

06-1375-CD
Capital One Bank vs Tamara L. Miller

2006-1375-CD
Capital One vs Tamara Miller

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

CAPITAL ONE BANK

Plaintiff

No: 06-1375-CD

vs.

COMPLAINT IN CIVIL ACTION

TAMARA L MILLER

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05215808 C A Pit VOC

FILED 100 Shaff
M 12.2564
AUG 24 2006 Atty pd. 85.00
⑥
William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff
vs. Civil Action No
TAMARA L MILLER
Defendant

COMPLAINT AND NOTICE TO DEFEND.

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an 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 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.

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

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext 1300-1301

COMPLAINT

1. Plaintiff, CAPITAL ONE BANK is a corporation with offices at 6851 JERICHO TURNPIKE #190 SYOSSET , NY 11791 .

2. Defendant is adult individual(s) residing at the address listed below:

TAMARA L MILLER
510 MEASE RD
OSCEOLA MILLS, PA 16666

3. Defendant applied for and received a credit card bearing the account number 5178052125350666 .

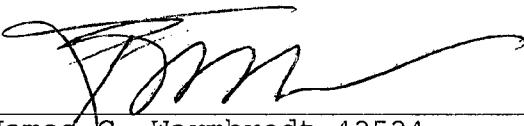
4. Defendant made use of said credit card and has a current balance due of \$2150.29 , as of August 11, 2006 .

5. Defendant is in default by failing to make monthly payments when due. As such, the entire balance is immediately due and payable to Plaintiff.

6. Plaintiff is entitled to the addition of interest at the rate of 25.900% per annum on the unpaid balance from August 11, 2006 . A copy of Plaintiff's STATEMENT OF ACCOUNT is attached hereto, marked as Exhibit "1" and made a part hereof.

7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance due to Plaintiff.

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , TAMARA L MILLER , INDIVIDUALLY , in the amount of \$2150.29 with continuing interest thereon at the rate of 25.900% per annum from August 11, 2006 plus costs.



James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05215808 C A Pit VOC

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

Your account is delinquent.

We want to help!



Take Action!
Call Today!

05215808

- To protect your credit with us, you need to make a payment.
- We can help—but only if you call us.
- When you call, you can make a **free** check-by-phone payment.

Return your account to good standing.
It's up to you to take the first step.
Call us!

1-800-479-7231

014-1102

CapitalOne®

Account Summary

Previous Balance	\$1,015.95
Payments, Credits and Adjustments	\$0.00
Transactions	\$64.00
Finance Charges	\$23.21
New Balance	\$1,103.16
Minimum Amount Due	\$1,103.16
Payment Due Date	July 03, 2003
Total Credit Line	\$800
Total Available Credit	\$0.00
Credit Line for Cash	\$800
Available Credit for Cash	\$0.00

At your service

To call Customer Relations or to report a lost or stolen card:
1-800-903-3637

For free online account service and special customer offers, log on to:
www.capitalone.com

Send payments to:
Attn: Remittance Processing
Capital One Services
P.O. Box 85147
Richmond, VA 23276

Send inquiries to:
Capital One Services
P.O. Box 85015
Richmond, VA 23285-5015

PLATINUM MASTERCARD ACCOUNT

5178-0521-2535-0666

MAY 04 - JUN 03, 2003

Page 1 of 1

Payments, Credits and Adjustments

Transactions

1	05 MAY	OVERLIMIT FEE	\$29.00
2	03 JUN	PAST DUE FEE	35.00

Can 9 million hungry kids inspire a nation? It's inspired Capital One and America's Second Harvest, our country's largest domestic hunger-relief charity, to build an online food drive. On June 5, 2003, National Hunger Awareness Day, and throughout June, you can help feed hungry children and their families by supporting the online food drive at www.secondharvest.org.

You were assessed a past due fee of \$35.00 on 06/03/2003 because your minimum payment was not received by the due date of 06/03/2003. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

EXHIBIT

1

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$1,055.19	.07096%	25.90%	\$23.21
CASH	\$0.00	.07096%	25.90%	\$0.00

ANNUAL PERCENTAGE RATE applied this period

25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT. ▼

CapitalOne®

0000000 0 5178052125350666 03 1103160020001103168

New Balance	\$1,103.16
Minimum Amount Due	\$1,103.16
Payment Due Date	July 03, 2003
Total enclosed	\$ <input type="text"/>
Account Number:	5178-0521-2535-0666

Please print mailing address and/or e-mail changes below using blue or black ink.

Street	Apt. #	
City	State	ZIP
Home Phone	Alternate Phone	
Email Address		

513685

Capital One Bank
P.O. Box 85147
Richmond, VA 23276



051368

#9015504939566480# MAIL ID NUMBER
TAMARA L MILLER
510 MEASE RD
OSCEOLA MILLS PA 16666-8726

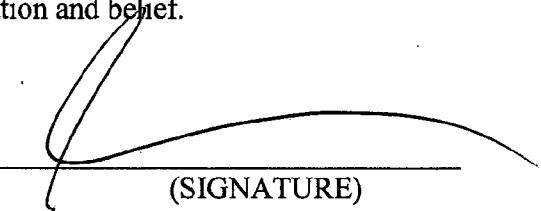


VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is SARA RUBIN
(NAME)

Agent of _____, plaintiff herein, that
(TITLE) (COMPANY)

he/she is duly authorized to make this verification, and that the facts set forth in the foregoing Complaint are true and correct to the best of his/her knowledge, information and belief.


(SIGNATURE)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101868
NO: 06-1375-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK
vs.
DEFENDANT: TAMARA L. MILLER

SHERIFF RETURN

NOW, August 30, 2006 AT 9:56 AM SERVED THE WITHIN COMPLAINT ON TAMARA L. MILLER DEFENDANT AT 510 MEASE RD, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KIM LEGO, SISTER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED
0/3:14 cm
SEP 05 2006 S

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2591584	10.00
SHERIFF HAWKINS	WELTMAN	2591584	35.80

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

Chester A. Hawkins
by Marilyn Hahn
Chester A. Hawkins
Sheriff

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

CAPITAL ONE BANK

Plaintiff No.06-1375-CD

vs.

**PRAECIPE FOR ENTRY OF JUDGMENT
BY CONSENT**

TAMARA L MILLER

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05215808
Judgment Amount:\$2178.19

FILED Atty pd.20.00
10/23/2006 10:07:01 AM
OCT 23 2006 ICC Notice
to Def.

William A. Shaw
Prothonotary/Clerk of Court
Statement to
Atty

(60)

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 06-1375-CD

TAMARA L MILLER

Defendant

PRAECIPE FOR JUDGMENT BY CONSENT

TO THE PROTHONOTARY:

Kindly enter Judgment against Defendant, TAMARA L MILLER, in the amount of \$2178.19 plus costs, based upon the consent of the parties.

CONSENTED TO:

WELTMAN, WEINBERG & REIS CO., L.P.A.,

TAMARA L MILLER,

By: Willie T. Morgan
Attorney for Plaintiff

By: Tamara L Miller
Defendant

WWR#05215808

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 06-1375-CI

TAMARA L MILLER

Defendant

**STIPULATION OF THE PARTIES FOR PAYMENT
AND FOR THE ENTRY OF JUDGMENT BY CONSENT**

TO THE PROTHONOTARY:

Kindly enter Judgment in favor of Plaintiff and against the Defendant, TAMARA L MILLER, above-named, in the amount of \$2178.19 pursuant to the Stipulation of the Parties for Payment and for the Entry of Judgment by Consent, as follows:

1. Defendant admits indebtedness to Plaintiff in the amount of \$2178.19 with continuing interest thereon at a rate of 6.0% per annum plus costs from SEPTEMBER 13, 2006.
2. To secure the repayment of said indebtedness, Defendant agrees that Judgment by Consent will be entered in favor of the Plaintiff and against the Defendant, TAMARA L MILLER, in the amount of \$2178.19 plus continuing interest thereon at the rate of 6.0% per annum from SEPTEMBER 13, 2006 and costs.
3. Plaintiff agrees not to execute on its Judgment so long as Defendant causes to be delivered to Plaintiff the following payments in full by 12:00 NOON on the following dates:
 - (a) \$75.00 due by 9/30/06;
 - (b) \$75.00 due on the LAST day of each consecutive month thereafter until the Judgment amount plus accrued interest and costs are paid in full.

