

06-2054-CD  
PHH Morg. vs Gary S. Carlson et al

PHH Mortgage vs Gary Carlson et al  
2006-2054-CD

## Mortgage Foreclosures

Date		Judge
12/11/2006	New Case Filed.	No Judge
	X Filing: Complaint in Mortgage Foreclosure, situated in Huston Township Paid by: Hallinan, Francis S. (attorney for PHH Mortgage Corporation) Receipt number: 1916737 Dated: 12/11/2006 Amount: \$85.00 (Check) 2C shff.	No Judge
1/19/2007	X Filing: Praeipce to Reinstate Civil Action/Mortgage Foreclosure. Paid by: Hallinan, Francis S. (attorney for PHH Mortgage Corporation) Receipt number: 1917288 Dated: 1/19/2007 Amount: \$7.00 (Check) 2 Compl. reinstated to shff. and 1 compl reinstated to atty.	No Judge
2/21/2007	X Filing: Praeipce to Reinstate Complaint Paid by: Phelan Hallinan & Schmieg LLP Receipt number: 1917727 Dated: 2/21/2007 Amount: \$7.00 (Check) 1 Cert. to Atty. w/ reinstated complaint and 2 reinstated complaint to Sheriff.	No Judge
5/11/2007	X Sheriff Return, May 10, 2007 After Diligent search I returned the within Complaint in Mortgage Foreclosure "NOT FOUND" as to Gary S. Carlson. May 10, 2007 After diligent search I returned the within Complaint in Mortgage Foreclosure "NOT FOUND" as to Debra R. Carlson. So Answers Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Phelan \$53.24	No Judge
	X Sheriff Return, May 10, 2007 After diligent I returned the within Complaint in Mortgage Foreclosure "NOT FOUND" as to Gary S. Carlson a/k/a Gary Scott Carlson. May 10, 2007 After diligent search I returned the wihtin Complaint in Mortgage Foreclosure "NOT FOUND" as to Debra R. Carlson. So Answers Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Phelan \$48.43	No Judge
	X Sheriff Return, February 28, 2007 at 2:25 pm Served the within Complaint in Mortgage Foreclosure on Gary S. Carlson aka Gary Scott Carlson. February 28, 2007 at 2:25 pm Served the within Complaint in Mortgage Foreclosure on Debra R. Carlson. So Answers, Chester A. Hawkins, Sherii by s/Marilyn Hamm Shff Hawkins costs pd by Phelan \$53.43	No Judge
6/1/2007	X Filing: Praeipce for In Rem Judgment Paid by: Hallinan, Francis S. (attorney for PHH Mortgage Corporation) Receipt number: 1919219 Dated 06/01/2007 Amount: \$20.00 (Check) Judgment in favor of the Plaintiff and against Gary S. Carlson A/K/A Gary Scott Carlson and Debra R. Carlson, Defendants, in the amount of \$76,355.16. Filed by s/ Daniel G. Schmieg, Esquire. 1CC & Notice to Defs., Statement to Atty.	No Judge
6/7/2007	X Mail Returned, Praeipce For In Rem Judgment For Failure to Answer And Assessment of Damages, addressed to Gary S. Carlson, Section 7, Lot 79, Treasure Lake, DuBois, PA 15801.	No Judge
	X Mail Returned, Praeipce For In Rem Judgment For Failure to Answer And Assessment of Damages, addressed to Debra R. Carlson, Section 7, Lot 79 Treasure Lake, DuBois, PA 15801.	No Judge
6/8/2007	X Filing: Writ of Execution / Possession Paid by: Hallinan, Francis S. (attorney for PHH Mortgage Corporation) Receipt number: 1919324 Dated 06/08/2007 Amount: \$20.00 (Check) Amount Due: \$76,355.16. Filed by s/ Daniel G. Schmieg, Esquire. 1CC & 6 Writs w/ prop desc. to sheriff	No Judge
7/25/2007	X Plaintiff's Motion to Reassess Damages, filed by Atty. Bradford no cert. copies.	No Judge

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

JENNIFER ALLISON,  
Plaintiff

vs.

THOMAS ALLISON,  
Defendant

NO. 07 - 1271 - CD

**INVENTORY & APPRAISEMENT**

Filed on behalf of:  
Defendant

Counsel of Record for  
this Party:

John R. Ryan  
Attorney-At-Law

Pa. J.D. 38739

BELIN, KUBISTA & RYAN LLP  
15 N. Front Street  
P.O. Box 1  
Clearfield, PA 16830  
(814) 765-8972

**FILED** @610

C 3:10 P.M. GK

DEC 12 2008

3cc Atty

William A. Shaw  
Prothonotary/Clerk of Courts

original  
upstairs

## Mortgage Foreclosures

Date		Judge
7/30/2007	<input checked="" type="checkbox"/> Rule, this 27th day of July, 2007, a Rule is entered upon the Defendants. Rule Returnable on the 20th day of Sept., 2007, at 9:30 a.m. Hearing Room 3. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Bradford	Fredric Joseph Ammerman
8/7/2007	<input checked="" type="checkbox"/> Affidavit Pursuant to Rule 3129.1 and Return of Service Pursuant to Pa.R.C.P. 405 of Notice of Sale, filed by s/ Daniel G. Schmieg Esq. 1CC shff, per atty request.	Fredric Joseph Ammerman
8/9/2007	<input checked="" type="checkbox"/> Certification of Service, filed. That a true and correct copy of the Court's July 27, 2007 Rule directing the defendants to show cause as to why Plaintiff's Motion to Reassess Damages should not be granted was served on Gary S Carlson a/k/a Gary Scott Carlson and Debra R. Carlson, filed by s/ Michele M. Bradford Esq. No CC.	Fredric Joseph Ammerman
9/20/2007	<input checked="" type="checkbox"/> Order, this 20th day of Sept., 2007, the Prothonotary is Ordered to amend the in rem judgment and the Sheriff is Ordered to amend the writ nunc pro tunc in this case as follows: TOTAL: \$84,529.78. By The Court, /s/ Fredric J Ammerman, Pres. Judge. 4CC Atty. Lhota (will serve)	Fredric Joseph Ammerman
9/21/2007	<input checked="" type="checkbox"/> Certification of Service, filed. That a true and correct copy of the September 20, 2007 Order was sent to Gary S. Carlson aka Gary Scott Carlson and Debra R. Carlson, filed by s/ Michele M. Bradford Esq. No CC.	Fredric Joseph Ammerman
11/7/2007	<input checked="" type="checkbox"/> Motion For Service of Notice of Sale Pursuant to Special Order of Court, file by s/ Daniel G. Schmieg Esq. 1CC Atty.	Fredric Joseph Ammerman
11/15/2007	<input checked="" type="checkbox"/> Order, this 14th day of Nov., 2007, Plaintiff may obtain service of the Notice of Sale on the Defendants by certified and regular mail to 118 Bryce Lane, Penfield, Pa 15849 and 13775 Highway PP, Dixon, MO 65459 and 1072 Treasure Lake, Dubois, PA 15801. By the Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Schmieg	Fredric Joseph Ammerman
12/18/2007	<input checked="" type="checkbox"/> Affidavit of Service filed. That a true and correct copy of the Notice of Sheriff's Sale in the above captioned matter was sent by regular mail and certified mail on Gary S. Carlson a/k/a Gary Scott Carlson & Debra R. Carlson on November 30, 2007, filed by s/ Daniel G. Schmieg Esq. No CC.	Fredric Joseph Ammerman
1/31/2008	<input checked="" type="checkbox"/> Motion for Postponement of Sheriff's Sale, filed by s/John R. Lhota, Esq. Four CC Attorney Lhota	Fredric Joseph Ammerman
	<input checked="" type="checkbox"/> Order, this 31st day of Jan., 2008, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale, it is Ordered that the said sale is extended to the regularly scheduled Clfd. Co. Sheriff's Sale dated March 7, 2008. By The Court, /s/ Paul E. Cherry, Judge. 4CC Atty. Lhota	Fredric Joseph Ammerman
	<input checked="" type="checkbox"/> Entry of Appearance, filed. Please enter my appearance on behalf of PHH Mortgage Corporation, f/k/a Cendant Mortgage Corporation, f/k/a PHH Mortgage Services Corporation, plaintiff in the above-captioned matter, filed by s/ John R. Lhota Esq. 2CC Atty Lhota.	Fredric Joseph Ammerman
	<input checked="" type="checkbox"/> Certification of Service, filed. That a copy of the Motion for Postponement of Sheriff's Sale has been sent to Gary S. Carlson and Debra Carlson on 1/31/2008, filed by s/ John R. Lhota Esq. 2CC Atty Lhota.	Fredric Joseph Ammerman
2/5/2008	<input checked="" type="checkbox"/> Certificate of Service, filed. That a copy of an Order dated January 31, 2008 which has been issued in the above-captioned matter, was served by first class mail on February 5, 2008 to Gary S. Carlson and Debra Carlson, filed by s/ John R. Lhota Esq. 2CC Atty.	Fredric Joseph Ammerman
2/13/2008	<input checked="" type="checkbox"/> Certification, filed by s/ Peter F. Smith, Esquire. No CC	Fredric Joseph Ammerman



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

JENNIFER ALLISON,  
Plaintiff

vs.

THOMAS ALLISON,  
Defendant

NO. 07 - 1271 - CD

**PRE-TRIAL STATEMENT**

Filed on behalf of:  
Defendant

Counsel of Record for  
this Party:

John R. Ryan  
Attorney-At-Law

Pa. I.D. 38739

BELIN, KUBISTA & RYAN LLP  
15 N. Front Street  
P.O. Box 1  
Clearfield, PA 16830  
(814) 765-8972

**FILED** 3CC AH  
0/3:10cm Ryan  
DEC 12 2008 GR

William A. Shaw  
Prothonotary/Clerk of Courts

original  
upstairs

Date: 12/18/2008

Clearfield County Court of Common Pleas

User: LMILLER

Time: 09:43 AM

ROA Report

Page 3 of 3

Case: 2006-02054-CD

Current Judge: Fredric Joseph Ammerman

PHH Mortgage Corporation vs. Gary S. Carlson, et al

Mortgage Foreclosures

Date		Judge
5/6/2008	<input checked="" type="checkbox"/> Sheriff Return, Writ returned 5/6/2008. March 17, 2008/ Received a Fax letter from the Plaintiff's Attorney to stay sheriff sale scheduled for March 7, 2008 due to a title claim. So Answers, Chester A. Hawkins, Sheriff by s/Cynthia Butler-Aughenbaugh. <input checked="" type="checkbox"/> Sheriff Hawkins costs pd by atty \$511.28	Fredric Joseph Ammerman
10/24/2008	<input checked="" type="checkbox"/> Praecipe for Writ of Execution, filed by Atty. Schmieg, Paid \$20.00 ck. no. 743074 receipt no. 1926501 by Phelan Hallinan & Schmieg <input checked="" type="checkbox"/> Cert. with 6 writs issued to sheriff.	Fredric Joseph Ammerman
	<input checked="" type="checkbox"/> Praecipe to Substitute Legal Description, filed by s/ Daniel G. Schmieg, Esquire. 1CC to Atty.	Fredric Joseph Ammerman
12/3/2008	<input checked="" type="checkbox"/> Plaintiff's Motion to Reassess Damages, filed by s/ Michele M. Bradford, Esquire. No CC	Fredric Joseph Ammerman
12/4/2008	<input checked="" type="checkbox"/> Rule, this 4th day of Dec., 2008, a Rule is entered upon the Defendants. <input checked="" type="checkbox"/> Rule Returnable on the 23rd day of Dec., 2008 at 9:30 A.M. Courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Bradford	Fredric Joseph Ammerman
12/12/2008	<input checked="" type="checkbox"/> Certification of Service, filed. That a true and correct copy of the Court's December 4, 2008 Rule was served upon Gary S. Carlson aka Gary Scott Carlson and Debra R. Carlson on December 10, 2008, filed by s/ Michele M. Bradford Esq. 1CC Atty Bradford.	Fredric Joseph Ammerman

CIVIL DIVISION

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Pamela J. Winters  
318 E. Cherry Street  
Clearfield PA 16830  
(814) 765-7895

Children: NO Children

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

138945

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 06-2054-CD

CLEARFIELD COUNTY

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

v.

**FILED** *Att'y pd. 85.00*  
*M 11/10/44/51*  
**DEC 11 2006** *2cc Shff*  
*W*  
William A. Shaw  
Prothonotary/Clerk of Courts

Defendants

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

**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 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.

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:  
David S. Meholick, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

1-19-2007 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service. *William A. Shaw*  
Deputy Prothonotary

2-21-07 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service. *William A. Shaw*  
Deputy Prothonotary

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

2. The name(s) and last known address(es) of the Defendant(s) are:

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 11/06/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1984, Page: 610.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 06/01/2006 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$69,193.36
Interest	2,559.66
05/01/2006 through 12/08/2006 (Per Diem \$11.53)	
Attorney's Fees	850.00
Cumulative Late Charges	233.88
11/06/1998 to 12/08/2006	
Cost of Suit and Title Search	<u>\$ 750.00</u>
Subtotal	\$ 73,586.90
Escrow	
Credit	0.00
Deficit	785.10
Subtotal	<u>\$ 785.10</u>
<b>TOTAL</b>	<b>\$ 74,372.00</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 74,372.00, together with interest from 12/08/2006 at the rate of \$11.53 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate, lying and being in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premise conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, dated March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

PREMISES BEING 118 BRYCE LANE



**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 12/8/06

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A : COURT OF COMMON PLEAS  
CENDANT MORTGAGE CORPORATION, F/K/A :  
PHH MORTGAGE SERVICES CORPORATION : CIVIL DIVISION  
Plaintiff :  
: CLEARFIELD COUNTY

vs.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

:  
: No. 06-2054-CD  
:  
:  
:

Defendants

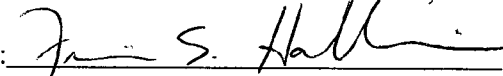
**PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE**

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP

By:



FRANCIS S. HALLINAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
DANIEL G. SCHMIEG, ESQUIRE  
Attorneys for Plaintiff

Date: January 18, 2007

/jmr, Svc Dept.  
File# 138945

**FILED** pd \$7.00 Atty  
M/12.10um 2 Comp. reinstated  
JAN 19 2007 to Shff  
William A. Shaw 1 Comp reinstated  
Prothonotary/Clerk of Courts to Atty.

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A : COURT OF COMMON PLEAS  
CENDANT MORTGAGE CORPORATION, F/K/A :  
PHH MORTGAGE SERVICES CORPORATION : CIVIL DIVISION  
Plaintiff :  
: CLEARFIELD COUNTY

vs.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

No. 06-2054-CD

Defendants

ATTORNEY FILE COPY  
PLEASE RETURN

**PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE**

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP

By:

*Francis S. Hallinan*

FRANCIS S. HALLINAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
DANIEL G. SCHMIEG, ESQUIRE  
Attorneys for Plaintiff

ATTORNEY FILE COPY  
PLEASE RETURN

Date: January 18, 2007

/jmr, Svc Dept.  
File# 138945

ATTORNEY FILE COPY  
PLEASE RETURN

**PHELAN HALLINAN & SCHMIEG, LLP**

One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
215-563-7000  
FAX: 215-563-5534

Jason Ricco  
Service Department

January 18, 2007

Office of the Prothonotary  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 15853

RE: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION vs.  
GARY S. CARLSON and DEBRA R. CARLSON  
CLEARFIELD COUNTY, No. 06-2054-CD

Dear Sir or Madam:

Enclosed is a Praecipe to Reinstate the Civil Action in the above captioned matter. **A check in the amount of \$7.00 is included to cover the cost.** Please file same and return a time-stamped copy to us in the enclosed stamped, self-addressed envelope.

I would also appreciate your forwarding the copy of the Civil Action Complaint, the service sheet and the enclosed checks to the office of the Sheriff for service on the defendant.

Very truly yours,



Jason Ricco  
for Phelan Hallinan & Schmieg, LLP

/JMR  
File# 138945  
Enclosure

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A : COURT OF COMMON PLEAS  
CENDANT MORTGAGE CORPORATION, F/K/A :  
PHH MORTGAGE SERVICES CORPORATION : CIVIL DIVISION  
Plaintiff :  
: CLEARFIELD COUNTY

vs.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

No. 06-2054-CD

Defendants

**PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE**

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP  
By: *Francis S. Hallinan*  
FRANCIS S. HALLINAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
DANIEL G. SCHMIEG, ESQUIRE  
Attorneys for Plaintiff

Date: February 20, 2007

/jmr, Svc Dept.  
File# 138945

FILED

FEB 21 2007

M/10:30 AM  
William A. Shaw  
Prothonotary/Clerk of Courts

1 SENT TO ATT

u/REINSTATE

2 REINSTATE TO COMPLAINT

ATTY. SHAW

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 2 Services

Sheriff Docket # **102227**

PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE CORP.

Case # 06-2054-CD

vs.

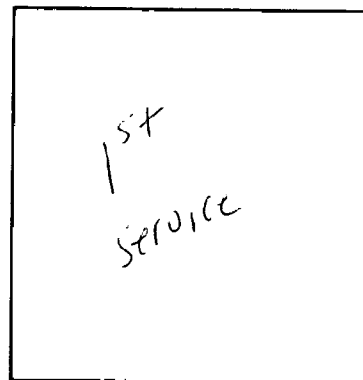
GARY S. CARLSON a/k/a GARY SCOTT CARLSON and DEBRA R. CARLSON

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW May 10, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO GARY S. CARLSON, DEFENDANT. 118 BRYCE LANE, PENFIELD, PA. "EMPTY".

SERVED BY: /



**FILED**

9/9:40 am  
MAY 11 2007

um

William A. Shaw  
Prothonotary/Clerk of Courts

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 2 of 2 Services

Sheriff Docket # **102227**

PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE CORP.

Case # 06-2054-CD

vs.

**GARY S. CARLSON a/k/a GARY SCOTT CARLSON and DEBRA R. CARLSON**

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW May 10, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO DEBRA R. CARLSON, DEFENDANT. 118 BRYCE LANE, PENFIELD, PA. "EMPTY".

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102227  
NO: 06-2054-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE CORP.  
vs.  
DEFENDANT: GARY S. CARLSON a/k/a GARY SCOTT CARLSON and DEBRA R. CARLSON

SHERIFF RETURN

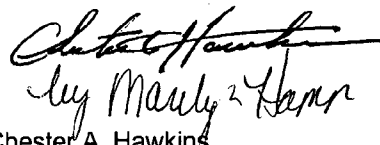
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	557430	20.00
SHERIFF HAWKINS	PHELAN	557430	33.24

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff



PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

138945

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

Defendants

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

Attest.

*William A. Brown*  
Prothonotary/  
Clerk of Courts

DEC 11 2006

**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 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.

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:  
David S. Meholick, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**We hereby certify that this is a true and correct copy of the original filed of record**

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

2. The name(s) and last known address(es) of the Defendant(s) are:

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 11/06/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1984, Page: 610.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 06/01/2006 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$69,193.36
Interest	2,559.66
05/01/2006 through 12/08/2006 (Per Diem \$11.53)	
Attorney's Fees	850.00
Cumulative Late Charges	233.88
11/06/1998 to 12/08/2006	
Cost of Suit and Title Search	<u>\$ 750.00</u>
Subtotal	\$ 73,586.90
Escrow	
Credit	0.00
Deficit	785.10
Subtotal	<u>\$ 785.10</u>
<b>TOTAL</b>	<b>\$ 74,372.00</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 74,372.00, together with interest from 12/08/2006 at the rate of \$11.53 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate, lying and being in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premise conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, dated March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

PREMISES BEING 118 BRYCE LANE

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 12/8/06

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

138945

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

Defendants

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

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814-765-2641 x 5982

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. *06-2054-CD*

CLEARFIELD COUNTY

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

DEC 11 2006

Attest.

*William A. Brown*  
Prothonotary/  
Clerk of Courts

**We hereby certify  
within to be a true and  
correct copy of the  
original filed of record**

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CENDANT MORTGAGE CORPORATION, F/K/A  
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3000 LEADENHALL ROAD  
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MOUNT LAUREL, NJ 08054

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GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

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Credit	0.00
Deficit	785.10
Subtotal	\$ 785.10
<b>TOTAL</b>	<b>\$ 74,372.00</b>

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PHELAN HALLINAN & SCHMIEG, LLP

By:

  
Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

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PREMISES BEING 118 BRYCE LANE

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The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 12/8/06

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 2 Services

Sheriff Docket # **102358**

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION

Case # 06-2054-CD

vs.

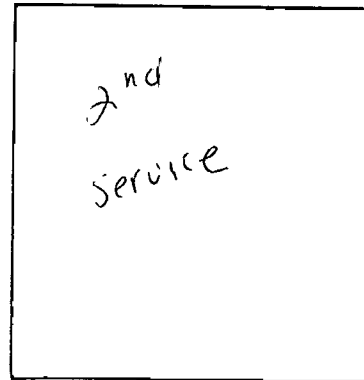
GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R.  
CARLSON

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW May 10, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN  
MORTGAGE FORECLOSURE "NOT FOUND" AS TO GARY S. CARLSON AKA GARY SCOTT CARLSON,  
DEFENDANT. ATTEMPTED, NOT HOME.

