

05-1634-CD
CACV of Colorado vs Thomas B.

CACV of Colorado, LLC vs Thomas Smith
2005-1634-CD

CACV OF COLORADO, LLC.,

Plaintiff

Court of Common Pleas of
Jefferson County, Pennsylvania

vs.
THOMAS B. SMITH,

Defendant
TIMBERLAND FEDERAL CREDIT UNION,
Garnishee

No. 882 - 2004 C.D.

JUDGMENT ENTERED:

March 7, 2005 @ 1:36pm.

05-1634-CD

**Writ of Execution
Notice**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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.

Tonya S. Geist, Prothonotary
Jefferson County Court House
Brookville, Pennsylvania 15825
(814) 849-1606

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA,
COUNTY OF JEFFERSON, ss:

TO THE SHERIFF OF Clearfield COUNTY:

To satisfy the judgment, interest and cost against Thomas B. Smith

, Defendant(s),

(1) You are directed to levy upon the property of the Defendant(s) and to sell his interest therein;

(2) You are also directed to attach the property of the Defendant(s) not levied upon in the possession of
Timberland federal Credit Union

as garnishee,

(Specifically describe property)

FILED Atty
m/2/10 AM Molezan
OCT 21 2005 pd.
UN 20.00

William A. Shaw
Prothonotary/Clerk of Courts

and to notify the garnishee that

- (a) An attachment has been issued;
- (b) The garnishee is enjoined from paying any debt to or for the account of the Defendant(s) and from delivering any property of the Defendant(s) or otherwise disposing thereof.
- (3) If property of the Defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

C.D. No. 882 - 2004 C.D. 19

IN THE COURT OF COMMON PLEAS OF
JEFFERSON COUNTY, PENNSYLVANIA
CACV OF COLORADO, LLC., Plaintiff

vs
THOMAS B. SMITH,

Defendant
TIMBERLAND FEDERAL CREDIT UNION,
Garnishee

WRIT OF EXECUTION

(Money Judgments)

Debt \$13,690.23

Attorney's Commission

Interest from Sept. 26. 2005

Inquisition & Exemption Laws waived

Condemnation agree to.

Costs	\$	95.50
T & W		23.00
Attorneys		7.50
This Writ		111.50
Satisfaction		14.00
Sheriff		
Judgment		

William T. Molczan, Esquire

Attorney for Plaintiff(s)

Address:

Where papers may be served.

Amount due	\$ 13,690.23
Attorney's commission	\$
Interest from <u>Sept. 26. 2005</u> to <u>date of sale</u>	\$
[Costs to be added]	\$ 251.50

Tonya S. Geist
Tonya S. Geist, Prothonotary

Seal of the Court

By _____
Deputy

October 12, 2005

Atty.

Now, 19, Writ stayed and costs paid

PROTHONOTARY

Now, 19, Writ re-issued

PROTHONOTARY

Now, 19, Writ re-issued

PROTHONOTARY

Now, 19, Writ re-issued

SHERIFF

Came to hand o'clock M., this day 19

Court of Common Pleas of
Jefferson County, Pennsylvania

CAGV OF COLORADO, LLC.,

Plaintiff

vs.

THOMAS B. SMITH,

Defendant

TIMBERLAND FEDERAL CREDIT UNION,

Garnishee

No. 882 - 2004 C.D.

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

Claim For Exemption

To the Sheriff:

I/We, the above named Defendant(s), claim exemption of property from levy or attachment:

(1) From my/our personal property in my/our possession which has been levied upon.

(a) I/We desire that my/our \$300 statutory exemption be

(i) set aside in kind (specify property to be set aside in kind): _____

(ii) paid in cash following the sale of property levied upon; or

(b) I/We claim the following exemption (specify property and basis of exemption): _____

(2) From my/our property which is in possession of a third party, I/we claim the following exemptions:

(a) my/our \$300 statutory exemption: in cash; in kind (specify property): _____

(b) Social Security benefits on deposit in the amount of \$ _____;

(c) other (specify amount and basis of exemption): _____

I/We request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me/us at

(Address)

(Telephone number)

I/We verify that the statements made in this Claim for Exemption are true and correct. I/We understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

(Defendant)

(Defendant)

THIS CLAIM TO BE FILED WITH THE
OFFICE OF THE SHERIFF OF JEFFERSON COUNTY,
JEFFERSON COUNTY COURT HOUSE,
BROOKVILLE, PENNSYLVANIA 15825
814-849-8031, Ext. 216

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100918
NO: 882-2004-CD & 05-1634-CD
SERVICE # 1 OF 1
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: CAVC OF COLORADO, LLC

vs.

DEFENDANT: THOMAS B. SMITH

TO: TIMBERLAND FEDERAL CREDIT UNION

SHERIFF RETURN

NOW, October 28, 2005 AT 10:50 AM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON TIMBERLAND FEDERAL CREDIT UNION DEFENDANT AT 821 BEAVER DRIVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JENN SPINDA, COLLECTIONS OFFICER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / DEHAVEN

FILED

NOV 23 2005
5/21/55 (S)
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8259483	10.00
SHERIFF HAWKINS	WELTMAN	8259483	36.43

Sworn to Before Me This

So Answers,

____ Day of _____ 2005

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

FILED

2005 SEP 26 A 10:22

IN THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY, PENNSYLVANIA
CIVIL DIVISION

TONYA S. GEIST
JEFFERSON COUNTY
PROTHONOTARY AND
CLERK OF COURTS

CACV OF COLORADO, LLC

Plaintiff No. 882-2004-CD

vs.

**PRAECIPE FOR WRIT OF EXECUTION
(BANK ATTACHMENT ONLY)**

THOMAS B. SMITH

Defendant

TIMBERLAND FEDERAL CREDIT UNION,

Garnishee,

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03384341