

06-1900-CD  
Capital One Bank vs Kim Wilsoncroft

Capital One vs Kim Wilsoncroft  
2006-1900-CD

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

CAPITAL ONE BANK

Plaintiff

No: 2006-1900-CJ

vs.

COMPLAINT IN CIVIL ACTION

KIM D WILSONCROFT

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  
05468412 C A Pit DKB

FILED pd \$85.00 Atty  
M/11:45am ICC Shft  
NOV 15 2006

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  
KIM D WILSONCROFT

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:

KIM D WILSONCROFT  
2401 SALEM RD  
WEST DECATUR, PA 16878

3. Defendant applied for and received a credit card bearing the account number 5178052187328634 .

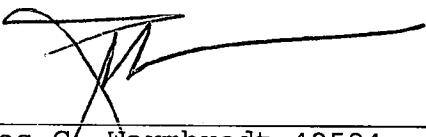
4. Defendant made use of said credit card and has a current balance due of \$3040.97 , as of November 02, 2006 .

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 November 02, 2006 . A copy of Plaintiff's STATEMENT 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 , KIM D WILSONCROFT , INDIVIDUALLY , in the amount of \$3040.97 with continuing interest thereon at the rate of 25.900% per annum from November 02, 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  
05468412 C A Pit DKB

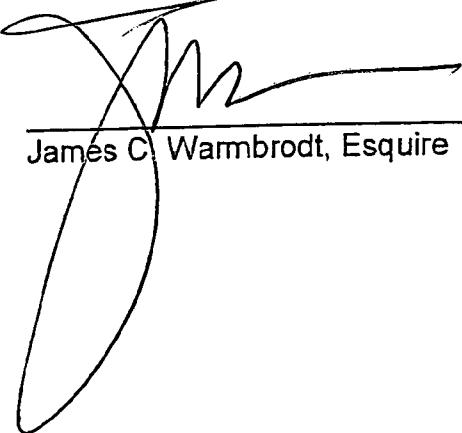
This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.





VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he is an attorney for the Plaintiff herein and makes this Verification based upon the facts as supplied to him by the Plaintiff because the Plaintiff is outside the jurisdiction of the court and the Plaintiff's Verification cannot be obtained within the time allowed for the filing of this pleading; and that the facts and circumstances set forth in this pleading, are true and correct to the best of his knowledge, information and belief.

  
\_\_\_\_\_  
James C. Warmbrodt, Esquire

05468412

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102148  
NO: 06-1900-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK  
VS.  
DEFENDANT: KIM D. WILSONCROFT

FILED

01/37/07  
FEB 27 2007

SHERIFF RETURN

William A. Shaw  
Prothonotary/Clerk of Courts

NOW, December 01, 2006 AT 9:25 AM SERVED THE WITHIN COMPLAINT ON KIM D. WILSONCROFT DEFENDANT AT SHERIFF'S OFFICE 1 N. 2ND ST, SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KIM WILSONCROFT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2643578	10.00
SHERIFF HAWKINS	WELTMAN	2643578	38.79

Sworn to Before Me This

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

So Answers,

  
Chester A. Hawkins  
Sheriff

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

CAPITAL ONE BANK

Plaintiff

No.: 2006-1900-CD

vs.

KIM D WILSONCROFT

**PRAECIPE FOR ENTRY OF JUDGMENT  
BY CONSENT**

Defendant

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt  
Paid# 42524  
Weltman, Weinberg & Reis Co.  
2718 Koppers Bldg  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#05468412

**FILED** Atty pd. 20.00  
MARCH 07 2007 CCO, Notice  
to Def.

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

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. : 2006-1900-CD

KIM D WILSONCROFT

Defendant

**PRAECIPE FOR JUDGMENT BY CONSENT**

TO THE PROTHONOTARY:

Kindly enter Judgment against Defendant, KIM D WILSONCROFT, in the amount of \$3040.97 plus costs, based upon the consent of the parties.

CONSENTED TO:

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

KIM D WILSONCROFT,

By: \_\_\_\_\_  
Attorney for Plaintiff

WWR#05468412

By: Kim Wilsoncroft  
Defendant

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. : 2006-1900-CD

KIM D WILSONCROFT

Defendant

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

TO THE PROTHONOTARY:

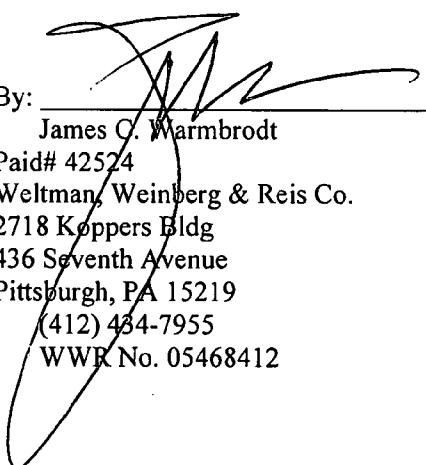
Kindly enter Judgment in favor of Plaintiff and against the Defendant, KIM D WILSONCROFT, above-named, in the amount of \$3040.97 pursuant to the Stipulation of the Parties for Payment and for the Entry of Judgment by Consent, as follows:

1. Defendant admits indebtedness to Plaintiff in the amount of \$3040.97 with continuing interest thereon at a rate of 6.00% per annum plus costs from NOVEMBER 2, 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, KIM D WILSONCROFT, in the amount of \$3040.97 plus continuing interest thereon at the rate of 6.00% per annum from NOVEMBER 2, 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) \$136.00 due by 12/15/06;
  - (b) \$136.00 due on the 15<sup>TH</sup> 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 15 day of Feb,  
2007.

