

05-374-CD
Homecomings Financial vs. Queen

2005-374-CD
Homecomings Fin. V. David Queen et al

Phelan, Hallinan & Schmieg
By: Francis S. Hallinan, Esquire
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One Penn Center Plaza
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney for Plaintiff

Homecomings Financial Network, Inc.
10790 Rancho Bernardo Road
San Diego, CA 19127

: Court of Common Pleas

: Civil Division

: Clearfield County

: Term

: No. 05-374-CD

v.
David L. Queen
Or Occupants
238 Hopkins Street
Irsvona, PA 16656

:

CIVIL ACTION - EJECTMENT

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 and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the 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 and other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. 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.

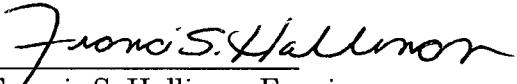
CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

loan: 810002844

FILED *fm*
M 10:59 AM
MAR 17 2005 Atypd.
William A. Shaw
Prothonotary/Clerk of Courts
85.00

1. Plaintiff is Homecomings Financial Network, Inc.
2. Defendant is David L. Queen Or Occupants.
3. Plaintiff is equitable owner of premises located at 238 Hopkins Street, Iriona, PA 16656, a legal description of which is attached.
4. Plaintiff became owner of said premises as a result of foreclosure and judicial sale by the Sheriff of Clearfield County, on March 4, 2005.
5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The defendant is occupying the said premises without right and so far as the plaintiff is informed, without claim of title.
6. Plaintiff has demanded possession of the said premises from the said defendant who has refused to deliver up possession of same.

WHEREFORE, plaintiff seeks to recover possession of said premises.



Francis S. Hallinan, Esquire
Attorney for Plaintiff

LEGAL DESCRIPTION

All that certain property situated in the Borough of Irvona, in the County of Clearfield, and the Commonwealth of Pennsylvania, being described as follows:

Being more fully described in a deed dated 03/06/1996 and recorded 03/12/1996, among the land records of the county and state set forth above, in Deed Book 1743, page 102

Parcel # 11-H16-353-112

Having erected thereon a dwelling known as 238 Hopkins Street, Irvona, PA 16656

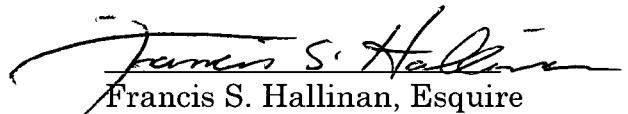
Being the same premise which Alwine Queen their deed dated 03/06/1996 and recorded on 03/12/1996 in the Recorder of Deeds Office in Clearfield County, Pennsylvania in deed book volume 1743, page 102, granted and conveyed unto David L. Queen and Mary A. Queen.

VERIFICATION

Francis S. Hallinan, Esquire hereby states that he is the Attorney for the 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 take this Verification, pursuant to Pa. R.C.P. 1024 (c) and that the statements made in the foregoing Civil Action in Ejectment are true and correct to the best of his 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 falsification to authorities.

Date: 3/16/05



Francis S. Hallinan, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100314
NO: 05-374-CD
SERVICE # 1 OF 1
COMPLAINT IN EJECTMENT

PLAINTIFF: HOMECOMINGS FINANCIAL NETWORK INC.
vs.
DEFENDANT: DAVID L. QUEEN

SHERIFF RETURN

NOW, March 29, 2005 AT 2:50 PM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON DAVID L. QUEEN or OCCUPANTS DEFENDANT AT 238 HOPKINS ST., IRVONA, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID L. QUEEN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

FILED
APR 19 2005

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PHELAN	414565	10.00
SHERIFF HAWKINS	PHELAN	414565	83.61

Sworn to Before Me This

____ Day of _____ 2005

So Answers,

Chester A. Hawkins
by Mailey Hamm
Chester A. Hawkins
Sheriff

PHELAN HALLINAN & SCHMIEG, LLP

By: Lawrence T. Phelan, Esquire I.D. No. 32227
Francis S. Hallinan, Esquire I.D. No. 62695
One Penn Center at Suburban Station
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

HOMECOMINGS FINANCIAL NETWORK, INC.

Plaintiff

vs.

**Court of Common Pleas
CLEARFIELD County
No. 05-374-CD**

DAVID L. QUEEN OR OCCUPANTS

Defendant(s)

**PRAECIPE TO WITHDRAW COMPLAINT, WITHOUT PREJUDICE,
AND DISCONTINUE AND END**

TO THE PROTHONOTARY:

Kindly withdraw the complaint filed in the instant matter, without prejudice, and mark this case discontinued and ended, upon payment of your costs only.

4/28/05
Date


Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Daniel G. Schmieg, Esquire
Attorneys for Plaintiff

FILED

MAY 02 2005
a/l 22706
William A. Shaw
Prothonotary
1 CUST & FILE w/
COMM TO C/A
disc

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Homecomings Financial Network, Inc.

Vs. **No. 2005-00374-CD**
David L. Queen
Occupants

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on May 2, 2005, marked:

Withdraw the complaint filed, without prejudice, and mark this case discontinued and ended.

Record costs in the sum of \$176.61 have been paid in full by Atty. Hallinan.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 2nd day of May A.D. 2005.

William A. Shaw, Prothonotary