SERVED BY: /



**FILED**  
0/9:40 um  
MAY 11 2007  
(um)

William A. Shaw  
Prothonotary/Clerk of Courts

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 2 of 2 Services

Sheriff Docket # **102358**

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION

Case # 06-2054-CD

vs.

GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R.  
CARLSON

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HOME.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102358  
NO: 06-2054-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION  
F/K/A PHH MORTGAGE SERVICES CORPORATION  
vs.  
DEFENDANT: GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON

SHERIFF RETURN

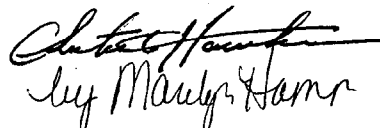
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	567072	20.00
SHERIFF HAWKINS	PHELAN	567072	28.43

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

138945

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

Defendants

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 06-2054-CD

CLEARFIELD COUNTY

**FILED**  
DEC 11 2006

William A. Shaw  
Prothonotary/Clerk of Courts

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

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Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:  
David S. Meholick, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**We hereby certify the  
within to be a true and  
correct copy of the  
original filed of record**

**ATTORNEY FILE COPY  
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1-19-2007 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

*William A. Shaw*  
Deputy Prothonotary



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**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

2. The name(s) and last known address(es) of the Defendant(s) are:

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 11/06/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1984, Page: 610.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 06/01/2006 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$69,193.36
Interest	2,559.66
05/01/2006 through 12/08/2006 (Per Diem \$11.53)	
Attorney's Fees	850.00
Cumulative Late Charges	233.88
11/06/1998 to 12/08/2006	
Cost of Suit and Title Search	<u>\$ 750.00</u>
Subtotal	\$ 73,586.90
Escrow	
Credit	0.00
Deficit	785.10
Subtotal	<u>\$ 785.10</u>
<b>TOTAL</b>	<b>\$ 74,372.00</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 74,372.00, together with interest from 12/08/2006 at the rate of \$11.53 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By:

Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate, lying and being in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premise conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, dated March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

PREMISES BEING 118 BRYCE LANE

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 12/8/06

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
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MOUNT LAUREL, NJ 08054

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v.

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DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

Defendants

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 06-2054-CD

CLEARFIELD COUNTY

FILED  
DEC 11 2006

William A. Shaw  
Prothonotary/Clerk of Courts

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We hereby certify the  
within to be a true and  
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1-19-2007

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for service.

Deputy Prothonotary

File #: 138945

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WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 74,372.00, together with interest from 12/08/2006 at the rate of \$11.53 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

## LEGAL DESCRIPTION

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BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premise conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, dated March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

PREMISES BEING 118 BRYCE LANE

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 12/8/06

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

DOCKET # 102467  
NO: 06-2054-CD  
SERVICE # 1 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, FKA CENDANT MORTGAGE CORP.

vs.

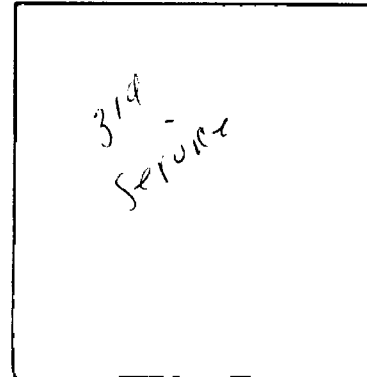
DEFENDANT: GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON

**SHERIFF RETURN**

---

NOW, February 28, 2007 AT 2:25 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON GARY S. CARLSON aka GARY SCOTT CARLSON DEFENDANT AT SECTION 7 LOT 79, TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MARILYN BONDURANT, MOTHER IN LAW A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING



**FILED**  
09:40 am  
MAY 11 2007  
William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 102467  
NO: 06-2054-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, FKA CENDANT MORTGAGE CORP.

vs.

DEFENDANT: GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON

**SHERIFF RETURN**

---

NOW, February 28, 2007 AT 2:25 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DEBRA R. CARLSON DEFENDANT AT SECTION 7 LOT 79, TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MARILYN BONDURANT, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102467  
NO: 06-2054-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, FKA CENDANT MORTGAGE CORP.

VS.

DEFENDANT: GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON

SHERIFF RETURN

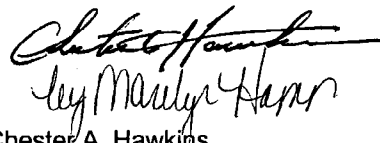
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	575414	20.00
SHERIFF HAWKINS	PHELAN	575414	33.43

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff



PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

**FILED** Atty pd: 20.00  
m/2: 24/01  
JUN 01 2007 ICC Notice  
to Defs.

William A. Shaw  
Prothonotary/Clerk of Courts

Statement to  
Atty  
(6X)

**PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054**

**Plaintiff,**

**v.**

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 06-2054-CD**

**GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801**

**Defendant(s).**

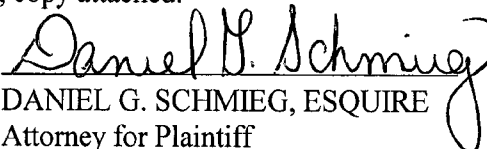
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

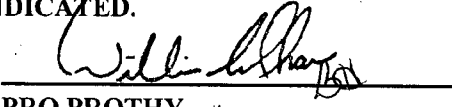
As set forth in the Complaint	\$ 74,372.00
Interest - 12/9/06-5/29/07	\$1,983.16
<b>TOTAL</b>	<b><u>\$ 76,355.16</u></b>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**DAMAGES ARE HEREBY ASSESSED AS INDICATED.**

**DATE:** 6/1/07

  
PRO PROTHY

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

FILE COPY

DATE OF NOTICE: MARCH 21, 2007

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

#### 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 OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 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.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

FILE COPY

TO: DEBRA R. CARLSON

SECTION 7, LOT 79 TREASURE LAKE

DU BOIS, PA 15801

DATE OF NOTICE: MARCH 21, 2007

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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

FILE COPY

DATE OF NOTICE: MARCH 21, 2007

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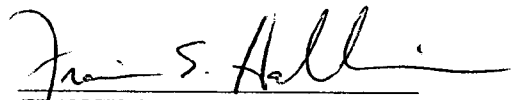
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CLEARFIELD COUNTY  
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CLEARFIELD COUNTY COURTHOUSE  
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HARRISBURG, PA 17108  
800-692-7375



FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS  
MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION : CIVIL DIVISION

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
Defendants

TO: DEBRA R. CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

FILE COPY

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Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

FILE COPY

TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

DATE OF NOTICE: MARCH 21, 2007

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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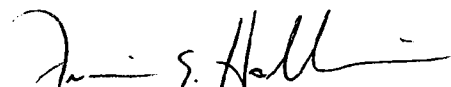
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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
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SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
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P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
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ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS  
MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION : CIVIL DIVISION  
Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
Defendants

TO: DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

FILE COPY

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CLEARFIELD COUNTY  
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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

**PHELAN HALLINAN & SCHMIEG**

**By: DANIEL G. SCHMIEG**

**Identification No. 62205**

**ATTORNEY FOR PLAINTIFF**

**Suite 1400**

**One Penn Center at Suburban Station**

**1617 John F. Kennedy Boulevard**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

**PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION**

**3000 LEADENHALL ROAD OR 4001**

**LEADENHALL ROAD**

**MOUNT LAUREL, NJ 08054**

**Plaintiff,**

**v.**

**GARY S. CARLSON**

**A/K/A GARY SCOTT CARLSON**

**DEBRA R. CARLSON**

**SECTION 7, LOT 79 TREASURE LAKE**

**DU BOIS, PA 15801**

**Defendant(s).**

**VERIFICATION OF NON-MILITARY SERVICE**

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant **GARY S. CARLSON A/K/A GARY SCOTT CARLSON** is over 18 years of age and resides at **SECTION 7, LOT 79 TREASURE LAKE, DU BOIS, PA 15801**.

(c) that defendant **DEBRA R. CARLSON** is over 18 years of age, and resides at **SECTION 7, LOT 79 TREASURE LAKE, DU BOIS, PA 15801**.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

  
DANIEL G. SCHMIEG, ESQUIRE



IN THE COURT OF COMMON PLEAS  
CLEARFIELD PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
  
CIVIL DIVISION  
  
NO. 06-2054-CD

COPY

Notice is given that a Judgment in the above captioned matter has been entered against you  
on June 1, 2007.

BY [Signature] DEPUTY

If you have any questions concerning this matter, please contact:

[Signature]  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

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

COPY

PHH Mortgage Corporation  
Plaintiff(s)

No.: 2006-02054-CD

Real Debt: \$76,355.16

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Gary S. Carlson a/k/a Gary Scott Carlson  
Debra R. Carlson  
Defendant(s)

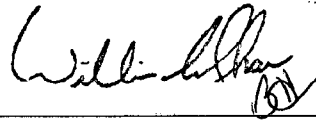
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: June 1, 2007

Expires: June 1, 2012

Certified from the record this 1st day of June, 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

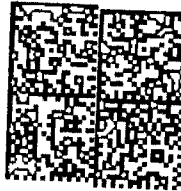
WILLIAM A. SHAW  
PROTHONOTARY  
and CLERK of COURTS  
P.O. BOX 549  
CLEARFIELD, PENNSYLVANIA 16830

FILED

JUN 07 2007

W/12:00/1  
William A. Shaw  
Prothonotary/Clerk of Courts

(GR)



Hasler

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\$00.580  
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Mailed From 16830  
US POSTAGE

Gary S. Carlson  
A/K/a Gary Scott Carlson  
Section 7, Lot 70  
Treasure Lak  
DuBois, PA

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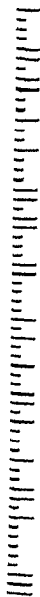
25 06/05/07

RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD

BC: 16830054949

\*1643-10016-01-41

15401+3001-0265060549



PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

JUN 01 2007

Attest.

*William A. Brown*  
Prothonotary/  
Clerk of Courts

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff,

v.

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2054-CD

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 74,372.00
Interest - 12/9/06-5/29/07	\$1,983.16
TOTAL	<u>\$76,355.16</u>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 6/1/07

*William A. Brown*  
PRO PROTHY

IN THE COURT OF COMMON PLEAS  
CLEARFIELD PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION  
NO. 06-2054-CD

Notice is given that a Judgment in the above captioned matter has been entered against you  
on June 1, 2007.

BY Willie L. Hester DEPUTY

If you have any questions concerning this matter, please contact:

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

FILE COPY

TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DATE OF NOTICE: MARCH 21, 2007

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

#### IMPORTANT NOTICE

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375



FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

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PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

Vs.

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

ATTORNEY FOR PLAINTIFF

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-2054-CD

TO: DEBRA R. CARLSON

SECTION 7, LOT 79 TREASURE LAKE

DU BOIS, PA 15801

FILE COPY

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Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

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PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

FILE COPY

DATE OF NOTICE: MARCH 21, 2007

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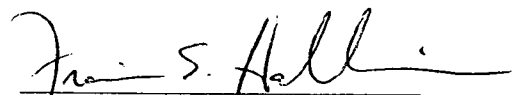
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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff



PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

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Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

: CIVIL DIVISION

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

TO: DEBRA R. CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

FILE COPY

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800-692-7375

  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

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One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

Vs.

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

ATTORNEY FOR PLAINTIFF

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-2054-CD

**FILE COPY**

**TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON**  
**118 BRYCE LANE**  
**PENFIELD, PA 15849**

**DATE OF NOTICE: MARCH 21, 2007**

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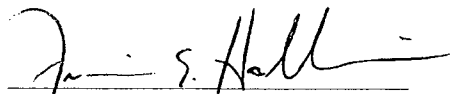
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800-692-7375



FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

TO: DEBRA R. CARLSON

118 BRYCE LANE

PENFIELD, PA 15849

FILE COPY

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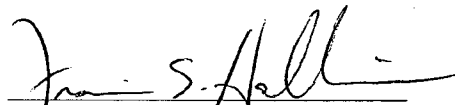
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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

**PHELAN HALLINAN & SCHMIEG**

**By: DANIEL G. SCHMIEG**

**Identification No. 62205**

**ATTORNEY FOR PLAINTIFF**

**Suite 1400**

**One Penn Center at Suburban Station**

**1617 John F. Kennedy Boulevard**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

**PHH MORTGAGE CORPORATION, F/K/A**

**CENDANT MORTGAGE CORPORATION,**

**F/K/A PHH MORTGAGE SERVICES**

**CORPORATION**

**3000 LEADENHALL ROAD OR 4001**

**LEADENHALL ROAD**

**MOUNT LAUREL, NJ 08054**

**Plaintiff,**

**v.**

**GARY S. CARLSON**

**A/K/A GARY SCOTT CARLSON**

**DEBRA R. CARLSON**

**SECTION 7, LOT 79 TREASURE LAKE**

**DU BOIS, PA 15801**

**Defendant(s).**

**VERIFICATION OF NON-MILITARY SERVICE**


DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant **GARY S. CARLSON A/K/A GARY SCOTT CARLSON** is over 18 years of age and resides at **SECTION 7, LOT 79 TREASURE LAKE, DU BOIS, PA 15801**.

(c) that defendant **DEBRA R. CARLSON** is over 18 years of age, and resides at **SECTION 7, LOT 79 TREASURE LAKE, DU BOIS, PA 15801**.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

  
DANIEL G. SCHMIEG, ESQUIRE

WILLIAM A. SHAW  
PROTHONOTARY  
and CLERK of COURTS  
P.O. BOX 549  
CLEARFIELD, PENNSYLVANIA 16830

FILED

JUN 07 2007

W/12:00/

William A. Shaw  
Prothonotary/Clerk of Courts

(60)

Debra R. Carlson  
Section 7, Lot 79  
Treasure Lake  
DuBois, PA

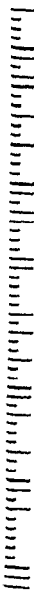
SA

NIXIE 165 1 00 06/05/07

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UNABLE TO FORWARD

BC: 16830054949 \*1173-16831-01-38

1683000549



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Philadelphia, PA 19103-1814 Attorney for Plaintiff  
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JUN 01 2007

Attest.

*William A. Shaw*  
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COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2054-CD

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
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TO THE OFFICE OF THE PROTHONOTARY:

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TOTAL	<u>\$ 76,355.16</u>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 6/1/07

*William A. Shaw*  
PRO PROTHY

IN THE COURT OF COMMON PLEAS  
CLEARFIELD PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION  
NO. 06-2054-CD

Notice is given that a Judgment in the above captioned matter has been entered against you  
on June 1, 2007.

BY Willie L. L. L. DEPUTY

If you have any questions concerning this matter, please contact:

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

PHELAN HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

FILE COPY

TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DATE OF NOTICE: MARCH 21, 2007

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375



FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff



PHELAN HALLINAN AND SCHMIEG

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PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

Vs.

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

ATTORNEY FOR PLAINTIFF

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-2054-CD

TO: DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

FILE COPY

DATE OF NOTICE: MARCH 21, 2007

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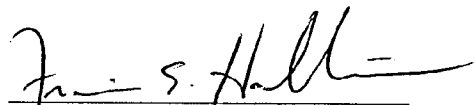
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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

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Philadelphia, PA 19103

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PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS

MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

FILE COPY

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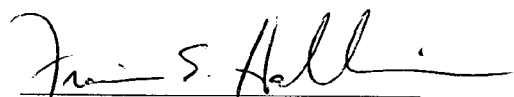
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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
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Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS  
MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION : CIVIL DIVISION  
Plaintiff : CLEARFIELD COUNTY  
Vs. : NO. 06-2054-CD  
: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
Defendants

TO: DEBRA R. CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

FILE COPY

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Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

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Francis S. Hallinan, Esq., Id. No. 62695

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Philadelphia, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

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MORTGAGE CORPORATION, F/K/A PHH

MORTGAGE SERVICES CORPORATION

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

**FILE COPY**

**TO: GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849**

**DATE OF NOTICE: MARCH 21, 2007**

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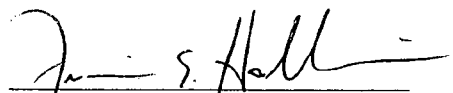
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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
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ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS  
MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION : CIVIL DIVISION  
Plaintiff

Vs.

: CLEARFIELD COUNTY

: NO. 06-2054-CD

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
Defendants

TO: DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

FILE COPY

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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

**PHELAN HALLINAN & SCHMIEG**

**By: DANIEL G. SCHMIEG**

**Identification No. 62205**

**ATTORNEY FOR PLAINTIFF**

**Suite 1400**

**One Penn Center at Suburban Station**

**1617 John F. Kennedy Boulevard**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

**PHH MORTGAGE CORPORATION, F/K/A**

**CENDANT MORTGAGE CORPORATION,**

**F/K/A PHH MORTGAGE SERVICES**

**CORPORATION**

**3000 LEADENHALL ROAD OR 4001**

**LEADENHALL ROAD**

**MOUNT LAUREL, NJ 08054**

**Plaintiff,**

**v.**

**GARY S. CARLSON**

**A/K/A GARY SCOTT CARLSON**

**DEBRA R. CARLSON**

**SECTION 7, LOT 79 TREASURE LAKE**

**DU BOIS, PA 15801**

**Defendant(s).**

**VERIFICATION OF NON-MILITARY SERVICE**

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant **GARY S. CARLSON A/K/A GARY SCOTT CARLSON** is over 18 years of age and resides at **SECTION 7, LOT 79 TREASURE LAKE, DU BOIS, PA 15801**.

(c) that defendant **DEBRA R. CARLSON** is over 18 years of age, and resides at **SECTION 7, LOT 79 TREASURE LAKE, DU BOIS, PA 15801**.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

  
DANIEL G. SCHMIEG, ESQUIRE

**PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183**

PHH.MORTGAGE.CORPORATION, F/K/A  
CENDANT.MORTGAGE.CORPORATION,  
F/K/A.PHH.MORTGAGE.SERVICES  
CORPORATION

vs.

GARY.S..CARLSON  
A/K/A.GARY.SCOTT.CARLSON

DEBRA.R..CARLSON

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-2054-CD Term 2005..

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due

\$76,355.16

Interest from MAY 29, 2007 to Sale  
Per diem \$12.55

\$\_\_\_\_\_.

Add'l Costs

\$4,084.00

Prothonotary costs

139.00

*Daniel D. Schmiegel*  
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

138945

**FILED** *Att. pd. 20.00*  
*mhs:45/01*  
**JUN 08 2007** *rec'd*  
*writs w/*  
*Prop desc.*  
William A. Shaw  
Prothonotary/Clerk of Courts *to Sheriff*  
*570*

No. 06-2054-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A CENDANT  
MORTGAGE CORPORATION, F/K/A PHH MORTGAGE  
SERVICES CORPORATION

vs.

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

\_\_\_\_\_

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed: \_\_\_\_\_

*Daniel H. Schminig*

Attorney for Plaintiff(s)

Address: GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801



## **LEGAL DESCRIPTION**

ALL that certain piece or parcel of land, situate, lying and being in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows to wit:

BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike being located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497.960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premises conveyed to Benedetto P Palumbo and Donna Palumbo, husband and wife, by deed of Helen M Wilhelm, single, dated October 3, 1977 and record October 28, 1977 in Clearfield County Record Book 749, page 153.

TITLE TO SAID PREMISES IS VESTED IN Gary S. Carlson and Debra R. Carlson, husband and wife, by Deed from Benedetto P. Palumbo and Donna Palumbo, husband and wife, dated 03/19/1997, recorded 03/19/1997, in Deed Book 1826, page 554.