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

By: 

James C. Warmbrodt  
Paid# 42524  
Weltman, Weinberg & Reis Co.  
2718 Koppers Bldg  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955  
WWR No. 05468412

By: Kim D'Wilsoncroft  
Defendant, KIM D'WILSONCROFT

COPY

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. : 2006-1900-CD

KIM D WILSONCROFT

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 317107

Assumpsit Judgment in the amount  
of \$3040.97 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-Pros  
 Confession  
 Default  
 Verdict  
 Arbitration  
 Award  
 By Consent

Prothonotary

By: Willie A. Henry 6/11  
PROTHONOTARY (OR DEPUTY)

KIM D WILSONCROFT  
2401 SALEM RD  
WEST DECATUR, PA 16878

# WELTMAN, WEINBERG & REIS Co., L.P.A.

ATTORNEYS AT LAW  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, Pennsylvania 15219  
412.434.7955  
[www.weltman.com](http://www.weltman.com)

BURLINGTON, NJ  
609.914.0437  
CHICAGO, IL  
847.940.9812  
CINCINNATI, OH  
513.723.2200  
CLEVELAND, OH  
216.685.1000  
COLUMBUS, OH  
614.228.7272  
DETROIT, MI  
248.362.6100  
PHILADELPHIA, PA  
215.599.1500



January 15, 2007

KIM D WILSONCROFT  
2401 SALEM RD  
WEST DECATUR, PA 16878

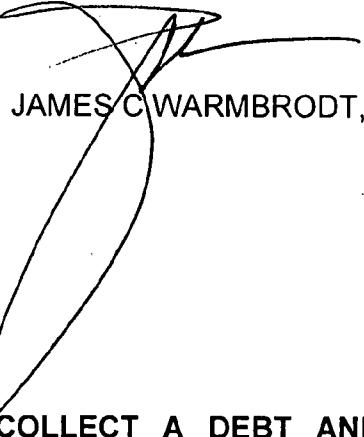
**Re: CAPITAL ONE BANK vs. KIM D WILSONCROFT**  
**Case No. : 2006-1900-CD**  
**Our File No. 05468412**

Dear KIM D WILSONCROFT:

Enclosed please find a Stipulation of the Parties for Settlement and for the Entry of Judgment by Consent. You should see that the enclosed Stipulation is signed and returned to our office in the enclosed self-addressed, stamped envelope along with your first payment on, or before, 12/15/06. Upon receipt of the signed stipulation, I will sign and forward the pleading to the court for filing.

Should you have any questions or comments, please feel free to contact me. Thank you for your cooperation in this matter.

Very truly yours,



JAMES C WARMBRODT, Esquire

JCW:cxc

Enclosures

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE USED FOR THAT PURPOSE.

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

OPY

Capital One Bank  
Plaintiff(s)

No.: 2006-01900-CD

Real Debt: \$3,040.97

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Kim D. Wilsoncroft  
Defendant(s)

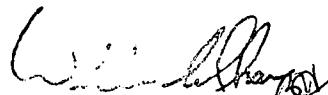
Entry: \$20.00

Instrument: Consent Judgment

Date of Entry: March 7, 2007

Expires: March 7, 2012

Certified from the record this 7th day of March, 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DKT PG. 102148

1 of 1 services

CAPITAL ONE BANK

NO. 06-1900-CD

-VS-

KIM D. WILSONCROFT

COMPLAINT

AMENDED  
SHERIFF'S RETURN

---

NOW APRIL 26, 2007 CHANGE SHERIFF COSTS FROM \$38.79 TO \$28.79.

SWORN TO BEFORE ME THIS  
\_\_\_\_ DAY OF April 2007

So Answers,

  
by Marilyn Hause  
\_\_\_\_\_  
CHESTER A. HAWKINS  
SHERIFF

FILED  
APR 27 2007  
WM

William A. Shaw  
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff No. 2006-1900-CD

vs. PRAECIPE FOR SATISFACTION OF  
JUDGMENT

KIM D WILSONCROFT

Defendant 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) 434-7955

WWR#05468412

5 **FILED** pd \$7.00 Atty  
m 12:10pm ICC + 1 cea  
MAR 11 2009 of sat  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty Warmbrodt  
Issued to

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 2006-1900-CD

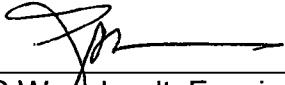
KIM D WILSONCROFT

Defendant

**PRAECIPE FOR SATISFACTION OF JUDGMENT**

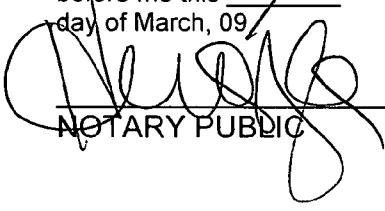
At the request of the undersigned attorneys for the Plaintiff, you are directed to satisfy the above-captioned Judgment.

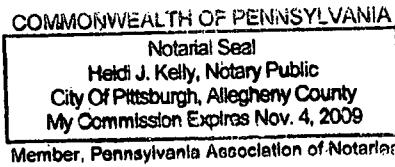
WELTMAN, WEINBERG & REIS CO., L.P.A.

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) 434-7955

WWR #05468412

Sworn to and subscribed  
before me this 14  
day of March, 09

  
NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION



**CERTIFICATE OF SATISFACTION OF JUDGMENT**

No.: 2006-01900-CD

Capital One Bank

Debt: \$3040.97

Vs.

Atty's Comm.:

Kim D. Wilsoncroft

Interest From:

Cost: \$7.00

NOW, Wednesday, March 11, 2009 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 11th day of March, A.D. 2009.

A handwritten signature in black ink, followed by the handwritten initials 'J.M.' in a smaller size.

\_\_\_\_\_  
Prothonotary