

06-1730-CD  
Citibank vs. Leroy E. Brown

Citibank vs Leroy Brown  
2006-1730-CD

Burton Neil & Associates, P.C.  
By: Burton Neil, Esquire ID. NO. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
(610) 696-2120  
Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA) N.A. : IN THE COURT OF COMMON PLEAS  
701 East 60th Street North, Sioux Falls, SD  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
v.  
: NO. *06-1730-CD*  
LEROY E BROWN  
942 Brisbin Street Lot 3, Houtzdale PA 16651-1512  
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. Meholick  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
Telephone No. 814-765-2641 Ext. 5982

C-10337

**FILED** Atty ad. 85.00  
M 13.04.2014  
OCT 20 2006 100Shff

William A. Shaw  
Prothonotary/Clerk of Courts



Burton Neil & Associates, P.C.  
By: Burton Neil, Esquire, I.D. NO. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

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CITIBANK (SOUTH DAKOTA) N.A. : IN THE COURT OF COMMON PLEAS  
701 East 60th Street North, Sioux Falls, SD  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
v. : NO.  
LEROY E BROWN  
942 Brisbin Street Lot 3, Houtzdale PA 16651-1512  
Defendant : CIVIL ACTION - LAW

#### **Complaint**

1. Plaintiff is CITIBANK (SOUTH DAKOTA) N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.
2. Defendant is Leroy E Brown, who resides at 942 Brisbin Street Lot 3, Houtzdale, Clearfield County, Pennsylvania.
3. Plaintiff is a national banking association, engaged in various types of banking business including consumer lending through the issuance of credit cards.

#### **Count I**

4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180194913601 hereinafter referred to as the credit card account.
5. Plaintiff kept accurate running records of all debits and credits to the account.
6. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.
7. Before plaintiff mailed Exhibit A, defendant had for many months made payments on account of the billing statement or retained the statement without payment.
8. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$8,029.14 which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, plaintiff demands judgment against defendant for the sum of \$8,029.14, and the costs of this action.

#### **Count II**

9. Plaintiff furnished consumer credit to the defendant by means of a(n) credit card with account number 5491130005544317 hereinafter referred to as the credit card account.
10. Plaintiff kept accurate running records of all debits and credits to the account.

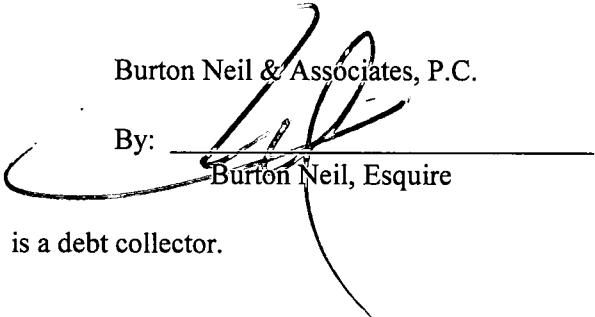
11. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit B. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.

12. Before plaintiff mailed Exhibit B, defendant had for many months made payments on account of the billing statement or retained the statement without payment.

13. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$7,179.72 which sum reflects the Exhibit B statement balance less credits, if any, which were applied subsequent to the date of Exhibit B.

Wherefore, plaintiff demands judgment against defendant for the sum of \$7,179.72, and the costs of this action.

Burton Neil & Associates, P.C.

By: 

Burton Neil, Esquire

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

C-10337

07/24/06 \$8029.14 \$8029.14 SITE:KC-CL TM:CO-5000 ACID:KCB3104  
08/09/06 21:22:41

LERoy E BROWN  
942 BRISBIN ST LOT 3  
HOUTZDALE  
16651-1512000

PA

CITI CARDS  
PO BOX 183069  
COLUMBUS, OH  
43218-3069

## Citi® Diamond Preferred® Entertainment Card

Account Number  
5424 1801 9491 3601



### Customer Service:

1-800-756-4000	Total Credit Line \$6930	Available Credit Line \$0	Cash Advance Limit \$1200	Available Cash Limit \$0	New Balance \$8029.14
BOX 6500 SIOUX FALLS, SD 57117	Statement/ Closing Date 06/28/2006	Amount Over Credit Line \$1099.14	Past Due \$1625.83	Purch/Adv Minimum Due \$319.43	Minimum Amount Due \$8029.14

Date	Past Due	Category	Activity Since Last Statement	Amount
6/28		Standard Purch	LATE FEE - MAY PAYMENT PAST DUE 66 0000	39.00
6/28			PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	200.43 0000000000

Your late fee was based on your account balance as of the payment due date (06/22/06), which was \$7,789.71.

Help is available! Please call the toll-free number shown above to learn about our special payment options. Call Monday - Friday, 7 am to 9 pm, or Saturday, 8 am to 5 pm, Central Time. Please give us the opportunity to assist you.

