

06-642-CD  
Citibank vs Robert C. Tubbs

2006-642-CD  
Citibank vs Robert Tubbs

BURTON NEIL & ASSOCIATES, P.C.  
By: Burton Neil, Esquire  
Identification No. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
(610) 696-2120  
Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA) N.A.  
701 East 60th Street North, Sioux Falls, SD  
Plaintiff  
v.

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

ROBERT C TUBBS  
107 Bailey Road, Curwensville PA 16833-1201  
Defendant

: NO. *06-642-CD*

: CIVIL ACTION - LAW

**COMPLAINT  
NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claim set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A  
LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH  
BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU  
WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU  
WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE  
PERSONS AT A REDUCED FEE OR NO FEE.**

LAWYER REFERENCE AND  
INFORMATION SERVICE  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
Telephone No. 814-765-2641 Ext. 5982

C-9277

**FILED** *12:21:30* *APR 24 2006* *Atty pd. 85.00*  
*W.A. Shaw*  
William A. Shaw  
Prothonotary/Clerk of Courts



BURTON NEIL & ASSOCIATES, P.C.  
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West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

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701 East 60th Street North, Sioux Falls, SD  
Plaintiff

: IN THE COURT OF COMMON PLEAS

v.

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO.

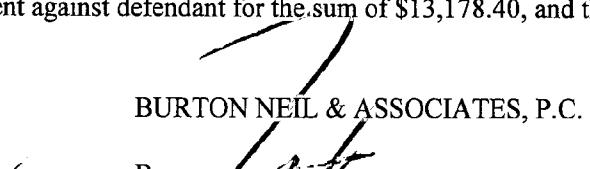
ROBERT C TUBBS  
107 Bailey Road, Curwensville PA 16833-1201  
Defendant

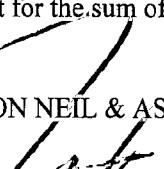
: CIVIL ACTION - LAW

**Complaint**

1. Plaintiff is Citibank (South Dakota) N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.
2. Defendant is Robert C Tubbs, who resides at 107 Bailey Road, Curwensville, Clearfield County, Pennsylvania.
3. Plaintiff is a national banking association, engaged in various types of banking business including consumer lending through the issuance of credit cards.
4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180070383762 hereinafter referred to as the credit card account.
5. Plaintiff kept accurate running records of all debits and credits to the account.
6. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.
7. Before plaintiff mailed Exhibit A, defendant had for many months made payments on account of the billing statement or retained the statement without payment.
8. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$13,178.40 which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, plaintiff demands judgment against defendant for the sum of \$13,178.40, and the costs of this action.

  
BURTON NEIL & ASSOCIATES, P.C.

By: 

Burton Neil, Esquire

The law firm of Burton Neil & Associates, P.C. is a debt collector.

03/20/06

\$13178.40

\$1250.73

SITE:KC-CL

TM:CO-5000

ACID:ROB0554

03/14/06

22:32:09:

ROBERT C TUBBS  
 JUDITH W TUBBS  
 107 BAILEY RD  
 CURWENSVILLE  
 16833-1201000

PA

CITI CARDS  
 PO BOX 183066  
 COLUMBUS, OH  
 43218-3066

C-927

**Citi® Driver's Edge®  
 Platinum Select® Card-Charter Rbts**

Account Number

5424 1800 7038 3762



## Customer Service:

1-800-866-9900	Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
BOX 6500 SIOUX FALLS, SD 57117	\$25000	\$0	\$10500	\$0	\$13178.40
	Statement/ Closing Date	Amount Over Credit Line	Past Due	Purch/Adv Minimum Due	Minimum Amount Due
	02/22/2006	\$0.00 +	\$921.12 +	\$329.61 =	\$1250.73

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
2/22			Standard Purch LATE FEE - JAN PAYMENT PAST DUE 66 0000 PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	35.00 0000000000 189.63 0000000000
2/22			Standard Adv ADVANCES*FINANCE CHARGE*PERIODIC RATE 84 0000	42.37 0000000000
2/22			Balance Transfer - Charged To Offer 4 PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	92.61 0000000000

Your account is now 3 MONTHS PAST DUE and currently closed. Please call the toll-free number shown above to learn about our special payment options. Call Monday - Friday, 7 am to 9 pm, or Saturday, 8 am to 5 pm, Central Time.

