

06-381-CD
Citimortgage Inc. vs Robert E. Shaw

Citimortgage et al vs Robert Shaw
2006-381-CD

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC.
1000 TECHNOLOGY DRIVE
MAIL STATION
O'FALLON, MO 63368-2240

Plaintiff

v.

ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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 twenty (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 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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 Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholic, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM
THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF
RECEIPT OF THIS PLEADING, COUNSEL FOR
PLAINTIFF WILL OBTAIN AND PROVIDE
DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRY (30) DAYS OF RECEIPT OF THIS PLEADING,
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)
THE NAME AND ADDRESS OF THE ORIGINAL
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS
COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN
TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION
OF THAT TIME. FURTHERMORE, NO REQUEST WILL
BE MADE TO THE COURT FOR A JUDGMENT UNTIL
THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU
HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF
YOU REQUEST PROOF OF THE DEBT OR THE NAME
AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS UPON
YOUR RECEIPT OF THIS COMPLAINT, THE LAW
REQUIRES US TO CEASE OUR EFFORTS (THROUGH
LITIGATION OR OTHERWISE) TO COLLECT THE DEBT
UNTIL WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY FOR
ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A
DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT
A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON
REAL ESTATE.**

1. Plaintiff is

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC.
1000 TECHNOLOGY DRIVE
MAIL STATION
O'FALLON, MO 63368-2240

2. The name(s) and last known address(es) of the Defendant(s) are:

ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 08/14/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CLEARFIELD BANK & TRUST COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage. Instrument No: 200314807. By Assignment of Mortgage recorded 01/29/04 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No: 200401343.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 11/01/2005 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$45,303.84
Interest	1,116.80
10/01/2005 through 03/09/2006	
(Per Diem \$6.98)	
Attorney's Fees	1,250.00
Cumulative Late Charges	226.49
08/14/2003 to 03/09/2006	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 48,447.13
Escrow	
Credit	0.00
Deficit	74.28
Subtotal	<u>\$ 74.28</u>
TOTAL	\$ 48,521.41

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 48,521.41, together with interest from 03/09/2006 at the rate of \$6.98 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

Francis S. Hallinan

By: /s/Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

All those certain lots or pieces of ground situate in Lawrence Township, Clearfield County, Pennsylvania, shown on the Plan of the Steel and Iron Works Addition as follows:

Block 53, Lots 9 and 10, bounded on the North by an alley; on the South by Robinson Avenue; on the West by Lot No. 8; and on the East by Fullerton Street.

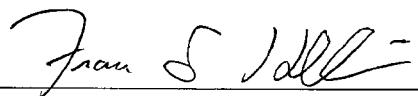
BEING the same premises conveyed to the Grantors herein by deed of Wayne E. Shaw and Mildred S. Shaw, dated August 2, 1978 and recorded in Clearfield County Deed Book 766 page 447.

PROPERTY BEING: ROBINSON & FULTON STREET

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel .

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 3/9/6

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101344
NO: 06-381-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CITIMORTGAGE, INC. s/b/m
vs.
DEFENDANT: ROBERT E. SHAW

SHERIFF RETURN

NOW, April 05, 2006 AT 7:59 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ROBERT E. SHAW DEFENDANT AT WORK: RAPID WAYS, 49 GEORGE ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT E. SHAW, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

FILED

04/04/2006
APR 24 2006

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PHELAN	488639	10.00
SHERIFF HAWKINS	PHELAN	488639	27.51

Sworn to Before Me This

So Answers,

____ Day of _____ 2006

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

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG
Identification No. 62205
One Penn Center at Suburban Station - Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

FILED Atty pd. 20.00
MAY 18 2006 ICC Notice to Def.
Statement to Atty
William A. Shaw
Prothonotary/Clerk of Courts
6K

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :
RESIDENTIAL MORTGAGE, INC.

1000 TECHNOLOGY DRIVE
MAIL STATION
O'FALLON, MO 63368-2240

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION

v.

NO. 06-381-CD

ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

:

:

:

Defendant(s).

