

05-1920-CD  
Citibank vs Eric L. Wisor

Citibank vs Eric Wisor  
2005-1920-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.  
: NO. 05-1920-CD  
ERIC L WISOR  
15 North 3rd Street, Clearfield PA 16830-2420  
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

Atty pd.  
m 12-41-04 85.00  
DEC 09 2005 cc A  
William A. Shaw  
Prothonotary/Clerk of Courts

C-2498

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.

ERIC L WISOR

15 North 3rd Street, Clearfield PA 16830-2420

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 Eric L Wisor, who resides at 15 North 3rd Street, 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.

4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180411542209 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.

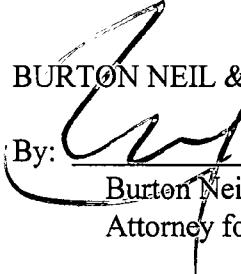
7. Defendant received the monthly statements from plaintiff for the credit card account including the statement attached hereto as Exhibit A statement without protest, dispute or objection.

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 credits, if any issued subsequent to the Exhibit A statement, is \$10,501.46.

Wherefore, plaintiff demands judgment against defendant for the sum of \$10,501.46, 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.

02/02/04 \$10501.46 \$10501.46 SITE:KC-CL TM:CO-5000 ACID:KCB7150  
 PAYMENT DUE 02/04 NEW BALANCE 02/04 AMT DUE 11/02/05 20:39:35

ERIC L WISOR  
 15 N 3RD ST  
 CLEARFIELD  
 16830-2420000

PA

CITI CARDS  
 P.O. BOX 8105  
 S HACKENSACK, NJ  
 07606-8105

C-2498

## Citi® Platinum Select® Card

Account Number  
**5424 1804 1154 2209**  
 PAYMENT MUST BE RECEIVED BY 1:00 PM LOCAL TIME ON 02/02/2004

To report billing errors, write  
 to this address; calling will  
 not preserve your rights.  
**BOX 6500  
 SIOUX FALLS, SD  
 57117**

Statement/Closing Date	Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
01/08/2004	\$8500	\$0	\$4300	\$0	\$10501.46
		Amount Over Credit Line	Past Due	Purch/Adv Minimum Due	Minimum Amount Due
		\$2001.46 +	\$1400.57	\$218.00	\$10501.46

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	1/08		Standard Purch OVER CREDIT LIMIT FEE 62 0000	29.00 0000000000
	1/08		PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	109.16- 0000000000
	1/08		Standard Adv ADVANCES*FINANCE CHARGE*PERIODIC RATE 84 0000	103.69 0000000000

Help is available! Please call the toll-free  
 number shown above to learn about our special  
 payment options. Call Monday - Friday, 7 am to  
 9 pm, or Saturday, 8 am to 5 pm, Central Time.  
 Please give us the opportunity to assist you.

Our records show home phone 814-768-3514 and  
 business phone 800-222-2194. Please update above  
 coupon if incorrect.

EXHIBIT

A

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(-) New Balance
PURCHASES	\$5,261.79	\$29.00	\$0.00	\$109.16	\$5,399.95
ADVANCES	\$4,997.82	\$0.00	\$0.00	\$103.69	\$5,101.51
<b>TOTAL</b>	<b>\$10,259.61</b>	<b>\$29.00</b>	<b>\$0.00</b>	<b>\$212.85</b>	<b>\$10,501.46</b>

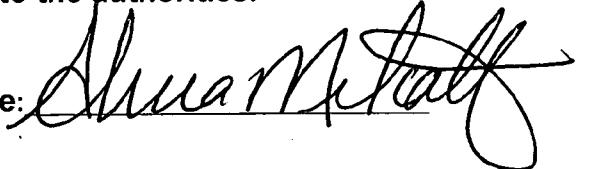
Days This Billing Period: 30

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES Standard Purch	\$5,314.37	0.06847%(D)	24.990%	24.990%
ADVANCES Standard Adv	\$5,047.76	0.06847%(D)	24.990%	24.990%

## Verification

I, Alicia Metcalf 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: \_\_\_\_\_

Signature: 

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101074  
NO: 05-1920-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.

vs.

DEFENDANT: ERIC L. WISOR

SHERIFF RETURN

NOW, December 22, 2005 AT 2:10 PM SERVED THE WITHIN COMPLAINT ON ERIC L. WISOR DEFENDANT AT 467 BOWMAN'S HILL ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ERIC L. WISOR, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

FILED  
02/07/06  
MAR 07 2006  
WAS

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	17270	10.00
SHERIFF HAWKINS	NEIL	17269	22.00

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2006

So Answers,

*Chester A. Hawkins  
Marilyn Haskins*  
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.

ERIC L WISOR  
467 Bowmans Hill road  
Clearfield PA 16830-2420

Defendant

: NO. 05-1920-CD

: CIVIL ACTION - LAW

FILED *Atty pd. 20.00*  
*1/24/06* Notice to Def.  
MAR 13 2006  
William A. Shaw  
Prothonotary/Clerk of Courts *Atty*  
*CK*

**Praeclipe for Default Judgment**

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:

Principal:	\$10,501.46
TOTAL	\$10,501.46

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**

*Willie L. Shaw*  
\_\_\_\_\_  
Pro Prothonotary

BURTON NEIL & ASSOCIATES, P.C.

BY: *[Signature]*

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-2498



CITIBANK (SOUTH DAKOTA) N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff  
vs.: CLEARFIELD COUNTY, PENNSYLVANIA  
: NO. 05-1920-CD

ERIC L WISOR

Defendant

: CIVIL ACTION - LAW

**Notice of Intention to File Praecept for Default Judgment**TO: Eric L Wisor  
467 Bowmans Hill Road  
Clearfield PA 16830-2420

Kenneth P. Seitz, Esquire

**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

DATE OF NOTICE: February 10, 2006

BURTON NEIL &amp; ASSOCIATES, P.C.

By: \_\_\_\_\_  
Yale D. Weinstein, Esquire  
Attorney for Plaintiff  
Identification No. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
(610) 696-2120

In making this communication, we advise our office is a  
debt collector.

cc: Kenneth P. Seitz, Esquire  
432 Boulevard of the Allies  
Pittsburgh, PA 15219



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

CC. BY

CITIBANK (SOUTH DAKOTA) N.A.  
Plaintiff

VS:

ERIC L WISOR  
Defendant

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PENNSYLVANIA  
: NO. 05-1920-CD  
: CIVIL ACTION - LAW

**RULE OF CIVIL PROCEDURE NO. 236 (REVISED)**

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

March 13, 2006.

Prothonotary

By: William L. Hansen  
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

Citibank (South Dakota) N.A.  
Plaintiff(s)

No.: 2005-01920-CD

Real Debt: \$10,501.46

Atty's Comm: \$

Vs.

Costs: \$

Eric L. Wisor  
Defendant(s)

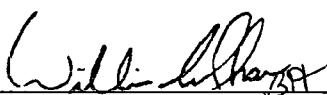
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 13, 2006

Expires: March 13, 2011

Certified from the record this 13th day of March, 2006.

  
\_\_\_\_\_  
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