4. All payments are to be made payable to the order of "CAPITAL ONE BANK"
5. All payments due under this agreement are to be received at the offices of Weltman, Weinberg & Reis, Co., L.P.A., 2718 Koppers Building, 436 Seventh Avenue, Pittsburgh, PA 15219.
6. In the event of default, each payment received shall be first attributed to costs, interest and then to principal.
7. Time is of the essence of this agreement and should the Defendant fail to have in the hands of Plaintiff or Plaintiff's counsel any payment in full within five (5) calendar days of the stated due date, then Plaintiff shall be immediately free to issue Execution as well as pursue all other remedies, in law or in equity, to collect the full balance of the Judgment entered hereunder plus appropriate additional interest and costs.
8. No act or omission of the Plaintiff, nor of anyone alleged to be acting on its behalf, shall constitute a waiver, estoppel, or any other excuse for non-performance of any duty undertaken by the Defendant in this Stipulation which the parties agree is final and complete.

9. Intending to be legally bound, the parties set their hands and seals this 9 day of Oct.
20 06.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczan
William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR No. 05215808

By: Tamara L. Miller
Defendant, TAMARA L MILLER

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 06-1375-CD

CC: 2

TAMARA L MILLER

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

You are hereby notified that the following
Order or Judgment was entered against you
on 10/23/06

Assumpsit Judgment in the amount
of \$2178.19 plus costs.

Trespass Judgment in the amount
of \$_____ plus costs.

If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration will be
suspended by the Department of Transportation, Bureau of Traffic
Safety, Harrisburg, PA.

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
 Award
 By Consent

Prothonotary

TAMARA L MILLER
510 MEASE RD
OSCEOLA MILLS, PA 16666

By: Willie Chan
PROTHONOTARY (OR DEPUTY)

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

Capital One Bank
Plaintiff(s)

No.: 2006-01375-CD

Real Debt: \$2,178.19

Atty's Comm: \$

Vs.

Costs: \$

Tamara L. Miller
Defendant(s)

Entry: \$20.00

Instrument: Consent Judgment

Date of Entry: October 23, 2006

Expires: October 23, 2011

Certified from the record this 23rd day of October, 2006.



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

FILED *1/2/16 LM* *1CCT 1certify*
NOV 30 2009 *Set issued to*
LM *Atty,*
S William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff No. 06-1375-CD

vs.

PRAECIPE FOR SATISFACTION OF
JUDGMENT

TAMARA L MILLER

Defendant(s) FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, Esquire
PA I.D. # 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7999

WWR#5215808 SMP

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 06-1375-CD

TAMARA L MILLER

Defendant(s)

PRAECIPE FOR SATISFACTION OF JUDGMENT

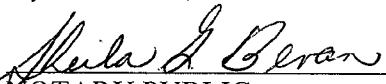
At the request of the undersigned attorneys for the Plaintiff, you are directed to satisfy the above-captioned Judgment.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
James C. Warmbrodt, Esquire
PA I.D. # 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7999

WWR #5215808

Sworn to and subscribed
before me this 17
day of November, 09


NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA	
Notarial Seal	
Sheila G. Bevan, Notary Public	
City Of Pittsburgh, Allegheny County	
My Commission Expires Nov. 15, 2010	
Member, Pennsylvania Association of Notaries	

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION



CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2006-01375-CD

Capital One Bank

Debt: \$2178.19

Vs.

Atty's Comm.:

Tamara L. Miller

Interest From:

Cost: \$7.00

NOW, Monday, November 30, 2009 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 30th day of November, A.D. 2009.



Prothonotary

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

JACQUELINE D. GUIDO

}

VS

} NO. 06-1382-CD

RICHARD L. DILL

}

ORDER

NOW, this 30th day of November, 2009, this being the date scheduled for hearing on Defendant's Petition for Contempt, it is the ORDER of this Court said Petition shall be and is hereby DISMISSED upon the Plaintiff, Jacqueline D. Guido, paying the sum of One Hundred Seventy-five Dollars (\$175.00) to Lea Ann Heltzel, Esquire, this date.

BY THE COURT,

Judge

FILED 2CC Attns:

019.29 cm
DEC 01 2009

2cc Atts:

Milgrub
Heitzel

60

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 12-1-2009

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

FILED

DEC 01 2009

William A. Shaw
Prothonotary/Clerk of Courts