

05-837-CD

Citibank vs. Robert M. Vanzant

Citibank v. Robert Vanzant
2005-837-CD

BURTON NEIL & ASSOCIATES, P.C.
By: Burton Neil, Esquire
Identification No. 11348
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120
Attorney for Plaintiff

CITIBANK SOUTH DAKOTA N.A. : IN THE COURT OF COMMON PLEAS
701 East 60th Street North, Sioux Falls, SD
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
v.
ROBERT M VANTANT : NO. 05-837-CD
616 Arnold Avenue, Clearfield PA 16830
Defendant : CIVIL ACTION - LAW

**COMPLAINT
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 claim 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 LEGAL HELP. 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 REFERENCE AND
INFORMATION SERVICE
David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

C-5693
C-6118

FILED Atty pd.
m/11/2005 85.00
JUN 13 2005
B
William A. Shaw ICC Shff
Prothonotary/Clerk of Courts

BURTON NEIL & ASSOCIATES, P.C.

By: Burton Neil, Esquire

Identification No. 11348

1060 Andrew Drive, Suite 170

West Chester, PA 19380

610-696-2120

Attorney for Plaintiff

CITIBANK SOUTH DAKOTA N.A.

701 East 60th Street North, Sioux Falls, SD

Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO.

ROBERT M VANZANT

616 Arnold Avenue, Clearfield PA 16830

Defendant

: CIVIL ACTION - LAW

Complaint

1. The plaintiff is CITIBANK SOUTH DAKOTA N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.
2. The defendant is Robert M Vanzant, who resides at 616 Arnold Avenue, Clearfield, Clearfield County, Pennsylvania.
3. Plaintiff, a national banking association, engages in various types of banking business including consumer lending through the issuance of credit cards.

COUNT I

4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180230337302 hereinafter referred to as the credit card account.
5. Plaintiff maintained an accurate and running record of all debits and credits to the credit card account in its books of account.
6. Plaintiff mailed defendant a written statement each month which accurately stated the debits and credits to the credit card account for the prior billing period.
7. Defendant received the monthly statements from plaintiff for the credit card account including the statement attached hereto as Exhibit A statement without protest, dispute or objection.
8. Defendant is not protesting, disputing or objecting to the statements including the Exhibit A statement thereby assented and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

9. The amount due plaintiff on the account stated, less credit for a \$1,000 payment made on account on 12/1/04 is \$9,045.20.

Wherefore, plaintiff demands judgment against defendant on Count I for the sum of \$9,045.20, and the costs of this action.

COUNT II

10. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180522274106 hereinafter referred to as the credit card account.

11. Plaintiff maintained an accurate and running record of all debits and credits to the credit card account in its books of account.

12. Plaintiff mailed defendant a written statement each month which accurately stated the debits and credits to the credit card account for the prior billing period.

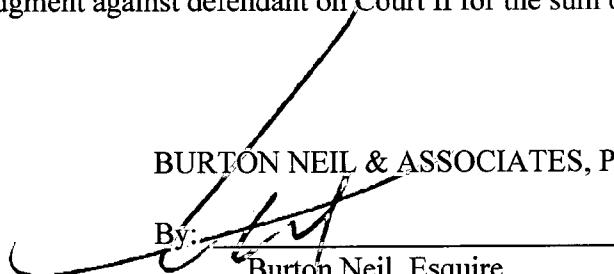
13. Defendant received the monthly statements from plaintiff for the credit card account including the statement attached hereto as Exhibit B statement without protest, dispute or objection.

14. Defendant in not protesting, disputing or objecting to the statements including the Exhibit B statement thereby assented and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

15. The amount due plaintiff on the account stated, less credits, if any issued subsequent to the Exhibit B statement, is \$7,061.16.

Wherefore, plaintiff demands judgment against defendant on Court II for the sum of \$7,061.16, and the costs of this action.

BURTON NEIL & ASSOCIATES, P.C.

By: 

Burton Neil, Esquire
Attorney for Plaintiff

The law firm of Burton Neil & Associates, P.C. is a debt collector.

