

06-1306-CD
Bank of America vs Jennie E. Ball

2006-1306-CD
Bank of America vs Jennie Ball

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

410th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

00-1300-CJ

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT Bank Of America, N.A.		MAG. DIST. NO. OR NAME OF D.J. 46-3-04		
ADDRESS OF APPELLANT c/o David Apotheker, Esq 2417 Welsh Rd Ste 21 #520 Philadelphia, PA 19114		CITY	STATE	ZIP CODE
DATE OF JUDGMENT 07/21/2006	IN THE CASE OF (Plaintiff) Bank of America, N.A.	(Defendant) vs. Jennie E EX Ball		
CLAIM NO. TA 20 CV-0000055-06 LT 20		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT David Apotheker, Esq		

This block will be signed ONLY when this notation is required under Pa. R.C.P.K.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Claimant (See Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

Signature of Prothonotary or Deputy

FILED *Any pd.*
m12/12/2006 8:00 AM
AUG 15 2006 cc. *Any*

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice).
IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon _____, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To _____, appellee(s)

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGEMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: _____, 20 _____

Signature of Prothonotary or Deputy

NOTICE OF APPEAL

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DISTRICT JUSTICE JUDGEMENT

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COMMON PLATES NO.

UDGCIAT DISTRICT

COURT OF COMMON PLEAS.

NUDKIAT DISTRICT

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NOTICE OF APPEAL

Notice is given that the appeal is filed in the above cause by the defendant below.

CLAIM NO.		04-0000025-06		AT 00	
SIGNATURE OF APPELLANT OR ATTORNEY ON APPEAL		BORG OF AMERICA, N.A.		11/21/2000	
DATE OF APPEAL		IN THE CASE OF <i>Bank of America, N.A. v. Genetics of the Gulf</i>		04-0000025-06	
(Indicate)		IF IN THE CASE OF <i>Bank of America, N.A. v. Genetics of the Gulf</i>		DATE OF THE APPEAL	
APPEAL		C/o John D. Borch, 1000 Peachtree Street, N.E., Suite 1200, Atlanta, Georgia 30309		04-0000025-06	
ADDRESS OF APPELLANT		C/o John D. Borch, 1000 Peachtree Street, N.E., Suite 1200, Atlanta, Georgia 30309		04-0000025-06	
STATE		GA		04-0000025-06	
ZIP CODE		30309		04-0000025-06	
NAME OF APPELLANT		BORG OF AMERICA, N.A.		04-0000025-06	
NAME, DIST. NO. OR NAME OF D.L.		AP-8-A		04-0000025-06	

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

AFFIDAVIT: I hereby swear or affirm that I served

copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) 1001 A.M. 8.32, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

Signature of affiant

Signature of official before whom affidavit was made

(1) You are officially appointed to fill a vacancy in the office of Commissioner of the Bureau of Land Management (43 U.S.C. 1701 et seq.).

(3) If any party to a service of title shall fail to pay its bills by the 15th day of the month following the month in which the bill is rendered, the lessor may, in addition to all other rights and remedies, terminate the lease.

Significance of Population Growth in Development

— 60 —

60828

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

06-1304-CJ

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.		
Bank Of America, N.A.		46-3-04		
ADDRESS OF APPELLANT		CITY	STATE	ZIP CODE
c/o David Apotheker, Esq 2417 Welsh Rd Ste 21 #520 Philadelphia, PA 19114				
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)		(Defendant)	
07/21/2006	Bank of America, BN.A.		vs. Jennie E EX Ball	
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT			
TA 20 CV-0000055-06	David Apotheker, Esq			
LT 20				

This block will be signed ONLY when this notation is required under Pa. R.C.P.K.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Claimant (See Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

Signature of Prothonotary or Deputy

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon _____, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To _____, appellee(s)

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGEMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: _____, 20_____

Signature of Prothonotary or Deputy

NOTICE OF APPEAL

MORT

DISTRICT JUSTICE JUDGEMENT

C-135a-1

COMMON PLACES

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COMMONWEALTH OF PENNSYLVANIA

TRIDIGITAL DISPLACEMENT

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NOTICE OF APPEAL

Notice is given that the application has been filed in the State Court of Common Pleas of Franklin County, Ohio, for injunction restraining the District Justice

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS 16 DAY OF July, 1967, 20

Signature of affiant

Signature of official before whom affidavit was made

Digitized by Google

(4) If you are not entitled to a certificate of completion or if you have not completed the course, state the date on which your commission expired.

