

06-1827-CD

Citibank vs. Robert H. Johnson

2006-1827-CD

Citibank vs Robert Johnson

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. 2006-1827-CD  
ROBERT H JOHNSON  
84 Breezewood Avenue, Du Bois PA 15801-1102  
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

**FILED** pd \$ 85.00 A/H  
M/3:00pm 10/ Shft  
NOV - 6 2006  
(initials)

William A. Shaw  
Prothonotary/Clerk of Courts

C-10797



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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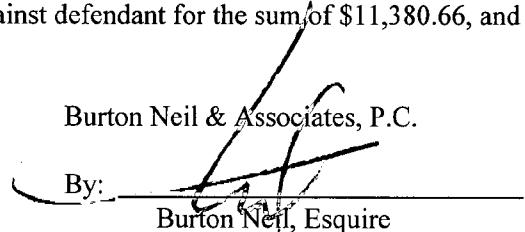
CITIBANK (SOUTH DAKOTA) N.A. : IN THE COURT OF COMMON PLEAS  
701 East 60th Street North, Sioux Falls, SD  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
v. : NO.  
ROBERT H JOHNSON  
84 Breezewood Avenue, Du Bois PA 158011102  
Defendant : CIVIL ACTION - LAW

**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 Robert H Johnson, who resides at 84 Breezewood Avenue, Du Bois, 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.
4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180461849561 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 \$11,380.66 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 \$11,380.66, 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.

10/06/06 \$11380.66 \$11380.66 SITE:KC-CL TM:CO-5000 ACID:ROB0554  
 PMT DUE DATE NEW BALANCE GRN AMT DUE 10/03/06 21:52:07:

CITI CARDS  
 PO BOX 183058  
 COLUMBUS, OH  
 43218-3058

ROBERT H JOHNSON  
 84 BREEZEWOOD AVE  
 DU BOIS  
 15801-1102000 PA

**Citi® Driver's Edge®  
 Platinum Select® Card-Charter Rbts**

Account Number

5424 1804 6184 9561

**Customer Service:**

1-800-925-8871	Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
BOX 6500 SIOUX FALLS, SD 57117	\$24200	\$0	\$10400	\$0	\$11380.66
	Statement/ Closing Date	Amount Over Credit Line	Past Due	Purch/Adv Minimum Due	Minimum Amount Due
	09/13/2006	\$0.00	\$2824.78	\$410.49	\$11380.66

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	9/13		Standard Purch PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	276.92 0000000000
	9/13		Balance Transfer - Charged To Offer 8 PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	20.57 0000000000

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.



**EXHIBIT** A

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$11,083.17	\$0.00	\$0.00	\$297.49	\$11,380.66
ADVANCES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$11,083.17</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$297.49</b>	<b>\$11,380.66</b>

Days This Billing Period: 30

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES Standard Purch Offer 8	\$10,450.02 \$776.28	0.08833%(D) 0.08833%(D)	32.240% 32.240%	32.240% 32.240%
ADVANCES Standard Adv	\$0.00	0.08833%(D)	32.240%	32.240%

## Verification

Shauna Houghton

I, \_\_\_\_\_ 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.

✓ Shauna Houghton  
Signature Shauna Houghton

Robert H Johnson  
5424180461849561

## **Documents for Filing**

OUR FILE: C-10797  
DATE: November 1, 2006

TO: Clearfield County Prothonotary  
1 North Second Street  
Clearfield, PA 16830

RE: CITIBANK (SOUTH DAKOTA) N.A. v. Robert H Johnson

The following is enclosed for filing: Complaint

- Please file the original
- Return a time-stamped copy to us in the envelope provided
- Forward all remaining documents to the Sheriff for processing.

Our check for your fee is enclosed.

Thank you,

Burton Neil & Associates, P.C.  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120

P \$85.00  
S \$100.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102103  
NO: 06-1827-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.

vs.

DEFENDANT: ROBERT H. JOHNSON

**SHERIFF RETURN**

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NOW, November 21, 2006 AT 1:54 PM SERVED THE WITHIN COMPLAINT ON ROBERT H. JOHNSON DEFENDANT AT Meeting place: DRMC WEST PARKING LOT, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT JOHNSON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	27118	10.00
SHERIFF HAWKINS	NEIL	27118	51.82

**FILED**  
92:15 LM  
FEB 08 2007

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

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

So Answers,

*Chester A. Hawkins*  
*by Mandy Hump*  
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.

ROBERT H JOHNSON  
84 Breezewood Avenue  
Du Bois PA 158011102  
Defendant

: NO. 2006-1827-CD

: CIVIL ACTION - LAW

**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:	\$11,380.66
TOTAL	\$11,380.66

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**

Callie  
Pro Prothonotary

*Z*  
Burton Neil & Associates, P.C.

By: *Z*

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-10797



CITIBANK (SOUTH DAKOTA) N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

ROBERT H JOHNSON

Defendant

: NO. 2006-1827-CD

: CIVIL ACTION - LAW

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

TO: Robert H Johnson  
84 Breezewood Avenue  
Du Bois PA 158011102

**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.

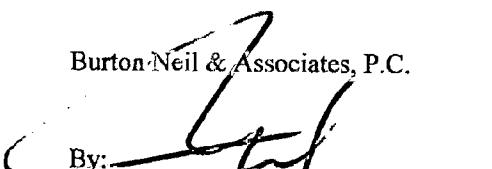
If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

**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: January 31, 2007

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.



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.  
Plaintiff

v.

ROBERT H JOHNSON  
Defendant

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PENNSYLVANIA  
: NO. 2006-1827-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

FEB. 20, 2007

Prothonotary

By: 

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

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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.

ROBERT H JOHNSON

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-10797