

07-14-CD  
Capital One vs Willie Cockrell

Capital One Bank vs Willie Cockrell  
2007-14-CD

GREGG L. MORRIS, ESQ.  
PATENAUDA & FELIX, A.P.C.  
213 E. MAIN STREET  
CARNEGIE, PA 15106  
(412) 429-7675  
FACSIMILE (412) 429-7679  
PA ID#69006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CAPITAL ONE BANK )  
Plaintiff, ) NO. 07-14-CD  
v. )  
WILLIE T COCKRELL, )  
Defendant(s). )

**COMPLAINT IN CIVIL ACTION**

Filed on behalf of:  
CAPITAL ONE BANK,  
Plaintiff

Counsel of Record for This Party:

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

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

FILED *ICC Sheriff*  
*Miller Atty pd. 85.00*  
JAN 03 2008  
*W.A. Shaw*

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CAPITAL ONE BANK,	)
	)
Plaintiff,	) NO.
	)
v.	)
	)
WILLIE T COCKRELL ,	)
	)
Defendant.	)
	)

**NOTICE TO DEFEND**

**YOU HAVE BEEN SUED IN COURT.** If you wish to defend against the claims set forth in the following pages, you must take action within TWENTY (20) DAYS after this Complaint and notice are served, by entering a written appearance personally or by attorney, and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CAPITAL ONE BANK,	)
	)
Plaintiff	) NO.
	)
v.	)
	)
WILLIE T COCKRELL ,	)
	)
Defendant.	)
	)

**COMPLAINT IN CIVIL ACTION**

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

1. Plaintiff, CAPITAL ONE BANK, is a corporation and for the purpose of this litigation, maintaining a place of business c/o Patenaude and Felix, A.P.C., 213 East Main Street, Carnegie, Pennsylvania 15106.
2. Defendant is WILLIE T COCKRELL , an adult individual, believed to currently reside at 881 TREASURE LK , DU BOIS, PA 15801.
3. Heretofore, the Defendant opened a CAPITAL ONE BANK account with Plaintiff being Account No. 5291151908761396 , for the purchase of goods and services.
4. The Defendant has made or authorized a number of purchases and as of 09/05/06, Defendant owes \$5,628.82 on said account plus interest.

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

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

7. The Defendant made payments, but has refused to pay, and now refuses to pay the balance due and owing on the aforesaid account in the sum of \$5,628.82, plus interest and costs.

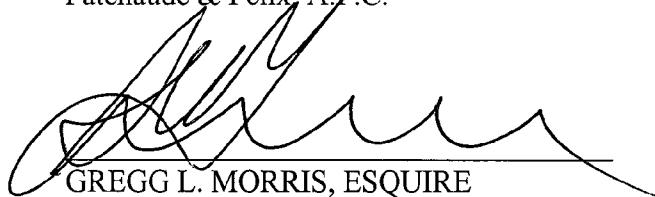
8. By failing to object or dispute to the statements including the statement attached hereto as Plaintiff's Exhibit "A", Defendant has assented to and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

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

**WHEREFORE**, Plaintiff demands Judgment in its favor, and against Defendant, in the amount of \$5,628.82, plus legal interest from the date of breach, with continuing interest at the legal rate thereon from the date of Judgment plus costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

Patenaude & Felix, A.P.C.



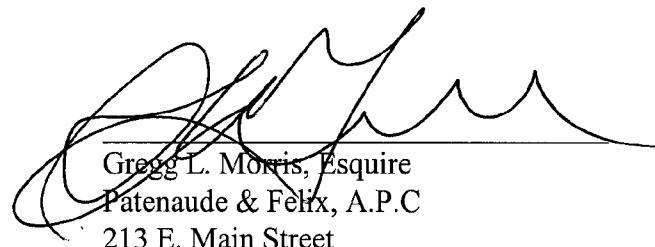
GREGG L. MORRIS, ESQUIRE  
213 E. Main Street  
Carnegie, PA 15106  
(412) 429-7675

**VERIFICATION**

AND NOW, Gregg L. Morris, verifies the statements made in this Complaint that are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the Court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided by him by the Plaintiff. The verification of the party will be provided if requested.

