

05-1953-CD
M&T Mort. Co. vs John C. Beirlair

M&T Mortgage et al vs John Beirlair
2005-1953-CD

GOLDBECK McCAFFERTY & McKEEVER
BY: JOSEPH A. GOLDBECK, JR.
ATTORNEY I.D. #16132
SUITE 5000 MELLON INDEPENDENCE CENTER
701 Market Street
PHILADELPHIA, PA 19106
(215) 627-1322
ATTORNEY FOR PLAINTIFF

FILED 3cc shff
ICC Atty
m/12:05 am Pd \$85.00 Atty
DEC 16 2005 (UN)

William A. Shaw
Prothonotary

M&T MORTGAGE COMPANY S/B/M
KEYSTONE FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

Plaintiff

vs.

JOHN C. BEIRLAIR
and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

Defendants

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

CIVIL ACTION - LAW

ACTION OF EJECTMENT

Term
No. 05-1953-C1

CIVIL ACTION: EJECTMENT

NOTICE

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PENNSYLVANIA BAR ASSOCIATION
P.O. Box 186, Harrisburg, PA 17108
800-692-7375

KEYSTONE LEGAL SERVICES
211 1/2 E. Locust Street, Clearfield, PA 16830
814-765-9646

AVISO

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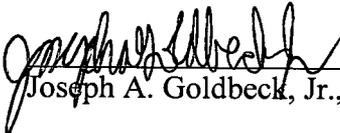
Jan. 30, 2006 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

COMPLAINT IN EJECTMENT

1. Plaintiff is M&T MORTGAGE COMPANY S/B/M KEYSTONE FINANCIAL MORTGAGE, PO Box 1288, Buffalo, NY 14240-0840.
2. Defendants are JOHN C. BEIRLAIR, and OCCUPANTS.
3. Plaintiff is the equitable owner of premises 817 Mary Street, Houtzdale, PA 16651 a legal description of which is attached hereto.
4. Plaintiff became the equitable owner of said premises as a result of foreclosure and judicial sale by the Sheriff of Clearfield County on November 04, 2005.
5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The Defendants, JOHN C. BEIRLAIR and OCCUPANTS, are 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 Defendants, who have refused to deliver up possession of the same.

WHEREFORE, Plaintiff requests judgment for possession of the premises.

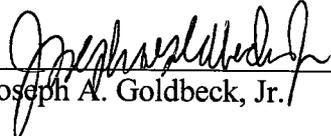


Joseph A. Goldbeck, Jr., Esq.

VERIFICATION

I, Joseph A. Goldbeck, Jr. as the Attorney of the Plaintiff corporation within named do hereby verify that I am authorized to and do make this verification on behalf of the Plaintiff corporation and the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Date: 12-15-05



Joseph A. Goldbeck, Jr.

#0009691262 -

JOHN C. BEIRLAIR

Keystone Financial Mortgage
JOHN C. BEIRLAIR MORTGAGE DESCRIPTION:

ALL and singular that certain lot or piece of ground situate in the Borough of Houtzdale, County of Clearfield, and State of Pennsylvania, bounded and described as follows: viz: Fronting on the south side of Mary Street (between Pine Alley and McAteer Street) and extending back in a southerly direction One hundred and fifty (150) feet to Bear Alley, and known as Lot No. 152, in the General Plan of the Borough of Houtzdale.

Subject to all the reservations and exceptions contained in the Deed from Dr. D. Houtz to Philips McDermott, as to the mining and removal of the coal and other minerals underlying said premises, the said deed dated May 9, 1871.

BEING identified by Clearfield County Map Assessment Number 10-M14-398-00043.

BEING the same premises which Charles R. Smith and Mae A. Smith, his wife, conveyed to John C. Beirlair by Deed dated the 3rd day of December, 1998, not yet, but intended to be recorded concurrently herewith.

CA

GOLDBECK McCAFFERTY & McKEEVER
JOSEPH A. GOLDBECK, JR.
Attorney I.D.#16132
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106-1532
215-627-1322
BY: David B. Fein, Esq.
Attorney I.D.#82628
Attorney for Plaintiff

M&T MORTGAGE COMPANY S/B/M KEYSTONE
FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

vs.