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(+) New Balance
PURCHASES	\$7,789.71	\$39.00	\$0.00	\$200.43	\$8,029.14
ADVANCES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL	\$7,789.71	\$39.00	\$0.00	\$200.43	\$8,029.14

Days This Billing Period: 29

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES Standard Purch	\$7,886.04	0.08764%(D)	31.990%	31.990%
ADVANCES Standard Adv	\$0.00	0.08764%(D)	31.990%	31.990%

EXHIBIT

A

# AT&T Universal Platinum Card

Charter Member



Page 1 of 3

LEROY E BROWN  
Account 5491 1300 0554 4317  
Calling Card + PIN  
May 18 - June 20, 2006

**How To Reach Us**  
Visit: [www.universalcard.com](http://www.universalcard.com)  
Customer Service: 1-800-423-4343 or write  
Cardmember Services, PO Box 44167  
Jacksonville, FL 32231-4167

## Quick Reference

Minimum Payment Due..... \$7,179.72  
Due Date\*..... July 17, 2008  
\*Payment must be received by 5:00 pm local time on the payment due date.  
Amount Past Due..... \$1,508.70  
Credit Line..... \$12,000.00  
Available Credit..... \$0.00  
Cash Advance Limit..... \$6,000.00  
Available Cash Advance Limit..... \$0.00

Your late fee was based on your account balance as of the payment due date (06/12/08), which was \$6,936.74.

Help is available! Please call the toll-free number shown above to learn about our special payment options. Please give us the opportunity to assist you.

## Account Summary

Previous Balance	6,936.74
Payments and Adjustments	0.00
MasterCard® Activity	242.98
Total AT&T Services	0.00
New Balance	\$7,179.72

Note: Detailed activity starts on page 3.

date paid amount paid check #

Please follow payment instructions outlined in the "Important Instructions for Making Payments" section of the statement.

05491130005544317717972999995916

Your Account Number

5491 1300 0554 4317

Please Enter Amount of Payment Enclosed

Payment Due Date  
JUL 17 2006

Your Total Balance  
\$7179.72

Minimum Amount Due  
\$7179.72

\$

15508 MC 52 A 1 AR7051407

LEROY E BROWN  
942 BRISBIN ST LOT 3  
HOOTZDALE PA 16651-1512

AT&T UNIVERSAL CARD  
PO BOX 183063  
COLUMBUS, OH 43218-3063

EXHIBIT

B

LEROY E BROWN  
Account 5491 1300 0654 4317  
May 18 - June 20, 2008



AT&T Universal Card

Page 2 of 3

**In the return envelope, please:**

- 1 Make your check payable to AT&T Universal Card.**
- 2 Enclose your check or money order. Include your account number and name on the front of your check or money order. Please, no cash or foreign currency.**
- 3 Enclose your payment coupon. Do not staple or tape it to your payment. Insert the payment coupon so that the entire AT&T Universal Card address appears through the window of your remittance envelope.**

LEROY E BROWN  
Account 6491 1300 0554 4317  
May 18 - June 20, 2008



Page 3 of 3

## AT&T UNIVERSAL MASTERCARD ACTIVITY

Purchases.....	203.98
Cash Advances and Checks.....	0.00
Fees.....	39.00
<b>Total MasterCard Activity.....</b>	<b>\$242.98</b>

### PURCHASES

**Total MasterCard Purchases..... \$203.98**

#### Standard Purch

Trans	Post	Description	Amount
	06/20	PURCHASES*FINANCE CHARGE*PERIOD	203.98
<b>Total Standard Purch</b>			<b>\$203.98</b>

### CASH ADVANCES

Cash Advance Limit..... \$6,000.00\* \*This represents a portion of your total credit line.

### FINANCE CHARGE INFORMATION

	Nominal APR	Periodic Rate	x Days In Billing Period	x Balance Subject to Finance Charge	= Periodic FINANCE CHARGE	+ Transaction Fee/ FINANCE CHARGE	ANNUAL PERCENTAGE RATE
<b>PURCHASES</b>							
Standard Purch	32.070%	.08788%(D)	x 33	x \$7,035.15	= \$203.98	+ \$0.00	32.070%
<b>CASH ADVANCES</b>							
Standard Adv	32.070%	.08788%(D)	x 33	x \$0.00	= \$0.00	+ \$0.00	32.070%
					Total FINANCE CHARGE	-	\$203.98

### FEES

#### Standard Purch

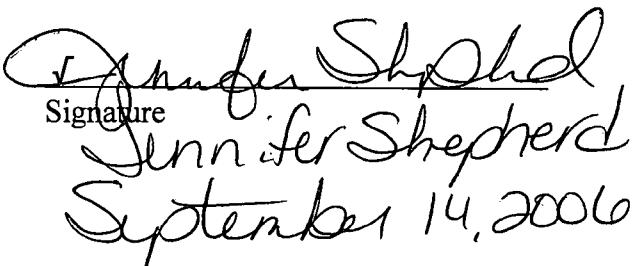
Trans	Post	Description	Amount
	06/20	LATE FEE - MAY PAYMENT PAST DUE	39.00
<b>Total Fees</b>			<b>\$39.00</b>

### AT&T SERVICES SUMMARY

AT&T Universal Calling Card Calls..... \$0.00

## Verification

I, Jennifer Shepherd am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff CITIBANK (SOUTH DAKOTA) N.A. retained to perform services including but not primarily limited to collecting delinquent debt. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc. (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.

