

05-1947-CD  
Sterling Jewelers Inc. al vs Shawn  
T. Vogel

Sterling Jewelers et al vs Shawn Vogel  
2005-1947-CD

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

STERLING JEWELERS INC DBA  
KAY JEWELERS,

Plaintiff No. 2005-1947-C0

vs. COMPLAINT IN REPLEVIN

SHAWN T VOGEL,

Defendant FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt, Esquire  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#04318679

FILED

DEC 14 2005 *Ewan*  
m/1201w  
William A. Shaw  
Prothonotary  
I CERT TO SHFF.

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

STERLING JEWELERS INC DBA  
KAY JEWELERS,

Plaintiff

vs.

Civil Action No.

SHAWN T VOGEL,

Defendant

**COMPLAINT IN REPLEVIN AND NOTICE TO DEFEND**

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 twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an 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. OF 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

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET ST., SUITE 228  
CLEARFIELD, PA 16830  
(814) 765-2641, ext. 1300-1301

COMPLAINT

1. Plaintiff is a corporation having offices at 375 Ghent Road, Akron, OH 44333.
2. Defendant is an adult individual residing at 116 N State St., Dubois, PA 15801.
3. Defendant applied for and received an account for credit with Plaintiff.
4. Plaintiff avers that the Agreement provides that Plaintiff has a security interest in each item of merchandise purchased on Defendant's account until the full payment price of those goods is paid.
5. On or about February 6, 2004, Defendant purchased several jewelry items ("Jewelry Items"), more specifically identified in the attached Sales Slips, from Plaintiff for a combined total of \$3,899.79. A true and correct copy of the Sales Slips of said purchases are attached hereto as Exhibit "1" and made a part hereof.
6. Defendant failed to pay the entire balance due to Plaintiff, leaving a total amount due of \$4,548.15 as of date of judgment.
7. Defendant is in default of the terms and conditions of the Agreement, Sales Slips and any other document provided to Defendant with respect to having credit through Plaintiff by failing to make required monthly payments and/or pay the entire balance in full.
8. Plaintiff is entitled to immediate possession of said Jewelry Items of which Plaintiff holds a security interest.



VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 P.A.C.S. §4904 relating to unsworn falsifications to authorities, that he/she is Crystal Anderson  
(Name)  
Bankruptcy Analyst of Sterling Inc  
(Title) (Company), plaintiff herein, that

he/she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint are true and correct to the best of his/her knowledge, information and belief.

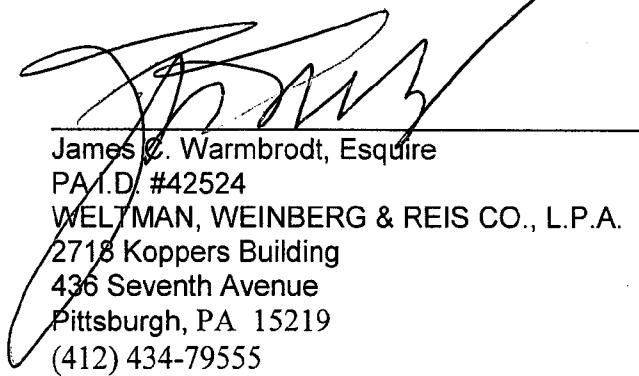
Crystal Anderson  
(Signature)

WWR# 04318679

WHEREFORE, Plaintiff prays for Judgment against Defendant, Shawn T. Vogel, individually, in Count I of this Complaint In Replevin, as follows:

- A. For immediate possession of all Jewelry Items, specifically identified in the attached Sales Slips attached to this Complaint as Exhibit "1";
- B. For such other relief that the Court deems just and proper.

WELTMAN, WEINBERG AND REIS, CO. L.P.A.



