

05-1555-CD
LaSalle Bank vs Randall Daniell

LaSalle Bank et al vs Randall Daniell
2005-1555-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 *Any*
m/1/06 8:01 pd. & 5.00
OCT 07 2005 CASH
William A. Shaw
Prothonotary/Clerk of Courts

LaSalle Bank National Association, As Trustee
Under The Pooling And Servicing Agreement
Dated As of April 1, 2002, Among Asset Backed
Funding Corporation, Litton Loan Servicing LP
And LaSalle Bank National Association, ABFC
Asset-Backed Certificates, Series 2002-SB1
4828 Loop Central Drive
Houston, TX 77081-2226

: Court of Common Pleas
: Civil Division
: Clearfield County
: *Term*
: No. *05-1555-CD*

v.

Randall C. Daniell
Or Occupants
2 Powell Street
Hawk Run, PA 16840

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 any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

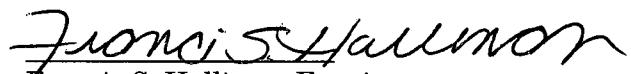
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that 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: E01450420

1. Plaintiff is LaSalle Bank National Association, As Trustee Under The Pooling And Servicing Agreement Dated As of April 1, 2002, Among Asset Backed Funding Corporation, Litton Loan Servicing LP And LaSalle Bank National Association, ABFC Asset-Backed Certificates, Series 2002-SB1.
2. Defendant is Randall C. Daniell Or Occupants.
3. Plaintiff is equitable owner of premises located at 2 Powell Street, Hawk Run, PA 16840, 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 5, 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

ALL that certain tract of land located in Hawk Run a/k/a the Village of Ashcroft, Morris Township, ~~Clearfield~~ County, Pennsylvania, bounded and described as follows, to-wit:

BEG INNING at a pin set along the right of way of Powell Street; thence along said Powell Street North 65 degrees 48 minutes 03 seconds East a distance of 73.59 feet to a pin set at the corner of Powell Street and Lot No. 2; thence along Lot No. 2, South 24 degrees 25 feet 00 minutes East a distance of 91.26 feet to a pin set in line of Lot No. 2; thence continuing along Lot No. 2, South 20 degrees 48 feet 06 minutes West a distance of 72.82 feet to a pin set at the corner of the Lot Addition to Lot No. 2 and Tax Parcel No. 124 Q-11 565 2; thence along Tax Parcel No. 124 Q-11 565 2, South 23 degrees 15 feet 00 minutes West a distance of 23 feet to a pin set at the corner of Tax Parcel No. 124 Q-11 565 2 and Tax Parcel No. 124 Q-11 565 19; thence along Tax Parcel No. 124 Q-11 565 19, North 66 degrees 40 feet 00 minutes West a distance of 11.50 feet to a pin set at the corner of Tax Parcel No. 124 Q-11 565 19; thence along Tax Parcel No. 124 Q-11 565 19, North 23 degrees 20 feet 00 minutes West a distance of 149.84 feet to the place of beginning, and containing 0.220 acres or 9586 square feet.

PROPERTY BEING: 2 POWELL STREET

BEING "THE FIRST THEREOF" in a deed from Edward Conklin a/k/a Edward R. Conklin and Ruth Conklin dated August 3, 1994 and recorded in the office of the Recorder of Deeds in and for Clearfield County in Deed Book Volume 1623 at Page 410.

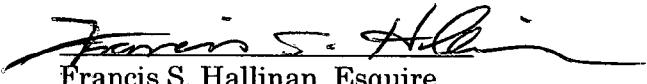
FURTHER BEING Lot No. 1 in a subdivision by GeoTech Engineering, Inc. known as the subdivision of "Wendell N. Weatherholtz and Nancy J. Weatherholtz" dated November 1, 2001 and recorded in the office of the Recorder of Deeds in and for Clearfield County as Map No. 2440 and Instrument No. 200117670.

VERIFICATION

Francis S. Hallinan hereby states that he is the attorney for the Plaintiff in this eviction action and is authorized to make this verification. The statements made in the foregoing Civil Action - Ejectment are correct to the best of my knowledge, information, and belief. I was the attorney for the Plaintiff or Plaintiff's predecessor in interest in the underlying foreclosure action. I am with the law firm on the writ of execution, and my law firm or an agent of my firm purchased the property on behalf of the Plaintiff by bidding on the property at the sheriff's sale. I am making this verification rather than a representative of the Plaintiff because I have personal knowledge of the purchase of this property at sheriff's sale.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

10/5/05
Date


Francis S. Hallinan, Esquire
Attorney for Plaintiff

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

100867

LASALLE BANK NATIONAL ASSOCIATION

Case # 05-1555-CD

vs.