:

**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **ROBERT E. SHAW**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 48,521.41
Interest - 3/10/06-5/17/06	\$481.62
TOTAL	<u>\$ 49,003.03</u>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 5/18/06

Will A. Shaw
PRO PROTHY

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS
RESIDENTIAL MORTGAGE, INC.

Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
ROBERT E. SHAW : NO. 06-381-CD
Defendants

TO: ROBERT E. SHAW C/O RAPID WAYS
49 GEORGE STREET
CLEARFIELD, PA 16830

DATE OF NOTICE: APRIL 26, 2006

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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 OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS
RESIDENTIAL MORTGAGE, INC.
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
ROBERT E. SHAW : NO. 06-381-CD
Defendants

TO: ROBERT E. SHAW
PO BOX 72
HYDE, PA 16843

DATE OF NOTICE: APRIL 26, 2006

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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 OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS
RESIDENTIAL MORTGAGE, INC.

Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
ROBERT E. SHAW : NO. 06-381-CD
Defendants

TO: ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

DATE OF NOTICE: APRIL 26, 2006

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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 OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :

RESIDENTIAL MORTGAGE, INC.

1000 TECHNOLOGY DRIVE

MAIL STATION

O'FALLON, MO 63368-2240

Plaintiff,

v.

ROBERT E. SHAW

ROBINSON & FULTON STREET

HYDE, PA 16843

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant ROBERT E. SHAW is over 18 years of age and resides at ROBINSON & FULTON STREET, HYDE, PA 16843.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :

RESIDENTIAL MORTGAGE, INC. :

1000 TECHNOLOGY DRIVE

MAIL STATION

O'FALLON, MO 63368-2240

Plaintiff,

v.

ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on May 18, 2006.

BY William H. Schmieg DEPUTY

If you have any questions concerning this matter, please contact:

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Citimortgage, Inc.
Principal Residential Mortgage, Inc.
Plaintiff(s)

No.: 2006-00381-CD

Real Debt: \$49,003.03

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Robert E. Shaw
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: May 18, 2006

Expires: May 18, 2011

Certified from the record this 18th day of May, 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

PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183

CITIMORTGAGE, INC., S/B/M
TO PRINCIPAL RESIDENTIAL
MORTGAGE, INC.

vs.
ROBERT E. SHAW

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-381-CD Term 2005....

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due	\$49,003.03.
Interest from MAY 17, 2006 to Sale	\$ _____.
Per diem \$8.06	
Add'l Costs	\$550.00
Prothonotary costs	125.00

Daniel H. Schmieg
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

FILED *100 accounts*
MO:1110 w/prop. descr.
MAY 18 2006 *to Shff*

William A. Shaw *Atty pd 20.00*
Prothonotary/Clerk of Courts

(6K)

No. 06-381-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CITIMORTGAGE, INC., SUB/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC.

vs.

ROBERT E. SHAW

PRAECEIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

Daniel H. Schmitz
Attorney for Plaintiff(s)

Address: ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

LEGAL DESCRIPTION

ALL those certain lots or pieces of ground situate in Lawrence Township, Clearfield County, Pennsylvania, shown on the Plan of the Steel and Iron Works Addition as follows:

Block 53, Lots 9 and 10, bounded on the North by an alley; on the South by Robinson Avenue; on the West by Lot No. 8; and on the East by Fullerton Street.

BEING the same premises conveyed to the Grantors herein by deed of Wayne E. Shaw and Mildred S. Shaw, dated August 2, 1978 and recorded in Clearfield County Deed Book 766 page 447.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Shaw, an individual, by Deed from Robert E. Shaw and Peggy L. Shaw, husband and wife, dated 12-23-86, recorded 12-24-86 in Deed Book 1130, page 581.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Shaw and Peggy L. Shaw, his wife, by Deed from Wayne E. Shaw and Mildred S. Shaw, his wife, dated 08-02-78, recorded 08-18-78 in Deed Book 766, page 447.