EXHIBIT

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$11,145.46	\$35.00	\$0.00	\$282.24	\$11,462.70
ADVANCES	\$1,673.33	\$0.00	\$0.00	\$42.37	\$1,715.70
TOTAL	\$12,818.79	\$35.00	\$0.00	\$324.61	\$13,178.40

Days This Billing Period: 29

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$7,579.49	0.08627%(D)	31.490%	31.490%
Offer 4	\$3,701.63	0.08627%(D)	31.490%	31.490%
ADVANCES				
Standard Adv	\$1,693.70	0.08627%(D)	31.490%	31.490%

## Verification

I, Anthony Draper am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff Citibank (South Dakota) N.A. retained to perform services including but not primarily limited to collecting delinquent debt. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc. (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.

Date: 3-21-2006

Signature: Anthony Draper

Attala County Sheriff

**FILED**

APR 24 2006

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101477  
NO: 06-642-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.  
vs.  
DEFENDANT: ROBERT C. TUBBS

**SHERIFF RETURN**

NOW, May 04, 2006 AT 2:01 PM SERVED THE WITHIN COMPLAINT ON ROBERT C. TUBBS DEFENDANT AT 107 BAILEY ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JUDY TUBBS, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

**FILED**  
05/21/2006  
MAY 19 2006  
WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	21639	10.00
SHERIFF HAWKINS	NEIL	21639	23.34

Sworn to Before Me This

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

So Answers,

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

**FILED**

**MAY 19 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

BURTON NEIL & ASSOCIATES, P.C.  
BY: Burton Neil, Esquire  
Identification No. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
ATTORNEY FOR: Plaintiff

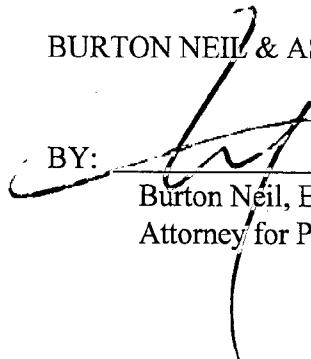
CITIBANK (SOUTH DAKOTA) N.A. : IN THE COURT OF COMMON PLEAS  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
VS. : NO. 06-642-CD  
ROBERT C TUBBS : CIVIL ACTION - LAW  
Defendant

PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Kindly discontinue the above-captioned action without prejudice.

BURTON NEIL & ASSOCIATES, P.C.

BY: 

Burton Neil, Esquire  
Attorney for Plaintiff

The law firm of Burton Neil & Associates is a debt collector.

C-9277

FILED  
m/144 cm  
JUN 12 2006  
WM  
William A. Shaw  
Prothonotary

CC + 1 Cert of  
disc issued to  
Atty Neil



FILED

JUN 12 2006

William A. Shaw  
Prothonotary

**LAW OFFICES**  
**BURTON NEIL & ASSOCIATES, P.C.**  
1060 ANDREW DRIVE, SUITE 170  
WEST CHESTER, PENNSYLVANIA 19380  
610-696-2120  
Facsimile 610-696-4111  
Email: Burton.Neil@burt-law.com

June 8, 2006

Refer to File #  
C-9277

Burton Neil  
Edward J. O'Brien  
Jay H. Pressman  
Yale D. Weinstein

Clearfield County Prothonotary  
1 North Second Street  
Clearfield, PA 16830

RE: Citibank South Dakota, NA v. Robert C Tubbs  
Docket No. 06-642-CD

### **Documents for Filing**

Enclosed please find a Praeclipe to Discontinue for filing. Please file the original and return a copy to our office in the enclosed envelope. A check for your fees is enclosed.

BURTON NEIL & ASSOCIATES

Enclosure

The law firm of Burton Neil & Associates is a debt collector.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Citibank (South Dakota) N.A.

Vs.  
**Robert C. Tubbs**

No. 2006-00642-CD

**CERTIFICATE OF DISCONTINUATION**

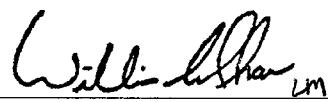
Commonwealth of PA  
County of Clearfield

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 June 12, 2006, marked:

Discontinued without prejudice

Record costs in the sum of \$85.00 have been paid in full by Burton Neil Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 12th day of June A.D. 2006.

  
\_\_\_\_\_  
William A. Shaw, Prothonotary