

06-1943-CD
Target Nat'l Bank vs Tina M. Hicks

Target national vs Tina Hicks
2006-1943-CD

GREGG L. MORRIS, ESQ.
PATENAUDA & FELIX, A.P.C.
213 E. MAIN STREET
CARNEGIE, PA 15106
(412) 429-7675
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PA ID#69006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK

Plaintiff,

v.

TINA M HICKS ,

Defendant(s).

)
) NO. 2006 - 1943-60
)
)
)
)
)
)
)

COMPLAINT IN CIVIL ACTION

Filed on behalf of:
TARGET NATIONAL BANK ,
Plaintiff

Counsel of Record for This Party:

Gregg L. Morris, Esquire
Pa I.D. #69006

Patenaude & Felix, A.P.C.
213 East Main Street
Carnegie, PA 15106
(412) 429-7675

FILED
NOV 20 2006
W/3-30/c
William A. Shaw
Prothonotary Clerk of Courts
1 GEMTO SHAW

2050.12294

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK ,)
Plaintiff,) NO.
v.)
TINA M HICKS ,)
Defendant.)

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 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.**

**David S. Meholic
Court Administration
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK ,)
Plaintiff) NO.
v.)
TINA M HICKS ,)
Defendant.)

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, TARGET NATIONAL BANK , by and through its attorney, GREGG L. MORRIS, ESQUIRE and the law offices of PATENAUME & FELIX, A.P.C. and files the following **Complaint in Civil Action**, and in support thereof aver as follows:

1. Plaintiff, TARGET NATIONAL BANK , is a corporation and for the purpose of this litigation, maintaining a place of business c/o Patenaude and Felix, A.P.C., 213 East Main Street, Carnegie, Pennsylvania 15106.
2. Defendant is TINA M HICKS , an adult individual, believed to currently reside at 711 N FRONT ST , PHILIPSBURG, PA 16866.
3. Heretofore, the Defendant opened a TARGET NATIONAL BANK account with Plaintiff being Account No. 4352378367244957 , for the purchase of goods and services.
4. The Defendant has made or authorized a number of purchases and as of 08/18/06, Defendant owes \$5,980.68 on said account plus interest.

5. Plaintiff maintains accurate books of account recording all credits and debits for this account.

6. The Defendant has received monthly billing statements from Plaintiff setting forth the nature and amount of all charges made by Defendant, and the transactions between Plaintiff and Defendant give rise to an account stated, upon which Plaintiff has relied.

7. The Defendant made payments, but has refused to pay, and now refuses to pay the balance due and owing on the aforesaid account in the sum of \$5,980.68, plus interest and costs.

8. By failing to object or dispute to the statements including the statement attached hereto as Plaintiff's Exhibit "A", Defendant has assented to and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

9. Despite repeated demands, Defendant has failed to make the required installment payments when due and therefore the full amount of the account is now due and payable.

WHEREFORE, Plaintiff demands Judgment in its favor, and against Defendant, in the amount of \$5,980.68, plus legal interest from the date of breach, with continuing interest at the legal rate thereon from the date of Judgment plus costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

Patenaude & Felix, A.P.C.

RE: Gregg L. Morris, Esquire
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675



TARGET



00000

2050-122-94

Account Number: 4352-3783-6724-4957
TINA M HICKS

Statement Closing Date: August 15, 2006
Page 1 of 1

Target Visa Account Summary

Total Credit Limit	\$0	Previous Balance	\$6,145.68
Cash Limit	\$0	Payments & Credits	0.00
Available Credit	\$0	Purchases & Advances	0.00
Portion Available for Cash	\$0	Other Charges	35.00
The Cash Limit is a portion of the Total Credit Limit		FINANCE CHARGES	0.00
		New Balance	\$6,180.68
		Amount Past Due	\$1,563.11
		Minimum Payment Due	\$6,180.68
		(includes any Amount Past Due)	
		Payment Due Date	September 9, 2006
<i>Calling will not preserve your billing-error rights</i>			

Payments & Credits

No payments or credits were received last month.

Other Charges

Aug. 9	LATE PAYMENT FEE	\$35.00
	Total Other Charges	\$35.00

Finance Charges

Days in Billing Period: 31

Balance Type	Daily Periodic Rate	Corresponding Annual Percentage Rate	Average Daily Balance	Periodic FINANCE CHARGE	Transaction FINANCE CHARGE
Purchases	0.07736%	28.24%	\$0.00	\$0.00	\$0.00
Cash	0.07736%	28.24%	\$0.00	\$0.00	\$0.00
Total FINANCE CHARGES:					\$0.00
Actual ANNUAL PERCENTAGE RATE:					0.00%

Target National Bank, an affiliate of Target Stores

NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION

INCLUDE THIS PORTION WITH YOUR PAYMENT MADE PAYABLE TO TARGET NATIONAL BANK



TARGET



Account Number 4352-3783-6724-4957
New Balance \$6,180.68
Minimum Payment Due \$6,180.68
Payment Due Date September 9, 2006

NEW PHONE, HOME OR
E-MAIL ADDRESS?
PLEASE UPDATE ON
REVERSE SIDE.