PREMISES BEING: ROBINSON & FULTON STREET
HYDE, PA 16843

TAX PARCEL NO. J09-623-00129

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :	
RESIDENTIAL MORTGAGE, INC.	:
1000 TECHNOLOGY DRIVE	:
MAIL STATION	:
O'FALLON, MO 63368-2240	:
Plaintiff,	:
v.	:
ROBERT E. SHAW	:
ROBINSON & FULTON STREET	:
HYDE, PA 16843	:
Defendant(s).	:

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL MORTGAGE, INC.,
 Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **ROBINSON & FULTON STREET, HYDE, PA 16843.**

1. Name and address of Owner(s) or reputed Owner(s):

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	--

ROBERT E. SHAW	ROBINSON & FULTON STREET HYDE, PA 16843
----------------	--

2. Name and address of Defendant(s) in the judgment:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	--

Same as Above

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

MAY 17, 2006
 Date

Daniel G. Schmieg
 DANIEL G. SCHMIEG, ESQUIRE
 Attorney for Plaintiff

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :
RESIDENTIAL MORTGAGE, INC. :
1000 TECHNOLOGY DRIVE : **CLEARFIELD COUNTY**
MAIL STATION : **COURT OF COMMON PLEAS**
O'FALLON, MO 63368-2240 : **CIVIL DIVISION**

Plaintiff, :
v. : **NO. 06-381-CD**

ROBERT E. SHAW :
ROBINSON & FULTON STREET :
HYDE, PA 16843 :

Defendant(s). :

AFFIDAVIT PURSUANT TO RULE 3129

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL MORTGAGE, INC.,
Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the
Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at
ROBINSON & FULTON STREET, HYDE, PA 16843.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

4. Name and address of the last recorded holder of every mortgage of record:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

5. Name and address of every other person who has any record lien on the property:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

TENANT/OCCUPANT

**ROBINSON & FULTON STREET
HYDE, PA 16843**

**DOMESTIC
RELATIONS
CLEARFIELD
COUNTY**

**CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830**

**COMMONWEALTH
OF PENNSYLVANIA**

**DEPARTMENT OF WELFARE
PO BOX 2675
HARRISBURG, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

MAY 17, 2006

Date

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :

RESIDENTIAL MORTGAGE, INC.

1000 TECHNOLOGY DRIVE

MAIL STATION

O'FALLON, MO 63368-2240

Plaintiff,

v.

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-381-CD

ROBERT E. SHAW

ROBINSON & FULTON STREET

HYDE, PA 16843

Defendant(s).

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. sec.4904 relating to unsworn falsification to authorities.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

CITIMORTGAGE, INC., S/B/M
TO PRINCIPAL RESIDENTIAL
MORTGAGE, INC.

vs.

ROBERT E. SHAW

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 06-381-CD Term 20 05
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: ROBINSON & FULTON STREET, HYDE, PA 16843
(See Legal Description attached)

Amount Due	\$49,003.03
Interest from MAY 17, 2006 to Sale per diem \$8.06	\$-----
Total	\$----- 125.00
Add'l Costs	\$550.00

Prothonotary costs

Willie L. Hause
(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 5/18/06
(SEAL)

No. 06-381-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CITIMORTGAGE, INC., SB/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC.

vs.

ROBERT E. SHAW

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs	
Real Debt	\$49,003.03
 Int. from MAY 17, 2006 To Date of Sale (\$8.06 per diem)	
Costs	
Prothy Pd.	<u>125.00</u>
Sheriff	

Daniel D. Johnson
Attorney for Plaintiff(s)

Address: ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

LEGAL DESCRIPTION

ALL those certain lots or pieces of ground situate in Lawrence Township, Clearfield County, Pennsylvania, shown on the Plan of the Steel and Iron Works Addition as follows:

Block 53, Lots 9 and 10, bounded on the North by an alley; on the South by Robinson Avenue; on the West by Lot No. 8; and on the East by Fullerton Street.

BEING the same premises conveyed to the Grantors herein by deed of Wayne E. Shaw and Mildred S. Shaw, dated August 2, 1978 and recorded in Clearfield County Deed Book 766 page 447.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Shaw, an individual, by Deed from Robert E. Shaw and Peggy L. Shaw, husband and wife, dated 12-23-86, recorded 12-24-86 in Deed Book 1130, page 581.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Shaw and Peggy L. Shaw, his wife, by Deed from Wayne E. Shaw and Mildred S. Shaw, his wife, dated 08-02-78, recorded 08-18-78 in Deed Book 766, page 447.