Premises being: 118 BRYCE LANE  
PENFIELD, PA 15849

Tax Parcel No. 119-G03-000-00009

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2054-CD

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No.1)**

**PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION**, Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **118 BRYCE LANE, PENFIELD, PA 15849**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME

LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON

SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DEBRA R. CARLSON

SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

2. Name and address of Defendant(s) in the judgment:

NAME

LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)

Same as Above

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

MAY 29, 2007

Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

PHH MORTGAGE CORPORATION, F/K/A	:	
CENDANT MORTGAGE CORPORATION, F/K/A	:	
PHH MORTGAGE SERVICES CORPORATION	:	CLEARFIELD COUNTY
3000 LEADENHALL ROAD OR 4001	:	COURT OF COMMON
LEADENHALL ROAD	:	PLEAS
MOUNT LAUREL, NJ 08054	:	
Plaintiff,	:	CIVIL DIVISION
v.	:	
	:	NO. 06-2054-CD
GARY S. CARLSON	:	
A/K/A GARY SCOTT CARLSON	:	
DEBRA R. CARLSON	:	
SECTION 7, LOT 79 TREASURE LAKE	:	
DU BOIS, PA 15801	:	
Defendant(s).	:	

**AFFIDAVIT PURSUANT TO RULE 3129**

**PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION**, Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praeipce for the Writ of Execution was filed, the following information concerning the real property located at **118 BRYCE LANE, PENFIELD, PA 15849**.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	---

<b>S&amp;T BANK</b>	<b>43 SOUTH NINTH STREET INDIANA, PA 15701</b>
---------------------	--

4. Name and address of the last recorded holder of every mortgage of record:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	---

<b>S&amp;T BANK</b>	<b>614 LIBERTY AVENUE DUBOIS, PA 15801</b>
---------------------	--

<b>ADMINSTRATOR OF THE SMALL BUSINESS ADMINISTRATION</b>	<b>2120 RIVERFRONT DRIVE LITTLE ROCK, AR 72202</b>
--	--

<b>UNITED GUARANTY RESIDENTIAL INSURANCE COMPANY OF NORTH CAROLINA</b>	<b>230 NORTH ELM STREET GREENSBORO, NC 27401</b>
--	--

5. Name and address of every other person who has any record lien on the property:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**None**

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**None**

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**TENANT/OCCUPANT**

**118 BRYCE LANE  
PENFIELD, PA 15849**

**DOMESTIC RELATIONS  
CLEARFIELD COUNTY**

**CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

**COMMONWEALTH OF  
PENNSYLVANIA**

**DEPARTMENT OF WELFARE  
PO BOX 2675  
HARRISBURG, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

MAY 29, 2007

Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**PHELAN HALLINAN & SCHMIEG**

**By: DANIEL G. SCHMIEG**

**Identification No. 62205**

**Suite 1400**

**One Penn Center at Suburban Station**

**1617 John F. Kennedy Boulevard**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

**ATTORNEY FOR PLAINTIFF**

**PHH MORTGAGE CORPORATION, F/K/A**

**CENDANT MORTGAGE CORPORATION,**

**F/K/A PHH MORTGAGE SERVICES**

**CORPORATION**

**3000 LEADENHALL ROAD OR 4001**

**LEADENHALL ROAD**

**MOUNT LAUREL, NJ 08054**

**Plaintiff,**

**v.**

**GARY S. CARLSON**

**A/K/A GARY SCOTT CARLSON**

**DEBRA R. CARLSON**

**SECTION 7, LOT 79 TREASURE LAKE**

**DU BOIS, PA 15801**

**Defendant(s).**

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 06-2054-CD**

**CERTIFICATION**

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

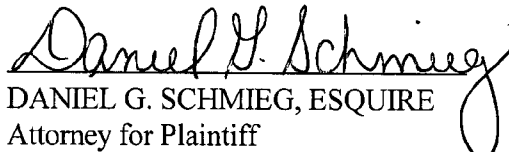
☐ an FHA Mortgage

☐ non-owner occupied

☐ vacant

☒ Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. sec.4904 relating to unsworn falsification to authorities.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

COPY

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183 and Rule 3257

PHH.MORTGAGE.CORPORATION, F/K/A  
CENDANT.MORTGAGE.CORPORATION,  
F/K/A.PHH.MORTGAGE.SERVICES  
CORPORATION

vs.

GARY.S..CARLSON  
A/K/A.GARY.SCOTT.CARLSON

DEBRA.R..CARLSON

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD.COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property  
(specifically described property below):

PREMISES: 118 BRYCE LANE, PENFIELD, PA 15849  
(See Legal Description attached)

Amount Due \$76,355.16

Interest from MAY 29, 2007 to Sale \$-----  
per diem \$12.55

Total \$-----  
139.00 Prothonotary costs

Add'l Costs \$4,084.00

*William L. Hays*

(Clerk) Office of the Prothy Support, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated 6/8/07  
(SEAL)

COPY

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

**WRIT OF EXECUTION  
(Mortgage Foreclosure)**

Int. from MAY 29, 2007  
To Date of Sale (\$12.55 per diem)

Sheriff

Attorney for Plaintiff(s)

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

## LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate, lying and being in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows to wit:

BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike being located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497.960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premises conveyed to Benedetto P Palumbo and Donna Palumbo, husband and wife, by deed of Helen M Wilhelm, single, dated October 3, 1977 and record October 28, 1977 in Clearfield County Record Book 749, page 153.

TITLE TO SAID PREMISES IS VESTED IN Gary S. Carlson and Debra R. Carlson, husband and wife, by Deed from Benedetto P. Palumbo and Donna Palumbo, husband and wife, dated 03/19/1997, recorded 03/19/1997, in Deed Book 1826, page 554.

Premises being: 118 BRYCE LANE  
PENFIELD, PA 15849

Tax Parcel No. 119-G03-000-00009



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

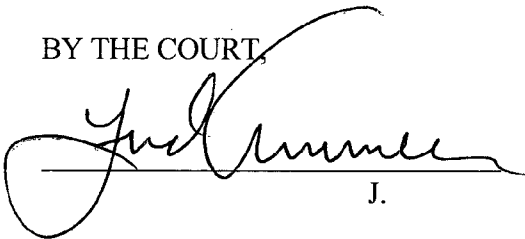
PHH Mortgage Corporation, F/K/A Cendant Mortgage Corporation, F/K/A PHH Mortgage Services Corporation	:	Court of Common Pleas
Plaintiff	:	Civil Division
vs.	:	Clearfield County
Gary S. Carlson	:	
A/K/A Gary Scott Carlson	:	No. 06-2054-CD
Debra R. Carlson	:	
Defendants	:	

RULE

AND NOW, this 27<sup>th</sup> day of July 2007, a Rule is entered upon the Defendants to show cause why an Order should not be entered granting Plaintiff's Motion to Reassess Damages.

Rule Returnable on the 20<sup>th</sup> day of September 2007, at 9:30 in the Clearfield County Courthouse, Clearfield, Pennsylvania. Hearing RM #3 A.M.

BY THE COURT,

  
J.

138945

**FILED** <sup>icc</sup>  
0/9:3261  
JUL 30 2007  
Atty Bradford  
(GK)  
William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 7/30/07

☒ You are responsible for serving all appropriate parties.

☐ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

**FILED**

JUL 30 2007

William A. Shaw  
Prothonotary/Clerk of Courts

**FILED**

JUL 25 2007

W/11/25/07  
William A. Shaw  
Prothonotary/Clerk of Courts  
NOC/C

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire

Atty. I.D. No. 69849

One Penn Center, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH Mortgage Corporation, F/K/A Cendant Mortgage  
Corporation, F/K/A PHH Mortgage Services Corporation  
Plaintiff

: Court of Common Pleas

: Civil Division

vs.

: Clearfield County

Gary S. Carlson

A/K/A Gary Scott Carlson

: No. 06-2054-CD

Debra R. Carlson

Defendants

**PLAINTIFF'S MOTION TO REASSESS DAMAGES**

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on December 11, 2006, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".

2. Judgment was entered on June 1, 2007 in the amount of \$76,355.16. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".

3. Pursuant to Pennsylvania Rule of Civil Procedure 1037(b)(1), a default judgment containing a dollar amount must be entered for the amount claimed in the complaint and any item which can be calculated from the complaint, i.e. bringing the interest current. However, new items cannot be added at the time of entry of the judgment.

4. The Property is listed for Sheriff's Sale on September 7, 2007. However, in the event this motion has not been heard by this Honorable Court by that date, Plaintiff may continue the sale in accordance with Pennsylvania Rule of Civil Procedure 3129.3.

5. Additional sums have been incurred or expended on Defendants' behalf since the Complaint was filed and Defendants have been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$69,193.36
Interest Through 09/07/07	5,618.89
Per Diem \$11.37	
Late Charges	233.88
Legal fees	1,900.00
Cost of Suit and Title	1,981.50
Sheriff's Sale Costs	0.00
Property Inspections	1,939.25
Appraisal/Brokers Price Opinion	250.00
Mortgage Insurance Premium/Private	0.00
Mortgage Insurance	
NSF (Non-Sufficient Funds charge)	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>3,412.90</u>
<b>TOTAL</b>	<b>\$84,529.78</b>

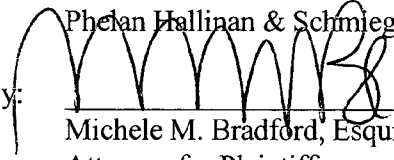
6. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

7. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendants.

8. Plaintiff's foreclosure judgment is in rem only and does not include personal liability, as is addressed in Plaintiff's attached brief.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

Date: 7/23/07

By:  Phelan Hallinan & Schmieg, LLP  
Michele M. Bradford, Esquire  
Attorney for Plaintiff

# **Exhibit “A”**

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

138945

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

Defendants

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. *06-2054-CD*

CLEARFIELD COUNTY

**FILED**

DEC 11 2006

William A. Shaw  
Prothonotary/Clerk of Courts

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

**ATTORNEY FILE COPY  
PLEASE RETURN**

**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 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.

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
717-692-7375

Notice to Defend:  
David S. Meholick, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**We hereby certify the  
within to be a true and  
correct copy of the  
original filed of record**

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKewise, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.**



1. Plaintiff is

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

2. The name(s) and last known address(es) of the Defendant(s) are:

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 11/06/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1984, Page: 610.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 06/01/2006 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$69,193.36
Interest	2,559.66
05/01/2006 through 12/08/2006 (Per Diem \$11.53)	
Attorney's Fees	850.00
Cumulative Late Charges	233.88
11/06/1998 to 12/08/2006	
Cost of Suit and Title Search	<u>\$ 750.00</u>
Subtotal	\$ 73,586.90
Escrow	
Credit	0.00
Deficit	785.10
Subtotal	<u>\$ 785.10</u>

**TOTAL** \$ 74,372.00

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 74,372.00, together with interest from 12/08/2006 at the rate of \$11.53 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate, lying and being in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premise conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, dated March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

PREMISES BEING 118 BRYCE LANE

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 12/8/06

## **Exhibit “B”**

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

FILED  
JUN 01 2007

William A. Shaw  
Prothonotary/Clerk of Courts

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2054-CD

ATTORNEY FILE COPY  
PLEASE RETURN

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON, Defendant(s) for failure to file an Answer to Plaintiffs Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint  
Interest - 12/9/06-5/29/07  
TOTAL

\$ 74,372.00  
\$1,983.16  
\$76,355.16

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

ATTORNEY FILE COPY  
PLEASE RETURN

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 6/1/07

PRO PROTHY

138945

**VERIFICATION**

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

DATE: 7/23/07

Phelan Hallinan & Schmieg, LLP

By: 

Michele M. Bradford, Esquire  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH Mortgage Corporation, F/K/A Cendant Mortgage  
Corporation, F/K/A PHH Mortgage Services Corporation  
Plaintiff

: Court of Common Pleas

: Civil Division

vs.

: Clearfield County

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson

: No. 06-2054-CD

Defendants

**CERTIFICATION OF SERVICE**

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages, and Brief in Support thereof were sent to the following individuals on the date indicated below.

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson  
118 Bryce Lane  
Penfield, PA 15849

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson  
13775 Highway PP  
Dixon, MO 65459

DATE: 7/23/07

Phelan Hallinan & Schmieg, LLP

By: 

Michele M. Bradford, Esquire  
Attorney for Plaintiff



FILED  
M 10:48/21  
SEP 21 2007  
William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH Mortgage Corporation, F/K/A Cendant Mortgage  
Corporation, F/K/A PHH Mortgage Services Corporation  
Plaintiff

: Court of Common Pleas

: Civil Division

vs.

: Clearfield County

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson

: No. 06-2054-CD

Defendants

**CERTIFICATION OF SERVICE**

I hereby certify that a true and correct copy of the September 20, 2007 Order was sent to  
the following individuals on the date indicated below.

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson  
118 Bryce Lane  
Penfield, PA 15849

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson  
13775 Highway PP  
Dixon, MO 65459

DATE: 9/20/07

Phelan Hallinan & Schmieg, LLP  
By: [Signature]  
Michele M. Bradford, Esquire  
Attorney for Plaintiff

SALE DATE: SEPTEMBER 7, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**PHH MORTGAGE CORPORATION,  
F/K/A CENDANT MORTGAGE  
CORPORATION, F/K/A PHH  
MORTGAGE SERVICES  
CORPORATION**

No.: 06-2054-CD

vs.

**GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON**

**FILED** ICC Sheriff  
M/10:56/07 per Atty  
AUG 07 2007 request  
William A. Shaw  
Prothonotary/Clerk of Courts

**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at:

**118 BRYCE LANE, PENFIELD, PA 15849.**

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Date: August 1, 2007

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2054-CD

AMENDED  
AFFIDAVIT PURSUANT TO RULE 3129  
(Affidavit No.1)

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **118 BRYCE LANE, PENFIELD, PA 15849.**

1. Name and address of Owner(s) or reputed Owner(s):

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	---

GARY S. CARLSON A/K/A GARY SCOTT CARLSON	SECTION 7, LOT 79 TREASURE LAKE DU BOIS, PA 15801
---	--

DEBRA R. CARLSON	SECTION 7, LOT 79 TREASURE LAKE DU BOIS, PA 15801
------------------	--

2. Name and address of Defendant(s) in the judgment:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	---

Same as Above

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

MAY 29, 2007

Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

<b>PHH MORTGAGE CORPORATION, F/K/A</b>	:	
<b>CENDANT MORTGAGE CORPORATION, F/K/A</b>	:	
<b>PHH MORTGAGE SERVICES CORPORATION</b>	:	<b>CLEARFIELD COUNTY</b>
<b>3000 LEADENHALL ROAD OR 4001</b>	:	<b>COURT OF COMMON</b>
<b>LEADENHALL ROAD</b>	:	<b>PLEAS</b>
<b>MOUNT LAUREL, NJ 08054</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL DIVISION</b>
<b>v.</b>	:	
	:	<b>NO. 06-2054-CD</b>
<b>GARY S. CARLSON</b>	:	
<b>A/K/A GARY SCOTT CARLSON</b>	:	
<b>DEBRA R. CARLSON</b>	:	
<b>SECTION 7, LOT 79 TREASURE LAKE</b>	:	
<b>DU BOIS, PA 15801</b>	:	
<b>Defendant(s).</b>	:	

**AMENDED  
AFFIDAVIT PURSUANT TO RULE 3129**

**PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION**, Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **118 BRYCE LANE, PENFIELD, PA 15849**.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	---

<b>S&amp;T BANK</b>	<b>43 SOUTH NINTH STREET INDIANA, PA 15701</b>
---------------------	--

<b>S&amp;T BANK</b>	<b>C/O GRENNEN &amp; BIRSIC, P.C. ATTN: JOHN N. MCELROY, ESQ. ONE GATEWAY CENTER, 9<sup>TH</sup> FL PITTSBURGH, PA 15222</b>
---------------------	--

4. Name and address of the last recorded holder of every mortgage of record:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	---

<b>S&amp;T BANK</b>	<b>614 LIBERTY AVENUE DUBOIS, PA 15801</b>
---------------------	--

<b>ADMINSTRATOR OF THE SMALL BUSINESS ADMINISTRATION</b>	<b>2120 RIVERFRONT DRIVE LITTLE ROCK, AR 72202</b>
--	--

**UNITED GUARANTY  
RESIDENTIAL  
INSURANCE COMPANY  
OF NORTH CAROLINA**

**230 NORTH ELM STREET  
GREENSBORO, NC 27401**

5. Name and address of every other person who has any record lien on the property:

NAME

LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)

**None**

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)

**None**

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)

**TENANT/OCCUPANT**

**118 BRYCE LANE  
PENFIELD, PA 15849**

**DOMESTIC RELATIONS  
CLEARFIELD COUNTY**

**CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

**COMMONWEALTH OF  
PENNSYLVANIA**

**DEPARTMENT OF WELFARE  
PO BOX 2675  
HARRISBURG, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

MAY 29, 2007

Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Name and Address of Sender

COS  
 PHELAN HALLINAN & SCHMIEG  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard  
 Philadelphia, PA 19103-1814

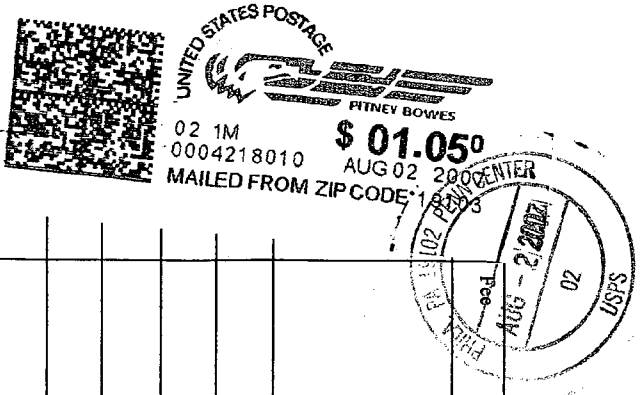
Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 118 BRYCE LANE PENFIELD, PA 15849		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105		
4		S&T BANK 43 SOUTH NINTH STREET INDIANA, PA 15701		
5		S&T BANK 614 LIBERTY AVENUE DUBOIS, PA 15801		
6		ADMINSTRATOR OF THE SMALL BUSINESS ADMINISTRATION 2120 RIVERFRONT DRIVE LITTLE ROCK, AR 72202		
7		UNITED GUARANTY RESIDENTIAL INSURANCE COMPANY OF NORTH CAROLINA 230 NORTH ELM STREET GREENSBORO, NC 27401		
8				
9				
10		Re: GARY S. CARLSON A/K/A GARY SCOTT CARLSON TEAM 4/LLD		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.



Name and Address of Sender

CQS  
 PHELAN HALLINAN & SCHMIEG  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard  
 Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.
1		S&T BANK C/O GRENNEN & BIRSIC, P.C. ATTN: JOHN N. MCELROY, ESQ. ONE GATEWAY CENTER, 9 <sup>TH</sup> FL PITTSBURGH, PA 15222			
2					
3					
4					
5					
6					
7					
8					
9					
10		Re: GARY S. CARLSON AKA GARY SCOTT CARLSON		TEAM 4/LLD	
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.	



PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH Mortgage Corporation, F/K/A Cendant Mortgage  
Corporation, F/K/A PHH Mortgage Services Corporation  
Plaintiff

: Court of Common Pleas

: Civil Division

vs.

: Clearfield County

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson

: No. 06-2054-CD

Defendants

**CERTIFICATION OF SERVICE**

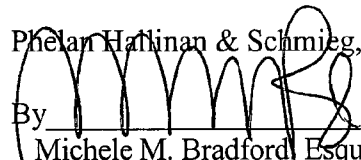
I hereby certify that a true and correct copy of the Court's July 27, 2007 Rule directing the Defendants to show cause as to why Plaintiff's Motion to Reassess Damages should not be granted was served upon the following individuals on the date indicated below.

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson  
118 Bryce Lane  
Penfield, PA 15849

Gary S. Carlson  
A/K/A Gary Scott Carlson  
Debra R. Carlson  
13775 Highway PP  
Dixon, MO 65459

DATE: 8/6/07

Phelan Hallinan & Schmieg, LLP

By   
Michele M. Bradford, Esquire  
Attorney for Plaintiff

**FILED** NOCC  
m110:38/61  
AUG 09 2007  
William A. Shaw  
Prothonotary/Clerk of Courts



FILED <sup>4CC</sup>  
09/20/07  
SEP 20 2007  
Atty Lhota  
(will serve)

William A. Shaw  
Prothonotary/Clerk of Courts (Lk)

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

PHH Mortgage Corporation, F/K/A Cendant Mortgage Corporation, F/K/A PHH Mortgage Services Corporation  
Plaintiff : Court of Common Pleas  
: Civil Division  
vs. : Clearfield County  
Gary S. Carlson :  
A/K/A Gary Scott Carlson : No. 06-2054-CD  
Debra R. Carlson  
Defendants

**ORDER**

AND NOW, this 20<sup>th</sup> day of September, 2007 the Prothonotary is ORDERED to amend the in rem judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this case as follows:

Principal Balance	\$69,193.36
Interest Through 09/07/07	5,618.89
Per Diem \$11.37	
Late Charges	233.88
Legal fees	1,900.00
Cost of Suit and Title	1,981.50
Sheriff's Sale Costs	0.00
Property Inspections	1,939.25
Appraisal/Brokers Price Opinion	250.00
Mortgage Insurance Premium/Private	0.00
Mortgage Insurance	
NSF (Non-Sufficient Funds charge)	0.00

Suspense/Misc. Credits  
Escrow Deficit

0.00  
3,412.90

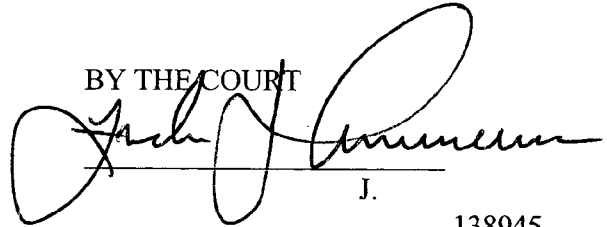
**TOTAL**

**\$84,529.78**

Plus interest from 09/07/07 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT



A handwritten signature in cursive script, appearing to read "Jack J. Hammer", is written over a horizontal line. The signature is bold and fluid, with a large loop at the end.

J.

