

06-824-CD

Bank of America vs Michael Giuffre

Bank of America vs. Michael Giuffre
2006-824-CD

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

BANK OF AMERICA, N.A., (USA)
4161 Piedmont Parkway, Greensboro, NC
Plaintiff

v.

MICHAEL R GIUFFRE
2104 Pleasant Lane, Clearfield PA 16830-1155
Defendant

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
: NO. 06-824-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

FILED pd 85.00 Atty
m/1:30 pm ICC Shff
MAY 25 2006 NuCC.
WS

William A. Shaw
Prothonotary

72736

BURTON NEIL & ASSOCIATES, P.C.
By: Burton Neil, Esquire, ID #11348
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120
Attorney for Plaintiff

BANK OF AMERICA, N.A., (USA)
4161 Piedmont Parkway, Greensboro, NC 27410
Plaintiff

v.

MICHAEL R GIUFFRE
2104 Pleasant Lane, Clearfield PA 16830-1155
Defendant

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
: NO.
: CIVIL ACTION - LAW

Complaint

1. The plaintiff is Bank of America, N.A. (USA), a national banking association with place of business located at 4161 Piedmont Parkway, Greensboro, North Carolina.
2. The defendant is Michael R Giuffre, who resides at 2104 Pleasant Lane, Clearfield, Clearfield County, Pennsylvania.
3. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 4305500025920003 hereinafter referred to as the credit card account.
4. The defendant accepted and used the credit card account by making purchases, balance transfers and/or cash advances.
5. Monthly statements were sent to defendant each month by plaintiff which detailed the charges and credits made to the credit card account for the prior month.
6. The balance due for the charges made by the defendant including any late or finance charges is \$12,388.37.
7. Defendant did not pay the balance due on the credit card account in full upon receipt of the monthly billing statements and also did not make the required minimum monthly payment set forth in the monthly billing statement. As such, defendant is in default on the credit card account.
8. Although demand has been made by plaintiff upon defendant to pay the sum of \$12,388.37, the defendant failed and refused to pay all or any part thereof.

Wherefore, plaintiff demands judgment against the defendant in the sum of \$12,388.37 and the costs of this action.

BURTON NEIL & ASSOCIATES, P.C.

BY:

Burton Neil, Esquire
Attorney for Plaintiff

Verification

Constance Curtis is a litigation assistant for Bank of America N.A. (USA), the within plaintiff in this action. He/she verifies that the statements of fact made in the foregoing pleading are true and correct to the best of his/her knowledge and belief. The undersigned understands 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: 5/3/06

Constance Curtis
Name

Michael R Giuffre
4305500025920003

DOCUMENTS FOR FILING

OUR FILE: 72736
DATE: May 19, 2006

TO: Clearfield County Prothonotary
1 North Second Street
Clearfield, PA 16830

RE: Bank of America, N.A. v. Michael R Giuffre

The following is enclosed for filing: Complaint

- Please file the original
- Return a time-stamped copy to us in the envelope provided
- Forward all remaining documents to the Sheriff for processing.

Our check for your fee is enclosed.

Thank you,

BURTON NEIL & ASSOCIATES, P.C.
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120

P \$85.00
S \$100.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101575
NO. 06-824-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: BANK OF AMERICA, N.A.
VS.
DEFENDANT: MICHAEL R. GIUFFRE

SHERIFF RETURN

NOW, June 12, 2006 AT 9:45 AM SERVED THE WITHIN COMPLAINT ON MICHAEL R. GIUFFRE DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LINDA GIUFFRE, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HAWKINS /

FILED
0/2/25 LM
JUN 15 2006
LM

William A. Shaw
Prothonotary

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	22818	10.00
SHERIFF HAWKINS	NEIL	22818	21.00

Sworn to Before Me This

____ Day of _____ 2006

So Answers,


Chester A. Hawkins
Sheriff

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

BANK OF AMERICA, N.A. (USA)
4161 Piedmont Parkway
Greensboro, NC
Plaintiff

vs. : No. 06-824-CD

MICHAEL R. GIUFFRE
2104 Pleasant Lane
Clearfield, PA 16830-1155
Defendant

CASE NUMBER: No. 06-824-CD

TYPE OF CASE: Civil

TYPE OF PLEADING: NOTICE OF MILITARY DUTY and
CERTIFICATE OF SERVICE

FILED ON BEHALF OF: Defendant

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
207 E. Market Street
Clearfield, PA 16830
(814) 765-1581

FILED 2cc
06/28/06 Atty Gearhart
JUN 28 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

BANK OF AMERICA, N.A. (USA)
4161 Piedmont Parkway
Greensboro, NC
Plaintiff

vs.