...and seem to club you at home. **It's now July 2012 in 2012 and it's only 90 to go until the end of the year.**

— 53 —

60828

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, PATelephone: **(814) 378-7160****16651-0362****NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

BANK OF AMERICA, N.A.
2417 WELSH RD
SUITE 21 #520
PHILADELPHIA, PA 19114

NAME and ADDRESS

DEFENDANT:

BALL, JENNIE E
1312 KENDRICK RD
HOUTZDALE, PA 16651

NAME and ADDRESS

C/O DAVID APOTHAKER, ESQUIRE
2417 WELSH RD
SUITE 21 #520
PHILADELPHIA, PA 19114Docket No.: **CV-0000055-06**
Date Filed: **5/22/06****THIS IS TO NOTIFY YOU THAT:**Judgment: **FOR DEFENDANT** (Date of Judgment) **7/21/06**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) BALL, JENNIE E	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Amount of Judgment</td> <td style="width: 70%;">\$.00</td> </tr> <tr> <td>Judgment Costs</td> <td>\$.00</td> </tr> <tr> <td>Interest on Judgment</td> <td>\$.00</td> </tr> <tr> <td>Attorney Fees</td> <td>\$.00</td> </tr> <tr> <td>Total</td> <td>\$.00</td> </tr> <tr> <td>Post Judgment Credits</td> <td>\$ _____</td> </tr> <tr> <td>Post Judgment Costs</td> <td>\$ _____</td> </tr> <tr> <td colspan="2" style="text-align: right;">Certified Judgment Total \$ _____</td> </tr> </table>	Amount of Judgment	\$.00	Judgment Costs	\$.00	Interest on Judgment	\$.00	Attorney Fees	\$.00	Total	\$.00	Post Judgment Credits	\$ _____	Post Judgment Costs	\$ _____	Certified Judgment Total \$ _____	
Amount of Judgment		\$.00															
Judgment Costs	\$.00																
Interest on Judgment	\$.00																
Attorney Fees	\$.00																
Total	\$.00																
Post Judgment Credits	\$ _____																
Post Judgment Costs	\$ _____																
Certified Judgment Total \$ _____																	
<input checked="" type="checkbox"/> Judgment was entered against: (Name) BANK OF AMERICA, N.A. in the amount of \$.00																	
<input type="checkbox"/> Defendants are jointly and severally liable.																	
<input type="checkbox"/> Damages will be assessed on Date & Time _____																	
<input type="checkbox"/> This case dismissed without prejudice.																	
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____																	
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____																	

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.

JUL 25 2006

7-21-06 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.

Date _____, Magisterial District Judge

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

SEAL

AOPC 315-06

DATE PRINTED: **7/21/06 9:55:00 AM**

FILED

AUG 15 2006

William A. Shaw
Prothonotary/Clerk of Courts

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

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

PLAINTIFF:

BANK OF AMERICA, N.A.
2417 WELSH RD
SUITE 21 #520
PHILADELPHIA, PA 19114

NAME and ADDRESS

DEFENDANT:

BALL, JENNIE E
1312 KENDRICK RD
HOUTZDALE, PA 16651

NAME and ADDRESS

VS.

JAMES L. HAWKINS
251 SPRING ST
PO BOX 362
HOUTZDALE, PA 16651-0362

Docket No.: **CV-0000055-06**
Date Filed: **5/22/06**



THIS IS TO NOTIFY YOU THAT:

FOR DEFENDANT

Judgment: _____ (Date of Judgment) **7/21/06**

Judgment was entered for: (Name) **BALL, JENNIE E**

Judgment was entered against: (Name) **BANK OF AMERICA, N.A.** *06-1306-CJ*
in the amount of \$ **.00**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time _____

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	\$.00
Judgment Costs	\$.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$.00
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

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FILED
M7/21/06
AUG 21 2006 *6P*

William A. Shaw
Prothonotary/Clerk of Courts

7-21-06 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.

8-16-06 Date *James L. Hawkins*, Magisterial District Judge

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

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

PLAINTIFF:

BANK OF AMERICA, N.A.
2417 WELSH RD
SUITE 21 #520
PHILADELPHIA, PA 19114

NAME and ADDRESS

DEFENDANT:

BALL, JENNIE E
1312 KENDRICK RD
HOUTZDALE, PA 16651

NAME and ADDRESS

JAMES L. HAWKINS
251 SPRING ST
PO BOX 362
HOUTZDALE, PA 16651-0362

Docket No.: **CV-0000055-06**
Date Filed: **5/22/06**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR DEFENDANT**

(Date of Judgment) **7/21/06**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) BALL, JENNIE E	Amount of Judgment \$.00
<input checked="" type="checkbox"/> Judgment was entered against: (Name) BANK OF AMERICA, N.A. in the amount of \$.00	Judgment Costs \$.00
<input type="checkbox"/> Defendants are jointly and severally liable.	Interest on Judgment \$.00
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Attorney Fees \$.00
<input type="checkbox"/> This case dismissed without prejudice.	Total \$.00
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Post Judgment Credits \$ _____
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	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.