138945

LA

FILED <sup>icc</sup>  
01/31/07  
NOV 15 2007  
Atty Schmieg  
CK

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

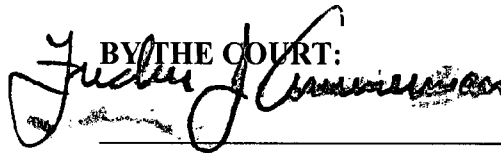
Defendants

CIVIL DIVISION  
NO. 06-2054-CD

ORDER

AND NOW, this 14<sup>th</sup> day of November, ~~2006~~ <sup>2007</sup> <sub>EST</sub>, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above-captioned Defendants, **GARY S. CARLSON A/K/A GARY SCOTT CARLSON** and **DEBRA R. CARLSON**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 118 BRYCE LANE, PENFIELD, PA 15849 and 13775 HIGHWAY PP, DIXON, MO 65459 and 1072 TREASURE LAKE, DU BOIS, PA 15801.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:  


J.

CC: Daniel G. Schmieg, Esq.  
1617 JFK Blvd, Ste. 1400  
Philadelphia, PA 19103

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

**PHELAN HALLINAN & SCHMIEG, LLP**  
**BY: DANIEL G. SCHMIEG, ESQUIRE**  
**Attorney I.D. No.: 62205**  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

**Attorney for Plaintiff**

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2054-CD

**FILED** ICC AHY.  
m/ 10:36 am  
NOV - 7 2007  
(SF)

William A. Shaw  
Prothonotary/Clerk of Courts

**MOTION FOR SERVICE OF NOTICE OF SALE  
PURSUANT TO SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court  
for an Order directing service of the Notice of Sale upon the above-captioned Defendants,

**GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON**, by

certified mail and regular mail to 118 BRYCE LANE, PENFIELD, PA 15849 and 13775

HIGHWAY PP, DIXON, MO 65459 and 1072 TREASURE LAKE, DU BOIS, PA 15801, and in  
support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for  
**FEBRUARY 1, 2008.**
2. Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 3129.2 requires that the Defendants

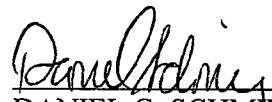
be served with a notification of Sheriff's Sale at least thirty (30) days prior to the scheduled sale date.

3. Attempts to serve Defendants with the Notice of Sale have been unsuccessful, as indicated by the Returns of Service attached hereto as Exhibit "A".
4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendants. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 118 BRYCE LANE, PENFIELD, PA 15849 and 13775 HIGHWAY PP, DIXON, MO 65459 and 1072 TREASURE LAKE, DU BOIS, PA 15801.

PHELAN HALLINAN & SCHMIEG, LLP

By:

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**PHELAN HALLINAN & SCHMIEG, LLP**  
**BY: DANIEL G. SCHMIEG, ESQUIRE**  
**Attorney I.D. No.: 62205**  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

**Attorney for Plaintiff**

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

:  
:  
: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 06-2054-CD  
:  
:  
:  
:  
:  
:

### **PLAINTIFF'S MEMORANDUM OF LAW**

Pursuant to Pennsylvania Rule of Civil Procedure, Rule 3129.2, it is necessary in a foreclosure action for the Sheriff or Process Server to serve upon the Defendants Notice of the Sale of the mortgaged premises. Specifically, Pa.R.C.P., Rule 3129.2 (c) provides in applicable part as follows:

The written notice shall be prepared by the plaintiff, shall contain the same information as the handbills or may consist of the handbill and shall be served at least thirty days before the sale on all persons whose names and addresses are set forth in the affidavit required by Rule 3129.1.

- (1) Service of the Notice shall be made:
  - (i) upon a defendant...
    - (A) by the sheriff or by a competent adult in the manner prescribed by Rule 402 (a) for the service of original process upon a defendant, or
    - (B) by the plaintiff mailing a copy of the manner prescribed by Rule 403 to the addresses set forth in the affidavit; or

- (C) if service cannot be made as provided in the subparagraph (A) or (B), the notice shall be served pursuant to special order of court as prescribed by Rule 430, except that if original process was served pursuant to a special order of court under Rule 430 upon the defendant in the judgment, the notice may be served upon that defendant in the manner provided by the order for service of original process without further application to the court.

Because the whereabouts of Defendants, GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON, are unknown, a reasonable investigation of their last known address was made in accordance with Pa.R.C.P. 430(a).

Pennsylvania Rule of Civil Procedure, Rule 430 (a) provides as follows:

- (a) If service cannot be made under the applicable rule the Plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.

Note: A Sheriff's Return or Affidavit of Service of "not found" or the fact that a defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa.Super. 362, 357 A.2d 580 (1976). Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address. Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives, neighbors, friends and employers of the defendant and (3) examinations of local telephone directories, voter registration records, local tax records and motor vehicle records.

As indicated by the attached Affidavits of Return of Service, marked hereto as Exhibit "A", the Process Server has been unable to serve the Notice of Sale.

A good faith effort to discover the whereabouts of the Defendants has been made as evidenced by the attached Affidavit of Reasonable Investigation, marked as Exhibit "B".

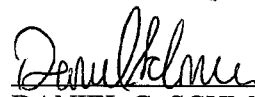


WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 118 BRYCE LANE, PENFIELD, PA 15849 and 13775 HIGHWAY PP, DIXON, MO 65459 and 1072 TREASURE LAKE, DU BOIS, PA 15801.

Respectfully submitted,

PHELAN HALLINAN & SCHMIEG, LLP

By:

A handwritten signature in cursive script, appearing to read "Daniel G. Schmieg", written over a horizontal line.

DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**FULL SPECTRUM LEGAL SERVICES, INC.**  
**AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 138945  
Attorney Firm: Phelan, Hallinan & Schmieg, LLP  
Subject: Gary S. Carlson & Debra R. Carlson

Property Address: 118 Bryce Lane, Penfield, PA 15849  
Possible Mailing Address: (Gary S. Carlson) 13775 Highway PP, Dixon, MO 65459  
1072 Treasure Lake, Dubois, PA 15801

I, Brendan Booth, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

**I. CREDIT INFORMATION**

**A. SOCIAL SECURITY NUMBER**

Our search verified the following information to be true and correct

Gary S. Carlson - xxx-xx-0181

Debra R. Carlson - xxx-xx-3275

**B. EMPLOYMENT SEARCH**

Gary S. Carlson & Debra R. Carlson - A review of the credit reporting agencies provided no employment information.

**C. INQUIRY OF CREDITORS**

Our inquiry of creditors indicated that Gary S. Carlson reside(s) at: 13775 Highway PP, Dixon, MO 65459 & Debra R. Carlson reside(s) at: 1072 Treasure Lake, Dubois, PA 15801.

**II. INQUIRY OF TELEPHONE COMPANY**

**A. DIRECTORY ASSISTANCE SEARCH**

Our office contacted directory assistance, which had no listing Gary S. Carlson & Debra R. Carlson.

**B.** On 07-16-07 our office made several telephone calls to the phone number (814) 759-2607 and received the following information: no answer. On 07-16-07 our office made a telephone call to the phone number (573) 637-5226 and received the following information: disconnected. On 07-16-07 our office made a telephone call to the phone number (814) 591-1974 and received the following information: spoke with an unidentified male who could not confirm the whereabouts of the subjects. On 07-16-07 our office made several telephone calls to the phone number (573) 759-2768 and received the following information: answering machine.

**III. INQUIRY OF NEIGHBORS**

On 07-16-07 our office made several phone calls in an attempt to contact Stephen Powers (814) 637-5297, 56 Bryce Lane, Penfield, PA 15849: no answer.

On 07-16-07 our office made several phone calls in an attempt to contact Louie Gregori (814) 637-5657, 89 Bryce Lane, Penfield, PA 15849: no answer.

On 07-16-07 our office made a phone call in an attempt to contact Le Dora Gontero (814) 637-5491, 132 Bryce Lane, Penfield, PA 15849: spoke with an unidentified male who could not confirm that the subjects reside(s) at 118 Bryce Lane, Penfield, PA 15849.

On 07-16-07 our office made several phone calls in an attempt to contact Richard Salesky (573) 759-7169, 13606 Highway PP, Dixon, MO 65459: no answer.

On 07-16-07 our office made several phone calls in an attempt to contact Millers Landscaping LLC (573) 759-7813, 13805 Highway PP, Dixon, MO 65459: no answer.

On 07-16-07 our office made several phone calls in an attempt to contact Melisa Reeves (573) 759-3107, 13825 Highway PP, Dixon, MO 65459: no answer.

On 07-16-07 our office made several phone calls in an attempt to contact Recreation Land Corporation Rv Park Pavillion (814) 371-9961, 1055 Treasure Lake, Dubois, PA 15801: no answer.

On 07-16-07 our office made several phone calls in an attempt to contact Mark Vrahas (814) 371-3357, 1080 Treasure Lake, Dubois, PA 15801: answering machine.

On 07-16-07 our office made a phone call in an attempt to contact Karen D. Miller (814) 372-4720, 1081 Treasure Lake, Dubois, PA 15801: spoke with an unidentified female who could not confirm that the subjects reside(s) at 1072 Treasure Lake, Dubois, PA 15801.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 07-16-07 we reviewed the National Address database and found the following information: Gary S. Carlson & Debra R. Carlson - 1072 Treasure Lake, Du Bois, PA 15801.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: (Gary S. Carlson) 13775 Highway PP, Dixon, MO 65459 & 1072 Treasure Lake, Dubois, PA 15801.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on Gary S. Carlson & Debra R. Carlson.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 07-16-07 Vital Records and all public databases have no death record on file for Gary S. Carlson & Debra R. Carlson.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for Gary S. Carlson & Debra R. Carlson residing at last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

Gary S. Carlson - 12-18-1962

Debra R. Carlson - 01-01-1966

B. A.K.A.

Gary Scott Carlson

Debra R. Butterfield

\* Our accessible databases have been checked and cross-referenced for the above named individual(s).

\* Please be advised our database information indicates the subject resides at the current address.

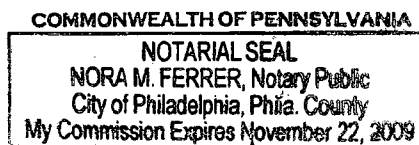
I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing states made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.

*Brendan Booth*

AFFIANT - Brendan Booth  
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 16<sup>th</sup> day of July, 2007.



The above information is obtained from available public records  
and we are only liable for the cost of the affidavit.

IND

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 2 Services

Sheriff Docket # **102227**

PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE CORP.

Case # **06-2054-CD**

vs.

GARY S. CARLSON a/k/a GARY SCOTT CARLSON and DEBRA R. CARLSON

COPY

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW May 10, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO GARY S. CARLSON, DEFENDANT. 118 BRYCE LANE, PENFIELD, PA. "EMPTY".

SERVED BY: /

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 2 of 2 Services

Sheriff Docket # **102227**

PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE CORP.

Case # 06-2054-CD

vs.

GARY S. CARLSON a/k/a GARY SCOTT CARLSON and DEBRA R.  
CARLSON

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW May 10, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO DEBRA R. CARLSON, DEFENDANT. 118 BRYCE LANE, PENFIELD, PA. "EMPTY".

SERVED BY: /

# AFFIDAVIT OF SERVICE

PLAINTIFF PHH MORTGAGE CORPORATION, ... CLEARFIELD County  
DEFENDANT(S) GARY S. CARLSON A/K/A GARY SCOTT CARLSON No. 06-2054-CD  
DEBRA R. CARLSON Our File #: 138945  
Please serve upon: GARY S. CARLSON A/K/A GARY SCOTT CARLSON Type of Action  
- Notice of Sheriff's Sale  
SERVE AT: 13775 HIGHWAY PP Sale Date: 9/7/07  
DIXON, MO 65459

## SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_,  
200\_\_, at \_\_\_\_\_, o'clock \_\_\_\_m., at \_\_\_\_\_,

Commonwealth of Missouri, in the manner described below:

\_\_\_\_\_  
Defendant personally served.  
\_\_\_\_\_  
Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_  
\_\_\_\_\_  
Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
\_\_\_\_\_  
Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
\_\_\_\_\_  
Agent or person in charge of Defendant(s)'s office or usual place of business.  
\_\_\_\_\_  
an officer of said Defendant(s)'s company.  
\_\_\_\_\_  
Other: \_\_\_\_\_

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_.

Notary:

By:

NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 14 day of Aug, 2007, at 3:00 o'clock P.m., Defendant NOT FOUND because:

☒ Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant \_\_\_\_\_  
1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Other: \_\_\_\_\_

Sworn to and subscribed  
before me this 14 day  
of Aug, 2007.

Notary:

By:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000



**AFFIDAVIT OF SERVICE**

**PLAINTIFF** PHH MORTGAGE CORPORATION, ...  
**DEFENDANT(S)** GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

CLEARFIELD County  
No. 06-2054-CD  
Our File #: 138945

Please serve upon: DEBRA R. CARLSON

Type of Action  
- Notice of Sheriff's Sale

SERVE AT: 13775 HIGHWAY PP  
DIXON, MO 65459

Sale Date: 9/7/07

**SERVED**

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_,

200\_\_, at \_\_\_\_\_, o'clock \_\_m., at \_\_\_\_\_,

Commonwealth of Missouri, in the manner described below:

\_\_\_\_\_. Defendant personally served.  
\_\_\_\_\_. Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_.  
\_\_\_\_\_. Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
\_\_\_\_\_. Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
\_\_\_\_\_. Agent or person in charge of Defendant(s)'s office or usual place of business.  
\_\_\_\_\_ an officer of said Defendant(s)'s company.  
\_\_\_\_\_. Other: \_\_\_\_\_

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_.

Notary:

By:

**NOT SERVED**

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 14 day of Aug, 2007, at 3:00 o'clock Pm., Defendant NOT FOUND because:

☒ Moved \_\_\_\_\_ ☐ Unknown \_\_\_\_\_ ☐ No Answer \_\_\_\_\_ ☐ Vacant \_\_\_\_\_

1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd

attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other: \_\_\_\_\_

Sworn to and subscribed

before me this 16 day

of Aug, 2007.

Notary:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

By:



# AFFIDAVIT OF SERVICE

PLAINTIFF PHH MORTGAGE CORPORATION, ... CLEARFIELD County  
DEFENDANT(S) GARY S. CARLSON A/K/A GARY SCOTT CARLSON No. 06-2054-CD  
DEBRA R. CARLSON Our File #: 138945  
Please serve upon: GARY S. CARLSON A/K/A GARY SCOTT CARLSON Type of Action  
- Notice of Sheriff's Sale  
SERVE AT: 1072 TREASURE LAKE Sale Date: 9/7/07  
DU BOIS, PA 15801

## SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, at \_\_\_\_\_, o'clock \_\_\_\_m., at \_\_\_\_\_,

Commonwealth of Pennsylvania, in the manner described below:

\_\_\_\_\_ Defendant personally served.  
\_\_\_\_\_ Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_  
\_\_\_\_\_ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
\_\_\_\_\_ Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
\_\_\_\_\_ Agent or person in charge of Defendant(s)'s office or usual place of business.  
\_\_\_\_\_ an officer of said Defendant(s)'s company.  
\_\_\_\_\_ Other: \_\_\_\_\_

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_.

Notary:

By:

NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 9<sup>th</sup> day of August, 2007, at 10:08 o'clock A.m., Defendant NOT FOUND because:

\_\_\_\_\_ Moved \_\_\_\_\_ Unknown X No Answer \_\_\_\_\_ Vacant  
1st attempt Date: 8/2/07 Time: 11:45 AM, 2nd attempt Date: 8/8/07 Time: 7:40 PM, 3rd  
attempt Date: 8/9/07 Time: 10:08 AM.

Other: A 13 yr-old boy answered  
the door on the 1st ATTEMPT.

Sworn to and subscribed  
before me this 10<sup>th</sup> day  
of August, 2007

Notary:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

By:

D.M. Ellis  
D.M. Ellis

Marilyn A. Campbell  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Marilyn A. Campbell, Notary Public  
City of Altoona, Blair County  
My Commission Expires Oct. 28, 2007  
Member, Pennsylvania Association of Notaries



# AFFIDAVIT OF SERVICE

PLAINTIFF PHH MORTGAGE CORPORATION, ...  
DEFENDANT(S) GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

CLEARFIELD County  
No. 06-2054-CD  
Our File #: 138945

Please serve upon: DEBRA R. CARLSON

Type of Action  
- Notice of Sheriff's Sale

SERVE AT: 1072 TREASURE LAKE  
DU BOIS, PA 15801

Sale Date: 9/7/07

## SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_, at \_\_\_\_\_, o'clock \_\_\_\_m., at \_\_\_\_\_

Commonwealth of Pennsylvania, in the manner described below:

\_\_\_\_\_  
Defendant personally served.  
\_\_\_\_\_  
Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_  
\_\_\_\_\_  
Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
\_\_\_\_\_  
Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
\_\_\_\_\_  
Agent or person in charge of Defendant(s)'s office or usual place of business.  
\_\_\_\_\_  
an officer of said Defendant(s)'s company.  
\_\_\_\_\_  
Other: \_\_\_\_\_

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_.

Notary:

By:

## NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 9th day of August, 2007, at 10:08 o'clock A.m., Defendant NOT FOUND because:

\_\_\_\_\_  
Moved \_\_\_\_\_ Unknown X No Answer \_\_\_\_\_ Vacant \_\_\_\_\_

1st attempt Date: 8/2/07 Time: 11:45AM, 2nd attempt Date: 8/8/07 Time: 7:40 PM, 3rd attempt Date: 8/9/07 Time: 10:08 AM.

Other:

↳ 13 yr-old boy  
answered the door  
on 1st attempt.

Sworn to and subscribed  
before me this 10th day  
of August, 2007

Notary:

DM ELLIS  
By: DM Ellis

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000


Marilyn A. Campbell  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Marilyn A. Campbell, Notary Public  
City of Altoona, Blair County  
My Commission Expires Oct. 28, 2007  
Member, Pennsylvania Association of Notaries

## VERIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in this action, that he is authorized to take the verification and that the statements made in the foregoing Motion for Service of Notice of Sale pursuant to Special Order of Court are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: November 6, 2007

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE

**PHELAN HALLINAN & SCHMIEG, LLP**  
**BY: DANIEL G. SCHMIEG, ESQUIRE**  
**Attorney I.D. No.: 62205**  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

**Attorney for Plaintiff**

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

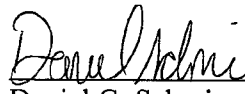
Defendants

:  
:  
: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 06-2054-CD  
:  
:  
:  
:

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Service of Notice of Sale Pursuant to Special Order of Court, Proposed Order, Memorandum of Law, Certification of Service and Verification in the above captioned matter was sent by first class mail, postage prepaid to the following interested parties on the date indicated below.

**GARY S. CARLSON**  
**A/K/A GARY SCOTT CARLSON**  
**DEBRA R. CARLSON**  
**118 BRYCE LANE**  
**PENFIELD, PA 15849**  
and  
**13775 HIGHWAY PP**  
**DIXON, MO 65459**  
and  
**1072 TREASURE LAKE**  
**DU BOIS, PA 15801**

  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff

Date: November 6, 2007

Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
Attorney I.D. No.: 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19102  
(215) 563-7000

Attorney for Plaintiff

PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendant(s).

:  
:  
: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 06-2054-CD  
:  
:

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE  
PURSUANT TO P.R.C.P., 404(2)/403**

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **GARY S. CARLSON A/K/A GARY SCOTT CARLSON & DEBRA R. CARLSON** on **NOVEMBER 30, 2007** at **118 BRYCE LANE, PENFIELD, PA 15849 & 13775 HIGHWAY PP, DIXON, MO 65459 & 1072 TREASURE LAKE, DU BOIS, PA 15801** in accordance with the Order of Court dated **NOVEMBER 14, 2007**.


The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. 4904 relating to the unsworn falsification to authorities.

