

06-1253-CD

First Natl Bank vs Michael L. Nevling

2006-1253-CD

First National vs Michael Nevling

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

TO: Michael L. Nevling  
72 Chest Street  
Westover, PA 16692

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FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
	:	
v.	:	2006-1253-CO
	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	

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**NOTICE**

Pursuant to Rule 236, you are hereby notified that a JUDGMENT has been entered in the above proceeding as indicated below.



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PROTHONOTARY

JUDGMENT BY DEFAULT  
 MONEY JUDGMENT  
 JUDGMENT IN REPLEVIN  
 JUDGMENT FOR POSSESSION

If you have any questions concerning this Judgment, please call J. Scott Watson, Esquire at 610-358-9600.

**J. SCOTT WATSON, P.C.  
BY: J. SCOTT WATSON, ESQUIRE  
Identification Number 41060  
24 Regency Plaza  
Glen Mills, Pennsylvania 19342  
(610) 358-9600**

**Attorney for Plaintiff**

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

v.  
MICHAEL L. NEVLING  
72 Chest Street  
Westover, PA 16692

2006-1253-CD

**PRAECIPE**

Kindly docket the attached Judgment in the amount of \$2,270.09 in favor of Plaintiff, First National Bank of Omaha, and against the Defendant, Michael L. Nevling, for execution purposes only.

  
**J. SCOTT WATSON, ESQUIRE  
Attorney for Plaintiff**

**FILED**

**AUG 04 2006**

**11:55 AM**

**William A. Shaw  
Prothonotary/Clerk of Courts**

**1 cent to Atty w/notice**

**1 cent to Def w/notice**

**J. SCOTT WATSON, P.C.  
BY: J. SCOTT WATSON, ESQUIRE  
Identification Number 41060  
24 Regency Plaza  
Glen Mills, Pennsylvania 19342  
(610) 358-9600**

**Attorney for Plaintiff**

---

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
	:	
v.	:	
	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	

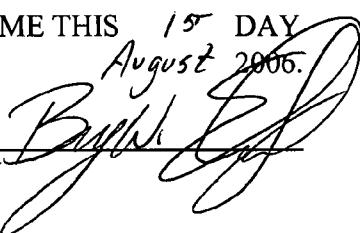
**AFFIDAVIT OF NON-MILITARY SERVICE**

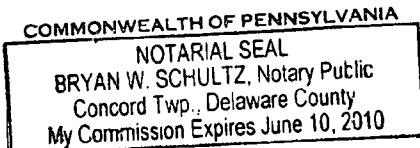
COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD :

The undersigned, being duly sworn according to law, deposes and says that the Defendant is 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; that Defendant, Michael L. Nevling, is over eighteen (18) years of age, and resides at 72 Chest Street, Westover, Pennsylvania 16692.

  
**J. SCOTT WATSON, ESQUIRE**  
**Attorney for Plaintiff**

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 15<sup>th</sup> DAY  
OF August 2006.

  
NOTARY



**J. SCOTT WATSON, P.C.  
BY: J. SCOTT WATSON, ESQUIRE  
Identification Number 41060  
24 Regency Plaza  
Glen Mills, Pennsylvania 19342  
(610) 358-9600**

**Attorney for Plaintiff**

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS

v.

:

MICHAEL L. NEVLING  
72 Chest Street  
Westover, PA 16692

:

**AFFIDAVIT**

I, J. Scott Watson, Esquire, hereby certifies that the debt in the above matter is valid, enforceable and unsatisfied to date.

  
**J. SCOTT WATSON, ESQUIRE  
Attorney for Plaintiff**

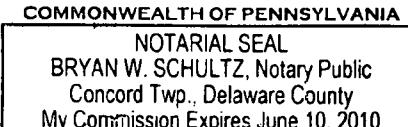
SWORN TO AND SUBSCRIBED

BEFORE ME THIS 1<sup>st</sup> DAY

OF

*August* 2006.

*By*  
NOTARY



**J. SCOTT WATSON, P.C.  
BY: J. SCOTT WATSON, ESQUIRE  
Identification Number 41060  
24 Regency Plaza  
Glen Mills, Pennsylvania 19342  
(610) 358-9600**

**Attorney for Plaintiff**

---

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
	:	
v.	:	
	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	

**AFFIDAVIT**

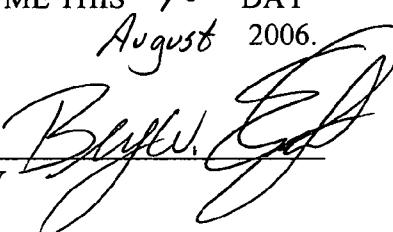
I, J. Scott Watson, Esquire hereby certifies that the name and the last known address of Plaintiff and Defendant are as stated below:

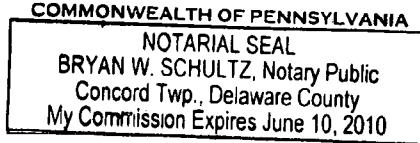
**Plaintiff:** First National Bank of Omaha  
P.O. Box 2951  
Omaha, NE 68103-2951

**Defendant:** Michael L. Nevling  
72 Chest Street  
Westover, PA 16692

  
**J. SCOTT WATSON, ESQUIRE**  
**Attorney for Plaintiff**

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 1<sup>ST</sup> DAY  
OF August 2006.

  
NOTARY



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-04**

MDJ Name: Hon.