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7-21-06

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.

8-16-06

Date

James L. Hawkins

, Magisterial District Judge

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

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Meg. Dist. No.:	46-3-04
DJ Name: Hon.	
James L. Hawkins	
Address: 430 Spring St, PO Box 362	
Houtzdale, PA 16651	
Telephone: 814-378-7160	

CIVIL COMPLAINT

PLAINTIFF: NAME and ADDRESS

BANK OF AMERICA, N.A.
c/o David Apothaker, Esquire
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

VS.

DEFENDANT: NAME and ADDRESS
JENNIE E BALL
1312 KENDRICK RD
HOUTZDALE PA 16651-8114

Docket No.: **CV 55-06**
Date Filed: **5-22-06**

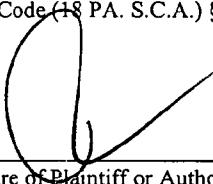
	AMOUNT	DATE PAID
FILING COSTS	\$ 123.50	5/22/06
SERVING COSTS	\$ _____	/ /
TOTAL	\$ _____	/ /

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for **\$4,944.12** together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Defendant(s) purchased/received the goods credit and/or other services identified in Plaintiff's billing, invoice or other records, at the time and for the amount set forth therein and, despite demands, has failed, neglected, and refused to pay the balance due and owing, together with interest in the amount of \$90.16 from December 12, 2005, plus interest of 6% per annum from April 4, 2006.

I, David J. Apothaker, Esq. verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. S.C.A.) § 4904) related to unsworn falsification to authorities.



(Signature of Plaintiff or Authorized Person)

Plaintiff's

Attorney: David J. Apothaker, Esq. Address: 2417 Welsh Road, Suite 21 #520

Telephone: 215-634-8920 Philadelphia, PA 19114

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. **If you are disabled and require assistance, please contact the Magisterial District office at the address above.**

AOPC 308A-05

BANK OF AMERICA, N.A.
C/O 1341 N DELA. AVE S405
PHILADELPHIA,PA, 19125

JENNIE E BALL
1312 KENDRICK RD
HOUTZDALE PA 16651-8114

STATEMENT OF ACCOUNT

Debtor's Name: JENNIE E BALL
Account Number: 4050860004010854
Original Creditor: BANK OF AMERICA
Date of Debt: December 12, 2005
Principal Balance: \$4,853.96
Balance Due: \$4,853.96

Our File No.: 0514054

EXHIBIT "A"

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apotheker

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attnorneys for Plaintiff

BANK OF AMERICA, N.A.
c/o David J Apotheker, Esquire
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

JENNIE E BALL
1312 KENDRICK RD
HOUTZDALE, PA 16651-8114
Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.: 061306-CD

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONE. 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.

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. 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 AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

BANK OF AMERICA, N.A.
c/o David J Apothaker, Esquire
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

Plaintiff,

vs.

JENNIE E BALL
1312 KENDRICK RD
HOUTZDALE, PA 16651-8114
Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.: 061306-CD

)

)

)
)
)
)
)

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff, BANK OF AMERICA, N.A., is a company with its principal place of business located at c/o David J Apothaker, Esq. 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.

2. Defendant is JENNIE E BALL, an adult individual residing at 1312 KENDRICK RD HOUTZDALE, PA 16651-8114.

3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".

4. Defendant received and accepted the goods and/or services described in Exhibit "A".

5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.

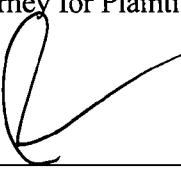
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".

7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$5,056.63 from December 12, 2005.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$5,056.63 plus costs, and reasonable attorney's fees.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff

BY: 

David J. Apothaker

Dated: August 23, 2006

Our File No.: 60828

VERIFICATION

David J. Apothaker, Esq. hereby states that I am counsel for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.



David J. Apothaker, Esq.
Attorney for Plaintiff

DATE: August 23, 2006

BANK OF AMERICA, N.A.
c/o David J Apothaker, Esquire
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

JENNIE E BALL
1312 KENDRICK RD
HOUTZDALE, PA 16651-8114

STATEMENT OF ACCOUNT

Debtor's Name: JENNIE E BALL
Account Number: 4050860004010854
Date of Debt: December 12, 2005
Balance Due: \$5,056.63

Our File No.: 60828

EXHIBIT "A"

APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff

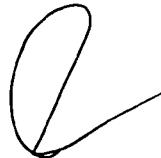
BANK OF AMERICA, N.A.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
Plaintiff,)
vs.)
JENNIE E BALL) NO.: 061306-CD
)
)
)
)
Defendant.)
)