JOHN C. BEIRLAIR
and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

No. 05-1953-CD

THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.

MOTION FOR SUBSTITUTED SERVICE
UNDER P.A.R.C.P. 430(a)

Plaintiff, by and through its attorney, David B. Fein, Esq., in support of its Motion for Substituted Service, represents as follows:

1. Plaintiff is the legal owner of the premises 817 Mary Street, Houtzdale, PA, 16651 pursuant to a deed from the Sheriff of Clearfield County.
2. Plaintiff filed a Complaint in Ejectment on December 16, 2005
3. Sheriff has been unable to effect service of the Complaint upon Defendants despite numerous attempts and despite the fact that Plaintiff's inspection of the premises indicates it is occupied.
4. As this is an action for possession, further investigation is unnecessary.

FILED

JAN 10 2006

m/12.05/14

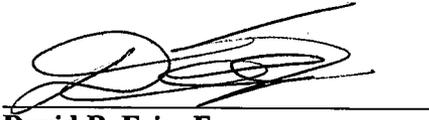
William A. Shaw
Prothonotary/Clerk of Courts

1 cent to Att

5. Defendants have no right, title or interest in the premises, 817 Mary Street, Houtzdale, PA, 16651. Plaintiff believes and therefore avers that Defendants are deliberately avoiding service.

6. Plaintiff's inability to affect personal service upon Defendants has deprived, and continues to deprive Plaintiff of the use and enjoyment of which it is the lawful owner.

WHEREFORE, Plaintiff prays that the Court enter the attached order allowing Plaintiff to serve the Complaint/Writ upon Defendants by posting the premises and certified and regular mail to the Defendants' last known address.

BY: 
David B. Fein, Esq.

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BY: David B. Fein, Esq.
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vs.

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and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

No. 05-1953-CD

VERIFICATION

I, David B. Fein, Esq., Attorney for Petitioner do hereby verify that the facts set forth in the foregoing Motion for Substituted Service are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

BY: 
David B. Fein, Esq.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket # **101091**

M&T MORTGAGE COMPANY s/b/m

Case # 05-1953-CD

vs.

JOHN C. BEIRLAIR

COPY

TYPE OF SERVICE COMPLAINT N EJECTMENT

SHERIFF RETURNS

NOW January 06, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT N EJECTMENT "NOT FOUND". AS TO JOHN C. BEIRLAIR, DEFENDANT. Attempted (3) times @ 817 Mary St.,Houtzdale, Pa..

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 2 Services

Sheriff Docket # **101091**

M&T MORTGAGE COMPANY s/b/m

Case # 05-1953-CD

vs.

JOHN C. BEIRLAIR

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SHERIFF RETURNS

NOW January 06, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT N EJECTMENT "NOT FOUND" AS TO OCCUPANT (BEIRLAIR PROPETY), DEFENDANT. Attempted (3) times @ 817 Mary St., Houtzdale, Pa..

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101091
NO: 05-1953-CD
SERVICES 2
COMPLAINT N EJECTMENT

PLAINTIFF: M&T MORTGAGE COMPANY s/b/m
vs.
DEFENDANT: JOHN C. BEIRLAIR

SHERIFF RETURN

RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|----------|---------|--------|
| SURCHARGE | GOLDBECK | 244203 | 20.00 |
| SHERIFF HAWKINS | GOLDBECK | 244203 | 65.00 |
| SHERIFF HAWKINS | | | 6.38 |

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,



Chester A. Hawkins
Sheriff



Affidavit of Good Faith Investigation

Client provided information:

File Number: MT-0651 E
Attorney Firm: Goldbeck, McCafferty & McKeever
File Name: Beirlair

Subject Name: John C. Beirlair
Property Address:
Street: 817 Mary Street
City: Houtzdale State: PA Zip: 16651

Skip Results: Date of Birth: March 1970 Universal File Number: 41666

Last Known Dates: As of 01/04/2006
Street: 817 Mary Street Phone: 814-378-7150

City: Houtzdale State: PA Zip: 16651

Death Records: As of 01/04/2006, the Social Security Administration has no death record on file for John C. Beirlair.

