



**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

**BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA**

**vs.**

**SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY**

**Clearfield County  
Court of Common Pleas**

**Number: 2005-763-CO**

**COMPLAINT IN EJECTMENT**

**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 OR CANNOT AFFORD ONE, GO TO  
OR TELEPHONE THE OFFICE SET FORTH  
BELOW TO FIND OUT WHERE YOU CAN GET  
HELP.**

Raymond L. Billotte, Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641, Ext. 51

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas ex-puestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO  
INMEDIATAMENTE. SI NO TIENE ABOGADO  
O SI NO TIENE EL DINERO SUFICIENTE DE  
PAGAR TAL SERVICIO, VAYA EN PERSONA O  
LLAME POR TELEFONO A LA OFICINA CUYA  
DIRECCION SE ENCUENTRA ESCRITA ABAJO  
PARA AVERIGUAR DONDE SE PUEDE  
CONSEGUIR ASISTENCIA LEGAL.**

Raymond L. Billotte, Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641, Ext. 51

**FILED**

**MAY 26 2005**

*mj 1:50 / mjs*  
**William A. Shaw**  
**Prothonotary**  
*1 CENT TO ATT*  
*2 CENT TO SHF*

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

<b>BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA 961 WEIGEL DRIVE, P.O. BOX 8621 ELMHURST, IL 60126 vs. SHERRY L. CHESNEY AND ALFRED H. CHESNEY, JR. A/K/A ALFRED CHESNEY 506 THOMPSON STREET, CURWENSVILLE, PA 16833</b>	<b>Clearfield County Court of Common Pleas  Number</b>
--	--

**COMPLAINT IN EJECTMENT**

1. Plaintiff is the owner of the premises known as 506 THOMPSON STREET, CURWENSVILLE, PA 16833, the full legal description of which is attached hereto, made a part hereof, and marked as Exhibit "A."

2. Plaintiff acquired title by reason of a Sheriff's Sale conducted by the Sheriff of Clearfield County on APRIL 1, 2005, by reason of Writ of Execution issued out of the Clearfield County Court of Common Pleas, Number 03-1495-CD at the suit of BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA vs. SHERRY L. CHESNEY AND ALFRED H. CHESNEY, JR. A/K/A ALFRED CHESNEY.

3. Defendants are in possession of the foregoing described premises without title, color of title, or benefit of a lease from Plaintiff.

4. Defendants are wrongfully and unlawfully in possession of the premises.

5. Defendants have no rights of possession to said premises.

6. By reason of the aforesaid Sheriff's sale, Plaintiff holds paramount title to the premises but Defendants continue to unlawfully and willfully retain possession and keep Plaintiff out of possession thereof and refuse to vacate and deliver up the said premises to Plaintiff.


7. As no landlord tenant relationship exists between Plaintiff and Defendants, Defendants are not entitled to any specific notice to vacate. The commencement of an action in foreclosure culminating in a sheriff's sale should have put the Defendants on notice that Plaintiff intends to recover full interest, title, and possession of the premises.

8. Additionally, prior to the filing of the complaint in foreclosure, Defendant was sent an ACT 91 Notice which notice contained, inter alia, the following paragraph:

"EFFECT OF SHERIFF'S SALE— you should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at anytime."

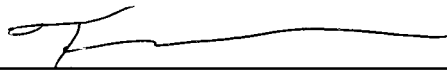
9. Notwithstanding the aforesaid, Defendants have willfully remained in possession of Plaintiff's property and refuse, and still refuse to vacate the premises and continue to occupy the same.

WHEREFORE, Plaintiff demands a judgment be entered in its favor for possession of the property.

  
TERRENCE J. McCABE, ESQUIRE  
Attorney for Plaintiff

VERIFICATION

I, verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 PA C.S. §4904, relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'T. McCabe', is written over a horizontal line.