PHELAN HALLINAN & SCHMIEG, LLP

By:

  
DANIEL G. SCHMIEG, ESQUIRE

Dated: December 17, 2007

**FILED**  
m 12:24/61 vcc  
DEC 18 2007  
  
William A. Shaw  
Prothonotary/Clerk of Courts

7160 3901 9849 6779 4367

**TO:** GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

**SENDER:** PAW TEAM 4

**REFERENCE:** CARLSON phs#138945

PS Form 3800, January 2005

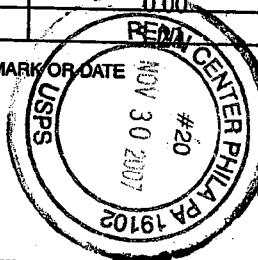
RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	

US Postal Service

# **Receipt for Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE



7160 3901 9849 6779 4381

**TO:** GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459

**SENDER:** PAW TEAM 4

**REFERENCE:** CARLSON phs#138945

PS Form 3800, January 2005

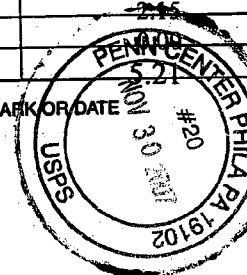
RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	
	Total Postage & Fees	

US Postal Service

# **Receipt for Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE



7160 3901 9849 6779 4411

**TO:** GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
1072 TREASURE LAKE  
DU BOIS, PA 15801

**SENDER:** PAW TEAM 4

**REFERENCE:** CARLSON phs#138945

PS Form 3800, January 2005

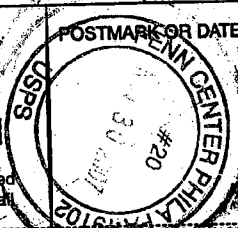
RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service

# **Receipt for Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE



7160 3901 9849 6779 4428

**TO:** DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

**SENDER:** PAW TEAM 4

**REFERENCE:** CARLSON phs#138945

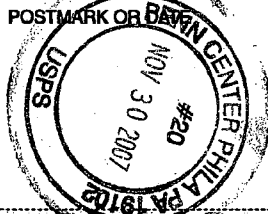
PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service

# Receipt for Certified Mail

No Insurance Coverage Provided  
Do Not Use for International Mail



7160 3901 9849 6779 4374

**TO:** DEBRA R. CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459

**SENDER:** PAW TEAM 4

**REFERENCE:** CARLSON phs#138945

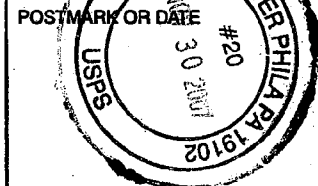
PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service

# Receipt for Certified Mail

No Insurance Coverage Provided  
Do Not Use for International Mail



7160 3901 9849 6779 4404

**TO:** DEBRA R. CARLSON  
1072 TREASURE LAKE  
DU BOIS, PA 15801

**SENDER:** PAW TEAM 4

**REFERENCE:** CARLSON phs#138945

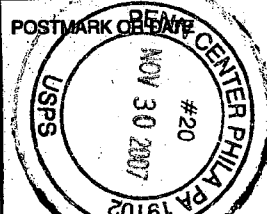
PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service

# Receipt for Certified Mail

No Insurance Coverage Provided  
Do Not Use for International Mail



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

CIVIL DIVISION

NO. 06-2054-CD

ATTORNEY FILE COPY /  
PLEASE RETURN

ATTORNEY FILE COPY  
PLEASE RETURN

ORDER

AND NOW, this 14<sup>th</sup> day of November, <sup>2007</sup>~~2006~~ <sup>FSA/BOL</sup>, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above-captioned Defendants, **GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 118 BRYCE LANE, PENFIELD, PA 15849 and 13775 HIGHWAY PP, DIXON, MO 65459 and 1072 TREASURE LAKE, DU BOIS, PA 15801.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

/S/ Fredric J Ammerman

J.

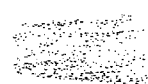
CC: Daniel G. Schmieg, Esq.  
1617 JFK Blvd, Ste. 1400  
Philadelphia, PA 19103

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

NOV 15 2007

Attest.



*William L. B...*  
Prothonotary/  
Clerk of Courts



By: JOHN R. LHOTA, ESQUIRE  
110 NORTH SECOND STREET  
CLEARFIELD, PA 16830  
IDENTIFICATION NO. 22492  
(814) 765-9611

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT COURT OF COMMON PLEAS  
MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION CIVIL DIVISION

CLEARFIELD COUNTY

vs.

No.: 06-2054-CD

GARY S. CARLSON  
DEBRA CARLSON

**MOTION FOR POSTPONEMENT OF SHERIFF'S SALE**

Plaintiff, by its counsel, JOHN R. LHOTA, P.C., ATTORNEY AT LAW, petitions this Honorable Court for a postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

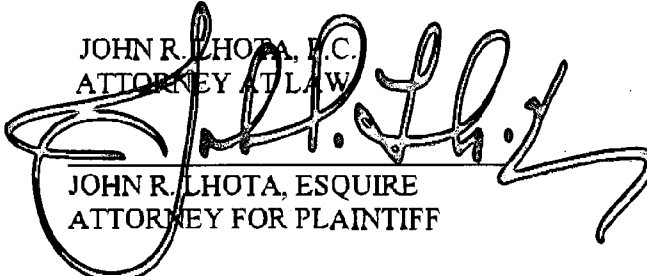
1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled February 1, 2008.
2. Plaintiff has submitted a title claim with the underlying title insurer that must be addressed before the Sheriff can offer the property for Sheriff's Sale.
3. A postponement of the Sheriff's Sale will enable Plaintiff the time necessary to address the title issues.

FILED

01/31/2008  
JAN 31 2008

William A. Shaw  
Prothonotary/Clerk of Courts

**WHEREFORE**, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to March 7, 2008.

JOHN R. LHOTA, P.C.  
ATTORNEY AT LAW  
  
JOHN R. LHOTA, ESQUIRE  
ATTORNEY FOR PLAINTIFF

**VERIFICATION**

John R. Lhota, Esquire, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
JOHN R. LHOTA, ESQUIRE  
ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT COURT OF COMMON PLEAS  
MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION CIVIL DIVISION

CLEARFIELD COUNTY

vs.

No.: 06-2054-CD

GARY S. CARLSON  
DEBRA CARLSON

**ORDER**

AND NOW, this 31<sup>st</sup> day of January, 2008, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

**ORDERED** that the said sale is extended to the regularly scheduled Clearfield County Sheriff's Sale dated March 7, 2008.

~~No further advertising or additional notice to lienholder or defendants is required.~~ **PEC**

BY THE COURT:

Paul E. Cherry  
J.

CC: John R. Lhota, Esquire  
JOHN R. LHOTA, P.C.  
ATTORNEY AT LAW

FILED

013:33/61  
JAN 31 2008

William A. Shaw  
Prothonotary/Clerk of Courts

4cc  
Atty Lhota  
(GK)

FILED

JAN 31 2008

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 11/31/08

X You are responsible for serving all appropriate parties.

\_\_\_ The Prothonotary's office has provided service to the following parties:

\_\_\_ Plaintiff(s) \_\_\_ Plaintiff(s) Attorney \_\_\_ Other

\_\_\_ Defendant(s) \_\_\_ Defendant(s) Attorney

\_\_\_ Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

PHH MORTGAGE CORPORATION, F/K/A )  
CENDANT MORTGAGE CORPORATION, )  
F/K/A PHH MORTGAGE SERVICES )  
CORPORATION, )

Plaintiff,

v.

GARY S. CARLSON  
DEBRA CARLSON,

Defendants. )

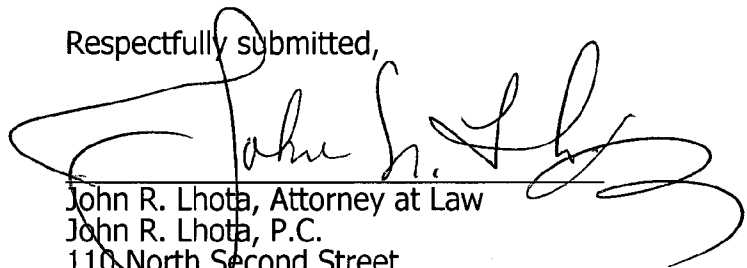
No. 06-2054-CD

**ENTRY OF APPEARANCE**

TO: William A. Shaw, Prothonotary:

Please enter my appearance on behalf of PHH Mortgage Corporation, f/k/a Cendant Mortgage Corporation, f/k/a PHH Mortgage Services Corporation, plaintiff in the above-captioned matter.

Respectfully submitted,



John R. Lhota, Attorney at Law  
John R. Lhota, P.C.  
110 North Second Street  
Clearfield, PA 16830  
(814) 765-9611  
Pa. I. D. No. 22492

Dated: January 31, 2008

**FILED**

01/31/08  
JAN 31 2008

2cc

Atty Lhota

William A. Shaw  
Prothonotary/Clerk of Courts

JOHN R. LHOTA, P.C.  
ATTORNEY AT LAW  
By: JOHN R. LHOTA, ESQUIRE  
110 NORTH SECOND STREET  
CLEARFIELD, PA 16830  
IDENTIFICATION NO. 22492  
(814) 765-9611

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT COURT OF COMMON PLEAS  
MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION CIVIL DIVISION

CLEARFIELD COUNTY

vs.

No.: 06-2054-CD

GARY S. CARLSON  
DEBRA CARLSON

**CERTIFICATION OF SERVICE**

I, JOHN R. LHOTA, ESQUIRE hereby certify that a copy of the Motion for  
Postponement of Sheriff's Sale has been sent to the individuals indicated below on

*1/31/08*

GARY S. CARLSON  
DEBRA CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

GARY S. CARLSON  
DEBRA CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459

JOHN R. LHOTA, P.C.  
ATTORNEY AT LAW

JOHN R. LHOTA, ESQUIRE  
ATTORNEY FOR PLAINTIFF

**FILED**  
*01/31/2008*  
JAN 31 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

PHH MORTGAGE CORPORATION, f/k/a )  
CENDANT MORTGAGE CORPORATION, )  
f/k/a PHH MORTGAGE SERVICES )  
CORPORATION, )

Plaintiff,

v.

GARY S. CARLSON  
DEBRA CARLSON,

Defendants. )

No. 06-2054-CD

FILED

FEB 05 2008

William A. Shaw  
Prothonotary/Clerk of Courts

2 chanc to

Att

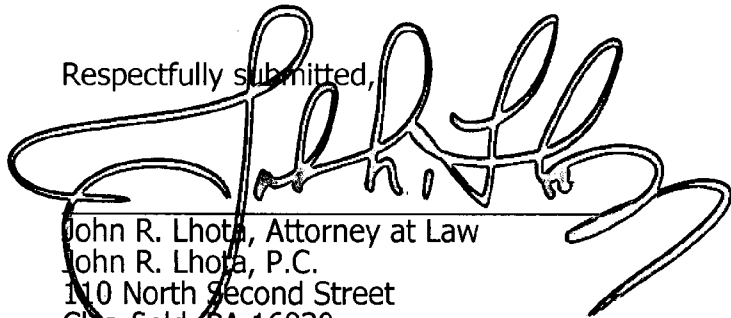
CERTIFICATE OF SERVICE

I, John R. Lhota, Attorney at Law, counsel to the above captioned plaintiff, PHH Mortgage Corporation f/k/a Cendant Mortgage Corporation, f/k/a PHH Mortgage Services Corporation, hereby certify that a copy of an Order dated January 31, 2008, which has been issued in the above-captioned matter, was served on the following persons by first class mail, postage prepaid, on February 5, 2008:

Gary S. Carlson  
Debra Carlson  
118 Bryce Lane  
Penfield, PA 15849

Gary S. Carlson  
Debra Carlson  
13775 Highway PP  
Dixon, MO 65459

Respectfully submitted,



John R. Lhota, Attorney at Law  
John R. Lhota, P.C.  
110 North Second Street  
Clearfield, PA 16830  
(814) 765-9611  
Pa. I. D. No. 22492

Dated: February 5, 2008

C:\clients\MISC\PHHMORTGAGECORP.CARLSONCOS.wpd



**FILED**

**FEB 05 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

W. A. Shaw

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

PHH MORTGAGE CORP, F/K/A	:	NO. 2006-2054-CD
CENDANT MORTGAGE CORP., F/K/A	:	
PHH MORTGAGE SERVICES CORP.	:	
3000 Leadenhall Road or	:	
4001 Leadenhall Road	:	
Mount Laurel, NJ 08054	:	
Plaintiff	:	
vs.	:	
GARY S. CARLSON a/k/a	:	
GARY SCOTT CALRSON	:	
DEBRA R. CARLSON	:	
Section 7, Lot 79 Treasure Lake	:	
DuBois, PA 15801	:	
Defendants	:	

CERTIFICATION

I, Peter F. Smith, hereby certify that I have caused the records of the Clearfield County Prothonotary's Office and Tax Claim Bureau to be examined and as of the date below, I have found the following liens against the Defendants and/or their property subject to this action:

Judgment(s)

1. S & T Bank  
2006-416-CD  
Entered - 03/20/06  
\$271,319.39
2. PHH Mortgage Corporation  
2006-2054-CD  
Entered - 06/08/07  
\$76,355.16

Mortgage(s)

1. PHH Mortgage Services Corp.  
Dated - 11/06/98  
Recorded - 11/12/98  
Rec. Book 1984, page 5  
\$115,500.00

FILED *McC*  
*01/05/08*  
FEB 13 2008 *@*

William A. Shaw  
Prothonotary/Clerk of Courts

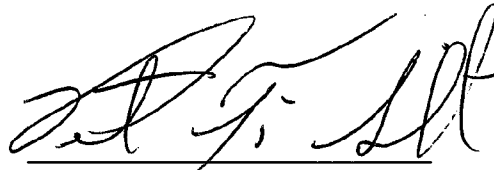
2. S & T Bank  
Dated - 07/10/03  
Recorded - 12/03/03  
Inst # 200321927  
\$415,000.00
3. Small Business Administration  
Dated - 8/14/04  
Recorded - 8/19/04  
Inst # 200413622  
\$130,500.00
4. Small Business Administration  
Dated - 4/16/05  
Recorded - 4/28/05  
Inst # 200506259  
\$180,600.00
5. USAA Federal Savings Bank  
Dated - 12/30/05  
Recorded - 1/30/06  
Inst # 200601499  
\$89,000.00

Assigned to:  
United Guaranty Residential Ins. Co of NC  
Recorded - 11/29/06  
Inst # 206619896  
\$89,000.00

Miscellaneous

1. Possible Delinquent Clearfield County Taxes - taxes could not be verified
2. Possible Domestic Relations

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter F. Smith', written over a horizontal line.

Peter F. Smith, Solicitor  
Clearfield County Sheriff  
As of 01/30/2008

Date: February 1, 2008

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183 and Rule 3257**

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

vs.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 118 BRYCE LANE, PENFIELD, PA 15849  
(See Legal Description attached)

Amount Due \$76,355.16

Interest from MAY 29, 2007 to Sale  
per diem \$12.55 \$-----

Total \$-----  
139.00 Prothonotary costs

Add'l Costs \$4,084.00

*Will [Signature]*  
\_\_\_\_\_  
(Clerk) Office of the Prothy Support, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated 6/8/07  
(SEAL)

138945

Received this writ this 8th day  
of June A.D. 2007  
At Clearfield A.M./P.M.

*Charles A. Haeberle*  
\_\_\_\_\_  
Sheriff of Clearfield County - Clearfield

No. 06-2054-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION

vs.

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Real Debt	Costs
	\$76,355.16

Int. from MAY 29, 2007  
To Date of Sale (\$12.55 per diem)

Costs	
Prothy Pd.	139.00

Sheriff

*Daniel D. Schmitz*

Attorney for Plaintiff(s)

Address: GARY S. CARLSON

A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Received this writ this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_  
M.A.M.A. \_\_\_\_\_

## LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate, lying and being in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows to wit:

BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike being located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497.960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premises conveyed to Benedetto P Palumbo and Donna Palumbo, husband and wife, by deed of Helen M Wilhelm, single, dated October 3, 1977 and record October 28, 1977 in Clearfield County Record Book 749, page 153.

TITLE TO SAID PREMISES IS VESTED IN Gary S. Carlson and Debra R. Carlson, husband and wife, by Deed from Benedetto P. Palumbo and Donna Palumbo, husband and wife, dated 03/19/1997, recorded 03/19/1997, in Deed Book 1826, page 554.

Premises being: 118 BRYCE LANE  
PENFIELD, PA 15849

Tax Parcel No. 119-G03-000-00009

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20602

NO: 06-2054-CD

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION

vs.

DEFENDANT: GARY S. CARLSON A/K/A GARY SCOTT CARLSON AND DEBRA R. CARLSON

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 6/8/2007

LEVY TAKEN 7/9/2007 @ 9:44 AM

POSTED 7/9/2007 @ 9:44 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 5/6/2008

DATE DEED FILED

PROPERTY ADDRESS 118 BRYCE LANE PENFIELD , PA 15849

FILED

010:40801  
MAY 06 2008

William A. Shaw  
Prothonotary/Clerk of Courts

SERVICES

SEE ATTACHED SHEET(S) OF SERVICES

SHERIFF HAWKINS \$471.28

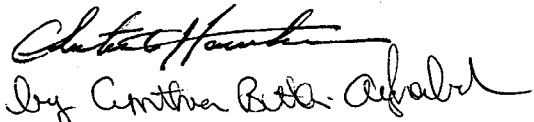
SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2008

\_\_\_\_\_

So Answers,



Chester A. Hawkins  
Sheriff

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE  
vs SERVICES CORPORATION  
GARY S. CARLSON A/K/A GARY SCOTT CARLSON AND DEBRA R. CARLSON

---

1 @ SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON

AFTER SEVERAL ATTEMPTS DEPUTIES UNABLE TO SERVE GARY S. CARLSON, DEFENDANT, AT 15995 TREASURE LAKE A/K/A SEC. 7, LOT 79, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA

---

2 @ SERVED DEBRA R. CARLSON

AFTER SEVERAL ATTEMPTS DEPUTIES UNABLE TO SERVE DEBRA R. CARLSON, DEFENDANT, AT 15995 TREASURE LAKE A/K/A SEC. 7, LOT 79, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA

---

3 12/18/200 @ SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON

SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON, DEFENDANT, BY REG & CERT MAIL PER COURT ORDER TO 1072 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PA, CERT #70060810000145073565. SIGNED FOR ON A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

---

4 12/18/200 @ SERVED DEBRA R. CARLSON

SERVED DEBRA R. CARLSON, DEFENDANT, BY REG & CERT MAIL PER COURT ORDER TO 1072 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, CERT #70060810000145073619. SIGNED FOR ON 12/22/07 BY DEBRA A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

---

5 12/18/200 @ SERVED GARY S. CARLSON A/K/A GARY SCOTT CARSLON

SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON, DEFENDANT, BY REG & CERT MAIL PER COURT ORDER TO 118 BRYCE LANE, PENFIELD, CLEARFIELD COUNTY, PA, CERT #70060810000145073572. REG & CERT MAIL A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTON, NOTICE OF SALE AND COPY OF THE LEVY.

---

6 12/18/200 @ SERVED DEBRA R. CARLSON

SERVED DEBRA R. CARLSON, DEFENDANT, BY REG & CERT MAIL TO 118 BRYCE LANE, PENFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, CERT #70060810000145073596. REG & CERT MAIL RETURNED UNCLAIMED ON 12/28/07. A TRUE AND ATTESTED COPY OF THE ORIGINAL WIRIT OF EXECUTON, NOTICE OF SALE AND COPY OF THE LEVY.

---

7 12/18/200 @ SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON

SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON, DEFENDANT, BY REG & CERT MAIL TO 13775 HIGHWAY PP, DIXON, MO 65459, CERT #70060810000145073589. CERT RETURNED UNCLAIMED JAN. 7, 2008: REG MAIL RETD A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.



PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE  
SERVICES CORPORATION  
vs  
GARY S. CARLSON A/K/A GARY SCOTT CARLSON AND DEBRA R. CARLSON

---

8 12/18/200 @ SERVED DEBRA R. CARLSON

SERVED DEBRA R. CARLSON, DEFENDANT, BY REG & CERT MAIL TO 13775 HIGHWAY PP, SOXON, MO 65459, CERT #70060810000145073602. REG. & CERT MAIL RETURNED UNCLAIMED ON DEC. 27, 2007.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

---

9 2/8/2008 @ SERVED DEBRA R. CARLSON

SERVED DEBRA R. CARLSON, DEFENDANT, WITH NEW NOTICE OF SALE WITH NEW SALE DATE PER COURT ORDER TO 1072 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA CERT #70060810000145073640

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

---

10 2/7/2008 @ SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON

SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON, DEFENDANT, WITH NEW SALE DATE AT 1072 TREASURE LAKE, DUBOIS, PENNSYLVANIA PER COURT. CERT #70060810000145074364 RETURNED UNCLAIMED 2/29/08.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

---

@ SERVED

NOW, SEPTEMBER 6, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR SEPTEMBER 7, 2007 TO NOVEMBER 2, 2007.

---

@ SERVED

NOW, NOVEMBER 1, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR NOVEMBER 2, 2007 TO FEBRUARY 1, 2008.

---

@ SERVED

NOW, JANUARY 31, 2008 RECEIVED AN ORDER OF COURT TO POSTPONE THE SHERIFF SALE TO MARCH 7, 2008.