CERTIFICATION OF SERVICE

I, David J. Apothaker, Esquire, attorney for Plaintiff, certify that on August 24, 2006, I mailed a copy of the Complaint by Regular mail to

JENNIE E BALL
1312 KENDRICK RD
HOUTZDALE, PA 16651-8114



David J. Apothaker, Esq.
Attorney for Plaintiff

Date: August 24, 2006

Our File No.: 60828

PROTHONOTARY/Clerk of Courts
William A Shaw

AUG 30 2006

FILED

APOTHAKER & ASSOCIATES, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff
David J. Apothaker, Esquire
Attorney ID #38423

BANK OF AMERICA, N.A.

Plaintiff,
vs.

JENNIE E BALL

Defendant.

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY
)
)
)
) NO.: 061306-CD
)
) Civil Action
)

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, BANK OF AMERICA, N.A. and against Defendant, JENNIE E BALL, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on August 24, 2006 by our office by regular mail. Copies of the proofs of service are attached hereto as Exhibit "A".

I certify, a copy of the Notice of Intention To Take Default was mailed on January 5, 2007, and also attached hereto.

FILED Attypd. 20.00
APR 09 2007 11:57:04 AM
Clerk of Courts
William A. Shaw
Prothonotary/Clerk of Courts
Statement to Atty

Assess damages in the amount of:

(a) Balance:	\$5,056.63
(b) Interest from August 23, 2006	\$169.16
TOTAL	\$5,225.79

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By: _____
David J. Apothaker

Dated: 3/23/2007

Our File No.: 60828

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS

COP

TO: JENNIE E BALL
1312 KENDRICK RD
HOUTZDALE, PA 16651-8114

BANK OF AMERICA, N.A.	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
)	
Plaintiff,)	
vs.)	
JENNIE E BALL	)	NO.: 061306-CD
)	
Defendant.	)	Civil Action
)	

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

XX JUDGMENT BY DEFAULT

 JUDGMENT IN REPLEVIN

 JUDGMENT BY CONFESSION

 JUDGMENT FOR POSSESSION

 JUDGMENT ON AWARD OF ARBITRATORS

 JUDGMENT ON VERDICT

 JUDGMENT ON COURT FINDINGS

 JUDGMENT ON WRIT OF REVIVAL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apotheker, Esq. at this telephone number: 215-634-8920

Walter J. Apotheker 419107

APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff

BANK OF AMERICA, N.A.	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
)	
	)	NO.: 061306-CD
JENNIE E BALL)	
	)	Civil Action
Defendant.)	
)	

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :
:

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 1312 KENDRICK RD HOUTZDALE, PA 16651-8114.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

David J. Apothaker
Attorney for Plaintiff

The above signed understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Department of Defense Manpower Data Center

MAR-23-2007 06:45:08



Military Status Report
 Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
BALL	JENNIE E		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
 Department of Defense - Manpower Data Center
 1600 Wilson Blvd., Suite 400
 Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. #167;#167; 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

APOTHAKER & ASSOCIATES, P.C.
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Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff

BANK OF AMERICA, N.A.	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
)	
	)	NO. 061306-CD
JENNIE E BALL)	
1312 KENDRICK RD)	
HOUTZDALE, PA 16651-8114)	
Defendant.)	
)	

**NOTICE OF INTENTION
TO TAKE DEFAULT**

TO: JENNIE E BALL

DATE OF NOTICE: January 05, 2007

IMPORTANT NOTICE

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice as set forth above, a judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

| 6 |

DAVID J. APOTHAKER, ESQUIRE
A Law Firm Engaged in Debt Collection
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff
Attorney ID #38423

Our File No.: 60828

APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff

BANK OF AMERICA, N.A.) COURT OF COMMON PLEAS
vs.) CLEARFIELD COUNTY
JENNIE E BALL Plaintiff,)
vs.) NO.: 061306-CD
Defendant.)
)

CERTIFICATION OF SERVICE

I, David J. Apothaker, Esquire, attorney for Plaintiff, certify that on August 24, 2006, I mailed a copy of the Complaint by Regular mail to

JENNIE E BALL
1312 KENDRICK RD
HOUTZDALE, PA 16651-8114



David J. Apothaker, Esq.
Attorney for Plaintiff

Date: August 24, 2006

Our File No.: 60828

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

OPY

Bank of America, N.A.
Plaintiff(s)

No.: 2006-01306-CD

Real Debt: \$5,225.79

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Jennie E. Ball
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: April 9, 2007

Expires: April 9, 2012

Certified from the record this 9th day of April, 2007.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney