

06-2158-CD
Citifinancial vs Tonia Butterfuss

Citifinancial vs Tonia Butterfuss
2006-2158-CD

COURT OF COMMON PLEAS
of Clearfield County
JUDICIAL DISTRICT

No. 46-3-01

NOTICE OF APPEAL

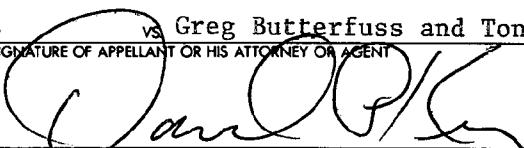
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2006-2158-CJ

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

| | | | | |
|---|---|--|-------------|-------------------|
| NAME OF APPELLANT Tonia Butterfuss | | MAG. DIST. NO. OR NAME OF D.J. Patrick N. Ford | | |
| ADDRESS OF APPELLANT 3 Treasure Lake | | CITY DuBois | STATE PA | ZIP CODE 15801 |
| DATE OF JUDGMENT 12/18/06 | IN THE CASE OF (Plaintiff) Citifinancial Services Inc. | vs Greg Butterfuss and Tonia Butterfuss (Defendant) | | |
| CLAIM NO. CV 19 CV-532-06 LT 19 | SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT  | | | |
| This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case. | | If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL. | | |
| Signature of Prothonotary or Deputy | | | | |

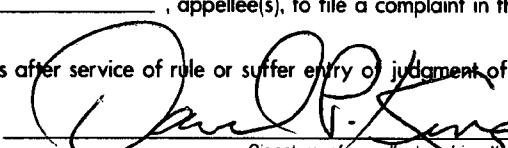
PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Citifinancial Services Inc., appellee(s), to file a complaint in this appeal
(Name of appellee(s))

(Common Pleas No. 2006-2158-CJ) within twenty (20) days after service of rule or suffer entry of judgment of non pros.


Signature of appellant or his attorney or agent

RULE: To Citifinancial Services Inc., appellee(s).
(Name of appellee(s))

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: DEC. 29, 2006,


Signature of Prothonotary or Deputy

FILED

DEC 29 2006

011:30 AM

FBI

William A. Shaw

Prothonotary/Clerk of Courts

COURT COPY TO

M.J. FORD &

CITIFINANCIAL

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(date of service) _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on
_____, 19_____. by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom
the Rule was addressed on _____, 19_____. by personal service by (certified) (registered)
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 19_____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19_____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

PATRICK N. FORD
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA

Telephone: **(814) 371-5321** **15801**

TONIA BUTTERFUSS
3 TREASURE LAKE
DUBOIS, PA 15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

CITIFINANCIAL SERVICES INC
280 COMMONS WAY
DUBOIS, PA 15801

NAME and ADDRESS

DEFENDANT:

BUTTERFUSS, GREG, ET AL.
115 REYNOLDS AVE.
DUBOIS, PA 15801

NAME and ADDRESS

Docket No.: **CV-0000532-06**
Date Filed: **11/13/06**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

(Date of Judgment) **(12/18/06)**

Judgment was entered for: (Name) **CITIFINANCIAL SERVICES INC**

Judgment was entered against: (Name) **BUTTERFUSS, TONIA**
in the amount of \$ **8,133.50**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time _____

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127
\$ _____

Portion of Judgment for physical damages arising out of
residential lease \$ _____

| | |
|--|--------------------|
| Amount of Judgment | \$ 8,000.00 |
| Judgment Costs | \$ 133.50 |
| Interest on Judgment | \$.00 |
| Attorney Fees | \$.00 |
| Total | \$ 8,133.50 |
| Post Judgment Credits | \$ _____ |
| Post Judgment Costs | \$ _____ |
| Certified Judgment Total \$ _____ | |

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

12-18-06 Date Patrick N. Ford-Law, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date _____, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-06

DATE PRINTED: **12/18/06** **8:22:00 AM**

COURT OF COMMON PLEAS
of Clearfield County
JUDICIAL DISTRICT

No. 46-3-01

NOTICE OF APPEAL

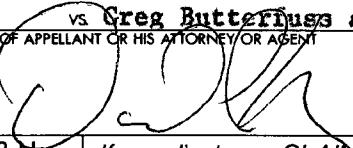
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2006-2158-CJ