---

@ SERVED

NOW, MARCH 7, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR MARCH 7, 2008 DUE TO A TITLE CLAIM.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME GARY S. CARLSON A/K/A GARY SCOTT CARLSON

NO. 06-2054-CD

NOW, May 06, 2008, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of Gary S. Carlson A/K/A Gary Scott Carlson And Debra R. Carlson to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	18.43
LEVY	15.00
MILEAGE	15.52
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	54.89
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	147.44
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	15.00
CONTINUED SALES	60.00
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$471.28</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$0.00</b>

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	69,193.36
INTEREST @ 11.3700	0.00
FROM TO	
ATTORNEY FEES	1,900.00
PROTH SATISFACTION	
LATE CHARGES AND FEES	233.88
COST OF SUIT-TO BE ADDED	1,981.50
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	3,412.90
PROPERTY INSPECTIONS	1,939.25
INTEREST	5,618.89
MISCELLANEOUS	250.00
<b>TOTAL DEBT AND INTEREST</b>	<b>\$84,569.78</b>

**COSTS:**

ADVERTISING	1,623.45
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	471.28
LEGAL JOURNAL COSTS	180.00
PROTHONOTARY	139.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$2,553.73</b>

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
**Christine.Schoffler@fedphe.com**

Christine Schoffler  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

September 6, 2007

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION v.  
GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R.  
CARLSON

No. 06-2054-CD  
118 BRYCE LANE, PENFIELD, PA 15849

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which  
is scheduled for SEPTEMBER 7, 2007.

The property is to be relisted for the NOVEMBER 2, 2007 Sheriff's Sale.

Very truly yours,

CQS

Christine Schoffler

VIA TELECOPY (814) 765-5915

CC: GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

CIVIL DIVISION

NO. 06-2054-CD

ATTORNEY FILE COPY  
PLEASE RETURN

ATTORNEY FILE COPY  
PLEASE RETURN

ORDER

AND NOW, this 14<sup>th</sup> day of November, <sup>2007</sup>~~2006~~ <sup>FSA/BOL</sup>, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above-captioned Defendants, **GARY S. CARLSON A/K/A GARY SCOTT CARLSON** and **DEBRA R. CARLSON**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 118 BRYCE LANE, PENFIELD, PA 15849 and 13775 HIGHWAY PP, DIXON, MO 65459 and 1072 TREASURE LAKE, DU BOIS, PA 15801.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

**BY THE COURT:**

**/S/ Fredric J Ammerman**

**J.**

CC: Daniel G. Schmieg, Esq.  
1617 JFK Blvd, Ste. 1400  
Philadelphia, PA 19103

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

**NOV 15 2007**

Attest.

*William L. Ben*  
Prothonotary/  
Clerk of Courts

Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
**Christine.Schoffler@fedphe.com**

Christine Schoffler  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

November 1, 2007

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION v.  
GARY S. CARLSON A/K/A GARY SCOTT CARLSON AND DEBRA R.  
CARLSON

No. 06-2054-CD

118 BRYCE LANE, PENFIELD, PA 15849

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which  
is scheduled for NOVEMBER 2, 2007.

The property is to be relisted for the FEBRUARY 1, 2008 Sheriff's Sale.

Very truly yours,  
CQS  
Christine Schoffler

VIA TELECOPY (814) 765-5915

CC: GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

**SENDER: COMPLETE THIS SECTION**

- 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

GARY S. CARLSON A/K/A  
GARY SCOTT CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) ☐ Date of Delivery
- C. Is delivery address different from item 1? ☐ Yes ☐ No
- D. If YES, enter delivery address below:

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7006 0810 0001 4507 3565

PS Form 3811, February 2004

Domestic Return Receipt

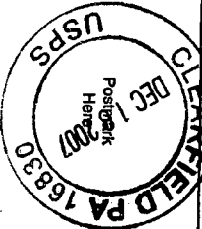
102595-02-M-1540

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To  
Street, Apt. No., or PO Box No.  
City, State, Zip+4

GARY S. CARLSON A/K/A  
GARY SCOTT CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

PS Form 3800, June 2002

See Reverse for Instructions

7006 0810 0001 4507 3565

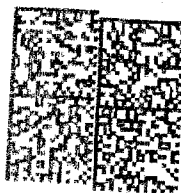


CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

7006 0810 0001 4507 3596



DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849



016416505405  
\$05.380  
12/18/2007  
Mailed From 16830  
US POSTAGE

RECEIVED

DEC 28 2007

15830022472

FORWARD TIME EXP 1 50EC 25 12/26/07  
CARLSON  
1072 TREASURE LK  
DU BOIS PA 15801-9025  
RETURN TO SENDER

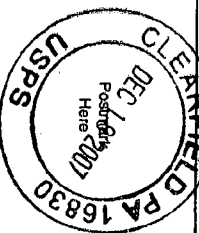
7006 0810 0001 4507 3596

U.S. Postal Service  
CERTIFIED MAIL - RECEIPT  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To

Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

PS Form 3800, June 2002

See Reverse for Instructions



**SENDER: COMPLETE THIS SECTION**

- ☐ 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
☒ Addresssee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type:

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7006 0810 0001 4507 3596

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-N-1540



**CHESTER A. HAWKINS**  
**SHERIFF**  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

**RECEIVED**

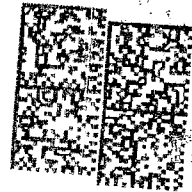
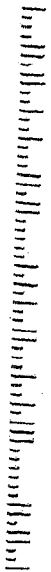
**DEC 28 2007**

GARY S. CARLSON A/K/A  
GARY SCOTT CARLSON  
118 BRYCE LANE  
PENFIELD

1683002472

X 165 NEE 1 908C DO 12/28/07  
FORWARD TIME EXP RTN TO SEND  
CARLSON  
1072 TREASURE LK  
DU BOIS PA 16801-9025

RETURN TO SENDER



Hasler

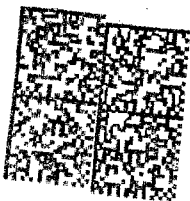
016416505405  
**\$00.580**  
12/18/2007  
Mailed From 16830  
US POSTAGE



CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830



7006 0810 0001 4507 3572



Hasler

016H18505405  
\$05.380  
12/18/2007  
Mailed From 16830  
US POSTAGE

RECEIVED

DEC 8 2007

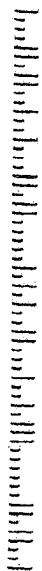
RECEIVED

DEC 28 2007

GARY S. CARLSON AKA/  
GARY SCOTT CARLSON  
118 BRYCE LANE  
PENFIELD

16830022472

FORWARD TIME EXP RTN TO SEND  
X 105 NYE 1 508C 25 12/26/07  
CARLSON  
1072 TREASURE LK  
DU BOIS PA 15601-9025  
RETURN TO SENDER

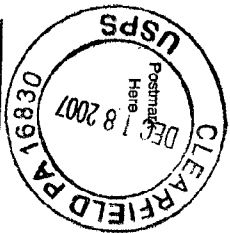


U.S. Postal Service<sup>SM</sup>  
CERTIFIED MAIL<sup>®</sup> RECEIPT  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent to

Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

GARY S. CARLSON AKA/  
GARY SCOTT CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

PS Form 3800, June 2002

See Reverse for Instructions

7006 0810 0001 4507 3572

PLACE STICKER TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

GARY S. CARLSON AKA/  
GARY SCOTT CARLSON  
118 BRYCE LANE  
PENNY D, PA 15849

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

☐ Yes  
☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number  
(Transfer from service label)

7006 0810 0001 4507 3572

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

DECEMBER 10 2007 139  
CLEARFIE



CHESTER A. HAWKINS  
SHERIFF

COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

RECEIVED

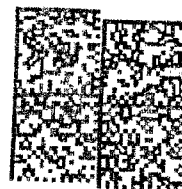
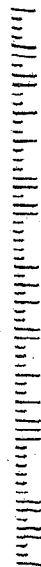
DEC 28 2007

DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 16849

FORWARD TIME EXP RTN TO SEND  
CARLSON TREASURE LK  
4072 BOIS PA 15801-9025

RETURN TO SENDER

15830002472



Hasler

01641505405  
\$00.580  
12/18/2007  
Mailed From 16830  
US POSTAGE

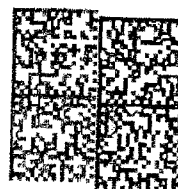


CHESTER A. HAWKINS  
SHERIFF

COURTHOUSE  
1 NORTH SECOND STREET - SUITE 118  
CLEARFIELD, PENNSYLVANIA 16830



7006 0810 0001 4507 3602



Hasler

016H16505405  
\$05.380  
12/18/2007  
Mailed From 16830  
US POSTAGE

DEBRA R. CARLSON  
13775 HIGHWAY PP  
SOXON, MO 65459

12/18/07

NIXIE

655 SE 1

06 12/23/07

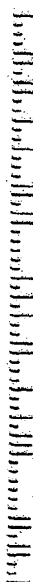
RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

ES45988235 R001

1583062472

BC: 15830247201

\*0126-00696-20-28



U.S. Postal Service<sup>™</sup>

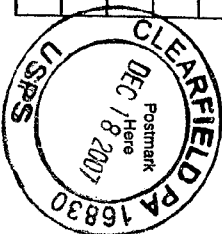
CERTIFIED MAIL<sup>™</sup> RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To

Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

DEBRA R. CARLSON  
13775 HIGHWAY PP  
SOXON, MO 65459

PS Form 3800, June 2002

See Reverse for Instructions

7006 0810 0001 4507 3602



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

DEBRA R. CARLSON  
13775 HIGHWAY PP  
SOXON, MO 65459

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
**X** ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

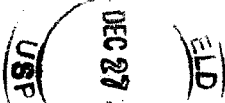
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

7005 0810 0001 4507 3602

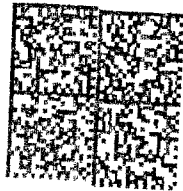




CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

*[Handwritten signature]*

DEBRA R. CARLSON  
13775 HIGHWAY PP  
SOXON, MO 65459



Hasler

016H16505405  
\$00.580  
12/18/2007  
Mailed From 16830  
US POSTAGE

2045300205 R001  
1683002472

BC: 16830247201 \*0128-00695-20-28  
1683002472

RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

NIXIE 658 DC 1 66 12/23/07

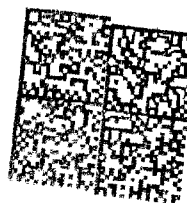




CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830



7006 0810 0001 4507 3589



Hasler

016H16505405  
\$05.380  
12/18/2007  
Mailed From: 16830  
US POSTAGE

NOT DELIVERABLE  
AS ADDRESSED,  
UNABLE TO FORWARD

GARY S. CARLSON A/K/A  
GARY SCOTT CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459

12/21/07

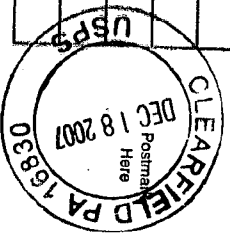
U.S. Postal Service<sup>™</sup>  
**CERTIFIED MAIL<sup>™</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	Certified Fee	Return Receipt Fee (Endorsement Required)	Restricted Delivery Fee (Endorsement Required)
\$			

Total Postage & Fees \$



Sent to

GARY S. CARLSON A/K/A  
GARY SCOTT CARLSON

13775 HIGHWAY PP  
DIXON, MO 65459

PS Form 3800, June 2002

See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

GARY S. CARLSON A/K/A  
GARY SCOTT CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ X ☐ Agent ☐ Addressee

B. Received by (Printed Name) ☐ C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

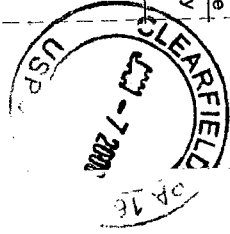
2. Article Number

(Transfer from service label)

7006 0810 0001 4507 3589

Return Receipt

102595-02-M-1540





CHESTER A. HAWKINS  
SHERIFF

COURTHOUSE

1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

RETURN TO SENDER

GARY S. CARLSON AKA  
GARY SCOTT CARLSON  
13775 HIGHWAY PP  
DIXON, MO 64

NO LONGER #

634539+8235-73 R001

1553002472

BC: 15530247201

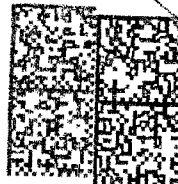
\*1843-01972-18-43

RETURN TO SENDER  
ATTEMPTED TO FORWARD  
UNABLE TO FORWARD

NIXIE

558 3C 1

06 12/28/07



Hasler

016-H16505405

\$00.580

12/18/2007

Mailed From 16830  
US POSTAGE

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><b>X</b> </p>
<p>1. Article Addressed to:</p>   <p>DEBRA R. CARLSON 1072 TREASURE LAKE DUBOIS, PA 15801</p>	<p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p> <span style="float: right;">10/22/07</span></p>
<p>2. Article Number (Transfer from service label)</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7006 0810 0001 4507 3619</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

7006 0810 0001 4507 3619

**U.S. Postal Service™**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

**Sent To**

Street, Apt. No., or PO Box No.	DEBRA R. CARLSON
City, State, ZIP+4	1072 TREASURE LAKE DUBOIS, PA 15801

PS Form 3800, June 2002

See Reverse for Instructions

PHH MORTGAGE CORPORATION, F/K/A CENDANT COURT OF COMMON PLEAS  
MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION CIVIL DIVISION

CLEARFIELD COUNTY

vs.

No.: 06-2054-CD

GARY S. CARLSON  
DEBRA CARLSON

**ORDER**

AND NOW, this 31<sup>st</sup> day of January, 2008, after consideration of  
Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

**ORDERED** that the said sale is extended to the regularly scheduled Clearfield County  
Sheriff's Sale dated March 7, 2008.

~~No further advertising or additional notice to lienholder or defendants is required.~~ REC/BCL

**BY THE COURT:**

/s/ Paul E. Cherry

J.

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

CC: John R. Lhota, Esquire  
JOHN R. LHOTA, P.C.  
ATTORNEY AT LAW

JAN 31 2008

Attest.

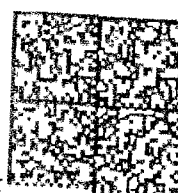
William A. Shaw  
Prothonotary/  
Clerk of Courts



CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830



7006 0810 0001 4507 4364



Hasler

06H16505-105  
\$05.21  
02/07/2008  
Mailed From 16830  
US POSTAGE

GARY S. CARLSON AKA  
GARY SCOTT CARLSON  
1072 TREASURE LAKE  
DUBOIS

NIXIE

165 4E 1

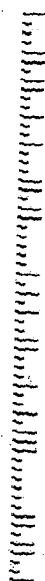
25 02/27/08

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 16830247201

\*0595-05059-27-27

1683002472

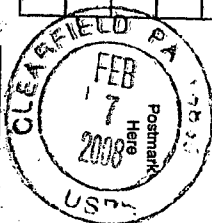


U.S. Postal Service<sup>TM</sup>  
CERTIFIED MAIL<sup>TM</sup> RECEIPT  
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21



Sent To  
Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

GARY S. CARLSON AKA  
GARY SCOTT CARLSON  
1072 TREASURE LAKE  
DUBOIS, PA 15801

PS Form 3800, June 2002

See Reverse for Instructions

7006 0810 0001 4507 4364



**SENDER: COMPLETE THIS SECTION**

- 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

GARY S. CARLSON A/K/A  
GARY SCOTT CARLSON  
1072 TRFASURE LAKE  
DUBOIS, PA 15801

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent  
☒ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7006 0610 0001 4507 4364

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>X </p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> DEBRA R. CARLSON  1072 TREASURE LAKE  DUBOIS, PA 15801 </div>	<p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p> <span style="float: right;">2/18/08</span></p>
<p>2. Article Number (Transfer from service label)</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Certified Mail  <input type="checkbox"/> Registered  <input type="checkbox"/> Insured Mail </div> <div> <input type="checkbox"/> Express Mail  <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> C.O.D. </div> </div>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7006 0810 0001 4507 3640</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

7006 0810 0001 4507 3640

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	521

Sent To DEBRA R. CARLSON

Street, Apt. No., or PO Box No. 1072 TREASURE LAKE

City, State, ZIP+4 DUBOIS, PA 15801

PS Form 3800, June 2002

See Reverse for Instructions



**Phelan Hallinan & Schmieg, L.L.P.**  
**One Penn Center at Suburban Station**  
**1617 John F. Kennedy Boulevard**  
**Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**  
**Fax: (215) 563-7009**

Stephen Ames, Ext.1244  
Foreclosure Manager

Representing Lenders in  
Pennsylvania and New Jersey

March 7, 2008

Office of the Sheriff  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION v.  
GARY S. CARLSON and DEBRA R. CARLSON  
118 BRYCE LANE PENFIELD, PA 15849  
Court No. 06-2054-CD

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is  
scheduled for **March 7, 2008** due to the following: **Title Claim.**

Please be advised that no funds were reported to be received.

You are hereby directed to immediate discontinue the advertising of the sale and  
processing or posting of the Notice of Sale.

Please return the original Writ of Execution to the Prothonotary as soon as  
possible..

Thank you for your correspondence in this matters.

Very Truly Yours,  
MICHELLE GRAGO for  
Phelan Hallinan & Schmieg, LLP

PRAECIPE FOR WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180-3183

PHH.MORTGAGE  
CORPORATION, F/K/A CENDANT  
MORTGAGE CORPORATION,  
F/K/A.PHH.MORTGAGE  
SERVICES CORPORATION

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-2054-CD

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

vs.

GARY S. CARLSON  
A/K/A.GARY.SCOTT.CARLSON

DEBRA R. CARLSON

FILED <sup>EV</sup>

OCT 24 2008

m/12:30/a

William A. Shaw  
Prothonotary/Clerk of Courts

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due

\$84,529.78

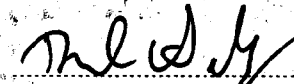
Interest from 9/8/2007 to Sale  
Per diem \$13.90

\$ \_\_\_\_\_

Prothonotary costs \$154.-

Writ Total

\$ \_\_\_\_\_



DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Note: Please attach description of Property.

138945

No. 06-2054-CD.....

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA


PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION

vs.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Address: GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

BEGINNING at an iron pin set by this survey, said iron pin being North 75° 15' East a distance of 272.68 feet from an existing Iron pipe, said Iron pin being the northeast corner of John and Della Bundy and being the northeast corner of herein described parcel; thence North 75° 15' East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75° 15' West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15° 23' East along the lands of Stock Levenduski and through the northern right of way for LR 10731 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82° 26' West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86° 04' 50" West and a chord distance of 169.97 feet; thence North 89° 43' West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17° 25' West along the lands of Vincent Bonfardin and through the northern right of way for LR 10731 the following distances 30.00 feet to an iron pin, set by this survey thence 284.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89° 43' West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northeast corner of Vincent Bonfardin; thence North 17° 25' West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning, CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out building.

MAP #119-G03-000-00009.

BEING the same premises conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, date March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

EXECPTING AND EXCLUDING THE FOLLOWING OUTSALES:

- 1) 767/154, dated 8/18/78, recorded 8/25/78, Benedetto P. Palumbo, et ux, to John Morelli, .53 acre, from 749/153
- 2) 787/373, dated 6/26/79, recorded 9/21/79, Benedetto P. Palumbo, et ux, to Louis M. Gregori, et ux, Lot 4, from 749/153
- 3) 788/561, dated 7/25/79, recorded 10/18/79, Benedetto P. Palumbo, et ux, to George F. Dinsmore, et ux, a tract, from 749/153
- 4) 791/278, dated 10/23/79, recorded 12/19/79, Benedetto P. Palumbo, et ux, to John J. Morelli, Lot 7, from 749/153

- 5) 794/436, dated 1/22/80, recorded 1/24/90, Benedetto P. Palumbo, et ux, to Huston Township, 33' wide for roadway
- 6) 803/117, dated 9/26/80, recorded 10/3/80, Benedetto P. Palumbo, et ux, to Samuel J. Toney III, et ux, Lots from 749/153
- 7) 897/531, dated 8/10/82, recorded 7/19/83, Benedetto P. Palumbo, et ux, to Angelo Tomaselli, et ux, Lot 1, from 749/153, NOTE this lot was conveyed to grantees by Article of Agreement in 850/451
- 8) 1073/304, dated 2/24/86, recorded 4/3/86, Benedetto P. Palumbo, et ux, to David K. Morelli, Lot 3, from 749/153
- 9) 1193/314, dated 7/7/87, recorded 11/16/87, Benedetto P. Palumbo, et ux, to Huston Township, 33' wide for roadway

Premises being: 118 BRYCE LANE  
PENFIELD, PA 15849

Tax Parcel No. 119-G03-000-00009

Prothonotary/Clerk of Courts  
William A. Shaw

OCT 24 2008

FILED

**WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)**  
**Pa.R.C.P. 3180-3183 and Rule 3257**

PHH.MORTGAGE  
CORPORATION, F/K/A CENDANT  
MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE  
SERVICES CORPORATION

vs.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ....  
No. 06-2054-CD  
No. ....

WRIT OF EXECUTION  
(Mortgage Foreclosure)

GARY S. CARLSON A/K/A GARY  
SCOTT CARLSON

DEBRA R. CARLSON

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 118 BRYCE LANE, PENFIELD, PA 15849  
(See Legal Description attached)

Amount Due

\$84,529.78


Interest from 9/8/2007 to Sale  
Per diem \$13.90

\$

Prothonotary costs 154..

Writ Total

\$

  
OFFICE OF THE PROTHONOTARY OF CLEARFIELD  
COUNTY, PENNSYLVANIA

Dated OCT. 24, 2008  
(SEAL)

138945

No. 06-2054-CD.....

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION

vs.