James C. Warmbrodt, Esquire  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-79555

WWR#:04318679

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE USED FOR THAT PURPOSE.**

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

DOCKET # 101086  
NO: 05-1947-CD  
SERVICE # 1 OF 1  
COMPLAINT IN REPLEVIN

PLAINTIFF: STERLING JEWELERS INC. d/b/a KAY JEWELERS  
vs.  
DEFENDANT: SHAWN T. VOGEL

**SHERIFF RETURN**

NOW, December 16, 2005 AT 10:42 AM SERVED THE WITHIN COMPLAINT IN REPLEVIN ON SHAWN T. VOGEL DEFENDANT AT 116 N. STATE ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JESSICA STONES, LIVE IN GIRLFRIEND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN REPLEVIN AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

**FILED**  
01/15/06  
MAR 07 2006  
WM

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8264239	10.00
SHERIFF HAWKINS	WELTMAN	8264239	36.80

Sworn to Before Me This

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

So Answers,

*Chester A. Hawkins  
by Marilynn Hause*  
Chester A. Hawkins  
Sheriff

**FILED**

MAR 07 2006

William A. Shaw  
Prothonotary/Clerk of Courts

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

STERLING INC

Plaintiff No. 2005-1947-CD

vs. PRAECLICE TO SETTLE, DISCONTINUE  
& END

SHAWN T VOGEL

Defendant

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt, Esquire  
Pa. I.D. No. 42524  
Weltman, Weinberg & Reis, Co, LLC  
2718 Koppers Building  
436 7<sup>th</sup> Avenue  
Pittsburgh, PA 15219

WWR#04318679

FILED

APR 05 2006

11:00 AM

William A. Shaw

Prothonotary/Clerk of Courts

No C/court

Clerk of Pleas, to

Atty or C/A

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

STERLING INC

Plaintiff

vs.

Civil Action No. 2005-1947-CD

SHAWN T VOGEL

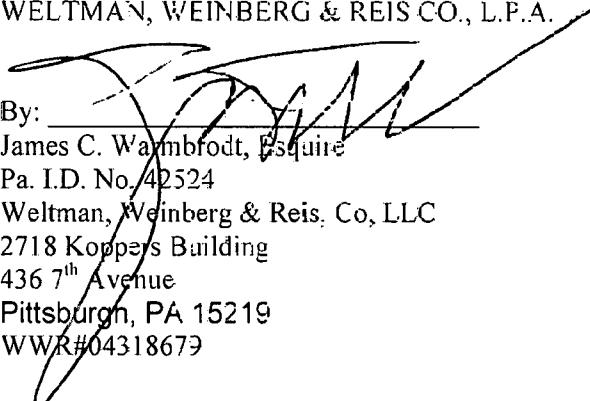
Defendant

**PRAECIPE TO SETTLE DISCONTINUE AND END**

**TO THE PROTHONOTARY OF COUNTY:**

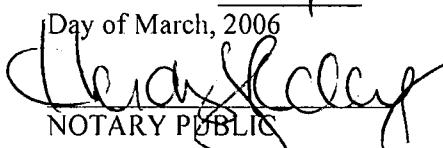
**Please kindly Settle Discontinue and End the above captioned matter upon the records of the Court and mark the cost paid.**

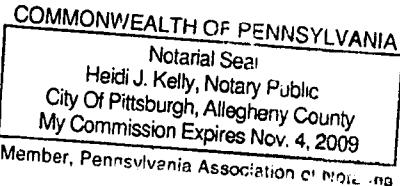
WELTMAN, WEINBERG & REIS CO., L.P.A.

By:   
James C. Warmbrodt, Esquire  
Pa. I.D. No. 42524  
Weltman, Weinberg & Reis, Co, LLC  
2718 Koppers Building  
436 7<sup>th</sup> Avenue  
Pittsburgh, PA 15219  
WWR#04318679

Sworn to and subscribed

Before me the 29  
Day of March, 2006

  
NOTARY PUBLIC



FILED  
APR 05 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

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

**CIVIL DIVISION**

**Sterling Jewelers Inc.  
Kay Jewelers**

**Vs.  
Shawn Thomas Vogel**

**No. 2005-01947-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 April 5, 2006, marked:

Setle, Discontinue and End

Record costs in the sum of \$131.80 have been paid in full by Weltman, Weinberg & Reis.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 5th day of April A.D. 2006.

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William A. Shaw, Prothonotary