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

| | | | |
|--|--|---|--------------------|
| NAME OF APPELLANT Tonia Butterfuss | | MAG. DIST. NO. OR NAME OF D.J. Patrick N. Ford | |
| ADDRESS OF APPELLANT 3 Treasure Lake | | CITY DuBois | STATE PA |
| DATE OF JUDGMENT 12/18/06 | IN THE CASE OF (Plaintiff) Citifinancial Services Inc. | (Defendant) vs. Greg Butterfuss and Tonia Butterfuss | |
| CLAIM NO. CV 19 CV-532-06 | LT 19 | SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT  | |
| <p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> | | <p>If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p> | |
| <p>Signature of Prothonotary or Deputy</p> | | | |

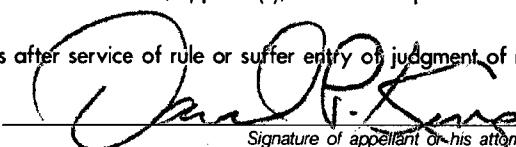
PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Citifinancial Services Inc., appellee(s), to file a complaint in this appeal
(Name of appellee(s))

(Common Pleas No. 2006-2158-CJ) within twenty (20) days after service of rule or suffer entry of judgment of non pros.


Signature of appellant or his attorney or agent

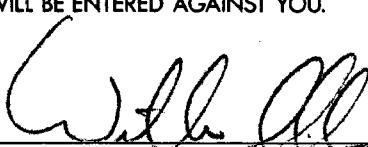
RULE: To Citifinancial Services Inc., appellee(s).
(Name of appellee(s))

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: Dec 29, 19-2006.


Signature of Prothonotary or Deputy

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(*date of service*) _____, by personal service by (certified) (registered) mail, sender's
receipt attached hereto, and upon the appellee, (*name*) _____, on
_____ , 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.
 and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom
the Rule was addressed on _____ , 19_____, by personal service by (certified) (registered)
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 19_____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19_____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

PATRICK N. FORD

Address: **309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA**

Telephone: **(814) 371-5321 15801**

**PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801**

THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

(Date of Judgment)

12/18/06



Judgment was entered for: (Name) **CITIFINANCIAL SERVICES INC**



Judgment was entered against: (Name) **BUTTERFUSS, TONIA**
in the amount of \$ **8,133.50**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time _____

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127
\$ _____

Portion of Judgment for physical damages arising out of
residential lease \$ _____

| | |
|--|--------------------|
| Amount of Judgment | \$ 8,000.00 |
| Judgment Costs | \$ 133.50 |
| Interest on Judgment | \$.00 |
| Attorney Fees | \$.00 |
| Total | \$ 8,133.50 |
| Post Judgment Credits | \$ _____ |
| Post Judgment Costs | \$ _____ |
| Certified Judgment Total \$ _____ | |

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FILED *No cc*
12/18/06
JAN 05 2007
W.M.

William A. Shaw
Prothonotary/Clerk of Courts

12/18/06 Date *Patrick N. Ford-PLTF*, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date _____, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-06

DATE PRINTED: 12/18/06 8:22:00 AM

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD

Address: **309 MAPLE AVENUE**
P. O. BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321**

15801

CIVIL COMPLAINT

PLAINTIFF:

NAME and ADDRESS

CitiFinancial. Services Inc.
280 Commons Drive
DuBois Pa. 15801

VS.

DEFENDANT:

NAME and ADDRESS

Greg Butterfuss **Tonia Butterfuss**
115 Renolds ave **3 Treasure Lake**
DuBois PA 15801 **DuBois PA 15801**

Docket No.: **CV-532-Q6**
Date Filed: **11-13-06**



| | AMOUNT | DATE PAID |
|---------------|----------------------|---------------------|
| FILING COSTS | \$ <u>133.50</u> | <u>11/08/06</u> |
| POSTAGE | \$ _____ | <u>1/1</u> |
| SERVICE COSTS | \$ _____ | <u>1/1</u> |
| CONSTABLE ED. | \$ _____ | <u>1/1</u> |
| TOTAL | \$ <u>133.50</u> | <u>11/08/06</u> |

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 8000.000 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Defendant (s) signed for a loan on 2/1/06 and now is in default making the balance due in full at once, plus any and all costs.

I, Gregory J. Urbassik verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

A handwritten signature in black ink, enclosed in an oval shape, representing the signature of the plaintiff or authorized agent.

(Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: _____ Address: _____

Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.