

05-888-CD  
JP Morgan vs. John Leamer

JP Morgan v. John Leamer et al  
2005-888-CD

Phelan, Hallinan & Schmieg  
By: Francis S. Hallinan, Esquire  
Identification No. 62695  
One Penn Center Plaza  
Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Attorney for Plaintiff

FILED

JUN 21 2005

W/12:20 PM  
William A. Shaw

Prothonotary/Clerk of Courts

1 cert to (B)  
ATTN

2 cert to SHAW

JP Morgan Chase Bank, As Trustee For Equity : Court of Common Pleas  
One, ABS, Inc., Mortgage Pass-Through : Civil Division  
Certificates, Series 2003-3 :  
10790 Rancho Bernardo Road : Clearfield County  
San Diego, CA 19127 :

v.

Term

John W. Leamer  
Or Occupants  
121 1/2 & 123 1/2 East Scribner Avenue  
Dubois, PA 15801

No. 2005 - 888 - 10

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.

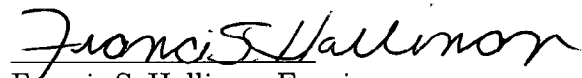
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that 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: 0250690542B

1. Plaintiff is JP Morgan Chase Bank, As Trustee For Equity One, ABS, Inc., Mortgage Pass-Through Certificates, Series 2003-3.
2. Defendant is John W. Leamer Or Occupants.
3. Plaintiff is equitable owner of premises located at 121 1/2 & 123 1/2 East Scribner Avenue, Dubois, PA 15801, 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 August 6, 2004.
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

ALL OF THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE CITY OF DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, AND BEING BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A CUT IN CONCRETE AT THE INTERSECTION OF THE WESTERLY LINE OF SEYLER ALLEY AND THE SOUTHERLY LINE OF ZIERDEN ALLEY; THENCE BY THE WESTERLY LINE OF SEYLER ALLEY SOUTH  $31^{\circ} 35'$  EAST FIFTY (50) FEET TO AN IRON PIPE, THE NORTHEAST CORNER OF LOT NO. 50; THENCE BY THE NORTHERLY LINE OF LOT NO. 50 SOUTH  $58^{\circ} 34'$  WEST FIFTY-SEVEN (57) FEET TO A SPIKE; THENCE NORTH  $31^{\circ} 35'$  WEST FIFTY (50) FEET TO A CUT IN CONCRETE IN THE SOUTHERLY LINE OF ZIERDEN ALLEY; THENCE BY THE SOUTHERLY LINE ZIERDEN ALLEY NORTH  $58^{\circ} 34'$  EAST FIFTY-SEVEN (57) FEET TO A CUT IN CONCRETE AND THE PLACE OF BEGINNING.

Being known as 121 1/2 and 123 1/2 E. Scribner Avenue, DuBois, PA 15801  
Tax Parcel Number: 7-2-4-958-B

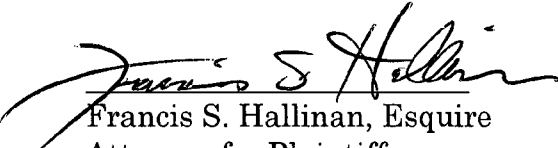
SEIZED, taken in execution to be sold as the property of John W. Leamer and Jodie L. Leamer, at the suit of JP Morgan Chase Bank, as Trustee for Equity One, ABS, Inc. Mortgage Pass-Through Certificates, Series 2003-3. Judgment No. 03-1707-CD.

## 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: 6/20/05

  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

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

DOCKET # 100576  
NO: 05-888-CD  
SERVICE # 1 OF 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: JP MORGAN CHASE BANK  
vs.  
DEFENDANT: JOHN W. LEAMER or OCCUPANTS

**SHERIFF RETURN**

NOW, July 07, 2005 AT 1:47 PM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON JOHN W. LEAMER or OCCUPANTS DEFENDANT AT 121 1/2 EAST SCRIBNER AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CHRISTINA HENRY, RENTER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

**FILED**  
010:4100  
AUG 24 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 100576  
NO: 05-888-CD  
SERVICE # 2 OF 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: JP MORGAN CHASE BANK  
vs.  
DEFENDANT: JOHN W. LEAMER or OCCUPANTS

**SHERIFF RETURN**

NOW, July 07, 2005 AT 1:47 PM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON JOHN W. LEAMER or OCCUPANTS DEFENDANT AT 123 1/2 EAST SCRIBNER AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CHRISTINA HENRY, RENTER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100576  
NO: 05-888-CD  
SERVICES 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: JP MORGAN CHASE BANK  
vs.  
DEFENDANT: JOHN W. LEAMER or OCCUPANTS

SHERIFF RETURN

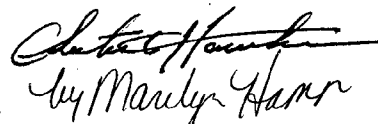
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	434417	20.00
SHERIFF HAWKINS	PHELAN	434417	39.39

Sworn to Before Me This

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

So Answers,



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

**JP MORGAN CHASE BANK, AS TRUSTEE FOR EQUITY ONE, ABS, INC.,  
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2003-3**

**Plaintiff**

**Court of Common Pleas  
CLEARFIELD County  
No. 2005-888-CD**

vs.

**JOHN W. LEAMER OR OCCUPANTS**

**Defendant(s)**

**FILED**

**AUG 26 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

1 Cert to Aff

disc

disc to C/P

**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.

8/23/05  
Date

Francis S. Hallinan

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

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

**CIVIL DIVISION**

**JP Morgan Chase Bank**

**Vs.**

**No. 2005-00888-CD**

**John W. Leamer or Occupants  
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 August 26, 2005, marked:

Withdrawn of Complaint, without prejudice, and case discontinued and ended.

Record costs in the sum of \$144.39 have been paid in full by Phelan Hallinan & Schmieg, LLP.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 26th day of August A.D. 2005.

---

William A. Shaw, Prothonotary