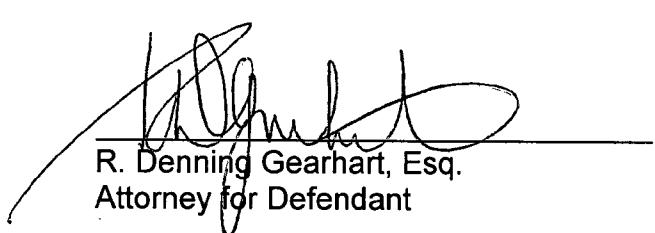
No. 06-824-CD

MICHAEL R. GIUFFRE
2104 Pleasant Lane
Clearfield, PA 16830-1155
Defendant

NOTICE OF MILITARY DUTY

TO THE PROTHONOTARY OF SAID COURT:

The above captioned Defendant, Michael R. Giuffre, is an active member of the United States Navy, and hereby asserts his rights under the Soldiers and Sailors' Civil Relief Act of Congress of 1904 and its amendments, 50 U.S.C. App. Sec. 501 et. seq.


R. Denning Gearhart, Esq.
Attorney for Defendant

Dated: June 28, 2006

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

BANK OF AMERICA, N.A. (USA)
4161 Piedmont Parkway
Greensboro, NC

Plaintiff

vs.

No. 06-824-CD

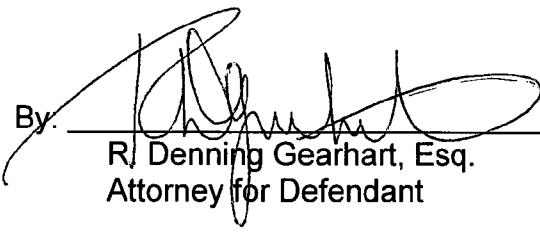
MICHAEL R. GIUFFRE
2104 Pleasant Lane
Clearfield, PA 16830-1155

Defendant

CERTIFICATE OF SERVICE

This is to certify that the undersigned has on this date served a certified copy of the Notice of Military Duty filed in the above captioned matter on the Plaintiff through Plaintiff's attorney by depositing such documents in the United States Mail postage prepaid and addressed as follows:

Burton Neil & Associates, P.C.
1060 Andrew Drive, Suite 170
West Chester, PA 19380
Attention: Burton Neil, Esq.

By: 

R. Denning Gearhart, Esq.
Attorney for Defendant

Dated: June 28, 2006

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
NO. 06-824-CD CIVIL DIVISION

BANK OF AMERICA, N.A. (USA) Plaintiff

vs.

MICHAEL R. GIUFFRE, Defendant

NOTICE OF MILITARY DUTY
AND CERTIFICATE OF SERVICE

FILED

JUN 28 2006

William A. Shaw
Prothonotary/Clerk of Courts

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

Burton Neil & Associates, P.C.
By: Burton Neil, Esquire ID. NO. 11348
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120
Attorney for Plaintiff

BANK OF AMERICA, N.A. (USA)
Plaintiff

v.

MICHAEL R GIUFFRE
Defendant

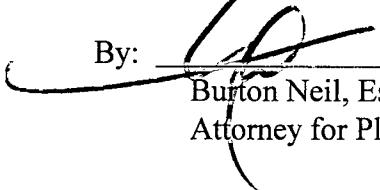
: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
: NO. 06-824-cd
: CIVIL ACTION - LAW

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.

72736

FILED IC&C Cert
of disc issued
1/21/07 un to Atty Neil
JAN 22 2007 un

William A. Shaw
Prothonotary/Clerk of Courts

Burton Neil
Edward J. O'Brien
Yale D. Weinstein
Derek C. Blasker
Brit J. Suttell
Neil Sarker

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
January 18, 2007

Refer to File #
72736

Clearfield County Prothonotary
1 North Second Street
Clearfield, PA 16830

RE: Bank Of America, N.A. v. Michael R Giuffre
Docket No. 06-824-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, P.C.

Enclosure
Check

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

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Bank of America N.A. (USA)

Vs. **No. 2006-00824-CD**
Michael R. Giuffre

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 January 22, 2007, 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 22nd day of January A.D. 2007.



William A. Shaw, Prothonotary