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



\_\_\_\_\_  
Gregg L. Morris, Esquire  
Paternoade & Felix, A.P.C  
213 E. Main Street  
Carnegie, PA 15106  
(412) 429-7675

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102310  
NO: 07-14-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK  
vs.  
DEFENDANT: WILLIE T. COCKRELL

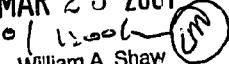
SHERIFF RETURN

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NOW, January 19, 2007 AT 1:20 PM SERVED THE WITHIN COMPLAINT ON WILLIE T. COCKRELL DEFENDANT AT 881 TREASURE LK aka SEC 15 LOT 520, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROSE COCKRELL, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

FILED

MAR 23 2007  
• (11:00)   
William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PATENAUME	9963	10.00
SHERIFF HAWKINS	PATENAUME	9963	73.29

Sworn to Before Me This

So Answers,

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

  
Chester A. Hawkins  
Sheriff

GREGG L. MORRIS, ESQ.  
PATENAUME & FELIX, A.P.C.  
213 E. MAIN STREET  
CARNEGIE, PA 15106  
(412) 429-7675  
FACSIMILE (412) 429-7679  
PA ID#69006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CAPITAL ONE BANK )  
Plaintiff, ) NO. 07-14-CD  
v. )  
WILLIE T COCKRELL , )  
Defendant(s). )

## PRAECL<sup>E</sup> P<sup>R</sup>ICE FOR DEF<sup>A</sup>ULT JUDG<sup>M</sup>ENT

Filed on behalf of:  
CAPITAL ONE BANK,  
Plaintiff

**Counsel of Record for This Party:**

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

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

pd \$20.00  
**FILED** Atty  
m/11/35 un Notice to defd  
APR 13 2007 Statement to Atty  
(M)

William A. Shaw  
Prothonotary, Clerk of Courts

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

CAPITAL ONE BANK, )  
Plaintiff ) NO. 07-14-CD  
v. )  
WILLIE T COCKRELL , )  
Defendant(s) )

**PLAINTIFF'S PRAECIPE FOR DEFAULT JUDGMENT**

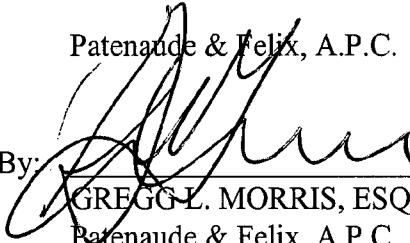
TO: PROTHONOTARY

Please enter a judgment against the Defendant(s), above named, for failure to file an Answer to Plaintiff's complaint.

Amount claimed in Complaint	\$5,628.82
Interest from February 07, 2005	\$2,108.22
Attorney's fees	\$0.00
<b>TOTAL</b>	<b>\$7,737.04</b>

With continuing interest on the principal amount of \$7,737.04, with interest at the legal rate, plus costs of suit.

I hereby certify that a written notice of intention to file this praecipe was mailed to the Defendant(s) and Defendant(s) counsel (if known), after the default had occurred and at least ten (10) days prior to the date of the filing of this praecipe. A copy of the Notice is attached.

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

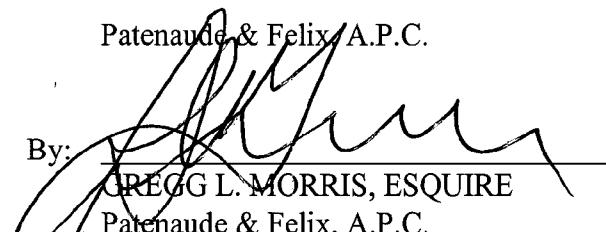
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,,  
PENNSYLVANIA

CAPITAL ONE BANK, )  
Plaintiff ) NO. 07-14-CD  
v. )  
WILLIE T COCKRELL , )  
Defendant(s) )

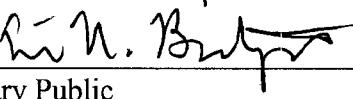
**PLAINTIFF'S AFFIDAVIT OF NON-MILITARY SERVICE AND MAILING OF**  
**NOTICE PURSUANT TO PA.R.C.P. 1037(b)**

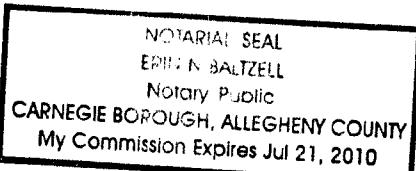
COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF ALLEGHENY )

Before me, the undersigned authority, a Notary Public in and for said County and State, Personally appeared Gregg L. Morris, Attorney for and authorized representative of Plaintiff, who being duly sworn according to law, deposes and states that the Defendant(s), WILLIE T COCKRELL , is not in the military service of the United States of America to the best of his knowledge, information and belief and certifies that Notice of Intent to take Default Judgment was mailed in accordance with Pa.R.C.P. 237.1, as evidenced by the attached copy.