Social Security Number search completed.

Employment Search: Unable to verify current employer.

Creditor information:

Creditors indicated the last reported address for John C. Beirlair as 817 Mary Street, Houtzdale, PA 16651

Department of Motor Vehicle Records:

The Pennsylvania Department of Motor Vehicles provided no change for John C. Beirlair from 817 Mary Street, Houtzdale, PA 16651

Public Licenses (Pilot, Real Estate, etc): Search performed provided no information.

Voter Registration Information:

The County Voters Registration Office has no listing for John C. Beirlair.

National Postal Address Search: Has no change for John C. Beirlair from 817 Mary Street, Houtzdale, PA 16651

Comments:

814-378-7150: Number listed to John C. Beirlair at 817 Mary Street, Houtzdale, PA 16651, there was no answer.

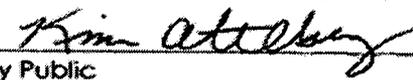
814-378-7399: Called possible neighbor, Ottis Williams, answering machine answered, no message left.

814-378-8893: Called possible neighbor, Desiree Jones, there was no answer.

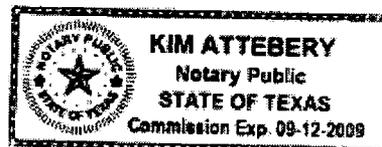
On 01/04/2006, I, Patti Garrett being duly sworn according to the law, deposes and says:
I am employed by Universal Default Service. I have conducted an investigation into the whereabouts of the above named subject. Above are the results of my investigation.


Affiant Name: Patti Garrett

Subscribed and sworn to before me,


Notary Public

Date: 01/04/2006



GOLDBECK McCAFFERTY & McKEEVER
JOSEPH A. GOLDBECK, JR.
Attorney I.D.#16132
Suite 5000 - Mellon Independence Center
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Philadelphia, PA 19106-1532
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BY: David B. Fein, Esq.
Attorney I.D.#82628
Attorney for Plaintiff

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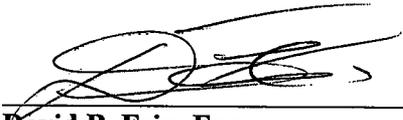
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817 Mary Street
Houtzdale, PA 16651

IN THE COURT OF COMMON PLEAS
of Clearfield County

No. 05-1953-CD

CERTIFICATE OF SERVICE

David B. Fein, Esq., does hereby certify that true and correct copies of the foregoing Motion for Substituted Service have been served upon the Defendants this 9TH day of January, 2006, by first class mail, postage prepaid.

BY: 
David B. Fein, Esq.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket # **101091**

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Case # 05-1953-CD

vs.

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SERVED BY: /

FILED
9/10:30/06
JAN 12 2006
lm

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 2 Services

Sheriff Docket # **101091**

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101091
NO: 05-1953-CD
SERVICES 2
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PLAINTIFF: M&T MORTGAGE COMPANY s/b/m
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Sheriff

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ATTORNEY FOR PLAINTIFF

**I HEREBY CERTIFY THAT THIS IS
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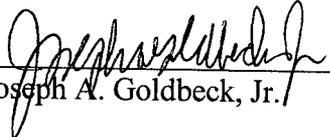
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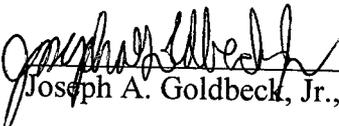
[Signature]
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6. Plaintiff has demanded possession of the said premises from the said Defendants, who have refused to deliver up possession of the same.

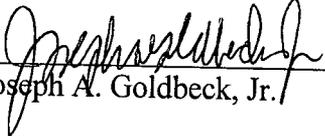
WHEREFORE, Plaintiff requests judgment for possession of the premises.


Joseph A. Goldbeck, Jr., Esq.

VERIFICATION

I, Joseph A. Goldbeck, Jr. as the Attorney of the Plaintiff corporation within named do hereby verify that I am authorized to and do make this verification on behalf of the Plaintiff corporation and the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Date: 12-15-05


Joseph A. Goldbeck, Jr.

