

06-1696-CD
Applied Card Bank vs Lee Renaud

2006-1696-CD
Applied Card et al vs Lee Renaud

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of Clearfield

46th

NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No.

010-1696-CD

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 Magisterial District Judge on the date and in the case referenced below.

| | | |
|---|--|--------------------------------|
| NAME OF APPELLANT Applied Card Bank fka Cross Country Bank | MAG. DIST. NO. 46-3-02 | NAME OF MDJ Richard Ireland |
| ADDRESS OF APPELLANT 800 Delaware Ave | CITY Wilmington | STATE DE |
| DATE OF JUDGMENT 9/18/06 | IN THE CASE OF (Plaintiff) Applied Card Bank fka Cross Country Bank | |
| DOCKET No. CV-223-06 | vs Lee Renaud (Defendant) | |
| SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT | | |

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

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

[Handwritten signature over the signature line]

Signature of Prothonotary or Deputy

If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within (20) days after filing the NOTICE OF APPEAL.

FILED ATTY *m/11/06 Weinstein* OCT 16 2006 pd. *\$25.00*

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

William A. Chew
Prothonotary/Clerk of Courts
ICC: *ATTY Weinstein*
Defendant
AJ Ireland

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa.R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. 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 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 JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

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

Date: _____, 20____

Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

MDJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD ST**
STE 113
CLEARFIELD, PA

Telephone: **(814) 765-5335** **16830**

BURTON NEIL & ASSOCIATES, PC
1060 ANDREW DR APT/STE 170
WEST CHESTER, PA 19380

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS
APPLIED CARD BANK/CROSS CTRY BANK
1060 ANDREW DR APT/STE 170
WEST CHESTER, PA 19380

NAME and ADDRESS

DEFENDANT:

NAME and ADDRESS
RENAUD, LEE
1060 RIVER ROAD
CLEARFIELD, PA 16830

VS.

Docket No.: **CV-0000223-06**
Date Filed: **7/20/06**



THIS IS TO NOTIFY YOU THAT:

FOR DEFENDANT

Judgment: _____ (Date of Judgment) **9/18/06**

| | | | | | | | | | | | | | | | | | |
|--|---|--------------------|---------------|----------------|---------------|----------------------|---------------|---------------|---------------|--------------|---------------|-----------------------|----------|---------------------|----------|--|--|
| <input checked="" type="checkbox"/> Judgment was entered for: (Name) RENAUD, LEE | <table border="0"> <tr> <td>Amount of Judgment</td> <td>\$.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">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) APPLIED CARD BANK/CR, OSS CTRY 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.

SEP 18 2006

Date

Richard A. Ireland

, 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: **9/18/06 3:41:00 PM**

Burton Neil & Associates, P.C.
By: Yale D. Weinstein, Esquire ID. NO. 89678
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120
Attorney for Plaintiff

FILED NO CC
m/11/2006
OCT 16 2006
S
William A. Shaw
Prothonotary/Clerk of Courts

APPLIED CARD BANK fka CROSS COUNTRY BANK: IN THE COURT OF COMMON PLEAS
800 Delaware Ave, Wilmington, DE

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
v.

LEE RENAUD : NO. 06-1696-CJ
1060 River Road, Clearfield, PA
Defendant : CIVIL ACTION - LAW

Complaint - Notice

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

LAWYER REFERENCE AND INFORMATION SERVICE

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

67265

Burton Neil & Associates, P.C.
By: Yale D. Weinstein, Esquire ID. NO. 89678
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120
Attorney for Plaintiff

APPLIED CARD BANK fka CROSS COUNTRY BANK: IN THE COURT OF COMMON PLEAS
800 Delaware Ave, Wilmington, DE