TERRENCE J. MCCABE, ESQUIRE  
Attorney for Plaintiff

### DESCRIPTION

ALL THAT CERTAIN piece, parcel or tract of land, together with the improvements thereon situate in the First Ward of the Borough of Curwensville, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the Northwestern intersection of George Street and Thompson Street; thence along George Street, North 56 degrees 10 minutes West, forty (40) feet to an old stake on the Leonard Kantar property line; thence along the Leonard Kantar property line North 33 degrees 50 minutes East, sixty (60) feet to an iron pipe; thence along line of Leonard Kantar property, Robert Davidson property and W.O. Neale property, North 56 degrees 10 minutes West, one hundred fifty (150) feet to an iron pipe at an alley; thence along said alley North 33 degrees 50 minutes East, sixty (60) feet to an iron pipe on the line of Mrs. Larue Peters; thence along line of the said Mrs. Larue Peters, South 56 degrees 10 minutes East, one hundred ninety (190) feet to a mark on stone wall at Thompson Street; thence along Thompson Street South 33 degrees 50 minutes West, one hundred twenty (120) feet to the place of beginning.

Tax Parcel #6-1-H10-277-29

Being Known As: 506 Thompson Street, Curwensville, PA 16833.

**EXHIBIT "A"**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100508  
NO: 05-763-CD  
SERVICE # 1 OF 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY dba BENEFICIAL MORTGAGE COMPANY  
vs.  
DEFENDANT: SHERRY L. CHESNEY and ALFRED H. CHESNEY JR. a/k/a ALFRED CHESNEY

**SHERIFF RETURN**

---

NOW, May 31, 2005 AT 9:45 AM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON SHERRY L. CHESNEY DEFENDANT AT 506 THOMPSON ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID HAAG, OCCUPANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

CP FILED  
0110:25801  
JUN 01 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 100508  
NO: 05-763-CD  
SERVICE # 2 OF 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY dba BENEFICIAL MORTGAGE COMPANY  
vs.  
DEFENDANT: SHERRY L. CHESNEY and ALFRED H. CHESNEY JR. a/k/a ALFRED CHESNEY

**SHERIFF RETURN**

---

NOW, May 31, 2005 AT 9:45 AM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON ALFRED H. CHESNEY aka ALFRED CHESNEY DEFENDANT AT 506 THOMPSON ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ESTHER HAAG, OCCUPANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100508  
NO: 05-763-CD  
SERVICES 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY dba BENEFICIAL MORTGAGE COMPANY  
vs.  
DEFENDANT: SHERRY L. CHESNEY and ALFRED H. CHESNEY JR. a/k/a ALFRED CHESNEY

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MCCABE	61053	20.00
SHERIFF HAWKINS	MCCABE	61053	28.86

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2005

\_\_\_\_\_

So Answers,



Chester A. Hawkins  
Sheriff

COPY

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

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**vs.**

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**Clearfield County  
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**COMPLAINT IN EJECTMENT**

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(814) 765-2641, Ext. 51

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**Philadelphia, Pennsylvania 19109**  
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**Attorney for Plaintiff**

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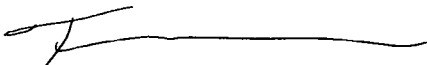
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Attorney for Plaintiff

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Attorney for Plaintiff

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Tax Parcel #6-1-H10-277-29

Being Known As: 506 Thompson Street, Curwensville, PA 16833.

**EXHIBIT "A"**

TERRENCE J. McCABE\*\*\*  
MARC S. WEISBERG\*\*  
EDWARD D. CONWAY  
MARGARET GAIRO  
RITA C. BUSCHER\*†  
MATTHEW B. WEISBERG\*  
BETH L. THOMAS  
FRANK DUBIN  
BRENDA L. BROGDON\*  
MONICA G. CHRISTIE +†  
SEAN GARRETT\*+  
JULIE M. FIORELLO^

\* Licensed in PA & NJ  
\*\* Licensed in PA & NY  
\*+ Licensed in PA & NM  
\*\*\* Licensed in PA, NJ & NY  
† Licensed in NY & CT  
^ Licensed in NY  
‡ Managing Attorney for NJ  
+ Managing Attorney for NY

