

Capital One vs Patty Prescott
2006-165-CD

06-165-CD
Capitonal One Bank vs Patty
Prescott

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

CAPITAL ONE BANK

Plaintiff

No: 06-165-CD

vs.

COMPLAINT IN CIVIL ACTION

PATTY PRESCOTT

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
04967097 C A Pit VOC

FILED
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FEB 01 2006
LM

1cc Shif
Atty pd \$5.00

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff
vs. Civil Action No
PATTY PRESCOTT
Defendant

COMPLAINT 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. 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.

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

COMPLAINT

1. Plaintiff, CAPITAL ONE BANK is a corporation with offices at 6851 JERICHO TURNPIKE #190 SYOSSET , NY 11791 .

2. Defendant is adult individual(s) residing at the address listed below:

PATTY PRESCOTT
306 S STATE ST
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number 5291151776536284 .

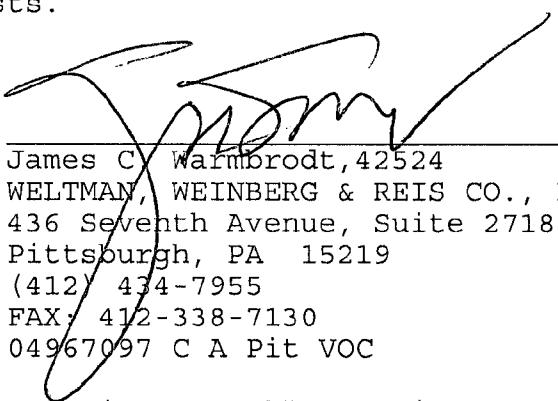
4. Defendant made use of said credit card and has a current balance due of \$3596.01 , as of January 23, 2006 .

5. Defendant is in default by failing to make monthly payments when due. As such, the entire balance is immediately due and payable to Plaintiff.

6. Plaintiff is entitled to the addition of interest at the rate of 6.000% per annum on the unpaid balance from January 23, 2006 . A copy of Plaintiff's STATEMENT OF ACCOUNT is attached hereto, marked as Exhibit "1" and made a part hereof.

7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance due to Plaintiff.

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , PATTY PRESCOTT , INDIVIDUALLY , in the amount of \$3596.01 with continuing interest thereon at the rate of 6.000% per annum from January 23, 2006 plus costs.


James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
04967097 C A Pit VOC

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

Your account is delinquent.

We want to help!

→ To protect your credit with us, you need to make a payment.

→ We can help—but only if you call us.

→ When you call, you can make a free check-by-phone payment.



Return your account to good standing.
It's up to you to take the first step.
Call us!

1-800-479-7231

074

D14-1103

CapitalOne®

GOLD MASTERCARD ACCOUNT
5291-1517-7653-6284

FEB 04 - MAR 03, 2003

Page 1 of 1

Account Summary

Previous Balance	\$2,124.04
Payments, Credits and Adjustments	\$0.00
Transactions	\$58.00
Finance Charges	\$32.94
 New Balance	 \$2,214.98
Minimum Amount Due	\$2,214.98
Payment Due Date	April 03, 2003
 Total Credit Line	 \$2,000
Total Available Credit	\$0.00
Credit Line for Cash	\$2,000
Available Credit for Cash	\$0.00

Payments, Credits and Adjustments

Transactions

1	04 FEB	OVERLIMIT FEE	\$29.00
2	03 MAR	PAST DUE FEE	29.00

At your service

To call Customer Relations or to report a lost or stolen card:

1-800-955-7070

For free online account service and special customer offers, log on to:
www.capitalone.com

Send payments to: Send inquiries to:
Attn: Remittance Processing Capital One Services
Capital One Services
P.O. Box 85147
Richmond, VA 23276 Capital One Services
P.O. Box 85015
Richmond, VA 23285-5015

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Compounding APR	FINANCE CHARGE
PURCHASES	\$2,062.14	.05423%	19.80%	\$31.32
CASH	\$106.74	.05423%	19.80%	\$1.62

ANNUAL PERCENTAGE RATE applied this period

19.80%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT. ▼

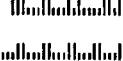
CapitalOne®

0000000 0 5291151776536284 03 2214980075002214982

New Balance	\$2,214.98
Minimum Amount Due	\$2,214.98
Payment Due Date	April 03, 2003
Total enclosed	\$ <input type="text"/>
Account Number:	5291-1517-7653-6284

Please print mailing address and/or e-mail address below using blue or black ink.