#0009691262 -

JOHN C. BEIRLAIR

Keystone Financial Mortgage
JOHN C. BEIRLAIR MORTGAGE DESCRIPTION:

ALL and singular that certain lot or piece of ground situate in the Borough of Houtzdale, County of Clearfield, and State of Pennsylvania, bounded and described as follows: viz: Fronting on the south side of Mary Street (between Pine Alley and McAteer Street) and extending back in a southerly direction One hundred and fifty (150) feet to Bear Alley, and known as Lot No. 152, in the General Plan of the Borough of Houtzdale.

Subject to all the reservations and exceptions contained in the Deed from Dr. D. Houtz to Philips McDermott, as to the mining and removal of the coal and other minerals underlying said premises, the said deed dated May 9, 1871.

BEING identified by Clearfield County Map Assessment Number 10-M14-398-00043.

BEING the same premises which Charles R. Smith and Mae A. Smith, his wife, conveyed to John C. Beirlair by Deed dated the 3rd day of December, 1998, not yet, but intended to be recorded concurrently herewith.

GOLDBECK McCAFFERTY & McKEEVER

BY: JOSEPH A. GOLDBECK, JR.
ATTORNEY I.D. #16132
SUITE 5000 MELLON INDEPENDENCE CENTER
701 Market Street
PHILADELPHIA, PA 19106
(215) 627-1322
ATTORNEY FOR PLAINTIFF

**I HEREBY CERTIFY THAT THIS IS
A TRUE AND CORRECT COPY OF
THE ORIGINAL FILED**

COPY

M&T MORTGAGE COMPANY S/B/M
KEYSTONE FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

Plaintiff

vs.

JOHN C. BEIRLAIR
and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

Defendants

**IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY**

CIVIL ACTION - LAW

ACTION OF EJECTMENT

Term
No. 05-1953-CD

CIVIL ACTION: EJECTMENT

NOTICE

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P.O. Box 186, Harrisburg, PA 17108
800-692-7375

KEYSTONE LEGAL SERVICES
211 1/2 E. Locust Street, Clearfield, PA 16830
814-765-9646

AVISO

LE HAN DEMANDADO A USTED EN LA CORTE. SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERESENTADAS, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA.

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DEC 16 2005

Attest.

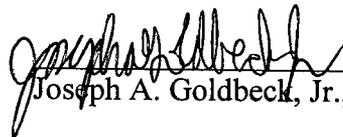
William D. Shaw
**Prothonotary/
Clerk of Courts**

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COMPLAINT IN EJECTMENT

1. Plaintiff is M&T MORTGAGE COMPANY S/B/M KEYSTONE FINANCIAL MORTGAGE, PO Box 1288, Buffalo, NY 14240-0840.
2. Defendants are JOHN C. BEIRLAIR, and OCCUPANTS.
3. Plaintiff is the equitable owner of premises 817 Mary Street, Houtzdale, PA 16651 a legal description of which is attached hereto.
4. Plaintiff became the equitable owner of said premises as a result of foreclosure and judicial sale by the Sheriff of Clearfield County on November 04, 2005.
5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The Defendants, JOHN C. BEIRLAIR and OCCUPANTS, are 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 Defendants, who have refused to deliver up possession of the same.

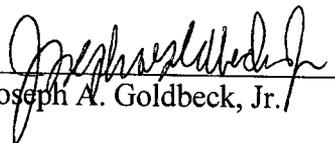
WHEREFORE, Plaintiff requests judgment for possession of the premises.


Joseph A. Goldbeck, Jr., Esq.

VERIFICATION

I, Joseph A. Goldbeck, Jr. as the Attorney of the Plaintiff corporation within named do hereby verify that I am authorized to and do make this verification on behalf of the Plaintiff corporation and the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Date: 12-15-05



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CA

GOLDBECK McCAFFERTY & McKEEVER
JOSEPH A. GOLDBECK, JR.
Attorney I.D.#16132
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106-1532
215-627-1322
BY: David B. Fein, Esq.
Attorney I.D.#82628
Attorney for Plaintiff

FILED
01/11/06
JAN 12 2006

icc
Attg Fein
copy to
Shff
GR

William A. Shaw
Prothonotary/Clerk of Courts

M&T MORTGAGE COMPANY S/B/M KEYSTONE
FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

vs.