12/06/04 \$10045.20 \$9999.99 SITE:KC-CL TM:CO-5000 ACID:KCB7150
 PMT 302 3000 NEW BALANCE 05/13/05 20:25:16

ROBERT M VANTANT
 PO BOX 15
 MORRISDALE
 16858-0015000

PA

CITI CARDS
 P.O. BOX 8107
 S HACKENSACK, NJ
 07606-8107

Citi® Platinum Select® Card



Account Number
 5424 1802 3033 7302

Customer Service:

1-800-950-5114	Total Credit Line \$9100	Available Credit Line \$0	Cash Advance Limit \$620	Available Cash Limit \$0	New Balance \$10045.20
BOX 6500 SIOUX FALLS, SD 57117	Statement/ Closing Date 11/09/2004	Amount Over Credit Line \$945.20 +	Past Due \$583.54 +	Purch/Adv Minimum Due \$222.21 =	Minimum Amount Due \$1750.95

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
11/09			Standard Purch CREDITSHIELD PREMIUM 74 0000	5.82 0000000000
11/09			LATE FEE - OCT PAYMENT PAST DUE 66 0000	39.00 0000000000
11/09			OVER CREDIT LIMIT FEE 62 0000	35.00 0000000000
11/09			PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	123.22 0000000000
11/09			Purch/Adv Thru 09/11/2002 PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	86.93 0000000000
11/09			Balance Transfer - Charged To Offer 4 PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	7.06 0000000000

Your CreditShield coverage has been reinstated.

Your late fee was based on your account balance
 as of the payment due date (11/05/04), which was
 \$9,748.17.

Your account is past due and your balance is
 over the credit line. To ensure you continue
 to receive the many benefits of your
 cardmembership, please send the Minimum Amount Due
 shown. If you have already sent us this payment,
 thank you.

EXHIBIT

A

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(-) New Balance
PURCHASES	\$9,748.17	\$79.82	\$0.00	\$217.21	\$10,045.20
ADVANCES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL	\$9,748.17	\$79.82	\$0.00	\$217.21	\$10,045.20

Days This Billing Period: 28

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$5,589.11	0.07874%(D)	28.740%	28.740%
Purch/Adv thru 09/11/2002	\$3,943.03	0.07874%(D)	28.740%	28.740%
Offer 4	\$320.36	0.07874%(D)	28.740%	28.740%
ADVANCES				
Standard Adv	\$0.00	0.07874%(D)	28.740%	28.740%

12/20/04 \$7061.16 \$9999.99 SITE:KC-CL TM:CO-5000 ACID:KCB7150
 05/13/05 20:25:17:
 PREVIOUS STATEMENT NEW BALANCE MIN. AMT. DUE

ROBERT M VANTANT
 BX 15
 MORRISDALE
 16858-0015000

PA

CITI CARDS
 P.O. BOX 8117
 S HACKENSACK, NJ
 07606-8117

Citi® Driver's Edge® Card Charter Rebates

Account Number

5424 1805 2227 4106



Customer Service:

1-800-967-8500

BOX 6500
 SIOUX FALLS, SD
 57117

Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
\$6410	\$0	\$310	\$0	\$7061.16
Statement/ Closing Date	Amount Over Credit Line	Past Due	Purch/Adv Minimum Due	Minimum Amount Due
11/24/2004	\$651.16 +	\$427.44 +	\$163.93 =	\$1242.53

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
			Standard Purch CREDITSHIELD PREMIUM	
11/24			74 0000	4.10
11/24			LATE FEE - OCT PAYMENT PAST DUE	39.00
11/24			66 0000	0000000000
11/24			OVER CREDIT LIMIT FEE	35.00
11/24			62 0000	0000000000
			PURCHASES*FINANCE CHARGE*PERIODIC RATE	153.49
			84 0000	0000000000
			Standard Adv ADVANCES*FINANCE CHARGE*PERIODIC RATE	5.44
			84 0000	0000000000

Driver's Edge Charter Member Rebate Summary

Previous Statement Rebates Total	112.33
Base Rebates Earned	0.00
Total Rebates Earned This Period	0.00
Total Rebates Available	112.33
Lifetime Rebates Earned	186.21

Bonus Rebates may take one to two billing cycles to appear on your statement. Please refer to the specific terms and conditions pertaining to the promotion for further details.

Your late fee was based on your account balance as of the payment due date (11/18/04), which was \$6,824.13.

Your account is past due and your balance is over the credit line. To ensure you continue to receive the many benefits of your cardmembership, please send the Minimum Amount Due shown. If you have already sent us this payment, thank you.

EXHIBIT B

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
-----------	-----------	------------------	-------------------------------	--------

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$6,590.42	\$78.10	\$0.00	\$153.49	\$6,822.01
ADVANCES	\$233.71	\$0.00	\$0.00	\$5.44	\$239.15
TOTAL	\$6,824.13	\$78.10	\$0.00	\$158.93	\$7,061.16

Days This Billing Period: 29

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$6,664.22	0.07942%(D)	28.990%	28.990%
ADVANCES				
Standard Adv	\$236.33	0.07942%(D)	28.990%	28.990%

Verification

I, Amanda Carter am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff CITIBANK SOUTH DAKOTA N.A. retained to perform services including but not primarily limited to collecting delinquent debt. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc. (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.