**JAMES L. HAWKINS**

Address:

**251 SPRING ST  
PO BOX 362  
HOUTZDALE, PA**

Telephone: (814) 378-7160

**16651-0362**

**ATTORNEY FOR PLAINTIFF :**

**J S. WATSON  
J SCOTT WATSON  
24 REGENCY PLZ  
GLEN MILLS, PA 19342**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**FIRST NATIONAL BANK OF OMAHA  
PO BOX 2951  
OMAHA, NE 68103-2951**

NAME and ADDRESS

DEFENDANT:

**NEVLING, MICHAEL L, ET AL.  
72 CHEST ST  
WESTOVER, PA 16692**

NAME and ADDRESS

Docket No.: **CV-0000014-06**  
Date Filed: **1/23/06**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**DEFAULT JUDGMENT PLTF**

Judgment was entered for: (Name) **FIRST NATIONAL BANK OF OMAHA**

Judgment was entered against: (Name) **NEVLING, MICHAEL L**

in the amount of \$ **2,270.09** on: (Date of Judgment) **3/17/06**

Defendants are jointly and severally liable. (Date & Time) \_\_\_\_\_

Damages will be assessed on: \_\_\_\_\_

This case dismissed without prejudice. \_\_\_\_\_

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ \_\_\_\_\_

Portion of Judgment for physical damages arising out of residential lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>2,151.36</b>
Judgment Costs	\$ <b>118.73</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
Total	\$ <b>2,270.09</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

3-17-06 Date James L. Hawkins, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

7-14-06 Date James L. Hawkins, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

(Applicable to real estate and personal property)  
**PRAECIPE FOR WRIT OF EXECUTION**

**TO THE PROTHONOTARY:**

Issue writ of execution in the above matter, directed to the Sheriff of Clearfield County:

(1) against

Michael L. Nevling, 72 Chest Street, Westover, PA, 16692

**All contents of Defendant's residence, including but not limited to all furniture, clothing, jewelry, electronic equipment, electrical appliances, kitchen utensils, silverware, televisions, tools and any other property subject to levy.**

(2) against

defendant(s) and

as garnishee

(3) JUDGMENT AMOUNT .....\$ 2,270.09

INTEREST TO ...9/17/06.....\$ 56.75

(Costs to be added).....\$ 20.00

TOTAL DUE.....\$ 2,346.84 Plus cost of service and filing of Writ.

**Prothonotary costs** 40.00

  
\_\_\_\_\_  
Attorney(s) for Plaintiff(s)

**FILED** 6cc w/6  
m 11:53 AM 01/01/2007 writ packages  
OCT 02 2006 to Shff

William A. Shaw Atty pd. 2000  
Prothonotary/Clerk of Courts  
GK

WRIT OF EXECUTION - (MONEY JUDGMENTS) Rules P.R.C.P. 3101 to 3149

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951  
v.  
MICHAEL L. NEVLING  
27 Chest Street  
Westover, PA 16692

No. 2006-1253-CD Term \_\_\_\_\_  
.....

WRIT OF EXECUTION  
(MONEY JUDGEMENTS)

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD CIVIL ACTION - LAW  
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNA.

To satisfy the judgment, interest and costs against Michael L. Nevling  
72 Chest Street, Westover, PA, 16692 Defendant(s);

(1) You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein; (Inquisition and Exemption Laws (are) (are not) waived.

(2) You are also directed to attach the property of the defendant not levied upon in the possession of \_\_\_\_\_  
Garnishee(s)

(Specifically describe property)

All contents of Defendant's residence including but not limited to all furniture, clothing, jewelry, electronic equipment, electrical appliances, kitchen utensils, silverware, televisions, tools, and any other property which may be subject to levy.

and to notify the Garnishee(s) that

(a) an attachment has been issued;

(b) the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering and property of the defendant(s) or otherwise disposing thereof.

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Judgment Amount	<u>\$ 2,270.09</u>
Interest to 9/17/06	<u>56.75</u>
Attys. Comm.	_____
Costs	_____
Total	_____
Plus costs of service and filing of Writ	
Prothonotary costs	<u>40.00</u>

JAN 29, 2007 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

Miller  
Deputy Prothonotary

Dated 10/2/06  
(SEAL)

W. Miller  
Prothonotary, Court of Common Pleas  
Clearfield County, Penna.

By.....

4) IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE  
DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY  
AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED  
TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT  
SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

**WRIT OF EXECUTION**  
**NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. If you wish to exercise your rights, you must act promptly.

Exempt Property. The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have any exemption, you should do the following promptly: (1) Fill out the attached exemption claim form and demand for a prompt hearing; (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not choose to come to court and prove your exemption, you may lose some of your property.

Property Belonging to Another Person. If there is a property at your residence (or in your bank account) that belongs to another person or that you own with another person, you should notify that person so that he/she can file a Property Claim or other legal papers with the Sheriff's Office to prevent his/her property from being taken or sold at Sheriff's Sale to satisfy your debt. See enclosed forms.

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.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300 statutory exemption;
2. Bibles, school books, sewing machines, uniforms and equipment;
3. Certain wages and unemployment compensation;
4. Social Security benefits;
5. Certain retirement funds and accounts;
6. Certain veteran and armed forces benefits;
7. Certain insurance proceeds;
8. Such other exemptions as may be provided by law.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,  
(a) I desire that my \$300 statutory exemption be  
[ ] (1) set aside in kind (specify property to be set aside in kind);

\_\_\_\_\_

(b) [ ] (11) paid in cash following the sale of the property levied upon; or  
I claim the following exemption (specify property and basis of exemption): \_\_\_\_\_

(2) From my property which is in the possession of a third party, I claim the following exemptions:  
(a) my \$300.00 statutory exemption: [ ] in cash;  
[ ] in kind (specify property): \_\_\_\_\_;  
(b) Social Security benefits on deposit in the amount of: \$ \_\_\_\_\_;  
(c) other (specify amount and basis of exemption): \_\_\_\_\_

\_\_\_\_\_

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at \_\_\_\_\_

(Address) \_\_\_\_\_ (Telephone Number) \_\_\_\_\_

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relative to unsworn falsification to authorities.

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY,  
COURTHOUSE, 230 E. MARKET STREET, CLEARFIELD, PENNSYLVANIA 16830

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

NOTICE TO CO-OWNER OF ATTACHMENT OF PROPERTY

Date: \_\_\_\_\_

The bank account or other property that you own with the defendant, Michael L. Nevling, has been attached by plaintiff, First National Bank of Omaha, to satisfy a judgment obtained by the plaintiff against the defendant. Your money or property may soon be taken even though you owe nothing to the plaintiff.

If some of the funds in the account or some of the property held by the garnishee, \_\_\_, belongs to you, you should contact the bank or garnishee to see if it is defending your funds or property against garnishment. If the bank or garnishee is not defending against garnishment of your property, you can prevent garnishment by filing a Petition with the Sheriff.

To protect your funds or property, you should complete the attached Petition to Intervene, Stay and Set Aside Writ of Execution as to Non-Judgment Debtor Property and file it in the Office of the Sheriff, Clearfield County Courthouse, 230 E. Market Street, Clearfield, Pennsylvania 16830 within fifteen (15) days after the date of this Notice. For additional information, you may call the Sheriff's Office at (814) 765-2641 Ext. 5989.

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.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
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(800) 692-7375

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
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(800) 692-7375

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

PETITION TO INTERVENE, STAY AND SET ASIDE  
WRIT OF EXECUTION AS TO NON-JUDGMENT DEBTOR PROPERTY

This Petition respectfully represents:

1. I, \_\_\_\_\_ the Petitioner, am a party in interest and hereby move to intervene in this garnishment proceeding pursuant to Pa. R. Civ. P. Nos. 3121 and 2326 et seq.

2. The plaintiff has attached personal property belonging to me currently in possession of the garnishee.

3. This attached property consists of:

money held in a bank account held in common or jointly with the defendant;  
 other (specify) \_\_\_\_\_

4. The Writ of Execution must be stayed and set aside as to my property because the plaintiff does not have the legal right to attach and/or garnish property other than that belonging to the judgment debtor in this matter.

5. I verify that the foregoing statements of fact are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

APPLICATION TO PROCEED IN FORMA PAUPERIS  
(PROPERTY CLAIM/PETITION TO INTERVENE,  
STAY AND SET ASIDE WRIT OF EXECUTION)

TO THE SHERIFF:

1. My personal property is subject to levy or attachment due to a judgment against another person.
2. Because of my financial condition, I am unable to pay the fees and costs of filing my Property Claim form/Petition to Intervene, Stay and Set Aside Writ of Execution, and to defend my property interests.
3. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of this litigation. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.
4. I verify that the information disclosed on this Application and the attached Financial Statement are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant

# FINANCIAL STATEMENT

(a) Name \_\_\_\_\_  
Address \_\_\_\_\_

(b) Social Security Number \_\_\_\_\_  
Employment  
If you are presently employed, state:  
Employer \_\_\_\_\_  
Address \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of Work \_\_\_\_\_  
If you are presently unemployed, state:  
Date of last employment \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of work \_\_\_\_\_

(c) Other Income within the Past Twelve Months  
Business or profession \_\_\_\_\_  
Other self-employment \_\_\_\_\_  
Interest \_\_\_\_\_ Dividends \_\_\_\_\_  
Pension and Annuities \_\_\_\_\_  
Social Security Benefits \_\_\_\_\_ Support Payments \_\_\_\_\_  
Disability Payments \_\_\_\_\_  
Unemployment Compensation  
Worker's Compensation \_\_\_\_\_  
Public Assistance \_\_\_\_\_ Other \_\_\_\_\_

(d) Other Contributions to Household Support  
(Wife) (Husband) Name \_\_\_\_\_  
If your (wife) (husband) is employed, state:  
Employer \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of work \_\_\_\_\_  
Contributions from Children \_\_\_\_\_  
Contributions from Parents \_\_\_\_\_

(e) Property Owned  
Cash \_\_\_\_\_  
Checking Account \_\_\_\_\_ Savings Account \_\_\_\_\_  
Certificates of Deposit \_\_\_\_\_  
Real Estate (including home) \_\_\_\_\_  
Motor Vehicle Make \_\_\_\_\_ Year \_\_\_\_\_  
Cost \_\_\_\_\_ Amount Owed \_\_\_\_\_  
Stocks, Bonds \_\_\_\_\_ Other \_\_\_\_\_

(f) Debts and Obligations:  
Mortgages \_\_\_\_\_ Rent \_\_\_\_\_  
Loans \_\_\_\_\_ Other \_\_\_\_\_

(g) Persons Dependent Upon You for Support  
(Wife) (Husband) Name \_\_\_\_\_  
Children, if any:  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Other Persons:  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_

**J. SCOTT WATSON, P.C.  
BY: J. SCOTT WATSON, ESQUIRE  
Identification Number 41060  
24 Regency Plaza  
Glen Mills, Pennsylvania 19342  
(610) 358-9600**

**Attorney for Plaintiff**

---

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

**PRAECIPE TO REISSUE WRIT OF EXECUTION**

**TO THE PROTHONOTARY:**

Kindly reissue the Writ of Execution to be served upon the Defendant, Michael L. Nevling,  
72 Chest Street, Westover, PA, 16692, relative to the above-captioned matter.



---

**J. SCOTT WATSON, ESQUIRE  
Attorney for Plaintiff**

**FILED**  
m 3:50 PM Atty pd 7-00  
JAN 29 2007 3CCO  
Le Writs  
William A. Shaw Reinstated  
Prothonotary/Clerk of Courts to Sheriff

(GR)

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

v.  
MICHAEL L. NEVLING  
72 Chest Street  
Westover, PA 16692

NO. 2006-1253-CD

(Applicable to real estate and personal property)  
**PRAECIPE FOR WRIT OF EXECUTION**

**TO THE PROTHONOTARY:**

Issue writ of execution in the above matter, directed to the Sheriff of Clearfield County:

(1) against

Michael L. Nevling, 72 Chest Street, Westover, PA, 16692

**All contents of Defendant's residence, including but not limited to all furniture, clothing, jewelry, electronic equipment, electrical appliances, kitchen utensils, silverware, televisions, tools and any other property subject to levy.**

(2) against defendant(s) and

as garnishee

(3) JUDGMENT AMOUNT .....\$ 2,270.09  
INTEREST TO ...9/17/06.....\$ 56.75  
(Costs to be added).....\$ 20.00  
TOTAL DUE.....\$ 2,346.84 Plus cost of service and filing of Writ.

47.00 **Prothonotary costs**



\_\_\_\_\_  
Attorney(s) for Plaintiff(s)

**WRIT OF EXECUTION - (MONEY JUDGMENTS) Rules P.R.C.P. 3101 to 3149**

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951  
v.  
MICHAEL L. NEVLING  
27 Chest Street  
Westover, PA 16692

No. 2006-1253-CD Term

WRIT OF EXECUTION  
(MONEY JUDGEMENTS)

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD CIVIL ACTION - LAW  
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNA.

To satisfy the judgment, interest and costs against Michael L. Nevling  
72 Chest Street, Westover, PA, 16692 Defendant(s);

(1) You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein; (Inquisition and Exemption Laws (are) (are not) waived.

(2) You are also directed to attach the property of the defendant not levied upon in the possession of \_\_\_\_\_ Garnishee(s)

(Specifically describe property)

All contents of Defendant's residence including but not limited to all furniture, clothing, jewelry, electronic equipment, electrical appliances, kitchen utensils, silverware, televisions, tools, and any other property which may be subject to levy.

and to notify the Garnishee(s) that

(a) an attachment has been issued;

(b) the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering and property of the defendant(s) or otherwise disposing thereof.

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Plus costs of service and filing of Writ

Prothonotary costs 47.00

Dated 1/29/07

(SEAL)

By.....

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

**WRIT OF EXECUTION**  
**NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. If you wish to exercise your rights, you must act promptly.

Exempt Property. The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have any exemption, you should do the following promptly: (1) Fill out the attached exemption claim form and demand for a prompt hearing; (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not choose to come to court and prove your exemption, you may lose some of your property.

Property Belonging to Another Person. If there is a property at your residence (or in your bank account) that belongs to another person or that you own with another person, you should notify that person so that he/she can file a Property Claim or other legal papers with the Sheriff's Office to prevent his/her property from being taken or sold at Sheriff's Sale to satisfy your debt. See enclosed forms.

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.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SINO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA : CLEARFIELD COUNTY  
P.O. Box 2951 : COURT OF COMMON PLEAS  
Omaha, NE 68103-2951 :  
v. :  
MICHAEL L. NEVLING :  
72 Chest Street :  
Westover, PA 16692 : NO. 2006-1253-CD

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300 statutory exemption;
2. Bibles, school books, sewing machines, uniforms and equipment;
3. Certain wages and unemployment compensation;
4. Social Security benefits;
5. Certain retirement funds and accounts;
6. Certain veteran and armed forces benefits;
7. Certain insurance proceeds;
8. Such other exemptions as may be provided by law.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA : CLEARFIELD COUNTY  
P.O. Box 2951 : COURT OF COMMON PLEAS  
Omaha, NE 68103-2951 :  
v.  
MICHAEL L. NEVLING :  
72 Chest Street :  
Westover, PA 16692 : NO. 2006-1253-CD

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,  
(a) I desire that my \$300 statutory exemption be  
[ ] (1) set aside in kind (specify property to be set aside in kind);

---

[ ] (11) paid in cash following the sale of the property levied upon; or  
(b) I claim the following exemption (specify property and basis of exemption): \_\_\_\_\_

(2) From my property which is in the possession of a third party, I claim the following exemptions:  
(a) my \$300.00 statutory exemption: [ ] in cash;  
[ ] in kind (specify property): \_\_\_\_\_;  
(b) Social Security benefits on deposit in the amount of: \$ \_\_\_\_\_;  
(c) other (specify amount and basis of exemption): \_\_\_\_\_

---

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at \_\_\_\_\_  
(Address) \_\_\_\_\_ (Telephone Number)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relative to unsworn falsification to authorities.

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY, COURTHOUSE, 230 E. MARKET STREET, CLEARFIELD, PENNSYLVANIA 16830

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
	:	
	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

NOTICE TO CO-OWNER OF ATTACHMENT OF PROPERTY

Date: \_\_\_\_\_

The bank account or other property that you own with the defendant, Michael L. Nevling, has been attached by plaintiff, First National Bank of Omaha, to satisfy a judgment obtained by the plaintiff against the defendant. Your money or property may soon be taken even though you owe nothing to the plaintiff.

If some of the funds in the account or some of the property held by the garnishee, \_\_\_, belongs to you, you should contact the bank or garnishee to see if it is defending your funds or property against garnishment. If the bank or garnishee is not defending against garnishment of your property, you can prevent garnishment by filing a Petition with the Sheriff.

To protect your funds or property, you should complete the attached Petition to Intervene, Stay and Set Aside Writ of Execution as to Non-Judgment Debtor Property and file it in the Office of the Sheriff, Clearfield County Courthouse, 230 E. Market Street, Clearfield, Pennsylvania 16830 within fifteen (15) days after the date of this Notice. For additional information, you may call the Sheriff's Office at (814) 765-2641 Ext. 5989.

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.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
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Harrisburg, PA 17108  
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COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

PETITION TO INTERVENE, STAY AND SET ASIDE  
WRIT OF EXECUTION AS TO NON-JUDGMENT DEBTOR PROPERTY

This Petition respectfully represents:

1. I, \_\_\_\_\_ the Petitioner, am a party in interest and hereby move to intervene in this garnishment proceeding pursuant to Pa. R. Civ. P. Nos. 3121 and 2326 et seq.

2. The plaintiff has attached personal property belonging to me currently in possession of the garnishee.

3. This attached property consists of:

money held in a bank account held in common or jointly with the defendant;

other (specify) \_\_\_\_\_

4. The Writ of Execution must be stayed and set aside as to my property because the plaintiff does not have the legal right to attach and/or garnish property other than that belonging to the judgment debtor in this matter.

5. I verify that the foregoing statements of fact are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

APPLICATION TO PROCEED IN FORMA PAUPERIS  
(PROPERTY CLAIM/PETITION TO INTERVENE,  
STAY AND SET ASIDE WRIT OF EXECUTION)

TO THE SHERIFF:

1. My personal property is subject to levy or attachment due to a judgment against another person.
2. Because of my financial condition, I am unable to pay the fees and costs of filing my Property Claim form/Petition to Intervene, Stay and Set Aside Writ of Execution, and to defend my property interests.
3. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of this litigation. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.
4. I verify that the information disclosed on this Application and the attached Financial Statement are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant

# FINANCIAL STATEMENT

(a) Name \_\_\_\_\_  
Address \_\_\_\_\_

(b) Social Security Number \_\_\_\_\_  
Employment  
If you are presently employed, state:  
Employer \_\_\_\_\_  
Address \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of Work \_\_\_\_\_  
If you are presently unemployed, state:  
Date of last employment \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of work \_\_\_\_\_

(c) Other Income within the Past Twelve Months  
Business or profession \_\_\_\_\_  
Other self-employment \_\_\_\_\_  
Interest \_\_\_\_\_ Dividends \_\_\_\_\_  
Pension and Annuities \_\_\_\_\_  
Social Security Benefits \_\_\_\_\_ Support Payments \_\_\_\_\_  
Disability Payments \_\_\_\_\_  
Unemployment Compensation  
Worker's Compensation \_\_\_\_\_  
Public Assistance \_\_\_\_\_ Other \_\_\_\_\_  
(d) Other Contributions to Household Support  
(Wife) (Husband) Name \_\_\_\_\_  
If your (wife) (husband) is employed, state:  
Employer \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of work \_\_\_\_\_  
Contributions from Children \_\_\_\_\_  
Contributions from Parents \_\_\_\_\_

(e) Property Owned  
Cash \_\_\_\_\_  
Checking Account \_\_\_\_\_ Savings Account \_\_\_\_\_  
Certificates of Deposit \_\_\_\_\_  
Real Estate (including home) \_\_\_\_\_  
Motor Vehicle Make \_\_\_\_\_ Year \_\_\_\_\_  
Cost \_\_\_\_\_ Amount Owed \_\_\_\_\_  
Stocks, Bonds \_\_\_\_\_ Other \_\_\_\_\_

(f) Debts and Obligations:  
Mortgages \_\_\_\_\_ Rent \_\_\_\_\_  
Loans \_\_\_\_\_ Other \_\_\_\_\_

(g) Persons Dependent Upon You for Support  
(Wife) (Husband) Name \_\_\_\_\_  
Children, if any:  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Other Persons:  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_

LAW OFFICES  
**J. SCOTT WATSON, P.C.**  
24 Regency Plaza  
Glen Mills, Pennsylvania 19342  
(610) 358-9600  
Fax:(610) 358-9601

J. Scott Watson, Esquire  
Virginia M. Dias, Esquire  
Gregory J. Allard, Esquire

June 12, 2007

Prothonotary's Office  
**Clearfield County Courthouse**  
230 E. Market Street  
Clearfield, PA 16830

**Re: First National Bank of Omaha v. Michael L. Nevling  
Clearfield County; C.C.P.; 2006-1253-CD**

Dear Sir/Madam(s):

Enclosed please find a check in the amount of \$15.00. I would appreciate your forwarding to me a certified copy of the judgement in the stamped, self-addressed envelope provided relative to the above captioned matter to be used in Dauphin County Court of Common Pleas.

If you have any questions or comments, please do not hesitate to contact me. Thank you for your attention to this matter.

Very truly yours,



**J. SCOTT WATSON**

JSW/sw

Enclosure

po \$15.00 A/H  
**FILED** m/12/2007 record issued  
JUN 18 2007 to A/H Watson  
*Un*  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
OFFICE OF THE PROTHONOTARY

**First National Bank of Omaha**

**Vs.**

**NO. 2006-01253-CD**

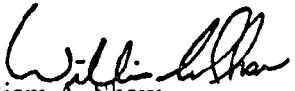
**Michael L. Nevling**

**CERTIFICATION OF DOCKET ENTRIES AND JUDGMENT**

I, William A. Shaw, Prothonotary of the Court of Common Please of Clearfield County, Pennsylvania, do hereby certify that the attached is a certified and full copy of the docket entries in the above captioned case.

I further certify that a Judgment was entered in the above captioned matter in favor of First National Bank of Omaha and against Michael L. Nevling on August 4, 2006, in the amount of \$2,270.09.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the said Court, on the 18th day of June, A.D., 2007.

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

BY: \_\_\_\_\_  
Deputy

Date: 6/18/2007

**Clearfield County Court of Common Pleas**

User: LMILLER

Time: 12:48 PM

Page 1 of 1

ROA Report

Case: 2006-01253-CD

Current Judge: No Judge

First National Bank of Omaha vs. Michael L. Nevling

**Judgment**

Date	Judgment	Judge
8/4/2006	New Case Filed.  Filing: District Justice Judgment Fee Paid by: Watson, J. Scott (attorney for First National Bank of Omaha) Receipt number: 1915006 Dated: 08/04/2006 Amount: \$20.00 (Check) Judgment entered in favor of the Plaintiff and against the defendant in the amount of \$2,270.09. 1CC to atty w/ notice and 1cc to deft w/notice.	No Judge No Judge
10/2/2006	Filing: Praecipe For Writ of Execution / Possession Paid by: Watson, J. Scott (attorney for First National Bank of Omaha) Receipt number: 1915787 Dated: 10/02/2006 Amount: \$20.00 (Check) Amount Due: \$2,346.84. Filed by s/ J. Scott Watson, Esquire. 6CC W/6 Writ packages to Shff	No Judge
1/29/2007	Filing: Reissue Writ Paid by: Watson, J. Scott (attorney for First National Bank of Omaha) Receipt number: 1917414 Dated: 01/29/2007 Amount: \$7.00 (Check). Amount Due: \$2,346.84 filed by s/ J. Scott Watson, Esquire. 3CC & 6 Writs Rinstated to Sheriff	No Judge
6/18/2007	Filing: Exemplified Record Paid by: J. Scott Watson Esq Receipt number: 1919434 Dated: 6/18/2007 Amount: \$15.00 (Check) Record issued to J. Scott Watson Esq.	No Judge

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

JUN 18 2007

Attest.

  
Prothonotary/  
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20468  
NO: 06-1253-CD

PLAINTIFF: FIRST NATIONAL BANK OF OMAHA

vs.

DEFENDANT: MICHAEL L. NEVLING

Execution PERSONAL PROPERTY

**SHERIFF RETURN**

DATE RECEIVED WRIT: 10/2/2006

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 2/6/2008

**DETAILS**

@ SERVED MICHAEL L. NEVLING

DEPUTIES DID NOT LEVY ON DEFENDANT'S PROPERTY.

@ SERVED MICHAEL L. NEVLING

NOW, FEBRUARY 6, 2008 RETURN WRIT ISSUED OCTOBER 2, 2006 AS TIME EXPIRED.

@ SERVED MICHAEL L. NEVLING

NOW, FEBRUARY 6, 2008 RETURN THE REISSUED WRIT FROM JANUARY 29, 2007, AS NOTHING OF VALUE TO  
LEVY.

**FILED**

09:05 AM  
FEB 07 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20468  
NO: 06-1253-CD

PLAINTIFF: FIRST NATIONAL BANK OF OMAHA

vs.

DEFENDANT: MICHAEL L. NEVLING

Execution PERSONAL PROPERTY

SHERIFF RETURN

---

SHERIFF HAWKINS \$153.31

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

*Chester Hawkins*  
by *Cynthia Butler Aughendash*  
Chester A. Hawkins  
Sheriff

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA : CLEARFIELD COUNTY  
P.O. Box 2951 : COURT OF COMMON PLEAS  
Omaha, NE 68103-2951 :  
v. :  
MICHAEL L. NEVLING :  
72 Chest Street :  
Westover, PA 16692 : NO. 2006-1253-CD

(Applicable to real estate and personal property)  
**PRAECIPE FOR WRIT OF EXECUTION**

**TO THE PROTHONOTARY:**

Issue writ of execution in the above matter, directed to the Sheriff of Clearfield County:

(1) against

Michael L. Nevling, 72 Chest Street, Westover, PA, 16692

**All contents of Defendant's residence, including but not limited to all furniture, clothing, jewelry, electronic equipment, electrical appliances, kitchen utensils, silverware, televisions, tools and any other property subject to levy.**

(2) against defendant(s) and

as garnishee

(3) JUDGMENT AMOUNT .....\$ 2,270.09  
INTEREST TO ...9/17/06.....\$ 56.75  
(Costs to be added).....\$ 20.00  
TOTAL DUE.....\$ 2,346.84 Plus cost of service and filing of Writ.

  
\_\_\_\_\_  
Attorney(s) for Plaintiff(s)

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

OCT 02 2006

Attest.



*William L. Schaeffer*  
Prothonotary/  
Clerk of Courts

WRIT OF EXECUTION - (MONEY JUDGMENTS) Rules P.R.C.P. 3101 to 3149

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951

v.  
MICHAEL L. NEVLING  
27 Chest Street  
Westover, PA 16692

No. 2006-1253-CD Term \_\_\_\_\_

WRIT OF EXECUTION  
(MONEY JUDGEMENTS)

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD CIVIL ACTION - LAW  
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNA.

To satisfy the judgment, interest and costs against Michael L. Nevling  
72 Chest Street, Westover, PA, 16692 Defendant(s);

(1) You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein; (Inquisition and Exemption Laws (are) (are not) waived.