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

LEE RENAUD
1060 River Road, Clearfield, PA
Defendant

: NO.
: CIVIL ACTION - LAW

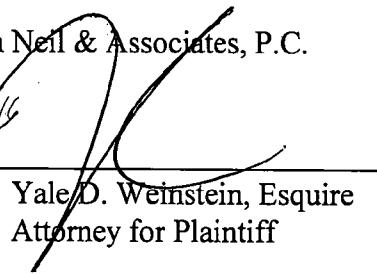
Complaint

1. The plaintiff is Applied Card Bank fka Cross Country Bank with place of business located at 800 Delaware Avenue, Wilmington, Delaware.
2. The defendant is Lee Renaud, who resides at 1060 River Road, Clearfield, Clearfield County, Pennsylvania.
3. At the defendant's request, furnished consumer credit to defendant bearing account number 4227097466926933 hereinafter referred to as the credit card account.
4. The defendant accepted the credit card account by making purchases, balance transfers and/or cash advances.
5. Monthly statements were sent to defendant each month which detailed the charges and credits made to the credit card account for the prior month.
6. The balance due on the credit card account is \$1,650.01.
7. Defendant did not pay the balance due on the credit card account in full upon receipt of the monthly billing statements and also did not make the required minimum monthly payment set forth in the monthly billing statement. As such, defendant is in default on the credit card account.
8. Plaintiff purchased the defendant's account from and is now the holder and owner of the account.
9. Although demand has been made by plaintiff upon defendant to pay the sum of \$1,650.01, the defendant failed and refused to pay all or any part thereof.

Wherefore, plaintiff demands judgment against the defendant in the sum of \$1,650.01 and the costs of this action.

Burton Neil & Associates, P.C.

By: _____


Yale D. Weinstein, Esquire
Attorney for Plaintiff

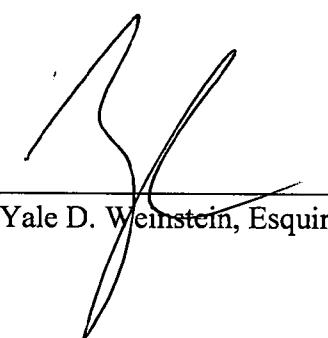
The law firm of Burton Neil & Associates, P. C. is a debt collector.

Verification

Yale D. Weinstein, Esquire, attorney for plaintiff, APPLIED CARD BANK F/K/A CROSS COUNTRY BANK, makes this statement on its behalf as to the truthfulness of the facts set forth in the foregoing Complaint subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities. Counsel, rather than an officer or other representative of plaintiff is verifying the foregoing Complaint because plaintiff's officers and/or representatives are outside the jurisdiction of the court and the verification of none of them could be obtained within the time required to file this pleading. Plaintiff's counsel is verifying plaintiff's Complaint based upon information and belief from information in his file.

Date:

12/3/06


Yale D. Weinstein, Esquire

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

MDJ Name: Hon

RICHARD A. IRELAND
Address: **650 LEONARD ST**
STE 113
CLEARFIELD, PA

Telephone: **(814) 765-5335** 16830

RICHARD A. IRELAND
650 LEONARD ST
STE 113
CLEARFIELD, PA 16830

THIS IS TO NOTIFY YOU THAT:

FOR DEFENDANT

Judgment: _____ (Date of Judgment) **9/18/06**

Judgment was entered for: (Name) **RENAUD, LEE**

Judgment was entered against: (Name) **APPLIED CARD BANK/CR, OSS CTRY**
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
M 11 13/06
OCT 19 2006
NO CC
6K

William A. Shaw
Prothonotary/Clerk of Courts

SEP 18 2006

Date

Richard Ireland

, Magisterial District Judge

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

OCT 18 2006

Date

Richard Ireland

, Magisterial District Judge

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

SEAL

AOPC 315-06

DATE PRINTED: **9/18/06** 3:41:00 PM

APPLIED CARD BANK F/K/A CROSS
COUNTRY BANK

Plaintiff

: IN THE COURT OF COMMON PLEAS

v.

LEE RENAUD

Defendant

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 06-1696-CD

: CIVIL ACTION - LAW

Affidavit of Service

COMMONWEALTH OF PENNSYLVANIA

:

SS

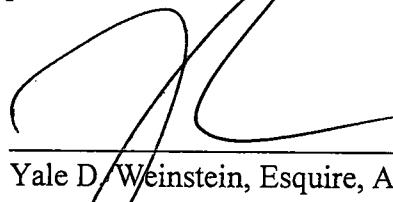
COUNTY OF CHESTER

:

Yale D. Weinstein, ESQUIRE, being duly sworn according to law, deposes and says:

1. That he is attorney for Plaintiff in the above captioned action in the Clearfield County Court of Common Pleas;
2. That on October 27, 2006 he served Plaintiff's complaint on Defendant by certified mail, return receipt requested;
3. That attached hereto marked Exhibit 1 and incorporated herein by reference is a true and correct copy of the return receipt card;
4. That this Affidavit is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

DATED: 11/1/06



Yale D. Weinstein, Esquire, Affiant

In making this communication, we advise that this office is a debt collector.

FILED
M 13.00 LM 1CC A/HY
NOV - 6 2006 LM

William A. Shaw
Prothonotary/Clerk of Courts

SENDER INFORMATION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the envelope, or on the front if space permits.

1. Article Addressed to:

(ee Renaud
1000 River Road
Clearfield, PA 16830)

2. Article Number

(Transfer from serv.)

7002 3150 0002 2627 5680

A. Signature

X Lee Renaud

Agent
 Addressee

B. Received by (Printed Name)

Lee Renaud

C. Date of Delivery
10-27-06

D. Is delivery address different from Item 1? Yes
If YES, enter delivery address below:

 No*67265*

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

LAW OFFICES
BURTON NEIL & ASSOCIATES, P.C.
1060 ANDREW DRIVE, SUITE 170
WEST CHESTER, PENNSYLVANIA 19380
610-696-2120
Facsimile 610-696-4111
Email: Burton.neil@burt-law.com
October 31, 2006

Burton Neil
Edward J. O'Brien
Yale D. Weinstein

Refer to File #
67265

Clearfield County Prothonotary
1 North Second Street
Clearfield, PA 16830

RE: Applied Card Bank v. Lee Renaud
Docket No. 06-1696-CD

Filing Cover Sheet

Enclosed please find an original and one copy of Affidavit of Service in connection with the above matter. Kindly file the original with the court and return the copy, time-stamped, to me in the envelope provided.

Thank you in advance for your cooperation.

Burton Neil & Associates, P.C.

Enclosure



APPLIED CARD BANK F/K/A CROSS
COUNTRY BANK
800 Delaware Ave, Wilmington, DE 19801

Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

LEE RENAUD
1060 River Road
Clearfield PA 16830-7426

Defendant

: NO. 06-1696-CD

: CIVIL ACTION - LAW

FILED

DEC 11 2006

11:55 AM
William A. Shaw
Prothonotary/Clerk of Courts

1 file to Darr
w/notice

Praecipe for Default Judgment

To the Prothonotary:

Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:

Principal: \$1,650.01

TOTAL \$1,650.01

Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment debtor and creditor.

2. The annexed notice of intention to file this praecipe was mailed to all parties against whom judgment is to be entered and to their record attorneys, if any, after the default occurred, and at least ten days prior to the date of the filing of this praecipe.

3. Pursuant to Section 201(b)(1)(A) of the Servicemembers Civil Relief Act of 2003 (SCRA), the defendant is not in the military service of the United States based on information received from the defendant and/or the Department of Defense website.

**JUDGMENT BY DEFAULT ENTERED
AND DAMAGES ASSESSED AS ABOVE.
NOTICE GIVEN UNDER PA.R.CIV.P. 236**

Weller
Pro Prothonotary

Burton Neil & Associates, P.C.

BY:

Yale D. Weinstein, Esquire
Attorney for Plaintiff
I.D. #89678
1060 Andrew Drive, Suite 170
W. Chester, PA 19380

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

67265



APPLIED CARD BANK F/K/A CROSS
COUNTRY BANK

Plaintiff

v.

LEE RENAUD

Defendant

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 06-1696-CD

: CIVIL ACTION - LAW

Notice of Intention to File Præcipe for Default Judgment

TO: Lee Renaud
1060 River Road
Clearfield PA 16830-7426

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 obligations to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, 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 your 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. This office can provide you with information about hiring a lawyer.

If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

**LAWYER REFERENCE AND
INFORMATION SERVICE**

David S. Meholick

Court Administrator

Clearfield County Courthouse

Clearfield, PA 16830

Telephone No. 814-765-2641 Ext. 5982

DATE OF NOTICE: November 20, 2006

Burton Neil & Associates, P.C.

By:

Yale D. Weinstein, Esquire

Attorney for Plaintiff

Identification No. 89678

1060 Andrew Drive, Suite 170

West Chester, PA 19380

(610) 696-2120

In making this communication, we advise our office is a
debt collector.



Burton Neil & Associates, P.C.
By: Yale D. Weinstein, Esquire ID. N. 89678
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120
ATTORNEY FOR: Plaintiff

APPLIED CARD BANK F/K/A CROSS
COUNTRY BANK

Plaintiff

VS.

LEE RENAUD

Defendant

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 06-1696-CD

: CIVIL ACTION - LAW

Rule of Civil Procedure NO. 236 (Revised)

Notice is given that a JUDGMENT in the above captioned matter has been entered against you on

Dec. 11, 2006

Prothonotary

By:

Deputy

If you have any questions concerning the above, please contact:

Yale D. Weinstein, Esquire
Attorney for Party Filing
1060 Andrew Drive, Suite 170
West Chester, PA 19380
Phone: 610-696-2120

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