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

Sworn to and subscribed before me  
this 11 day of April 2007,

  
\_\_\_\_\_  
Notary Public



GREGG L. MORRIS, ESQ.  
PATENAUDA & FELIX, A.P.C.  
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
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CAPITAL ONE BANK,	)
	)
Plaintiff,	) NO. 07-14-CD
	)
v.	)
	)
WILLIE T COCKRELL ,	)
	)
Defendant(s).	)
	)

**IMPORTANT NOTICE**

Filed on behalf of:  
CAPITAL ONE BANK,  
Plaintiff

Counsel of Record for This Party:

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

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

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

CAPITAL ONE BANK, )  
Plaintiff ) NO. 07-14-CD  
v. )  
WILLIE T COCKRELL, )  
Defendant(s) )

To: WILLIE T COCKRELL  
881 TREASURE LAKE  
DU BOIS, PA 15801

Date of Notice: March 27, 2007

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 NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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

~~Patenaude & Félix, A.P.C.~~

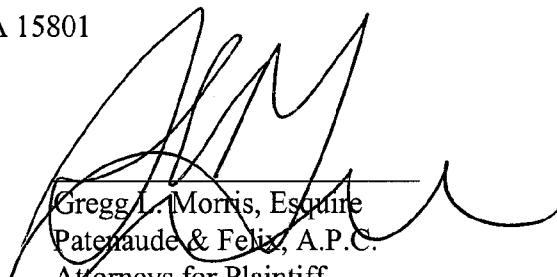
Bv

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

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

WILLIE T COCKRELL  
881 TREASURE LAKE  
DU BOIS, PA 15801

Date: March 27, 2007



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

GREGG L. MORRIS, ESQ.  
PATENAUME & FELIX, A.P.C.  
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PENNSYLVANIA

CAPITAL ONE BANK )  
Plaintiff, ) NO. 07-14-CD  
v. )  
WILLIE T COCKRELL , )  
Defendant(s). )

**NOTICE OF ORDER,  
DECREE OR JUDGMENT**

Filed on behalf of:  
CAPITAL ONE BANK,  
Plaintiff

**Counsel of Record for This Party:**

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

Patenaude & Felix, A.P.C.  
213 East Main Street  
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CAPITAL ONE BANK, )  
Plaintiff ) NO. 07-14-CD  
v. )  
WILLIE T COCKRELL , )  
Defendant(s) )

**NOTICE OF ORDER, DECREE OR JUDGMENT**

TO: ( ) Plaintiff ( X ) Defendant ( ) Garnishee ( ) Additional Defendant

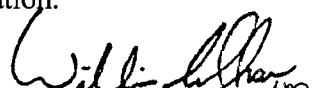
You are hereby notified that the following Order, Decree, or Judgment has been entered  
against you on April 13, 2007

( ) Decree Nisi in Equity  
( ) Final Decree in Equity  
( X ) Judgment of ( ) Confession ( ) Verdict ( ) Court Order  
( X ) Default ( ) Non-suit  
( ) Non-Pros ( ) Arbitration Award

( X ) Judgment in the amount of \$7,737.04, plus cost.

( ) District Justice Transcript of Judgment in the amount of \$ \_\_\_\_\_,  
plus costs.

( ) If not satisfied within sixty (60) days, your motor vehicle operator's license will be  
suspended by the Department of Transportation.

  
Prothonotary

By \_\_\_\_\_  
Deputy

If you have questions concerning the above, please contact:

Name of Attorney: GREGG L. MORRIS, ESQUIRE  
213 E. Main Street  
Carnegie, PA 15106  
(412) 429-7675

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

**COPY**

Capital One Bank  
Plaintiff(s)

No.: 2007-00014-CD

Real Debt: \$7,737.04

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Willie T. Cockrell  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: April 13, 2007

Expires: April 13, 2012

Certified from the record this April 13, 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