PREMISES BEING: ROBINSON & FULTON STREET
HYDE, PA 16843

TAX PARCEL NO. J09-623-00129

WILLIAM A. SHAW

PROTHONOTARY
and CLERK of COURTS

P.O. BOX 549

CLEARFIELD, PENNSYLVANIA 16830

FILED

2006
MAY 25 2006

William A. Shaw
Prothonotary/Clerk of Courts

remailed to
PO Box 72
Hyde PA 16843

A
 C
 S

INSUFFICIENT ADDRESS
 ATTEMPTED NOT KNOWN
 NO SUCH NUMBER/ STREET
 NOT DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD

RTS
Hasler

016H16505405

\$00.630
05/18/2006

Mailed From 16830

US POSTAGE

Robert E. Shaw
Robinson & Fullton Street

This mail piece is being returned to you as a
courtesy because the address you are mailing to
is incorrect. Please update your records, and
re-mail using the correct mailing address:
PO Box 72
HYDE, PA 16843

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG
Identification No. 62205
One Penn Center at Suburban Station - Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

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

MAY 18 2006

Attest.

William Schmieg
Prothonotary/
Clerk of Courts

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :
RESIDENTIAL MORTGAGE, INC.

1000 TECHNOLOGY DRIVE
MAIL STATION
O'FALLON, MO 63368-2240

Plaintiff,

v.

ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

Defendant(s).

**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **ROBERT E. SHAW**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 48,521.41
Interest - 3/10/06-5/17/06	\$481.62
TOTAL	<u>\$ 49,003.03</u>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 5/18/06

William Schmieg
PRO PROTHY

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS
RESIDENTIAL MORTGAGE, INC.

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

ROBERT E. SHAW : NO. 06-381-CD
Defendants

TO: ROBERT E. SHAW C/O RAPID WAYS
49 GEORGE STREET
CLEARFIELD, PA 16830

DATE OF NOTICE: APRIL 26, 2006

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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 OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS
RESIDENTIAL MORTGAGE, INC.

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

ROBERT E. SHAW : NO. 06-381-CD
Defendants

TO: ROBERT E. SHAW
PO BOX 72
HYDE, PA 16843

DATE OF NOTICE: APRIL 26, 2006

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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 OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS
RESIDENTIAL MORTGAGE, INC.

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

ROBERT E. SHAW : NO. 06-381-CD
Defendants

TO: ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

DATE OF NOTICE: APRIL 26, 2006

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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 OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :

RESIDENTIAL MORTGAGE, INC.

1000 TECHNOLOGY DRIVE

MAIL STATION

O'FALLON, MO 63368-2240

Plaintiff,

v.

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-381-CD

ROBERT E. SHAW

ROBINSON & FULTON STREET

HYDE, PA 16843

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on May 18, 2006.

BY Will Schmieg DEPUTY
SK

If you have any questions concerning this matter, please contact:

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :

RESIDENTIAL MORTGAGE, INC.

1000 TECHNOLOGY DRIVE

MAIL STATION

O'FALLON, MO 63368-2240

Plaintiff,

v.

: CLEARFIELD COUNTY

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: NO. 06-381-CD

ROBERT E. SHAW

ROBINSON & FULTON STREET

HYDE, PA 16843

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant **ROBERT E. SHAW** is over 18 years of age and resides at **ROBINSON & FULTON STREET, HYDE, PA 16843**.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Citimortgage, Inc., s/b/m to Principal Residential
Mortgage, Inc. : Court of Common Pleas

Plaintiff : Civil Division

vs. : Clearfield County

Robert E. Shaw : No. 06-381-CD

Defendant

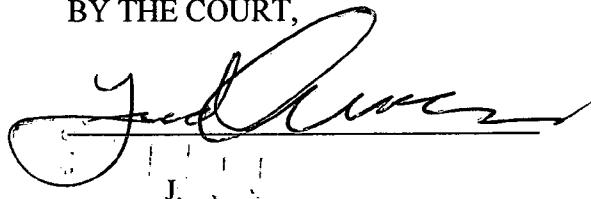
ORDER

AND NOW, this 28th day of August 2006, upon consideration of Plaintiff's Motion to Reassess Damages, a Rule is hereby issued upon Defendant to appear and show cause why the motion should not be granted.