Date: 04/29/05


Signature

Robert M Vanzant
5424180230337302

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100555
NO: 05-837-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CITIBANK SOUTH DAKOTA, N.A.

vs.

DEFENDANT: ROBERT M. VANZANT

SHERIFF RETURN

NOW, June 16, 2005 AT 2:29 PM SERVED THE WITHIN COMPLAINT ON ROBERT M. VANZANT DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT M. VANZANT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

FILED

JUN 17 2005
O 1:40 PM GK

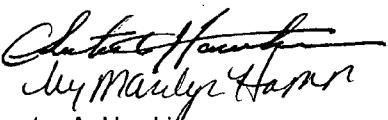
William A. Shaw
Prothonotary

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	10092	10.00
SHERIFF HAWKINS	NEIL	10091	21.37

Sworn to Before Me This

So Answers,

____ Day of _____ 2005


Chester A. Hawkins
Sheriff

CITIBANK SOUTH DAKOTA N.A.
701 East 60th Street N, Sioux Falls, SD 57117
Plaintiff

: IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

VS.

ROBERT M VANZANT
616 Arnold Avenue
Clearfield PA 16830

Defendant : CIVIL ACTION - LAW

: NO. 05-837-CD

Praeclipe for Default Judgment

FILED *Atty pd. 20.00*
m/2/24/05 Notice to
JUL 28 2005 Def.

Statement
William A. Shaw
Prothonotary/Clerk of Courts *to Atty*

(6)

To the Prothonotary:

Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:

Count I:	\$9,045.20
Count II:	\$7,061.16
TOTAL	\$16,106.36

Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment debtor and creditor.
2. The annexed notice of intention to file this praecipe was mailed to all parties against whom judgment is to be entered and to their record attorneys, if any, after the default occurred, and at least ten days prior to the date of the filing of this praecipe.
3. Pursuant to Section 201(b)(1)(A) of the Servicemembers Civil Relief Act of 2003 (SCRA), the defendant is not in the military service of the United States based on information received from the defendant and/or the Department of Defense website.

**JUDGMENT BY DEFAULT ENTERED
AND DAMAGES ASSESSED AS ABOVE.
NOTICE GIVEN UNDER PA.R.CIV.P. 236**

July 28, 2005
Pro Prothonotary

BURTON NEIL & ASSOCIATES, P.C.

BY:

Burton Neil
Burton Neil, Esquire
Attorney for Plaintiff
I.D. #11348
1060 Andrew Drive, Suite 170
W. Chester, PA 19380

The law firm of Burton Neil & Associates is a debt collector.

C-5693



CITIBANK SOUTH DAKOTA N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

vs.

: NO. 05-837-CD

ROBERT M VANTZANT

Defendant

: CIVIL ACTION - LAW

Notice of Intention to File Praecipe for Default Judgment

TO: Robert M Vanzant
616 Arnold Avenue
Clearfield PA 16830

DATE OF NOTICE: July 11, 2005

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 obligations 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 notice to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help. 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 REFERENCE AND
INFORMATION SERVICE**

David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641, Ext. 5982


BURTON NEIL & ASSOCIATES, P.C.

BY: 

Burton Neil, Esquire
Attorney for Plaintiff
Identification No. 11348
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120

The firm of Burton Neil & Associates, P.C. is attempting to collect a debt.

C-5693



BURTON NEIL & ASSOCIATES, P.C.
BY: Burton Neil, Esquire
Identification No. 11348
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120
ATTORNEY FOR: Plaintiff

 COPY

CITIBANK SOUTH DAKOTA N.A. : IN THE COURT OF COMMON PLEAS
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
VS. : NO. 05-837-CD
ROBERT M VANZANT : CIVIL ACTION - LAW
Defendant

RULE OF CIVIL PROCEDURE NO. 236 (REVISED)

Notice is given that a JUDGMENT in the above captioned matter has been entered against you on

July 28, 2005.

Prothonotary

By: _____
Deputy

If you have any questions concerning the above, please contact:

Burton Neil, Esquire
Attorney for Party Filing
1060 Andrew Drive, Suite 170
West Chester, PA 19380
Phone: 610-696-2120

The law firm of Burton Neil & Associates is a debt collector.

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

 COPY

Citibank South Dakota, N.A.

Plaintiff(s)

No.: 2005-00837-CD

Real Debt: \$16,106.36

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Robert M. Vanzant

Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 28, 2005

Expires: July 28, 2010

Certified from the record this 28th day of July, 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