GARY S. CARLSON A/K/A GARY SCOTT  
CARLSON  
DEBRA R. CARLSON

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs

Real Debt \$84,529.78

Int. from  
To Date of Sale (\$13.90 per diem)

Costs

Prothy Pd.

Sheriff

*Daniel G. Schmiege*

DANIEL G. SCHMIEGE, ESQUIRE  
Attorney for Plaintiff

Address: GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801



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MAP #119-G03-000-00009.

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- 2) 787/373, dated 6/26/79, recorded 9/21/79, Benedetto P. Palumbo, et ux, to Louis M. Gregori, et ux, Lot 4, from 749/153
- 3) 788/561, dated 7/25/79, recorded 10/18/79, Benedetto P. Palumbo, et ux, to George F. Dinsmore, et ux, a tract, from 749/153
- 4) 791/278, dated 10/23/79, recorded 12/19/79, Benedetto P. Palumbo, et ux, to John J. Morelli, Lot 7, from 749/153

- 5) 794/436, dated 1/22/80, recorded 1/24/90, Benedetto P. Palumbo, et ux, to Huston Township, 33' wide for roadway
- 6) 803/117, dated 9/26/80, recorded 10/3/80, Benedetto P. Palumbo, et ux, to Samuel J. Toney III, et ux, Lots from 749/153
- 7) 897/531, dated 8/10/82, recorded 7/19/83, Benedetto P. Palumbo, et ux, to Angelo Tomaselli, et ux, Lot 1, from 749/153, NOTE this lot was conveyed to grantees by Article of Agreement in 850/451
- 8) 1073/304, dated 2/24/86, recorded 4/3/86, Benedetto P. Palumbo, et ux, to David K. Morelli, Lot 3, from 749/153
- 9) 1193/314, dated 7/7/87, recorded 11/16/87, Benedetto P. Palumbo, et ux, to Huston Township, 33' wide for roadway

Premises being: 118 BRYCE LANE  
PENFIELD, PA 15849

Tax Parcel No. 119-G03-000-00009

**PHELAN HALLINAN & SCHMIEG**

**By: DANIEL G. SCHMIEG**

**Identification No. 62205**

**Suite 1400**

**One Penn Center at Suburban Station**

**1617 John F. Kennedy Boulevard**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

**ATTORNEY FOR PLAINTIFF**

**PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION**

**3000 LEADENHALL ROAD OR 4001**

**LEADENHALL ROAD**

**MOUNT LAUREL, NJ 08054**

**Plaintiff,**

**v.**

**GARY S. CARLSON**

**A/K/A GARY SCOTT CARLSON**

**DEBRA R. CARLSON**

**SECTION 7, LOT 79 TREASURE LAKE**

**DU BOIS, PA 15801**

**Defendant(s).**

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 06-2054-CD**

**CERTIFICATION**

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

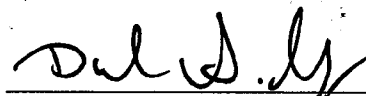
☐ an FHA Mortgage

☐ non-owner occupied

☐ vacant

☒ Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.



**DANIEL G. SCHMIEG, ESQUIRE**  
**Attorney for Plaintiff**

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2054-CD

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

**AFFIDAVIT PURSUANT TO RULE 3129.1**

**PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeipe for the Writ of Execution was filed, the following information concerning the real property located at **118 BRYCE LANE, PENFIELD, PA 15849**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME

LAST KNOWN ADDRESS (If address cannot  
be reasonably ascertained, please so indicate.)

GARY S. CARLSON A/K/A GARY  
SCOTT CARLSON

SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DEBRA R. CARLSON

SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

2. Name and address of Defendant(s) in the judgment:

NAME

LAST KNOWN ADDRESS (If address cannot  
be reasonably ascertained, please so indicate.)

Same as Above

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A §4904 relating to unsworn falsification to authorities

OCTOBER 23, 2008

Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff,

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

Defendant(s).

**AFFIDAVIT PURSUANT TO RULE 3129.1**

**PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION**, Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praeipce for the Writ of Execution was filed, the following information concerning the real property located at **118 BRYCE LANE, PENFIELD, PA. 15849**.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

S&T BANK

43 SOUTH NINTH STREET  
INDIANA, PA 15701

S&T BANK

C/O GRENNEN & BIRSIC, P.C.  
ATTN: JOHN N. MCELROY, ESQ.  
ONE GATEWAY CENTER, 9<sup>TH</sup> FL  
PITTSBURGH, PA 15222

4. Name and address of the last recorded holder of every mortgage of record:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

S&T BANK

614 LIBERTY AVENUE  
DUBOIS, PA 15801

ADMINSTRATOR OF

2120 RIVERFRONT DRIVE

**THE SMALL BUSINESS  
ADMINISTRATION**

**LITTLE ROCK, AR 72202**

**UNITED GUARANTY  
RESIDENTIAL  
INSURANCE COMPANY  
OF NORTH CAROLINA**

**230 NORTH ELM STREET  
GREENSBORO, NC 27401**

5. Name and address of every other person who has any record lien on the property:

**NAME**

**LAST KNOWN ADDRESS (If address cannot  
be reasonably ascertained, please so indicate.)**

**None**

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

**NAME**

**LAST KNOWN ADDRESS (If address cannot  
be reasonably ascertained, please so indicate.)**

**None**

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

**NAME**

**LAST KNOWN ADDRESS (If address cannot  
be reasonably ascertained, please so indicate.)**

**TENANT/OCCUPANT**

**118 BRYCE LANE  
PENFIELD, PA 15849**

**DOMESTIC RELATIONS  
CLEARFIELD COUNTY**

**CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

**COMMONWEALTH OF  
PENNSYLVANIA**

**DEPARTMENT OF WELFARE  
PO BOX 2675  
HARRISBURG, PA 17105**

**Commonwealth of Pennsylvania  
Bureau of Individual Tax  
Inheritance Tax Division**

**6<sup>th</sup> Floor, Strawberry Sq., Dept 28061  
Harrisburg, PA 17128**

**Internal Revenue Service  
Federated Investors Tower**

**13<sup>TH</sup> Floor, Suite 1300  
1001 Liberty Avenue  
Pittsburgh, PA 15222**

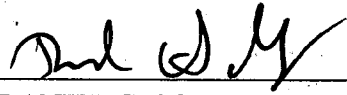
**Department of Public Welfare  
TPL Casualty Unit  
Estate Recovery Program**

**P.O. Box 8486  
Willow Oak Building  
Harrisburg, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

OCTOBER 23, 2008

Date

A handwritten signature in dark ink, appearing to read 'Dan G. Schmieg', written over a horizontal line.

DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

FILED

OCT 24 2008

M/11:25/4  
William A. Shaw  
Prothonotary/Clerk of Courts

Attorney for Plaintiff

610

PHELAN HALLINAN & SCHMIEG, LLP  
By: Daniel G. Schmieg, Esquire, ID No. 62205  
One Penn Center at Suburban Station  
Suite 1400  
Philadelphia, PA 1903-1814  
215-563-7000

138945

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

COURT OF COMMON PLEAS

CIVIL DIVISION

CLEARFIELD COUNTY

vs.

No.: 06-2054-CD

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

**PRAECIPE TO SUBSTITUTE LEGAL DESCRIPTION**

TO THE PROTHONOTARY:

Kindly substitute the attached legal description for the legal description originally filed  
with the complaint/Writ in the instant matter.

today  
Date

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff



BEGINNING at an iron pin set by this survey, said iron pin being North 75° 15' East a distance of 272.68 feet from an existing Iron pipe, said Iron pin being the northeast corner of John and Della Bundy and being the northeast corner of herein described parcel; thence North 75° 15' East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75° 15' West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15° 23' East along the lands of Stock Levenduski and through the northern right of way for LR 10731 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82° 26' West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86° 04' 50" West and a chord distance of 169.97 feet; thence North 89° 43' West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17° 25' West along the lands of Vincent Bonfardin and through the northern right of way for LR 10731 the following distances 30.00 feet to an iron pin, set by this survey thence 284.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89° 43' West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northeast corner of Vincent Bonfardin; thence North 17° 25' West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning, CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out building.

MAP #119-G03-000-00009.

BEING the same premises conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, date March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

EXECPTING AND EXCLUDING THE FOLLOWING OUTSALES:

- 1) 767/154, dated 8/18/78, recorded 8/25/78, Benedetto P. Palumbo, et ux, to John Morelli, .53 acre, from 749/153
- 2) 787/373, dated 6/26/79, recorded 9/21/79, Benedetto P. Palumbo, et ux, to Louis M. Gregori, et ux, Lot 4, from 749/153
- 3) 788/561, dated 7/25/79, recorded 10/18/79, Benedetto P. Palumbo, et ux, to George F. Dinsmore, et ux, a tract, from 749/153
- 4) 791/278, dated 10/23/79, recorded 12/19/79, Benedetto P. Palumbo, et ux, to John J. Morelli, Lot 7, from 749/153

- 5) 794/436, dated 1/22/80, recorded 1/24/90, Benedetto P. Palumbo, et ux, to Huston Township, 33' wide for roadway
- 6) 803/117, dated 9/26/80, recorded 10/3/80, Benedetto P. Palumbo, et ux, to Samuel J. Toney III, et ux, Lots from 749/153
- 7) 897/531, dated 8/10/82, recorded 7/19/83, Benedetto P. Palumbo, et ux, to Angelo Tomaselli, et ux, Lot 1, from 749/153, NOTE this lot was conveyed to grantees by Article of Agreement in 850/451
- 8) 1073/304, dated 2/24/86, recorded 4/3/86, Benedetto P. Palumbo, et ux, to David K. Morelli, Lot 3, from 749/153
- 9) 1193/314, dated 7/7/87, recorded 11/16/87, Benedetto P. Palumbo, et ux, to Huston Township, 33' wide for roadway

Premises being: 118 BRYCE LANE  
PENFIELD, PA 15849

Tax Parcel No. 119-G03-000-00009

William A. Shaw  
Prothonotary/Clerk of Courts

OCT 24 2008

FILED

FILED  
DEC 03 2008

William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP  
by: Michele M. Bradford, Esquire  
Atty. I.D. No. 69849  
One Penn Center, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 06-2054-CD

**PLAINTIFF'S MOTION TO REASSESS DAMAGES**

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on December 11, 2006, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".

2. Judgment was entered on June 1, 2007 in the amount of \$76,355.16. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".

3. Pursuant to Pennsylvania Rule of Civil Procedure 1037(b)(1), a default judgment containing a dollar amount must be entered for the amount claimed in the complaint and any item which can be calculated from the complaint, i.e. bringing the interest current. However, new items cannot be added at the time of entry of the judgment.

4. The Property is listed for Sheriff's Sale on February 9, 2009.

5. Additional sums have been incurred or expended on Defendants' behalf since the Complaint was filed and Defendants have been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$69,193.36
Interest Through February 9, 2009	\$11,544.90
Per Diem \$11.37	
Late Charges	\$233.88
Legal fees	\$3,450.00
Cost of Suit and Title	\$3,239.00
Sheriff's Sale Costs	\$2,355.10
Property Inspections/ Property Preservation	\$2,393.75
Appraisal/Brokers Price Opinion	\$922.75
Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	\$8,956.45
<b>TOTAL</b>	<b>\$102,289.19</b>

6. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

7. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendants.

8. Plaintiff's foreclosure judgment is in rem only and does not include personal liability, as addressed in Plaintiff's attached brief.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

DATE: \_\_\_\_\_

12/1/68

By: \_\_\_\_\_

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire  
Attorney for Plaintiff

# **Exhibit “A”**

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

138945

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

Defendants

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. *06-2054-CD*

CLEARFIELD COUNTY

**FILED**

**DEC 11 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

**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 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.

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
1-800-692-7375

Notice to Defend:  
David S. Meholic, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**We hereby certify the  
within to be a true and  
correct copy of the  
original filed of record**



**IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD  
OR 4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

2. The name(s) and last known address(es) of the Defendant(s) are:

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 11/06/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1984, Page: 610.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 06/01/2006 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$69,193.36
Interest	2,559.66
05/01/2006 through 12/08/2006 (Per Diem \$11.53)	
Attorney's Fees	850.00
Cumulative Late Charges	233.88
11/06/1998 to 12/08/2006	
Cost of Suit and Title Search	<u>\$ 750.00</u>
Subtotal	\$ 73,586.90
Escrow	
Credit	0.00
Deficit	785.10
Subtotal	<u>\$ 785.10</u>
<b>TOTAL</b>	<b>\$ 74,372.00</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 74,372.00, together with interest from 12/08/2006 at the rate of \$11.53 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate, lying and being in Huston Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin set by this survey, said iron pin being North 75 degrees 15 minutes East a distance of 272.68 feet from an existing iron pipe, said iron pin being the northeast corner of John and Della Bundy and being the northwest corner of herein described parcel; thence North 75 degrees 15 minutes East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75 degrees 15 minutes West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15 degrees 23 minutes East along the lands of Stock Levenduski and through the northern right of way for LR 17031 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82 degrees 26 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86 degrees 04 minutes 50 seconds West and a chord distance of 169.97 feet; thence North 89 degrees 43 minutes West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along the lands of Vincent Bonfardin and through the northern right of way for LR 17031 the following distances 30.00 feet to an iron pin, set by this survey thence 184.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89 degrees 43 minutes West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northwest corner of Vincent Bonfardin; thence North 17 degrees 25 minutes West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning. CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out buildings. Map #119-G03-000-00009.

UNDER AND SUBJECT to all exceptions and reservations contained in prior deeds and subject to all leases, agreements, and rights of way affecting said land.

BEING the same premise conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, dated March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

PREMISES BEING 118 BRYCE LANE

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 12/8/06

## **Exhibit “B”**

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

FILED  
JUN 01 2007

William A. Shaw  
Prothonotary/Clerk of Courts

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION  
3000 LEADENHALL ROAD OR 4001  
LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054  
Plaintiff,

v.

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2054-CD

ATTORNEY FILE COPY  
PLEASE RETURN

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801  
Defendant(s).

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 74,372.00
Interest - 12/9/06-5/29/07	\$1,983.16
TOTAL	<u>\$ 76,355.16</u>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

ATTORNEY FILE COPY  
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Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 6/1/07

William A. Shaw  
PROTHONOTARY

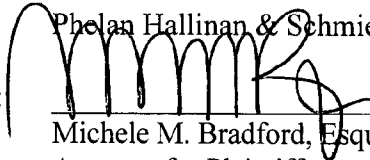
138945

**VERIFICATION**

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

DATE: 10/1/08

By:

  
Phelan Hallinan & Schmieg, LLP  
Michele M. Bradford, Esquire  
Attorney for Plaintiff



PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 06-2054-CD

GARY S. CARLSON

A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

**CERTIFICATION OF SERVICE**

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages, and Brief in Support thereof were sent to the following individuals on the date indicated below.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459

DATE: 12/1/08

By:

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

Court of Common Pleas

Civil Division

CLEARFIELD County

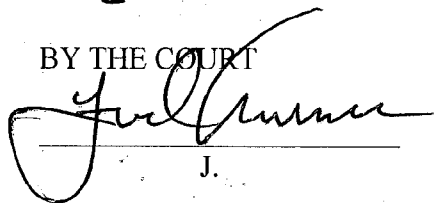
No. 06-2054-CD

RULE

AND NOW, this 4<sup>th</sup> day of Dec. 2008, a Rule is entered upon the  
Defendants to show cause why an Order should not be entered granting Plaintiff's Motion to  
Reassess Damages.

Rule Returnable on the 23<sup>rd</sup> day of December 2008, at 9:30 in the Clearfield  
County Courthouse, Clearfield, Pennsylvania. A.M. Courtroom # 1

BY THE COURT

  
J.

FILED  
DEC 04 2008

William A. Shaw  
Prothonotary/Clerk of Courts

138945

FILED

DEC 04 2008

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 12/4/08

☒ You are responsible for serving all appropriate parties.

☐ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

5 FILED  
m/11:35cm  
DEC 12 2008  
ICC Atty  
Bradford  
William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

Court of Common Pleas

Civil Division

CLEARFIELD County

v.

No. 06-2054-CD

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

**CERTIFICATION OF SERVICE**

I hereby certify that a true and correct copy of the Court's December 4, 2008 Rule directing the Defendants to show cause as to why Plaintiff's Motion to Reassess Damages should not be granted was served upon the following individuals on the date indicated below.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459

DATE:

12/10/08

By:

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire  
Attorney for Plaintiff

**PHELAN HALLINAN & SCHMIEG, LLP**

BY: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

SUITE 1400 - ONE PENN CENTER

PHILADELPHIA, PA 19103

(215) 563-7000

ATTORNEY FOR PLAINTIFF

**PHH MORTGAGE CORPORATION,**

**F/K/A CENDANT MORTGAGE CORPORATION,**

**F/K/A PHH MORTGAGE SERVICES CORPORATION**

**CLEARFIELD COUNTY**

**COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 06-2054-CD**

vs.

**GARY S. CARLSON**

**A/K/A GARY SCOTT CARLSON**

**DEBRA R. CARLSON**

VERIFICATION

I hereby certify that a true and correct copy of the Notice of Sheriff's Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to the following person GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON in accordance with the Order of Court dated, NOVEMBER 14, 2007.

Which evidence of this will be sent along with the Final Affidavit pursuant with Rule 3129. The undersigned understands that this statement is made subject to the penalties of 18 PA. C.S. s4904 relating to unsworn falsification to authorities.

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE  
ATTORNEY FOR PLAINTIFF

DATE: January 2, 2009

**FILED**

*100*  
*m/10:17 AM Sheriff*  
JAN 05 2009 *(per Atty request)*

5  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

CIVIL DIVISION

NO. 06-2054-CD

ATTORNEY FILE COPY /  
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ORDER

AND NOW, this 14<sup>th</sup> day of November, <sup>2007</sup>~~2006~~ <sup>FSA/BAL</sup>, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above-captioned Defendants, **GARY S. CARLSON A/K/A GARY SCOTT CARLSON and DEBRA R. CARLSON**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 118 BRYCE LANE, PENFIELD, PA 15849 and 13775 HIGHWAY PP, DIXON, MO 65459 and 1072 TREASURE LAKE, DU BOIS, PA 15801.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

/S/ Fredric J Ammerman

J.

CC: Daniel G. Schmieg, Esq.  
1617 JFK Blvd, Ste. 1400  
Philadelphia, PA 19103

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

GARY S. CARLSON A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849

NOV 15 2007

Attest.

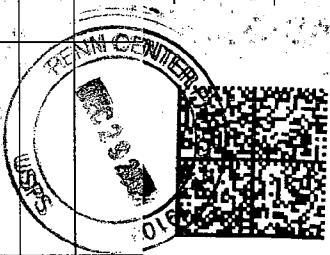
*William A. Shaw*  
Prothonotary/  
Clerk of Courts

Name and  
Address  
of Sender

COS  
PHELAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		GARY S. CARLSON 118 BRYCE LANE PENFIELD, PA 15849		
2		DEBRA R. CARLSON 118 BRYCE LANE PENFIELD, PA 15849		
3		GARY S. CARLSON 13775 HIGHWAY PP DIXON, MO 65456		
4		DEBRA R. CARLSON 13775 HIGHWAY PP DIXON, MO 65456		
5		GARY S. CARLSON 1072 TREASURE LAKE DU BOIS, PA 15801		
6		DEBRA R. CARLSON 1072 TREASURE LAKE DU BOIS, PA 15801		
7				
8				
9				
10				
12		Re: GARY S. CARLSON A/K/A GARY SCOTT CARLSON 138945 TEAM 4		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.