LAW OFFICES  
**McCABE, WEISBERG & CONWAY, P.C.**

SUITE 2080  
123 SOUTH BROAD STREET  
PHILADELPHIA, PA 19109  
(215) 790-1010  
FAX (215) 790-1274

SUITE 600  
216 HADDON AVENUE  
WESTMONT, NJ 08108  
(856) 858-7080  
FAX (856) 858-7020

SUITE 205  
53 WEST 36<sup>TH</sup> STREET  
NEW DELAWARE, NY 10018  
(917) 351-1188  
FAX (917) 351-0363

Of Counsel:  
M. SUSAN SHEPPARD\*

MAY 20, 2005

Sheriff's Department  
Clearfield County Courthouse  
1 North Street  
Clearfield, PA 16830

RE: BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF PENNSYLVANIA  
v. SHERRY L. CHESNEY AND ALFRED H. CHESNEY, JR. A/K/A ALFRED  
CHESNEY  
Premises: 506 THOMPSON STREET, CURWENSVILLE, PA 16833

Dear Sir / Madam:

Enclosed please find two time stamped Complaint in Ejectment relative to the above-captioned matter. Kindly serve the defendants as follows:

SHERRY L. CHESNEY AND ALFRED H. CHESNEY, JR. A/K/A ALFRED  
CHESNEY  
506 THOMPSON STREET, CURWENSVILLE, PA 16833

Also enclosed is a check which represents the required servicing fees. Kindly advise this office of the service results in the self-addressed stamped envelope attached. Thank you for your cooperation.

Very truly yours,

  
TERRENCE J. MCCABE

TJM/kcl  
Enclosure

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. MCCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

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BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA

vs.

SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY

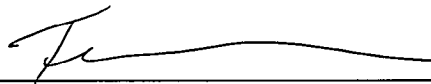
CLEARFIELD County  
Court of Common Pleas

Number: **05-763-CD**

**PRAECIPE TO INDEX DEFENDANT**

TO THE PROTHONOTARY:

Kindly index DAVID HAAG AND ESTHER HAAG, as a Defendant in the above-captioned matter pursuant to Pa.R.C.P. 410(b)(2). Sheriff's service return indicates that DAVID HAAG AND ESTHER HAAG he/she/they is/are Tenant/Occupant at, 506 THOMPSON STREET, CURWENSVILLE, PA 16833, the premises in the above captioned matter.



TERRENCE J. McCABE, ESQUIRE  
Attorney for Plaintiff

**FILED** NO  
m/11-21804 Ce  
JUN 07 2005 (62)

William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100508  
NO: 05-763-CD  
SERVICE # 1 OF 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY dba BENEFICIAL MORTGAGE COMPANY  
vs.  
DEFENDANT: SHERRY L. CHESNEY and ALFRED H. CHESNEY JR. a/k/a ALFRED CHESNEY

SHERIFF RETURN

COPY

---

NOW, May 31, 2005 AT 9:45 AM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON SHERRY L. CHESNEY DEFENDANT AT 506 THOMPSON ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID HAAG, OCCUPANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

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

DOCKET # 100508  
NO: 05-763-CD  
SERVICE # 2 OF 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY dba BENEFICIAL MORTGAGE COMPANY  
vs.

DEFENDANT: SHERRY L. CHESNEY and ALFRED H. CHESNEY JR. a/k/a ALFRED CHESNEY

**SHERIFF RETURN**

---

NOW, May 31, 2005 AT 9:45 AM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON ALFRED H. CHESNEY aka ALFRED CHESNEY DEFENDANT AT 506 THOMPSON ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ESTHER HAAG, OCCUPANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

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**Attorney for Plaintiff**

BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA

v.

SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY  
AND DAVID HAAG AND ESTHER HAAG

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

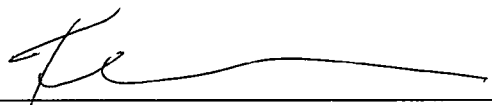
Number 05-763-CD

**P R A E C I P E**

TO THE PROTHONOTARY:

Kindly enter judgment for possession against the Defendant(s), DAVID HAAG AND  
ESTHER HAAG in the above-captioned matter for failure to answer Complaint in twenty days  
as required by Pennsylvania Rules of Civil Procedure.