Argument is scheduled for the 13th day of September 2006, at 3:00 ^{P.M.} in Courtroom No.

1 in the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,



J.

FILED
01/22/07 1CC
AUG 29 2006 Atty Bradford
6P

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 8/29/06

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

FILED

AUG 29 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

Citimortgage, Inc., s/b/m to Principal Residential
Mortgage, Inc.

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Robert E. Shaw

: No. 06-381-CD

Defendant

ORDER

AND NOW, this _____ day of _____, 2006 the Prothonotary is ORDERED to amend
the judgment in this case as follows:

Principal Balance	\$45,303.84
Interest Through 9/1/06	2,335.96
Per Diem \$6.98	
Late Charges	350.03
Legal fees	1,250.00
Cost of Suit and Title	962.50
Sheriff's Sale Costs	0.00
Property Inspections	45.00
Appraisal/BPO	95.00
MIP/PMI	0.00
NSF	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>303.15</u>
 TOTAL	 \$50,645.48

Plus interest from 9/1/06 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT

J.

132140

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire
Atty. I.D. No. 69849
One Penn Center, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Citimortgage, Inc., s/b/m to Principal Residential
Mortgage, Inc.

ATTORNEY FOR PLAINTIFF

Plaintiff : Court of Common Pleas
vs. : Civil Division
Robert E. Shaw : Clearfield County
Defendant : No. 06-381-CD

PLAINTIFF'S MOTION TO REASSESS DAMAGES

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on March 10, 2006, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".
2. Judgment was entered on May 18, 2006 in the amount of \$49,003.03. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".
3. The Property is listed for Sheriff's Sale on September 1, 2006. However, in the event this motion has not been heard by this Honorable Court by that date, Plaintiff may continue the sale in accordance with Pennsylvania Rule of Civil Procedure 3129.3.

FILED NO CC
M 10 46 2006
AUG 25 2006

BS
William A. Shaw
Prothonotary/Clerk of Courts

4. Additional sums have been incurred or expended on Defendant's behalf since the Complaint was filed and Defendant has been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$45,303.84
Interest Through 9/1/06	2,335.96
Per Diem \$6.98	
Late Charges	350.03
Legal fees	1,250.00
Cost of Suit and Title	962.50
Sheriff's Sale Costs	0.00
Property Inspections	45.00
Appraisal/BPO	95.00
MIP/PMI	0.00
NSF	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>303.15</u>
TOTAL	\$50,645.48

5. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

6. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the

figures set forth above in the amount of judgment against the Defendant.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

Date: 8/21/06

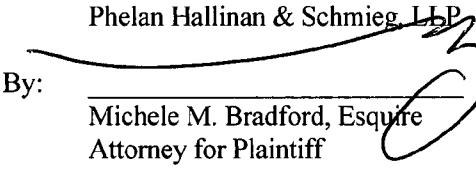
Phelan Hallinan & Schmiege, LLP
By: 
Michele M. Bradford, Esquire
Attorney for Plaintiff

Exhibit “A”

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000.

ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC.
1000 TECHNOLOGY DRIVE
MAIL STATION
O'FALLON, MO 63368-2240

Plaintiff

v.

ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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 twenty (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 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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 Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholic, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

We hereby certify the
within to be a true and
correct copy of the
original filed of record

ATTORNEY FILE COPY
PLEASE RETURN

FILED
MAR 10 2006
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC.
1000 TECHNOLOGY DRIVE
MAIL STATION
O'FALLON, MO 63368-2240

Plaintiff

v.

ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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 twenty (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 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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 Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM
THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF
RECEIPT OF THIS PLEADING, COUNSEL FOR
PLAINTIFF WILL OBTAIN AND PROVIDE
DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING,
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)
THE NAME AND ADDRESS OF THE ORIGINAL
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS
COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN
TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION
OF THAT TIME. FURTHERMORE, NO REQUEST WILL
BE MADE TO THE COURT FOR A JUDGMENT UNTIL
THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU
HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF
YOU REQUEST PROOF OF THE DEBT OR THE NAME
AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS UPON
YOUR RECEIPT OF THIS COMPLAINT, THE LAW
REQUIRES US TO CEASE OUR EFFORTS (THROUGH
LITIGATION OR OTHERWISE) TO COLLECT THE DEBT
UNTIL WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY FOR
ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A
DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT
A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON
REAL ESTATE.**

1. Plaintiff is

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC.
1000 TECHNOLOGY DRIVE
MAIL STATION
OFALLON, MO 63368-2240

2. The name(s) and last known address(es) of the Defendant(s) are:

ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 08/14/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CLEARFIELD BANK & TRUST COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage. Instrument No: 200314807. By Assignment of Mortgage recorded 01/29/04 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No: 200401343.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 11/01/2005 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$45,303.84
Interest 10/01/2005 through 03/09/2006 (Per Diem \$6.98)	1,116.80
Attorney's Fees	1,250.00
Cumulative Late Charges 08/14/2003 to 03/09/2006	226.49
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 48,447.13
Escrow	
Credit	0.00
Deficit	74.28
Subtotal	<u>\$ 74.28</u>
TOTAL	\$ 48,521.41

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 48,521.41, together with interest from 03/09/2006 at the rate of \$6.98 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By:

/s/ Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

All those certain lots or pieces of ground situate in Lawrence Township, Clearfield County, Pennsylvania, shown on the Plan of the Steel and Iron Works Addition as follows:

Block 53, Lots 9 and 10, bounded on the North by an alley; on the South by Robinson Avenue; on the West by Lot No. 8; and on the East by Fullerton Street.

BEING the same premises conveyed to the Grantors herein by deed of Wayne E. Shaw and Mildred S. Shaw, dated August 2, 1978 and recorded in Clearfield County Deed Book 766 page 447.

PROPERTY BEING: ROBINSON & FULTON STREET

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel .

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Francis S. Hallinan

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 3/9/6

Exhibit “B”

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG
Identification No. 62205
One Penn Center at Suburban Station - Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814 Attorney for Plaintiff
(215) 563-7000

FILED
MAY 18 2006
William A. Shaw
Prothonotary/Clerk of Courts

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL :
RESIDENTIAL MORTGAGE, INC. :

1000 TECHNOLOGY DRIVE : CLEARFIELD COUNTY
MAIL STATION : COURT OF COMMON PLEAS

O'FALLON, MO 63368-2240 :

CIVIL DIVISION

Plaintiff, :

NO. 06-381-CD

v.

ROBERT E. SHAW :
ROBINSON & FULTON STREET :
HYDE, PA 16843 :

Defendant(s). :

ATTORNEY FILE COPY
PLEASE RETURN

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against ROBERT E. SHAW, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 48,521.41
Interest - 3/10/06-5/17/06	\$481.62
TOTAL	<u>\$49,003.03</u>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

ATTORNEY FILE COPY
PLEASE RETURN

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 5/18/06

CCP
PRO PROTHY

PLAINTIFF 132140

VERIFICATION

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

DATE: 8/24/02

By:

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire
Atty. I.D. No. 69849
One Penn Center, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Citimortgage, Inc., s/b/m to Principal Residential
Mortgage, Inc.

ATTORNEY FOR PLAINTIFF

Plaintiff : Court of Common Pleas
vs. : Civil Division
Robert E. Shaw : Clearfield County
Defendant : No. 06-381-CD

CERTIFICATION OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages and Brief
in Support thereof were sent to the following individual on the date indicated below.