(2) You are also directed to attach the property of the defendant not levied upon in the possession of \_\_\_\_\_  
Garnishee(s)

(Specifically describe property)

All contents of Defendant's residence including but not limited to all furniture, clothing, jewelry, electronic equipment, electrical appliances, kitchen utensils, silverware, televisions, tools, and any other property which may be subject to levy.

and to notify the Garnishee(s) that

(a) an attachment has been issued;

(b) the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering and property of the defendant(s) or otherwise disposing thereof.

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Judgment Amount	<u>\$ 2,270.09</u>
Interest to 9/17/06	<u>56.75</u>
Attys. Comm.	_____
Costs	_____
Total	_____

Plus costs of service and filing of Writ  
Prothonotary costs 40.00

Dated 10/12/06

(SEAL)

  
Prothonotary, Court of Common Pleas  
Clearfield County, Penna.

Received October 3, 2006 @ 2:30 P.M.  
Clerk of Courts  
By Courtney Butler - Clerk

By \_\_\_\_\_

4) IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE  
DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY  
AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED  
TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT  
SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

v.  
MICHAEL L. NEVLING  
72 Chest Street  
Westover, PA 16692

NO. 2006-1253-CD

**WRIT OF EXECUTION**  
**NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. If you wish to exercise your rights, you must act promptly.

Exempt Property. The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have any exemption, you should do the following promptly: (1) Fill out the attached exemption claim form and demand for a prompt hearing; (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not choose to come to court and prove your exemption, you may lose some of your property.

Property Belonging to Another Person. If there is a property at your residence (or in your bank account) that belongs to another person or that you own with another person, you should notify that person so that he/she can file a Property Claim or other legal papers with the Sheriff's Office to prevent his/her property from being taken or sold at Sheriff's Sale to satisfy your debt. See enclosed forms.

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.

PENNSYLVANIA LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300 statutory exemption;
2. Bibles, school books, sewing machines, uniforms and equipment;
3. Certain wages and unemployment compensation;
4. Social Security benefits;
5. Certain retirement funds and accounts;
6. Certain veteran and armed forces benefits;
7. Certain insurance proceeds;
8. Such other exemptions as may be provided by law.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA : CLEARFIELD COUNTY  
P.O. Box 2951 : COURT OF COMMON PLEAS  
Omaha, NE 68103-2951 :  
v.  
MICHAEL L. NEVLING :  
72 Chest Street :  
Westover, PA 16692 : NO. 2006-1253-CD

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

[ ] (1) set aside in kind (specify property to be set aside in kind);

---

[ ] (11) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption: \_\_\_\_\_).

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300.00 statutory exemption: [ ] in cash;

[ ] in kind (specify property): \_\_\_\_\_;

(b) Social Security benefits on deposit in the amount of: \$ \_\_\_\_\_;

(c) other (specify amount and basis of exemption): \_\_\_\_\_

---

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at \_\_\_\_\_

(Address)

(Telephone Number)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relative to unsworn falsification to authorities.

Date: \_\_\_\_\_

Defendant: \_\_\_\_\_

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY,  
COURTHOUSE, 230 E. MARKET STREET, CLEARFIELD, PENNSYLVANIA 16830

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

NOTICE TO CO-OWNER OF ATTACHMENT OF PROPERTY

Date: \_\_\_\_\_

The bank account or other property that you own with the defendant, Michael L. Nevling, has been attached by plaintiff, First National Bank of Omaha, to satisfy a judgment obtained by the plaintiff against the defendant. Your money or property may soon be taken even though you owe nothing to the plaintiff.

If some of the funds in the account or some of the property held by the garnishee, \_\_\_\_, belongs to you, you should contact the bank or garnishee to see if it is defending your funds or property against garnishment. If the bank or garnishee is not defending against garnishment of your property, you can prevent garnishment by filing a Petition with the Sheriff.

To protect your funds or property, you should complete the attached Petition to Intervene, Stay and Set Aside Writ of Execution as to Non-Judgment Debtor Property and file it in the Office of the Sheriff, Clearfield County Courthouse, 230 E. Market Street, Clearfield, Pennsylvania 16830 within fifteen (15) days after the date of this Notice. For additional information, you may call the Sheriff's Office at (814) 765-2641 Ext. 5989.

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COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

v.  
MICHAEL L. NEVLING  
72 Chest Street  
Westover, PA 16692

NO. 2006-1253-CD

PETITION TO INTERVENE, STAY AND SET ASIDE  
WRIT OF EXECUTION AS TO NON-JUDGMENT DEBTOR PROPERTY

This Petition respectfully represents:

1. I, \_\_\_\_\_ the Petitioner, am a party in interest and hereby move to intervene in this garnishment proceeding pursuant to Pa. R. Civ. P. Nos. 3121 and 2326 et seq.

2. The plaintiff has attached personal property belonging to me currently in possession of the garnishee.

3. This attached property consists of:

money held in a bank account held in common or jointly with the defendant;

other (specify) \_\_\_\_\_

4. The Writ of Execution must be stayed and set aside as to my property because the plaintiff does not have the legal right to attach and/or garnish property other than that belonging to the judgment debtor in this matter.