JOHN C. BEIRLAIR
and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

No. 05-1953-CD

ORDER

AND NOW, this 10th day of January 2006, upon

consideration of the Plaintiff's Motion for Substituted Service under Pa.R.C.P. 430(a) and it appearing to the Court that Plaintiff's good faith efforts to ascertain the present whereabouts of Defendants has been unsuccessful, it is,

ORDERED and DECREED:

that Plaintiff's Motion is granted and the Sheriff and/or Plaintiff is directed to Serve the Complaint in Ejectment upon Defendants by posting a copy of the Complaint upon the premises 817 Mary Street, Houtzdale, PA, 16651, and Plaintiff is directed to serve the Complaint by certified and regular mail to the Defendants' last known address at 817 Mary Street, Houtzdale, PA, 16651, and that all further service of legal papers, including but not limited to motions, petitions and rules be made by certified and regular mail to Defendants' last known address and that Writ of Possession pursuant to Pennsylvania Rule of Civil Procedure 3129 may be made upon Defendants by sending copies of same to Defendants' last known address by certified and regular mail and by posting the premises.

BY THE COURT:

J.

GOLDBECK McCAFFERTY & McKEEVER

BY: JOSEPH A. GOLDBECK, JR.
ATTORNEY I.D. #16132
SUITE 5000 – MELLON INDEPENDENCE CENTER
701 MARKET STREET
PHILADELPHIA, PA 19106-1532
(215) 627-1322
ATTORNEY FOR PLAINTIFF

M&T MORTGAGE COMPANY S/B/M
KEYSTONE FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

Plaintiff

vs.

JOHN C. BEIRLAIR
& OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

Defendant(s)

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

CIVIL ACTION - LAW

EJECTMENT COMPLAINT

Term
No. 05-1953-CD

PRAECIPE TO REINSTATE COMPLAINT

Kindly reinstate the Complaint in the above captioned matter.

GOLDBECK, McCAFFERTY & McKEEVER



By Joseph A. Goldbeck, Jr., Esq.
Attorney for Plaintiff

FILED 

JAN 30 2006

M/3:00/c

William A. Shaw

Prothonotary/Clerk of Courts

1 SENT TO ATT

2 REINSTATED TO
SERVANT

2 REINSTATED TO
ATTN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DKT PG. 101213

M&T MORTGAGE COMPANY

NO. 05-1953-CD

-VS-

JOHN C. BEIRLAIR and OCCUPANTS

COMPLAINT IN EJECTMENT & ORDER

FILED
01/10:49 AM
FEB 03 2006
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW FEBRUARY 1, 2006 AT 11:15 AM POSTED THE WITHIN COMPLAINT IN EJECTMENT & ORDER AT 817 MARY ST., HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA FOR JOHN C. BEIRLAIR, DEFENDANT.
SERVED BY: DAVIS/MORGILLO

NOW FEBRUARY 1, 2006 AT 11:15 AM POSTED THE WITHIN COMPLAINT IN EJECTMENT & ORDER AT 817 MARY ST., HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA FOR OCCUPANT (BEIRLAIR PROPERTY).
SERVED BY: DAVIS/MORGILLO

SHFF. HAWKINS: \$31.02
SURCHARGE: \$20.00
PAID BY: ATTY.

SWORN TO BEFORE ME THIS _____ DAY OF _____ 2006

SO ANSWERS,

Chester A. Hawkins
by *Maury Harris*
CHESTER A. HAWKINS
SHERIFF

GOLDBECK McCAFFERTY & McKEEVER
JOSEPH A. GOLDBECK, JR.
Attorney I.D.#16132
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106-1532
215-627-1322
BY: David B. Fein, Esq.
Attorney I.D.#82628
Attorney for Plaintiff

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

JAN 12 2006

Attest.

William L. Shaw
Prothonotary/
Clerk of Courts

M&T MORTGAGE COMPANY S/B/M KEYSTONE
FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

vs.