**Premises:     506 THOMPSON STREET, CURWENSVILLE, PA 16833**

  
TERRENCE J. MCCABE, ESQUIRE  
Attorney for Plaintiff

**FILED** ICC Notice  
m/13:04/61 to Defs.  
JUL 06 2005 No Statement  
William A. Shaw (Possession)  
Prothonotary/Clerk of Courts  
Atty pd-20.00

**OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA**

**William A. Shaw  
Prothonotary**

 **COPY**

To: DAVID HAAG  
506 THOMPSON STREET  
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BENEFICIAL CONSUMER DISCOUNT  
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AND DAVID HAAG AND ESTHER HAAG

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 05-763-CD

**NOTICE**

Pursuant to Rule 236, you are hereby notified that a JUDGMENT has been entered in the  
above proceeding as indicated below.

**William A. Shaw  
Prothonotary**

7/16/05

- ☐ Judgment by Default
- ☐ Money Judgment
- ☐ Judgment in Replevin
- ☒ Judgment for Possession

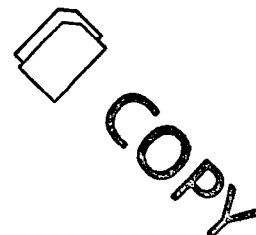
If you have any questions concerning this Judgment, please call

Terrence J. McCabe, Esquire at (215) 790-1010.

**OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA**

**William A. Shaw  
Prothonotary**

To: ESTHER HAAG  
506 THOMPSON STREET  
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CHESNEY, JR. A/K/A ALFRED CHESNEY  
AND DAVID HAAG AND ESTHER HAAG

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 05-763-CD

**NOTICE**

Pursuant to Rule 236, you are hereby notified that a JUDGMENT has been entered in the  
above proceeding as indicated below.

**William A. Shaw  
Prothonotary**

7/6/05

- ☐ Judgment by Default
- ☐ Money Judgment
- ☐ Judgment in Replevin
- ☒ Judgment for Possession

If you have any questions concerning this Judgment, please call

Terrence J. McCabe, Esquire at (215) 790-1010.

**McCABE, WEISBERG AND CONWAY, P.C.**  
**BY: TERRENCE J. MCCABE, ESQUIRE**  
**Identification Number 16496**  
**123 South Broad Street, Suite 2080**  
**Philadelphia, PA 19109**  
**(215) 790-1010**

**Attorney for Plaintiff**

BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA

v.

SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY  
AND DAVID HAAG AND ESTHER HAAG

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 05-763-CD

**AFFIDAVIT OF LAST-KNOWN ADDRESS OF DEFENDANT(S)**

I, Terrence J. McCabe, Esquire, attorney for the Plaintiff in the within matter, being duly sworn according to law, hereby depose and say that the last-known address of the Defendant(s) are as follows:

DAVID HAAG and ESTHER HAAG  
506 THOMPSON STREET, CURWENSVILLE, PA 16833



TERRENCE J. MCCABE, ESQUIRE  
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 5th DAY  
OF July, 2005.



NOTARY PUBLIC

**NOTARIAL SEAL**  
**Lana T. Watta, Notary Public**  
**City of Philadelphia, Philadelphia County**  
**My commission expires November 22, 2008**

**McCABE, WEISBERG AND CONWAY, P.C.**  
**BY: TERRENCE J. MCCABE, ESQUIRE**  
**Identification Number 16496**  
**123 South Broad Street, Suite 2080**  
**Philadelphia, PA 19109**  
**(215) 790-1010**

**Attorney for Plaintiff**

BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA

v.

SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY  
AND DAVID HAAG AND ESTHER HAAG

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 05-763-CD


**CERTIFICATION**


Terrence J. McCabe, attorney for Plaintiff, being duly sworn according to law, deposes and says that he deposited in the United States Mail letters notifying the Defendant(s) that judgment would be entered against them within ten (10) days from the date of said letters in accordance with Rule 237.1 of the Pennsylvania Rules of Civil Procedure. Copies of said letters are attached hereto and marked as Exhibit "A".