RANDALL C. DANIELL

TYPE OF SERVICE COMPLAINT IN EJECTMENT

SHERIFF RETURNS

NOW December 12, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN EJECTMENT "NOT FOUND" AS TO RANDALL C. DANIELL OR OCCUPANTS, DEFENDANT. HOUSE LOOKS ABANDONED/STILL PICKS UP MAIL.

SERVED BY: /

FILED

92:30 am
DEC 12 2005
CH

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PHELAN	456647	10.00
SHERIFF HAWKINS	PHELAN	456646	66.38

**William A. Shaw
Prothonotary**

Sworn to Before me This

So Answers,

____ Day of _____ 2005

*Chester A. Hawkins
by Marilyn Hauer*
Chester A. Hawkins
Sheriff

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

LaSalle Bank National Association, As Trustee
Under The Pooling And Servicing Agreement
Dated As of April 1, 2002, Among Asset Backed
Funding Corporation, Litton Loan Servicing LP
And LaSalle Bank National Association, ABFC
Asset-Backed Certificates, Series 2002-SB1
4828 Loop Central Drive
Houston, TX 77081-2226

Court of Common Pleas
Civil Division
Clearfield County
Term
No. 05-1555-C
I here
affid
state

I hereby certify this to be a true
~~and~~ attested copy of the original
statement filed in this case.

Randall C. Daniell
Or Occupants
2 Powell Street
Hawk Run, PA 16840

Attest

William L. Brown
Prothonotary/
Clerk of Courts

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We hereby certify the
within to be a true and
correct copy of the
original filed of record

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

loan: E01450420

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Francis S. Hallinan, Esquire
Attorney for Plaintiff

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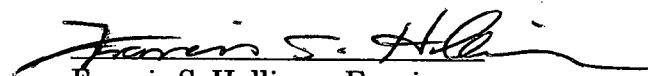
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10/5/05
Date


Francis S. Hallinan, Esquire
Attorney for Plaintiff

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

**LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE UNDER THE
POOLING AND SERVICING AGREEMENT DATED AS OF APRIL 1, 2002,
AMONG ASSET-BACKED FUNDING CORPORATION, LITTON LOAN
SERVICING LP AND LASALLE BANK NATIONAL ASSOCIATION, ABFC
ASSET-BACKED CERTIFICATES, SERIES 2002-SB1**

Plaintiff

vs.

RANDALL C. DANIELL OR OCCUPANTS

Defendant(s)

Court of Common Pleas

CLEARFILED County

No. 05-1555-CD

FILED

3/2/06

FEB 13 2006

ICC & CCA

of discont

issued to

Att

Hallinan

William A. Shaw copy to CJA
Prothonotary

**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.

2/9/06

Date

Francis S. Hallinan

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

PHELAN HALLINAN & SCHMIEG, L.L.P.

Suite 1400

One Penn Center at Suburban Station

Philadelphia, PA 19103-1814

215-563-7000

Fax: 215-563-5534

*Violeta Patori
Complaint Department*

*Representing Lenders in
Pennsylvania and New Jersey*

January 6, 2006

Office of the Prothonotary
CLEARFILED County
ONE NORTH 2ND STREET
CLEARFIELD, PA 16830

Re: LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE
UNDER THE POOLING AND SERVICING AGREEMENT DATED
AS OF APRIL 1, 2002, AMONG ASSET-BACKED FUNDING
CORPORATION, LITTON LOAN SERVICING LP AND LASALLE
BANK NATIONAL ASSOCIATION, ABFC ASSET-BACKED
CERTIFICATES, SERIES 2002-SB1 vs.
RANDALL C. DANIELL OR OCCUPANTS
CCP, CLEARFILED County, No. 05-1555-CD

Dear Sir/Madam:

Enclosed please find Plaintiff's Praeclipe to Withdraw Complaint, Without Prejudice, and Discontinue and End with respect to the above matter. Also enclosed is a check for the filing fee, if applicable.

Please file the original of record and return a time-stamped copy to me in the envelope enclosed.

Thank you for your attention to this matter.

Very truly yours,



Violeta Patori
for Phelan Hallinan & Schmieg

Enclosures

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

LaSalle Bank National Association
Litton Loan Servicing LP
LaSalle Bank National Association, ABFC Asset-back

Vs.
Randall C. Daniell or
Occupants

No. 2005-01555-CD

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 February 13, 2006, marked:

Discontinued and ended without prejudice

Record costs in the sum of \$85.00 have been paid in full by Francis S. Hallinan Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 13th day of February A.D. 2006.



William A. Shaw, Prothonotary