MILEAGE	2.00
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.55
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	4.00
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$229.55

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$29.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	70,239.80
INTEREST @ 11.5500 %	1,859.55
FROM 02/25/2005 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	\$72,139.35
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COSTS:

ADVERTISING	443.86
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	200.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.50
SHERIFF COSTS	229.55
LEGAL JOURNAL COSTS	216.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	80.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,328.91

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

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 30, 2005

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

ATTENTION: CINDY (814) 765-5915

Re: **DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON
THE BEHALF OF THE CERTIFICATEHOLDERS OF MORGAN STANLEY
ABS CAPITAL I INC., TRUST 2004-HE2, MORTGAGE PASS THROUGH
CERTIFICATES, SERIES 2004-HE2 v. EDWIN J WRIGHT PHYLLIS A.
WRIGHT A/K/A PHYLLIS A. CARUSO**

No. 05-58-CD

1010 DAISY STREET, CLEARFIELD, PA 16830

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which
is scheduled for July 1, 2005.

The property is to be relisted for the 8/05/05 Sheriff's Sale.

Very truly yours,
SMC
Sandra Coover

FILED

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William A. Shaw
Prothonotary/Clerk of Courts