Robert E. Shaw
Robinson & Fulton Street
Hyde, PA 16843

Robert E. Shaw
P.O. Box 72
Hyde, PA 16843

Robert E. Shaw
Rapid Ways
49 George Street
Clearfield PA 16830

DATE: 8/24/06

By:

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

**CITIMORTGAGE, INC. S/B/M
TO PRINCIPAL RESIDENTIAL
MORTGAGE, INC.**

: CLEARFIELD County

:

: Court of Common Pleas

:

: CIVIL DIVISION

:

: NO. 06-381-CD

:

: PHS # 132140

:

:

Defendant(s)

**PRAECIPE TO VACATE JUDGMENT
AND MARK CASE DISCONTINUED AND ENDED
WHITOUT PREJUDICE**

TO THE PROTHONOTARY:

Kindly vacate the Judgment which was entered against ROBERT E. SHAW, Defendant, in the amount of \$ 49, 003.03 relative to the instant matter and mark this case discontinued and ended, without prejudice, upon payment of your costs only.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Dated: September 5, 2006

FILED

SEP 06 2006
m13:551att, Schmieg
William A. Shaw pd 7.00
Prothonotary/Clerk of Courts
(2) Discon. to Atty.

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

CIVIL DIVISION

**Citimortgage, Inc.
Principal Residential Mortgage, Inc.**

Vs. **No. 2006-00381-CD**
Robert E. Shaw

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 September 6, 2006, marked:

Vacated, Discontinued and Ended

Record costs in the sum of \$132.00 have been paid in full by Daniel Schmieg, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 6th day of September A.D. 2006.

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20356
NO: 06-381-CD

PLAINTIFF: CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL MORTGAGE, INC.
VS.
DEFENDANT: ROBERT E. SHAW

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 05/18/2006

LEVY TAKEN 06/07/2006 @ 9:01 AM

POSTED 06/07/2006 @ 9:01 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 01/08/2007

DATE DEED FILED **NOT SOLD**

FILED
018:55AM
JAN 08 2007
JS

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

06/14/2006 @ 11:04 AM SERVED ROBERT E. SHAW

SERVED ROBERT E. SHAW, DEFENDANT, AT HIS RESIDENCE 1404 LAWHEAD STREET, HYDE, CLEARFIELD COUNTY, PENNSYLVANIA
BY HANDING TO ROBERT E. SHAW

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE
LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, AUGUST 3, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED
FOR AUGUST 4, 2006 TO SEPTEMBER 1, 2006.

@ SERVED

NOW, AUGUST 31, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR
SEPTEMBER 1, 2006.

@ SERVED

NOW, JANUARY 8, 2007 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20356
NO: 06-381-CD

PLAINTIFF: CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL MORTGAGE, INC.
vs.
DEFENDANT: ROBERT E. SHAW

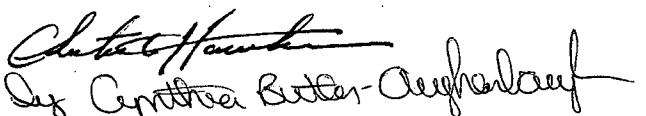
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$186.14

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,


by Cynthia Butler-Aughorst
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

CITIMORTGAGE, INC., S/B/M
TO PRINCIPAL RESIDENTIAL
MORTGAGE, INC.

vs.

ROBERT E. SHAW

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 06-381-CD Term 20 05
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: ROBINSON & FULTON STREET, HYDE, PA 16843
(See Legal Description attached)

Amount Due	\$49,003.03
Interest from MAY 17, 2006 to Sale per diem \$8.06	\$-----
Total	\$-----
Add'l Costs	\$550.00
	125.00 Prothonotary costs

Robert E. Shaw
(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 5/18/06
(SEAL)

Received May 18 2006 @ 3:00 P.M.
Chester A. Waukeas
by Cynthia Butler-Aylenburg

No. 06-381-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC.

vs.

ROBERT E. SHAW

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$49,003.03

Int. from MAY 17, 2006
To Date of Sale (\$8.06 per diem)

Costs _____

Prothy Pd. 125.00

Sheriff

Robert E. Shaw

Attorney for Plaintiff(s)

Address: ROBERT E. SHAW
ROBINSON & FULTON STREET
HYDE, PA 16843

LEGAL DESCRIPTION

ALL those certain lots or pieces of ground situate in Lawrence Township, Clearfield County, Pennsylvania, shown on the Plan of the Steel and Iron Works Addition as follows:

Block 53, Lots 9 and 10, bounded on the North by an alley; on the South by Robinson Avenue; on the West by Lot No. 8; and on the East by Fullerton Street.