5. I verify that the foregoing statements of fact are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MONEY JUDGMENT

FIRST NATIONAL BANK OF OMAHA	:	CLEARFIELD COUNTY
P.O. Box 2951	:	COURT OF COMMON PLEAS
Omaha, NE 68103-2951	:	
v.	:	
MICHAEL L. NEVLING	:	
72 Chest Street	:	
Westover, PA 16692	:	NO. 2006-1253-CD

APPLICATION TO PROCEED IN FORMA PAUPERIS  
(PROPERTY CLAIM/PETITION TO INTERVENE,  
STAY AND SET ASIDE WRIT OF EXECUTION)

TO THE SHERIFF:

1. My personal property is subject to levy or attachment due to a judgment against another person.
2. Because of my financial condition, I am unable to pay the fees and costs of filing my Property Claim form/Petition to Intervene, Stay and Set Aside Writ of Execution, and to defend my property interests.
3. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of this litigation. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.
4. I verify that the information disclosed on this Application and the attached Financial Statement are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant

# FINANCIAL STATEMENT

(a) Name \_\_\_\_\_  
Address \_\_\_\_\_

(b) Social Security Number \_\_\_\_\_  
Employment  
If you are presently employed, state:  
Employer \_\_\_\_\_  
Address \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of Work \_\_\_\_\_  
If you are presently unemployed, state:  
Date of last employment \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of work \_\_\_\_\_

(c) Other Income within the Past Twelve Months  
Business or profession \_\_\_\_\_  
Other self-employment \_\_\_\_\_  
Interest \_\_\_\_\_ Dividends \_\_\_\_\_  
Pension and Annuities \_\_\_\_\_  
Social Security Benefits \_\_\_\_\_ Support Payments \_\_\_\_\_  
Disability Payments \_\_\_\_\_  
Unemployment Compensation \_\_\_\_\_  
Worker's Compensation \_\_\_\_\_  
Public Assistance \_\_\_\_\_ Other \_\_\_\_\_  
(d) Other Contributions to Household Support  
(Wife) (Husband) Name \_\_\_\_\_  
If your (wife) (husband) is employed, state:  
Employer \_\_\_\_\_  
Salary or wages per month \_\_\_\_\_  
Type of work \_\_\_\_\_  
Contributions from Children \_\_\_\_\_  
Contributions from Parents \_\_\_\_\_

(e) Property Owned  
Cash \_\_\_\_\_  
Checking Account \_\_\_\_\_ Savings Account \_\_\_\_\_  
Certificates of Deposit \_\_\_\_\_  
Real Estate (including home) \_\_\_\_\_  
Motor Vehicle Make \_\_\_\_\_ Year \_\_\_\_\_  
Cost \_\_\_\_\_ Amount Owed \_\_\_\_\_  
Stocks, Bonds \_\_\_\_\_ Other \_\_\_\_\_

(f) Debts and Obligations:  
Mortgages \_\_\_\_\_ Rent \_\_\_\_\_  
Loans \_\_\_\_\_ Other \_\_\_\_\_

(g) Persons Dependent Upon You for Support  
(Wife) (Husband) Name \_\_\_\_\_  
Children, if any:  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Other Persons:  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_

**WRIT OF EXECUTION - (MONEY JUDGMENTS) Rules P.R.C.P. 3101 to 3149**

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 2951  
Omaha, NE 68103-2951  
v.  
MICHAEL L. NEVLING  
27 Chest Street  
Westover, PA 16692

No. 2006-1253-CD Term

## WRIT OF EXECUTION (MONEY JUDGEMENTS)

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD CIVIL ACTION - LAW  
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNA.

To satisfy the judgment, interest and costs against Michael L. Nevling

72 Chest Street, Westover, PA, 16692 Defendant(s);

(1) You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein; (Inquisition and Exemption Laws (are) (are not) waived.

(2) You are also directed to attach the property of the defendant not levied upon in the possession of \_\_\_\_\_  
\_\_\_\_\_  
Garnishee(s)

(Specifically describe property)

All contents of Defendant's residence including but not limited to all furniture, clothing, jewelry, electronic equipment, electrical appliances, kitchen utensils, silverware, televisions, tools, and any other property which may be subject to levy.

and to notify the Garnishee(s) that

(a) an attachment has been issued;

(b) the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof.

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Dated 129107

(SEAL)

Received January 30, 2007 @ 10.30 am

Cheska. Waukis

by Cynthia Better Aeromail  
SOCIAL SECURITY OR SUPPLEMENT

Prothonotary, Court of Common Pleas  
Clearfield County, Penna.

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

**PERSONAL PROPERTY SALE  
SCHEDULE OF DISTRIBUTION**

NAME MICHAEL L. NEVLING NO. 06-1253-CD

NOW, February 06, 2008, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Michael L. Nevling 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	9.00	DEBT-AMOUNT DUE	2,270.09
SERVICE	9.00	INTEREST @ %	0.00
MILEAGE	29.37	FROM TO	
LEVY			
MILEAGE	29.37	PROTH SATISFACTION	
POSTING	9.00	LATE CHARGES AND FEES	
HANDBILLS		COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	1.56	ATTORNEY COMMISSION	
HANDBILLS		REFUND OF ADVANCE	
DISTRIBUTION		REFUND OF SURCHARGE	20.00
ADVERTISING		SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
		PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	56.75
ADD'L MILEAGE	32.01	MISCELLANEOUS	
ADD'L LEVY			
BID/ SETTLEMENT AMOUNT		<b>TOTAL DEBT AND INTEREST</b>	<b>\$2,547.15</b>
RETURNS/DEPUTIZE			
COPIES	15.00	<b>COSTS:</b>	
	5.00	ADVERTISING	0.00
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS	9.00	DUE	
<b>TOTAL SHERIFF COSTS</b>	<b>\$153.31</b>	LIEN SEARCH	
		ACKNOWLEDGEMENT	
		SHERIFF COSTS	153.31
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	47.00
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$200.31</b>
		<b>TOTAL COSTS</b>	<b>\$2,547.15</b>

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. 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