JOHN C. BEIRLAIR
and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

No. 05-1953-CD

ORDER

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BY THE COURT:

/s/ Fredric J. Ammerman

J.

GOLDBECK McCAFFERTY & McKEEVER
BY: JOSEPH A. GOLDBECK, JR.
ATTORNEY I.D. #16132
SUITE 5000 MELLON INDEPENDENCE CENTER
701 Market Street
PHILADELPHIA, PA 19106
(215) 627-1322
ATTORNEY FOR PLAINTIFF

FILED 3cc snff
ICC Atty
m/12:05 em Pd \$85.00
DEC 16 2005 (LN) Atty

William A. Shaw
Prothonotary

M&T MORTGAGE COMPANY S/B/M
KEYSTONE FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

Plaintiff

vs.

JOHN C. BEIRLAIR
and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

Defendants

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

CIVIL ACTION - LAW

ACTION OF EJECTMENT

Term
No. 05-1953-C1

CIVIL ACTION: EJECTMENT

NOTICE

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814-765-9646

AVISO

LE HAN DEMANDADO A USTED EN LA CORTE. SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERESENTADAS, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA.

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211 1/2 E. Locust Street, Clearfield, PA 16830
814-765-9646
I hereby certify this to be a true and attested copy of the original statement filed in this case.

JAN 30, 2006 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

JAN 30 2006

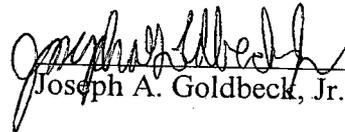
Attest.

William A. Shaw
Prothonotary/
Clerk of Courts

COMPLAINT IN EJECTMENT

1. Plaintiff is M&T MORTGAGE COMPANY S/B/M KEYSTONE FINANCIAL MORTGAGE, PO Box 1288, Buffalo, NY 14240-0840.
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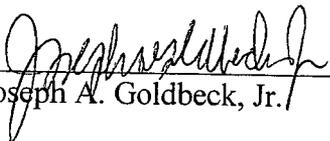


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Date: 12-15-05


Joseph A. Goldbeck, Jr.

#0009691262 -

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215-627-1322
BY: David B. Fein, Esq.
Attorney I.D.#82628
Attorney for Plaintiff

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William L. Shan
Prothonotary/
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M&T MORTGAGE COMPANY S/B/M KEYSTONE
FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

vs.

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817 Mary Street
Houtzdale, PA 16651

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

No. 05-1953-CD

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BY THE COURT:

/s/ Fredric J. Ammerman

J.

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BY: JOSEPH A. GOLDBECK, JR.
ATTORNEY I.D. #16132
SUITE 5000 MELLON INDEPENDENCE CENTER
701 Market Street
PHILADELPHIA, PA 19106
(215) 627-1322
ATTORNEY FOR PLAINTIFF

FILED 3cc snff
ICC Atty
m/12:05 am Pd \$185.00
DEC 16 2005 (LW) Atty

William A. Shaw
Prothonotary

M&T MORTGAGE COMPANY S/B/M
KEYSTONE FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

Plaintiff

vs.

JOHN C. BEIRLAIR
and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

Defendants

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY

CIVIL ACTION - LAW

ACTION OF EJECTMENT

Term
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KEYSTONE LEGAL SERVICES
211 1/2 E. Locust Street, Clearfield, PA 16830
814-765-9646

I hereby certify this to be a true and attested copy of the original statement filed in this case. **JAN. 30, 2006** Document Reinstated/Reissued to Sheriff/Attorney for service.

William A. Shaw
Deputy Prothonotary

JAN 30 2006

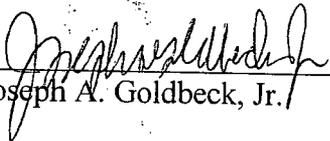
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JOHN C. BEIRLAIR MORTGAGE DESCRIPTION:

ALL and singular that certain lot or piece of ground situate in the Borough of Houtzdale, County of Clearfield, and State of Pennsylvania, bounded and described as follows: viz: Fronting on the south side of Mary Street (between Pine Alley and McAteer Street) and extending back in a southerly direction One hundred and fifty (150) feet to Bear Alley, and known as Lot No. 152, in the General Plan of the Borough of Houtzdale.