BEING the same premises conveyed to the Grantors herein by deed of Wayne E. Shaw and Mildred S. Shaw, dated August 2, 1978 and recorded in Clearfield County Deed Book 766 page 447.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Shaw, an individual, by Deed from Robert E. Shaw and Peggy L. Shaw, husband and wife, dated 12-23-86, recorded 12-24-86 in Deed Book 1130, page 581.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Shaw and Peggy L. Shaw, his wife, by Deed from Wayne E. Shaw and Mildred S. Shaw, his wife, dated 08-02-78, recorded 08-18-78 in Deed Book 766, page 447.

PREMISES BEING: ROBINSON & FULTON STREET
HYDE, PA 16843

TAX PARCEL NO. J09-623-00129

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME ROBERT E. SHAW

NO. 06-381-CD

NOW, January 06, 2007, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of Robert E. Shaw to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	15.00	DEBT-AMOUNT DUE	49,003.03
MILEAGE	15.00	INTEREST @ 8.0600	(5,903,530.8
LEVY	3.56	FROM 05/17/2006 TO	
MILEAGE POSTING	15.00	PROTH SATISFACTION	
CSDS COMMISSION	10.00	LATE CHARGES AND FEES	
POSTAGE	0.00	COST OF SUIT-TO BE ADDED	550.00
HANDBILLS	5.46	FORECLOSURE FEES	
DISTRIBUTION	15.00	ATTORNEY COMMISSION	
ADVERTISING	25.00	REFUND OF ADVANCE	
ADD'L SERVICE DEED	15.00	REFUND OF SURCHARGE	20.00
ADD'L POSTING		SATISFACTION FEE	
ADD'L MILEAGE	3.56	ESCROW DEFICIENCY	
ADD'L LEVY		PROPERTY INSPECTIONS	
BID/SETTLEMENT AMOUNT		INTEREST	
RETURNS/DEPUTIZE		MISCELLANEOUS	
COPIES		TOTAL DEBT AND INTEREST	(\$5,853,957.85)
	15.00		
	5.00		
BILLING/PHONE/FAX	5.00	COSTS:	
CONTINUED SALES	20.00	ADVERTISING	335.14
MISCELLANEOUS		TAXES - COLLECTOR	
TOTAL SHERIFF COSTS	\$186.14	TAXES - TAX CLAIM	
		DUE	
		LIEN SEARCH	200.00
		ACKNOWLEDGEMENT	
DEED COSTS:		DEED COSTS	0.00
ACKNOWLEDGEMENT		SHERIFF COSTS	186.14
REGISTER & RECORDER		LEGAL JOURNAL COSTS	216.00
TRANSFER TAX 2%	0.00	PROTHONOTARY	125.00
TOTAL DEED COSTS	\$0.00	MORTGAGE SEARCH	80.00
		MUNICIPAL LIEN	
		TOTAL COSTS	\$1,142.28

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

Law Offices
PHELAN HALLINAN & SCHMIEG, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Christine.Schoffler@fedphe.com

Christine Schoffler
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

August 3, 2006

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

**Re: CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL
MORTGAGE, INC. v. ROBERT E. SHAW
No. 06-381-CD
ROBINSON & FULTON STREET, HYDE, PA 16843**

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for AUGUST 10, 2006.

The property is to be relisted for the SEPTEMBER 1, 2006 Sheriff's Sale.

Very truly yours,
CQS
Christine Schoffler

VIA TELECOPY (814) 765-5915

Law Offices
PHELAN HALLINAN & SCHMIEG, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Christine.Schoffler@fedphe.com

CHRISTINE SCHOFFLER
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

August 31, 2006

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: **CITIMORTGAGE, INC., S/B/M TO PRINCIPAL
RESIDENTIAL MORTGAGE, INC. v. ROBERT E. SHAW
No. 06-381-CD
ROBINSON & FULTON STREET, HYDE, PA 16843**

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for , return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

Please be further advised that no consideration was reported to have been received by our office.

Very truly yours,

Christine Schoffler