



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. Meholick  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
Telephone No. 814-765-2641 Ext. 5982

**FILED**  
m/1:30 am  
MAY 25 2006  
Pd \$85.00 Atty  
ICC Shff  
NuCC.  
JW

**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

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

### 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*  
*by Marilyn Harris*

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  
0/10:51/30/ 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.

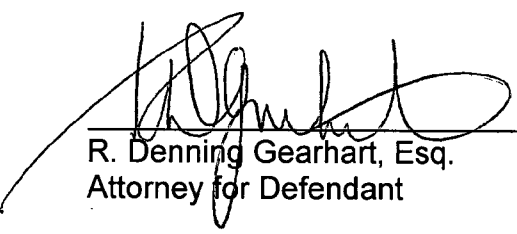
No. 06-824-CD

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



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

FILED

JUN 28 2006

William A. Shaw  
Prothonotary/Clerk of Courts

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** *1004 / Cert*  
*of disc issued*  
*M/2:10 um to Atty Neil*  
**JAN 22 2007** *(um)*

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](mailto: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 Praecipe 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