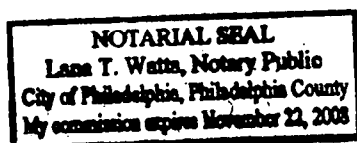
SWORN TO AND SUBSCRIBED

BEFORE ME THIS 5th DAY

OF July, 2005.

  
TERRENCE J. MCCABE, ESQUIRE  
Attorney for Plaintiff

  
NOTARY PUBLIC



**McCABE, WEISBERG AND CONWAY, P.C.**  
**BY: TERRENCE J. MCCABE, ESQUIRE**  
**Identification Number 16496**  
**123 South Broad Street, Suite 2080**  
**Philadelphia, PA 19109**  
**(215) 790-1010**

**Attorney for Plaintiff**

BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA

v.

SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY  
AND DAVID HAAG AND ESTHER HAAG

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 05-763-CD

**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA:

SS.

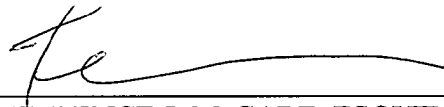
COUNTY OF PHILADELPHIA:

The undersigned, being duly sworn according to law, deposes and says that the Defendant(s) 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; and that the Defendant(s), DAVID HAAG and ESTHER HAAG, are over eighteen (18) years of age, and reside at 506 THOMPSON STREET, CURWENSVILLE, PA 16833.

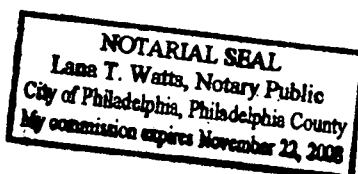
SWORN TO AND SUBSCRIBED

BEFORE ME THIS 5th DAY

OF July, 2005.

  
TERRENCE J. McCABE, ESQUIRE  
Attorney for Plaintiff

  
NOTARY PUBLIC





**VERIFICATION**

The undersigned, TERRENCE J. McCABE, ESQUIRE, hereby certifies that he is the attorney for the Plaintiff in the within action and that he is authorized to make this verification and that the foregoing facts are true and correct to the best of his knowledge, information and belief and further states that false statements herein are made subject to the penalties of 18 PA.C.S. Section 4909 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
TERRENCE J. McCABE, ESQUIRE

**OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield County Courthouse, Clearfield, PA 16830**

**William A. Shaw  
Prothonotary**

June 22, 2005

To: David Haag  
506 Thompson Streer  
Curwensville, PA 16833

**BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA**

**vs.**

**SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY  
AND DAVID HAAG [INDEXED  
DEFENDANT] AND ESTHER HAAG  
[INDEXED DEFENDANT]**

Clearfield County  
Court of Common Pleas

Number: 05-763-CD

**NOTICE, RULE 237.5  
NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT**

**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 (10) 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.

Dave Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA, 16830  
814-765-2641 x 5982

**NOTIFICACION IMPORTANTE**

USTED SE ENCUENTRA EN ESTADO DE REBELDIA POR NO HABER PRESENTADO UNA COMPARECENCIA ESCRITA, YA SEA PERSONALMENTE O POR ABOGADO Y POR NO HABER RADICADO POR ESCRITO CON ESTE TRIBUNAL SUS DEFENSAS U OBJECIONES A LOS RECLAMOS FORMULADOS EN CONTRA SUYO. AL NO TOMAR LA ACCION DEBIDA DENTRO DE DIEZ (10) DIAS DE LA FECHA DE ESTA NOTIFICACION, EL TRIBUNAL PODRA, SIN NECESIDAD DE COMPARECER USTED EN CORTE U OIR PREUBA ALGUNA, DICTAR SENTENCIA EN SU CONTRA Y USTED PODRIA PERDER BIENES U OTROS DERECHOS IMPORTANTES.

USTED LE DEBE TOMAR ESTE PAPEL A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE A UN ABOGADO, VA A O TELEFONEA LA OFICINA EXPUSO ABAJO. ESTA OFICINA LO PUEDE PROPORCIONAR CON INFORMACIÓN ACERCA DE EMPLEAR A UN ABOGADO.