UNITED STATES POSTAGE  
02 1M  
0004218010 DEC 29 2008  
MAILED FROM ZIP CODE 19103  
\$ 02.20<sup>00</sup>  
FITNEY BOWES

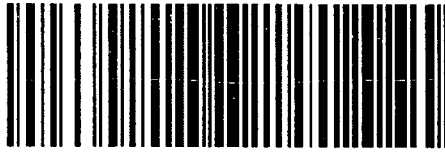


Name and  
Address  
of Sender

COS  
PHELAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard

TEAM 4





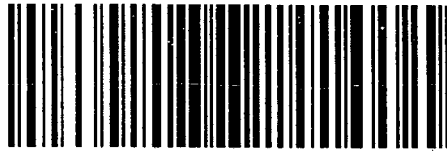
7178 2417 6099 0019 1789

4 / JJN  
DEBRA R. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)



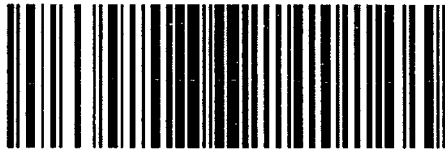
7178 2417 6099 0019 1796

4 / JJN  
DEBRA R. CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)



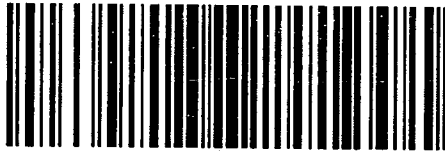
7178 2417 6099 0019 1802

4 / JJN  
DEBRA R. CARLSON  
1072 TREASURE LAKE  
DU BOIS, PA 15801-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)



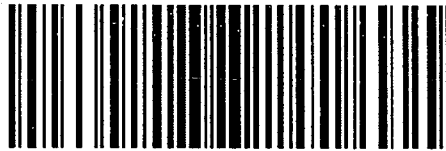
7178 2417 6099 0019 1758

4 / JJN  
GARY S. CARLSON  
118 BRYCE LANE  
PENFIELD, PA 15849-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)



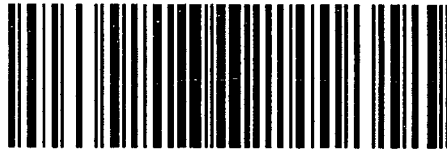
7178 2417 6099 0019 1765

4/ JJN  
GARY S. CARLSON  
13775 HIGHWAY PP  
DIXON, MO 65459-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)



7178 2417 6099 0019 1772

4 / JJN  
GARY S. CARLSON  
1072 TREASURE LAKE  
DU BOIS, PA 15801-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)

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### Search Results

Label/Receipt Number: 7178 2417 6099 0019 1802

Detailed Results:

- Notice Left, December 31, 2008, 9:49 am, DU BOIS, PA 15801
- Acceptance, December 29, 2008, 4:09 pm, PHILADELPHIA, PA 19102
- Electronic Shipping Info Received, December 29, 2008

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### Search Results

Label/Receipt Number: 7178 2417 6099 0019 1796

Detailed Results:

- Moved, Left no Address, January 02, 2009, 8:09 am, DIXON, MO
- Acceptance, December 29, 2008, 4:09 pm, PHILADELPHIA, PA 19102
- Electronic Shipping Info Received, December 29, 2008

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### Search Results

Label/Receipt Number: 7178 2417 6099 0019 1789

Detailed Results:

- Moved, Left no Address, December 31, 2008, 9:37 am, PENFIELD, PA
- Acceptance, December 29, 2008, 4:09 pm, PHILADELPHIA, PA 19102
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Label/Receipt Number: 7178 2417 6099 0019 1772

Detailed Results:

- Notice Left, December 31, 2008, 9:49 am, DU BOIS, PA 15801
- Acceptance, December 29, 2008, 4:09 pm, PHILADELPHIA, PA 19102
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Label/Receipt Number: 7178 2417 6099 0019 1765

Detailed Results:

- Moved, Left no Address, January 02, 2009, 8:09 am, DIXON, MO
- Acceptance, December 29, 2008, 4:09 pm, PHILADELPHIA, PA 19102
- Electronic Shipping Info Received, December 29, 2008

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### Search Results

Label/Receipt Number: 7178 2417 6099 0019 1758

Detailed Results:

- Moved, Left no Address, December 31, 2008, 9:37 am, PENFIELD, PA
- Acceptance, December 29, 2008, 4:09 pm, PHILADELPHIA, PA 19102
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how to use the  
Internet for my  
business.Innovation for  
the future.

FILED

DEC 23 2008

2 cc

Atty. Uchota

(for Phelan, Hallenar &

Schmieg - who will

serve)

(610

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION,  
F/K/A PHH MORTGAGE SERVICES  
CORPORATION

Plaintiff

v.

GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
DEBRA R. CARLSON

Defendants

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 06-2054-CD

ORDER

AND NOW, this 23 day of December, 2008 the Prothonotary is ORDERED to  
amend the in rem judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this  
case as follows:

Principal Balance	\$69,193.36
Interest Through February 9, 2009	\$11,544.90
Per Diem \$11.37	
Late Charges	\$233.88
Legal fees	\$3,450.00
Cost of Suit and Title	\$3,239.00
Sheriff's Sale Costs	\$2,355.10
Property Inspections/ Property Preservation	\$2,393.75
Appraisal/Brokers Price Opinion	\$922.75
Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	

Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	<u>\$8,956.45</u>

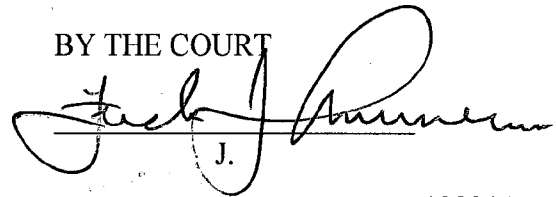
**TOTAL**

**\$102,289.19**

Plus interest from February 9, 2009 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT



138945

**FILED**

**DEC 23 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

FILED

m 11:16 a.m. GK

DEC 26 2008

No CC

William A. Shaw  
Prothonotary/Clerk of Courts

(610)

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

PHH MORTGAGE CORPORATION, F/K/A

CENDANT MORTGAGE CORPORATION,

F/K/A PHH MORTGAGE SERVICES

CORPORATION

Plaintiff

v.

GARY S. CARLSON

A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

Defendants

ATTORNEY FOR PLAINTIFF

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 06-2054-CD

**CERTIFICATION OF SERVICE**

I hereby certify that a true and correct copy of the Court Order dated December 23, 2008 was served upon the following individuals on the date indicated below.

GARY S. CARLSON

A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

118 BRYCE LANE

PENFIELD, PA 15849

GARY S. CARLSON

A/K/A GARY SCOTT CARLSON

DEBRA R. CARLSON

13775 HIGHWAY PP

DIXON, MO 65459

DATE: 12/24/08

By:

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire  
Attorney for Plaintiff



IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA


PHH MORTGAGE CORPORATION, F/K/A CENDANT : CLEARFIELD COUNTY  
MORTGAGE CORPORATION, F/K/A PHH : COURT OF COMMON PLEAS  
MORTGAGE SERVICES CORPORATION :  
Plaintiff, : CIVIL DIVISION  
v. :  
 : NO. 06-2054-CD  
GARY S. CARLSON A/K/A GARY SCOTT CARLSON :  
DEBRA R. CARLSON :  
Defendant(s)

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at: 118 BRYCE LANE, PENFIELD, PA 15849.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given to Lienholders in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the Affidavit No. 2 (previously filed) and/or Amended Affidavit No. 2 on the date indicated. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Date: January 9, 2009

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

138945

5  
**FILED** NO CC  
JAN 14 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

CQS

Name and  
Address  
of Sender

PHILAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station, Suite 1409  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 118 BRYCE LANE PENFIELD, PA 15849		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105		
4		Commonwealth of Pennsylvania, Bureau of Individual Tax, Inheritance Tax Division, 6 <sup>th</sup> Floor, Strawberry Sq., Dept 28061, Harrisburg, PA 17128		
5		Internal Revenue Service, Federated Investors Tower, 13 <sup>th</sup> Floor, Suite 1300, 1001 Liberty Avenue, Pittsburgh, PA 15222		
6		Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program, P.O. Box 8486, Willow Oak Building, Harrisburg, PA 17105		
7		S&T BANK 43 SOUTH NINTH STREET INDIANA, PA 15701		
8		S&T BANK 614 LIBERTY AVENUE DUBOIS, PA 15801		
9		ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION 2120 RIVERFRONT DRIVE LITTLE ROCK, AR 72202		
10		UNITED GUARANTY RESIDENTIAL INSURANCE COMPANY OF NORTH CAROLINA 230 NORTH ELM STREET GREENSBORO, NC 27401		
12		Re: GARY S. CARLSON A/K/A GARY SCOTT CARLSON 138945, BSD TEAM 3		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster: Per (Name of Receiving Employee)	
		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.		

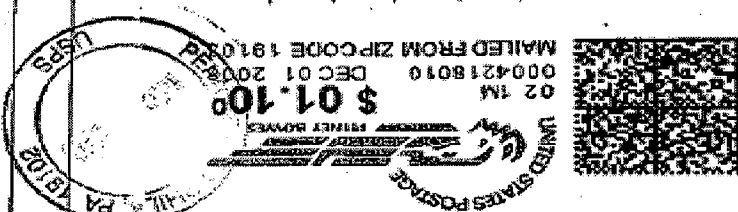
UNITED STATES POSTAGE  
\$04.04  
02 1M  
0004218010  
DEC 01 2008  
MAILED FROM ZIP CODE 19103



Name and  
Address  
of Sender

↑  
PHELAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		S&T BANK C/O GREENEN & BIRSIC, P.C. ATTN: JOHN N. MCELROY, ESQ. ONE GATEWAY CENTER, 9 <sup>TH</sup> FL PITTSBURGH, PA 15222		
2				
3				
4				
5				
6				
7				
8				
9				
10		Ref: GARY S. CARLSON A/K/A GARY SCOTT CARLSON	TEAM 3 BSD	
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	



02 TM  
0004218010  
\$ 01.10  
MAILED FROM ZIP CODE 19103  
DEC 01 2003  
PA 19102  
UNITED STATES POSTAGE  
FIRST CLASS


The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual 7900, 9913 and 9921 for limitations of coverage.

**FILED**

**JAN 14 2009**

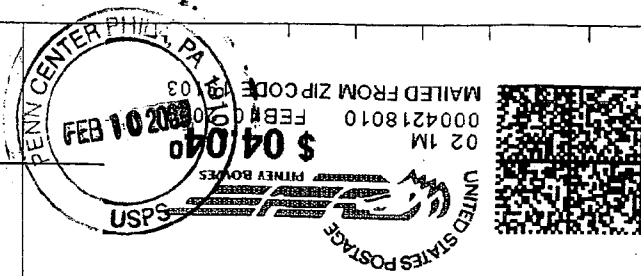
**William A. Shaw  
Prothonotary/Clerk of Courts**

CQS

**Name and Address of Sender** 

**PHILAN HALLINAN & SCHMIEG**  
**One Penn Center at Suburban Station, Suite 1400**  
**1617 John F. Kennedy Boulevard**  
**Philadelphia, PA 19103-1814**

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5		Internal Revenue Service, Federated Investors Tower, 13 <sup>TH</sup> Floor, Suite 1300, 1001 Liberty Avenue, Pittsburgh, PA 15222		
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10		UNITED GUARANTY RESIDENTIAL INSURANCE COMPANY OF NORTH CAROLINA 230 NORTH ELM STREET GREENSBORO, NC 27401		
12		<b>Re: GARY S. CARLSON A/K/A GARY SCOTT CARLSON 138945 BSD TEAM 3</b>		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$300. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.



**CQS**  
**PHILAN HALLINAN & SCHMIEG**  
**One Penn Center at Suburban Station, Suite 1400**  
**1617 John F. Kennedy Boulevard**  
**Philadelphia, PA 19103-1814**

**Name and  
Address  
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2				
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10		<b>Re: GARY S. CARLSON A/K/A GARY SCOTT CARLSON</b>	<b>TEAM 3 BSD</b>	
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	
The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.				

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A CENDANT : CLEARFIELD COUNTY  
MORTGAGE CORPORATION, F/K/A PHH : COURT OF COMMON PLEAS  
MORTGAGE SERVICES CORPORATION :  
Plaintiff, : CIVIL DIVISION  
v. :  
 : NO. 06-2054-CD  
GARY S. CARLSON A/K/A GARY SCOTT CARLSON :  
DEBRA R. CARLSON :  
Defendant(s)

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at: 118 BRYCE LANE, PENFIELD, PA 15849.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given to Lienholders in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the Affidavit No. 2 (previously filed) and/or Amended Affidavit No. 2 on the date indicated. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Date: March 2, 2009

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

138945

*9*  
**FILED** *no cc*  
*110:5781*  
**MAR 04 2009**  
*LS*  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20871

NO: 06-2054-CD

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION

vs.

DEFENDANT: GARY S. CARLSON A/K/A GARY SCOTT CARLSON AND DEBRA R. CARLSON

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 10/24/2008

LEVY TAKEN 12/10/2008 @ 9:30 AM

POSTED 12/10/2008 @ 9:30 AM

SALE HELD 4/3/2009

SOLD TO SECRETARY OF VETERANS AFFAIRS, AN OFFICER OF THE UNITED STATES OF AMERICA

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 6/18/2009

DATE DEED FILED 6/18/2009

PROPERTY ADDRESS 118 BRYCE LANE PENFIELD , PA 15849

SERVICES

12/19/2008 @ 8:27 AM SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON

SERVED GARY S. CARLSON A/K/A GARY SCOTT CARLSON, DEFENDANT, AT HIS RESIDENCE 15995 TREASURE LAKE A/K/A SEC. 7, LOT 79, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DEBRA CARLSON, WIFE/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

12/19/2008 @ 8:27 AM SERVED DEBRA R. CARLSON

SERVED DEBRA R. CARLSON, DEFENDANT, AT HER RESIDENCE 15995 TREASURE LAKE A/K/A SECT. 7, LOT 79, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DEBRA CARLSON

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOTE, FEBRUARY 6, 2009 RECEIVED A FAX LETTER TO CONTINUE THE SHERIFF SALE SCHEDULED FOR FEBRUARY 6, 2009 TO APRIL 3, 2009.

<sup>5</sup> FILED

012:13:61  
JUN 18 2009

William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20871

NO: 06-2054-CD

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, F/K/A PHH  
MORTGAGE SERVICES CORPORATION

vs.

DEFENDANT: GARY S. CARLSON A/K/A GARY SCOTT CARLSON AND DEBRA R. CARLSON

Execution REAL ESTATE

SHERIFF RETURN

---

SHERIFF HAWKINS \$307.21


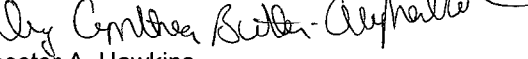
SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2008

\_\_\_\_\_

So Answers,

  
  
Chester A. Hawkins  
Sheriff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180-3183 and Rule 3257

PHH.MORTGAGE  
CORPORATION, F/K/A. CENDANT  
MORTGAGE CORPORATION,  
F/K/A. PHH.MORTGAGE  
SERVICES CORPORATION

vs.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ....  
No. 06-2054-CD.  
No. ....

WRIT OF EXECUTION  
(Mortgage Foreclosure)

GARY S. CARLSON A/K/A GARY  
SCOTT CARLSON

DEBRA R. CARLSON

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 118 BRYCE LANE, PENFIELD, PA 15849  
(See Legal Description attached)

Amount Due

\$84,529.78

Interest from 9/8/2007 to Sale  
Per diem \$13.90

\$ .....

Prothonotary costs 154.00

Writ Total

\$



OFFICE OF THE PROTHONOTARY OF CLEARFIELD  
COUNTY, PENNSYLVANIA

Dated Oct. 24, 2008  
(SEAL)

138945

Received this writ this 24th day  
of October A.D. 2008  
At 3:15 A.M./P.M.

Charles A. Hunkeler  
Sheriff by Cynthia Butler-Ayphall

No. 06-2054-CD.....

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION, F/K/A  
PHH MORTGAGE SERVICES CORPORATION

vs.

GARY S. CARLSON A/K/A GARY SCOTT  
CARLSON  
DEBRA R. CARLSON

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Real Debt                      \$84,529.78

Int. from

To Date of Sale (\$13.90 per diem)

Costs

Prothy Pd.

Sheriff

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Address: GARY S. CARLSON  
A/K/A GARY SCOTT CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

DEBRA R. CARLSON  
SECTION 7, LOT 79 TREASURE LAKE  
DU BOIS, PA 15801

BEGINNING at an iron pin set by this survey, said iron pin being North 75° 15' East a distance of 272.68 feet from an existing Iron pipe, said Iron pin being the northeast corner of John and Della Bundy and being the northeast corner of herein described parcel; thence North 75° 15' East along the lands of Green Glen Corporation, a distance of 641.24 feet to an iron pin set by this survey, said iron pin being South 75° 15' West a distance of 1006.09 feet from an existing iron pipe set by previous survey said iron pin being the northeast corner of herein described parcel; thence South 15° 23' East along the lands of Stock Levenduski and through the northern right of way for LR 10731 the following distances, 951.14 feet to an iron pin set by this survey, thence 30.00 feet to a railroad spike set by this survey for a total distance of 981.14 feet, said spike located in the centerline of LR 17031 and being the southeast corner of herein described parcel; thence North 82° 26' West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 257.76 feet to a railroad spike set by this survey; thence along the lands of Helen Wilhelm and the centerline of LR 17031 by a curve to the left having a radius of 1333.58 feet and an arc length of 169.78 feet to a railroad spike set by this survey, said arc having a chord bearing of North 86° 04' 50" West and a chord distance of 169.97 feet; thence North 89° 43' West along the lands of Helen Wilhelm and the centerline of LR 17031 a distance of 10.64 feet to a railroad spike set by this survey, said spike being the southeast corner of Vincent Bonfardin; thence North 17° 25' West along the lands of Vincent Bonfardin and through the northern right of way for LR 10731 the following distances 30.00 feet to an iron pin, set by this survey thence 284.00 feet to an iron pin set by this survey for a total distance of 214.00 feet, said iron pin being the northeast corner of Vincent Bonfardin; thence North 89° 43' West along the lands of Vincent Bonfardin a distance of 214.00 feet to an iron pin set by this survey, said iron pin being the northeast corner of Vincent Bonfardin; thence North 17° 25' West along lands of John and Della Bundy a distance of 557.39 feet to an iron pin, the place of beginning, CONTAINING 497,960 square feet or 11.432 acres, together with a two story frame dwelling and other out building.

MAP #119-G03-000-00009.

BEING the same premises conveyed by Benedetto P. Palumbo and Donna Palumbo, husband and wife, to Gary S. Carlson and Debra R. Carlson, husband and wife, date March 19, 1997 and recorded March 19, 1997 in Clearfield County Record Book 1826, Page 554.

**EXECPTING AND EXCLUDING THE FOLLOWING OUTSALES:**

- 1) 767/154, dated 8/18/78, recorded 8/25/78, Benedetto P. Palumbo, et ux, to John Morelli, .53 acre, from 749/153
- 2) 787/373, dated 6/26/79, recorded 9/21/79, Benedetto P. Palumbo, et ux, to Louis M. Gregori, et ux, Lot 4, from 749/153
- 3) 788/561, dated 7/25/79, recorded 10/18/79, Benedetto P. Palumbo, et ux, to George F. Dinsmore, et ux, a tract, from 749/153
- 4) 791/278, dated 10/23/79, recorded 12/19/79, Benedetto P. Palumbo, et ux, to John J. Morelli, Lot 7, from 749/153

- 5) 794/436, dated 1/22/80, recorded 1/24/90, Benedetto P. Palumbo, et ux, to Huston Township, 33' wide for roadway
- 6) 803/117, dated 9/26/80, recorded 10/3/80, Benedetto P. Palumbo, et ux, to Samuel J. Toney III, et ux, Lots from 749/153
- 7) 897/531, dated 8/10/82, recorded 7/19/83, Benedetto P. Palumbo, et ux, to Angelo Tomaselli, et ux, Lot 1, from 749/153, NOTE this lot was conveyed to grantees by Article of Agreement in 850/451
- 8) 1073/304, dated 2/24/86, recorded 4/3/86, Benedetto P. Palumbo, et ux, to David K. Morelli, Lot 3, from 749/153
- 9) 1193/314, dated 7/7/87, recorded 11/16/87, Benedetto P. Palumbo, et ux, to Huston Township, 33 ' wide for roadway

Premises being: 118 BRYCE LANE  
PENFIELD, PA 15849

Tax Parcel No. 119-G03-000-00009

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME GARY S. CARLSON A/K/A GARY SCOTT CARLSON

NO. 06-2054-CD

NOW, June 18, 2009, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on April 03, 2009, I exposed the within described real estate of Gary S. Carlson A/K/A Gary Scott Carlson And Debra R. Carlson to public venue or outcry at which time and place I sold the same to SECRETARY OF VETERANS AFFAIRS, AN OFFICER OF THE UNITED STATES OF AMERICA he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	22.23
LEVY	15.00
MILEAGE	18.72
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	6.30
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	44.46
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	4.50
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$307.21</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	32.50
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$32.50</b>

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	81,529.78
INTEREST @ 13.9000 %	7,964.70
FROM 09/08/2007 TO 04/03/2009	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$89,534.48</b>

**COSTS:**

ADVERTISING	2,027.79
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	200.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	32.50
SHERIFF COSTS	307.21
LEGAL JOURNAL COSTS	180.00
PROTHONOTARY	154.00
MORTGAGE SEARCH	80.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$2,986.50</b>

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

**Phelan Hallinan & Schmieg, L.L.P.**  
**One Penn Center at Suburban Station**  
**1617 John F. Kennedy Boulevard**  
**Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**  
**Fax: (215) 563-7009**

Representing Lenders in  
Pennsylvania and New Jersey

Foreclosure Manager

February 6, 2009

Office of the Sheriff  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION, F/K/A PHH MORTGAGE SERVICES CORPORATION v.  
GARY S. CARLSON and DEBRA R. CARLSON  
118 BRYCE LANE PENFIELD, PA 15849  
Court No. 06-2054-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is  
scheduled for February 6, 2009 due to the following: OTHER.

The Property is to be relisted for the April 3, 2009 Sheriff Sale.

Thank you for your correspondence in this matters.

Very Truly Yours,  
KATHERINE TRAUTZ for  
Phelan Hallinan & Schmieg, LLP

PHS # 138945