  
Signature  
Jennifer Shepherd  
September 14, 2006

Leroy E Brown  
5424180194913601

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102058  
NO: 06-1730-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.  
VS.  
DEFENDANT: LEROY E. BROWN

SHERIFF RETURN

NOW, October 27, 2006 AT 11:33 AM SERVED THE WITHIN COMPLAINT ON LEROY E. BROWN DEFENDANT AT 942 BRISBIN ST., HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TRACY THOMPSON, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

FILED  
of 11/14/2006  
JAN 23 2007

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	26428	10.00
SHERIFF HAWKINS	NEIL	26428	34.02

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2007

So Answers,

*Chester A. Hawkins*  
*by Marilyn Hamer*  
Chester A. Hawkins  
Sheriff

CITIBANK (SOUTH DAKOTA) N.A.  
701 East 60th Street N, Sioux Falls, SD 57117  
Plaintiff

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PENNSYLVANIA

v.

LEROY E BROWN  
942 Brisbin Street Lot 3  
Houtzdale PA 16651-1512  
Defendant

: NO. 06-1730-CD

: CIVIL ACTION - LAW

FILED *Atty ad.*  
*M 2/5/07 20:00*  
FEB 05 2007 ICC Notice  
to Def.

William A. Shaw *Statement*  
Prothonotary/Clerk of Courts  
to Atty  
*(6)*

**Praeclipe for Default Judgment**

To the Prothonotary:

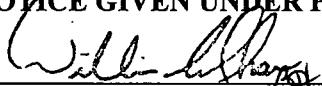
Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:

Principal - Count I:	\$8,029.14
Principal - Count II:	\$7,179.72
Credits:	\$2,900.00
 TOTAL	 \$12,308.86

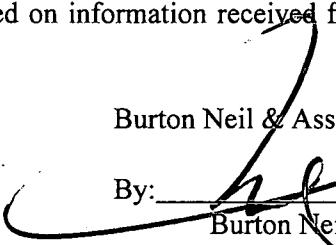
Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

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**

  
\_\_\_\_\_  
Pro Prothonotary

Burton Neil & Associates, P.C.

By:   
\_\_\_\_\_  
Burton Neil, Esquire

Attorney for Plaintiff  
I.D. #11348  
1060 Andrew Drive, Suite 170  
W. Chester, PA 19380

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

C-10337

CITIBANK (SOUTH DAKOTA) N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

LEROY E BROWN

Defendant

: NO. 06-1730-CD

: CIVIL ACTION - LAW

**Notice of Intention to File Praecept for Default Judgment**

TO: Leroy E Brown  
 942 Brisbin Street Lot 3  
 Houtzdale PA 16651-1512

**IMPORTANT NOTICE**

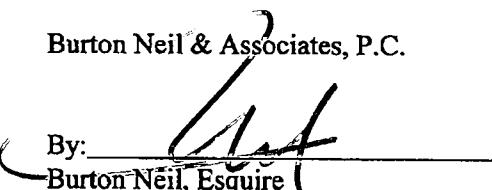
You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or obligations to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, a judgment may be entered against you 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. Meholic  
 Court Administrator  
 Clearfield County Courthouse  
 Clearfield, PA 16830  
 Telephone No. 814-765-2641 Ext. 5982

DATE OF NOTICE: November 30, 2006

Burton Neil &amp; Associates, P.C.

By: 

Burton Neil, Esquire

Attorney for Plaintiff

Identification No. 11348

1060 Andrew Drive, Suite 170

West Chester, PA 19380

(610) 696-2120

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

cc: Roll Law Office  
 PO Box 2410  
 Tempe, AZ 85280



Burton Neil & Associates, P.C.  
BY: Burton Neil, Esquire ID. NO. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
ATTORNEY FOR: Plaintiff

Copy

**CITIBANK (SOUTH DAKOTA) N.A.**  
Plaintiff

v.

**LEROY E BROWN**  
Defendant

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PENNSYLVANIA  
: NO. 06-1730-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

February 5, 2007.

Prothonotary

By:

Willie L. Blair  
Deputy

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

Burton Neil, 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.

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

Citibank (South Dakota) N.A.  
Plaintiff(s)

No.: 2006-01730-CD

Real Debt: \$12,308.86

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Leroy E. Brown  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 5, 2007

Expires: February 5, 2012

Certified from the record this 5th day of February, 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

FILED

7/11/2011  
AUG 29 2011

pd \$7.00 Atty  
ICC Atty, Ne.1  
William A. Shaw  
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.  
By: Burton Neil, Esquire ID. NO. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 06-1730-CD

LEROY E. BROWN

Defendant : CIVIL ACTION - LAW

**Praecipe to Satisfy Judgment**

To the Prothonotary:

Mark the judgment **Satisfied**.

Burton Neil & Associates, P.C.

By:

Burton Neil, Esquire  
Attorney for Plaintiff

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

C-10344