OFFICE COPY

11111111111111111111
TARGET NATIONAL BANK
P.O. BOX 59317
MINNEAPOLIS, MN 55459-0317

Amount
Enclosed
\$

RETURNED MAIL NOT PRINTED

TINA M HICKS
PO BOX 2
PHILIPSBURG, PA 16866-0002



5001280618068061806890435237836724495771

In _____ Court

Judicial (Circuit/District)

Original Creditor Name: TARGET NATIONAL BANK
Debtor Name: HICKS, TINA M
Co-Debtor Name:
Account Number: 4352378367244957

AFFIDAVIT OF ACCOUNT

STATE OF MINNESOTA
COUNTY OF HENNEPIN ss:

The undersigned, CHRISTIE COMES states that:

1. I am a representative of TARGET NATIONAL BANK and am authorized to Verify current balances due and owing to TARGET NATIONAL BANK on credit card accounts.
2. As of the date of this affidavit I have reviewed the records of the above listed person and account, and that the amount due and owing to TARGET NATIONAL BANK on this account, over and above all known legal set offs is \$6180.68.
3. That reasonable inquiry has been made to determine if the defendant is in the military service of the United States of America, and to the best of my knowledge that defendant is not in such military service and is therefore not entitled to the rights and privileges provided under the Soldiers and Sailors Civil Relief Act of 1940, as amended.

That the above information is true to the best of my knowledge, information and belief, and based upon the books and business records of TARGET NATIONAL BANK.

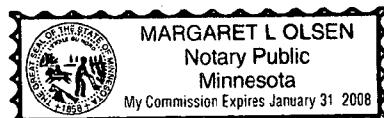


Authorized Agent of TARGET NATIONAL BANK

Subscribed and sworn to before
Me on 5th day of September, 2006



Notary public
My commission expires: 1/31/2008



4352378367244957
A144 PATERNAUDE & FELIX, A.P.C.

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that she is, Christie Comes, Assistant Secretary, of Target National Bank, Plaintiff Herein, that she is duly authorized to make this Declaration, and hat the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of her knowledge, information and belief.



Christie Comes
Authorized Agent of Target National Bank/Target Visa

4352378367244957
A144
PATENAUX & FELIX, A.P.C

GREGG L. MORRIS, ESQ.
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK) NO. 2006-1943-CD
)
Plaintiff,)
)
v.)
)
TINA M HICKS ,)
)
Defendant(s).)
)

**PRAECIPE TO SETTLE
AND DISCONTINUE
WITHOUT PREJUDICE**

Filed on behalf of:
TARGET NATIONAL BANK ,
Plaintiff

Counsel of Record for This Party:

Gregg L. Morris, Esquire
Pa I.D. #69006

Patenaude & Felix, A.P.C.
213 East Main Street
Carnegie, PA 15106
(412) 429-7675

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William A. Shaw
Prothonotary/Clerk of Courts
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK ,)
Plaintiff) NO. 2006-1943-CD
v.)
TINA M HICKS ,)
Defendant(s))

PRAEICE TO SETTLE AND DISCONTINUE WITHOUT PREJUDICE

TO: Prothonotary

Please settle and discontinue the matter captioned above without prejudice. Thank you.

Respectfully submitted:

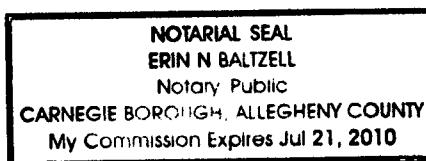
GREGG L. MORRIS, ESQUIRE
Patenaude & Felix, A.P.C.
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

Date: December 11, 2006

Sworn to and subscribed before me

this 11 day of December 2006,

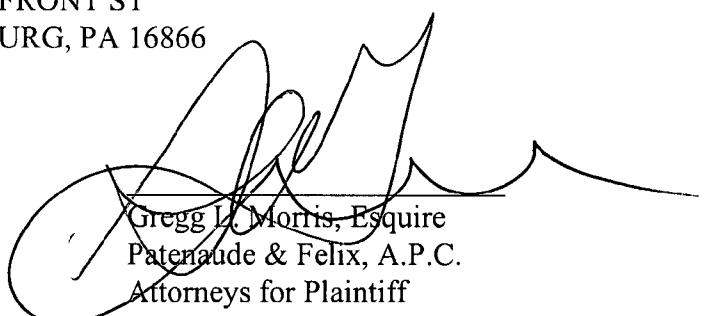
Erin M. Bally
Notary Public



I, GREGG L. MORRIS, attorney for Plaintiff, TARGET NATIONAL BANK ,
hereby certify that a true and correct copy of the foregoing document was served this day
by US First Class Mail, postage prepaid upon the following:

TINA M HICKS
711 N FRONT ST
PHILIPSBURG, PA 16866

Date: December 11, 2006



Gregg L. Morris, Esquire
Paterno & Felix, A.P.C.
Attorneys for Plaintiff
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

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

CIVIL DIVISION

Target National Bank

Vs.
Tina M. Hicks **No. 2006-01943-CD**

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on December 13, 2006, marked:

Settle and Discontinue without Prejudice

Record costs in the sum of \$85.00 have been paid in full by Patenaude & Felix, A.P.C..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 13th day of December A.D. 2006.

William A. Shaw, Prothonotary