Subject to all the reservations and exceptions contained in the Deed from Dr. D. Houtz to Philips McDermott, as to the mining and removal of the coal and other minerals underlying said premises, the said deed dated May 9, 1871.

BEING identified by Clearfield County Map Assessment Number 10-M14-398-00043.

BEING the same premises which Charles R. Smith and Mae A. Smith, his wife, conveyed to John C. Beirlair by Deed dated the 3rd day of December, 1998, not yet, but intended to be recorded concurrently herewith.

GOLDBECK McCAFFERTY & McKEEVER

BY: JOSEPH A. GOLDBECK, JR.

ATTORNEY I.D. #16132

SUITE 5000 – MELLON INDEPENDENCE CENTER

701 MARKET STREET

PHILADELPHIA, PA 19106-1532

(215) 627-1322

ATTORNEY FOR PLAINTIFF

M&T MORTGAGE COMPANY S/B/M KEYSTONE
FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

vs.

JOHN C. BEIRLAIR
& OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

Defendant(s)

IN THE COURT OF COMMON
PLEAS
OF Clearfield COUNTY

CIVIL ACTION - LAW

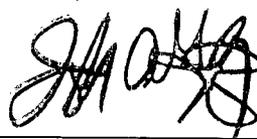
EJECTMENT

Term
No. 05-1953-CD

CERTIFICATE OF SERVICE

JOSEPH A. GOLDBECK, JR. ESQUIRE hereby certifies that on **FEB 03 2006**
he did serve upon Defendant(s) JOHN C. BEIRLAIR and OCCUPANTS a true and correct copy of the
above-captioned Complaint by certified and regular mail in accordance with the Court Order dated
January 10, 2006. The undersigned understands that the statements herein and subject to the penalties
provided by 18 P.S. Section 4904.

Respectfully submitted,



GOLDBECK McCAFFERTY & McKEEVER

BY: JOSEPH A. GOLDBECK, JR. ESQUIRE

FILED *no cc*
m 11:40 AM
FEB 06 2006 *LM*

William A. Shaw
Prothonotary/Clerk of Courts

GOLDBECK McCAFFERTY & McKEEVER

A Professional Corporation
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106-1532
www.goldbecklaw.com

November 14, 2006

PROTHONOTARY OF CLEARFIELD COUNTY

William Shaw
Prothonotary of Clearfield County
230 E. Market Street
Clearfield, PA 16830

RE: Docket Number: Term: No.: 05-1953-CD

To the Prothonotary:

Kindly file of record the enclosed Praeceptum to Discontinue and End.

A time stamped copy does **not** need to be returned to our office.

Goldbeck McCafferty & McKeever

Barbara Roach
Manager – Eviction Dept.
215-825-6319 (direct phone)
215-825-6419 (Eviction Dept. Fax)
broach@goldbecklaw.com (email)
215-627-1322 – Main Number

OK

Enclosures

cc:

GOLDBECK McCAFFERTY & McKEEVER

BY: Joseph A. Goldbeck, Jr.
Attorney I.D. #16132
Suite 5000 – Mellon Independence Center
701 Market Street
Philadelphia, PA 19106-1532
215-825-6319
Attorney for Plaintiff

M&T MORTGAGE COMPANY S/B/M
KEYSTONE FINANCIAL MORTGAGE
PO Box 1288
Buffalo, NY 14240-0840

Plaintiff

vs.

JOHN C. BEIRLAIR
and OCCUPANTS
817 Mary Street
Houtzdale, PA 16651

IN THE COURT OF COMMON PLEAS
of Clearfield County

No. 05-1953-CD

PRAECIPE TO DISCONTINUE AND END

TO THE PROTHONOTARY:

Kindly mark the above case Discontinued and Ended upon payment of your costs only.



JOSEPH A. GOLDBECK, JR., ESQUIRE

FILED
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m/21001 war
William A. Shaw
Prothonotary/Clerk of Courts