Street	Apt. #	
City	State	ZIP
Home Phone	Alternate Phone	()
Email Address		

Capital One Bank
P.O. Box 85147
Richmond, VA 23276




#9006360318744300# MAIL ID NUMBER
PATTY PRESCOTT
306 S STATE ST
DU BOIS PA 15801-1556

028733

EXHIBIT

1

Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

04057077

WEHTPA

Your account is delinquent.

We want to help!

→ To protect your credit with us, you need to make a payment.

→ We can help—but only if you call us.

→ When you call, you can make a free check-by-phone payment.



Return your account to good standing.
It's up to you to take the first step.
Call us!

1-800-479-7231

04

04-0102

CapitalOne®

GOLD MASTERCARD ACCOUNT
5291-1517-7653-6284

MAR 04 - APR 03, 2003
Page 1 of 1

Account Summary

Previous Balance	\$2,214.98
Payments, Credits and Adjustments	\$0.00
Transactions	\$58.00
Finance Charges	\$38.04
 New Balance	 \$2,311.02
Minimum Amount Due	\$2,311.02
Payment Due Date	May 03, 2003
Total Credit Line	\$2,000
Total Available Credit	\$0.00
Credit Line for Cash	\$2,000
Available Credit for Cash	\$0.00

Payments, Credits and Adjustments

Transactions

1	04 MAR	OVERLIMIT FEE	\$29.00
2	03 APR	PAST DUE FEE	29.00

You were assessed a past due fee of \$29.00 on 04/03/2003 because your minimum payment was not received by the due date of 04/03/2003. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

At your service

To call Customer Relations or to report a lost or stolen card:

1-800-955-7070

For free online account services and special customer offers, log on to:
www.capitalone.com

Send payments to: Send inquiries to:
Attn: Remittance Processing Capital One Services
Capital One Services
P.O. Box 85147
Richmond, VA 23285-5015

Finance Charges

		Please see reverse side for important information		
		Balance rate applied to	Periodic rate	Corresponding APR
		PURCHASES	.05425%	19.80%
CASH		\$2,151.87	.05425%	\$36.22
		\$108.46	.05425%	\$1.82

ANNUAL PERCENTAGE RATE applied this period

19.80%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT. ▼

CapitalOne®

0000000 0 5291151776536284 03 2311020075002311026

New Balance	\$2,311.02
Minimum Amount Due	\$2,311.02
Payment Due Date	May 03, 2003
Total enclosed	\$ <input type="text"/>
Account Number:	5291-1517-7653-6284

Please print mailing address and/or e-mail changes below using blue or black ink.

Street	Apt. #	
City	State	ZIP
Home Phone	Alternate Phone	@
Email Address		

Capital One Bank
P.O. Box 85147
Richmond, VA 23276

#9009460318744305# MAIL ID NUMBER
PATTY PRESCOTT
306 S STATE ST
DU BOIS PA 15801-1556



025111

Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is Sara Rubin
(NAME)

Agent of Capital One Bank, plaintiff herein, that
(TITLE) (COMPANY)

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.

Sara Rubin
(SIGNATURE)

WWR# 04967097

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101222
NO: 06-165-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK
vs.
DEFENDANT: PATTY PRESCOTT

SHERIFF RETURN

NOW, February 28, 2006 AT 11:00 AM SERVED THE WITHIN COMPLAINT ON PATTY PRESCOTT DEFENDANT AT WORK: 1576 BELINE HWY., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO PATTY PRESCOTT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / COUDRIET

FILED
01/09/09/06
APR 10 2006
W.A.S.
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8252268	10.00
SHERIFF HAWKINS	WELTMAN	8252268	15.00
SHERIFF HAWKINS	WELTMAN	2387413	36.82

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

*Chester A. Hawkins
by Mauler Harr*
Chester A. Hawkins
Sheriff

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

CAPITAL ONE BANK

Plaintiff No. 06-165-CD

vs. PRAECIPE TO SETTLE, DISCONTINUE
and END

PATTY PRESCOTT

Defendant

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#04967097

FILED
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disc issued to
APR 26 2006 Atty Molczan
Copy to c/14

William A. Shaw
Prothonotary

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 06-165-CD

PATTY PRESCOTT

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: W.T. Molczan

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#04967097

Sworn to and subscribed

Before me the

Day of APRIL, 2006

NOTARY PUBLIC

Notarial Seal
Wendy L. Gault, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires July 15, 2006

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Capital One Bank

Vs.
Patty Prescott

No. 2006-00165-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 26, 2006, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$85.00 have been paid in full by James C. Warmbrodt Esq..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 26th day of April A.D. 2006.



William A. Shaw, Prothonotary