SI USTED NO PUEDE PROPORCIONAR PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE SER CAPAZ DE PROPORCIONARLO CON INFORMACIÓN ACERCA DE LAS AGENCIAS QUE PUEDEN OFRECER LOS SERVICIOS LEGALES A PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO NI NINGÚN HONORARIO.

Dave Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA, 16830  
814-765-2641 x 5982

**EXHIBIT "A"**

**Terrence J. McCabe, Esquire  
Attorney for Plaintiff  
McCABE, WEISBERG & CONWAY, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109**

TJM/vto

**OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield County Courthouse, Clearfield, PA 16830**

**William A. Shaw  
Prothonotary**

June 22, 2005

To: Esther Haag  
506 Thompson Streer  
Curwensville, PA 16833

BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA

vs.

SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY  
AND DAVID HAAG [INDEXED  
DEFENDANT] AND ESTHER HAAG  
[INDEXED DEFENDANT]

Clearfield County  
Court of Common Pleas

Number: 05-763-CD

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Dave Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA, 16830  
814-765-2641 x 5982

**NOTIFICACION IMPORTANTE**

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Dave Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA, 16830  
814-765-2641 x 5982

**EXHIBIT "A"**

**Terrence J. McCabe, Esquire  
Attorney for Plaintiff  
McCABE, WEISBERG & CONWAY, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109**

TJM/vto

**McCABE, WEISBERG AND CONWAY, P.C.**  
**BY: TERRENCE J. MCCABE, ESQUIRE**  
Identification Number 16496  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109  
(215) 790-1010

**Attorney for Plaintiff**

BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA

v.  
SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED CHESNEY  
AND DAVID HAAG AND ESTHER HAAG

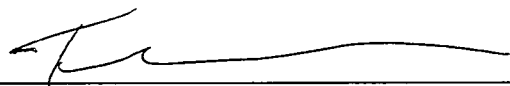
CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 05-763-CD

**PRAECIPE FOR WRIT OF POSSESSION**

TO THE PROTHONOTARY:

Kindly issue Writ of Possession in the above-captioned matter.

  
TERRENCE J. MCCABE, ESQUIRE  
Attorney for Plaintiff

**FILED** 20022 writs  
m 13:04 PM to SHFF  
JUL 06 2005

William A. Shaw  
Prothonotary/Clerk of Courts

Atty pd. 20.00  
(u)

**OFFICE OF THE PROTHONOTARY**  
**COURT OF COMMON PLEAS**  
**CLEARFIELD County Courthouse**

<b>BENEFICIAL CONSUMER DISCOUNT COMPANY</b> <b>D/B/A BENEFICIAL MORTGAGE COMPANY OF</b> <b>PENNSYLVANIA</b> 961 WEIGEL DRIVE, P.O. BOX 8621 ELMHURST, IL 60126 v. SHERRY L. CHESNEY AND ALFRED H. CHESNEY, JR. A/K/A ALFRED CHESNEY AND DAVID HAAG AND ESTHER HAAG 506 THOMPSON STREET, CURWENSVILLE, PA 16833	<b>CLEARFIELD County</b>  <b>Court of Common Pleas</b>  <b>Number 05-763-CD</b>
--	---

**WRIT OF POSSESSION**

Commonwealth of Pennsylvania       }  
County of PHILADELPHIA               }

To the Sheriff of CLEARFIELD County:

- (1) To satisfy the judgment for possession in the above matter you are directed to deliver possession of the following described property to BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA:

506 THOMPSON STREET, CURWENSVILLE, PA 16833  
(more fully described in legal description attached)

- (2) To satisfy the costs against \_\_\_\_\_ you are directed to levy upon any property of \_\_\_\_\_ and sell his interest therein.

**Prothonotary**

BY: \_\_\_\_\_



**COPY**

DATE: \_\_\_\_\_

7/6/05

**COURT OF COMMON PLEAS**

05-763-CD

---

BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL  
MORTGAGE COMPANY OF  
PENNSYLVANIA  
961 WEIGEL DRIVE, P.O. BOX 8621  
ELMHURST, IL 60126

v.  
SHERRY L. CHESNEY AND ALFRED H.  
CHESNEY, JR. A/K/A ALFRED  
CHESNEY and  
DAVID HAAG AND ESTHER HAAG

Property: 506 THOMPSON STREET,  
CURWENSVILLE, PA 16833

---

**WRIT OF POSSESSION**

---



McCabe, Weisberg & Conway, P.C.  
Terrence J. McCabe, Esquire  
I.D. # 16496  
123 S. Broad Street, Suite 2080  
Philadelphia, PA 19109  
(215) 790-1010

### DESCRIPTION

ALL THAT CERTAIN piece, parcel or tract of land, together with the improvements thereon situate in the First Ward of the Borough of Curwensville, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the Northwestern intersection of George Street and Thompson Street; thence along George Street, North 56 degrees 10 minutes West, forty (40) feet to an old stake on the Leonard Kantar property line; thence along the Leonard Kantar property line North 33 degrees 50 minutes East, sixty (60) feet to an iron pipe; thence along line of Leonard Kantar property, Robert Davidson property and W.O. Neale property, North 56 degrees 10 minutes West, one hundred fifty (150) feet to an iron pipe at an alley; thence along said alley North 33 degrees 50 minutes East, sixty (60) feet to an iron pipe on the line of Mrs. Larue Peters; thence along line of the said Mrs. Larue Peters, South 56 degrees 10 minutes East, one hundred ninety (190) feet to a mark on stone wall at Thompson Street; thence along Thompson Street South 33 degrees 50 minutes West, one hundred twenty (120) feet to the place of beginning.

Tax Parcel #6-1-H10-277-29

Being Known As: 506 Thompson Street, Curwensville, PA 16833.

**EXHIBIT "A"**

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

DOCKET # 100617  
NO: 05-763-CD  
SERVICE # 1 OF 2  
WRIT OF POSSESSION

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY d/b/a BENEFICIAL MORTGAGE COMPANY OF PA.

vs.

DEFENDANT: SHERRY L. CHESNEY & ALFRED H. CHESNEY JR. a/k/a ALFRED CHESNEY and DAVID HAAG and ESTHER HAAG

**SHERIFF RETURN**

---

NOW, July 18, 2005 AT 11:25 AM SERVED THE WITHIN WRIT OF POSSESSION ON DAVID HAAG or OCCUPANT DEFENDANT AT 506 THOMPSON ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ESTHER HAAG, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF POSSESSION AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

**FILED**

AUG 11 2005 (6)  
07/31/05  
William A. Shaw  
Prothonotary/Clerk of Courts



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

DOCKET # 100617  
NO: 05-763-CD  
SERVICE # 2 OF 2  
WRIT OF POSSESSION

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY d/b/a BENEFICIAL MORTGAGE COMPANY OF PA.

vs.

DEFENDANT: SHERRY L. CHESNEY & ALFRED H. CHESNEY JR. a/k/a ALFRED CHESNEY and DAVID HAAG and ESTHER HAAG

**SHERIFF RETURN**

---

NOW, July 18, 2005 AT 11:25 AM SERVED THE WITHIN WRIT OF POSSESSION ON ESTHER HAAG or OCCUPANT DEFENDANT AT 506 THOMPSON ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ESTHER HAAG, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF POSSESSION AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100617  
NO: 05-763-CD  
SERVICES 2  
WRIT OF POSSESSION

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY d/b/a BENEFICIAL MORTGAGE COMPANY OF PA.

vs.

DEFENDANT: SHERRY L. CHESNEY & ALFRED H. CHESNEY JR. a/k/a ALFRED CHESNEY and DAVID HAAG and ESTHER HAAG

SHERIFF RETURN

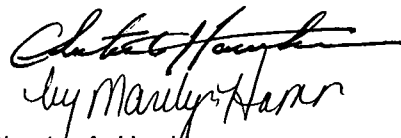
PROPERTY ADDRESS OF 506 THOMPSON ST., CURWENSVILLE, PA. 16833 WAS RE-CHECKED AUGUST 2, 2005 @ 11:35 A.M. "EMPTY".  
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MCCABE	63251	20.00
SHERIFF HAWKINS	MCCABE	63251	33.72

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2005

So Answers,



Chester A. Hawkins  
Sheriff