

07-14-CD
Capital One vs Willie Cockrell

Capital One Bank vs Willie Cockrell
2007-14-CD

GREGG L. MORRIS, ESQ.
PATENAUE & 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,

V.

WILLIE T COCKRELL,

Defendant(s).

)
)
) NO. 07-14-CD
)
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)

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 1cc Sheriff
MTH:llc/llc
JAN 03 2008
Att'y pd. 85.00
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 PATENAUDE & 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.

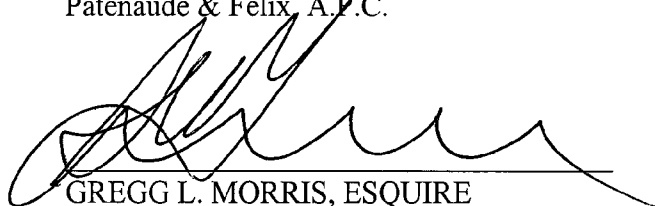
8. By failing to object or dispute to the statements including the statement attached hereto as Plaintiff's Exhibit "A", Defendant has assented to and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

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.

A handwritten signature in black ink, appearing to read 'Gregg L. Morris', is written over a horizontal line.

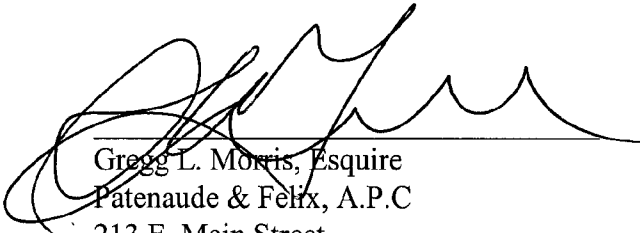
GREGG L. MORRIS, ESQUIRE
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

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
Paternaude & 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

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
01 12006-
William A. Shaw
Prothonotary/Clerk of Courts

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

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,

Chester A. Hawkins
by Maureen Harris

Chester A. Hawkins
Sheriff

GREGG L. MORRIS, ESQ.
PATENAUDE & 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,

v.

WILLIE T COCKRELL ,

Defendant(s).

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) NO. 07-14-CD
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**P R A E C I P E F O R
D E F A U L T J U D G M E N T**

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 Pd \$20.00
m/11:35 am Notice to def
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

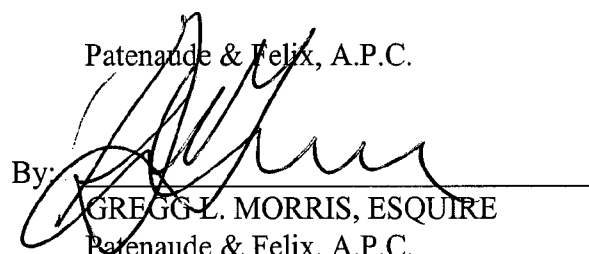
Please enter a judgment against the Defendant(s), above named, for failure to file an Answer to Plaintiff's complaint.

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

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.

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CAPITAL ONE BANK,

Plaintiff

v.

WILLIE T COCKRELL ,

Defendant(s)

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) NO. 07-14-CD
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**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

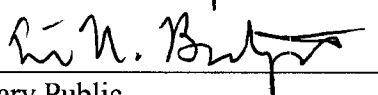
Patenaude & Felix, A.P.C.

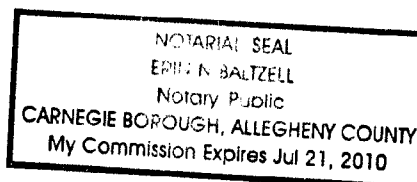
213 E. Main Street

Carnegie, PA 15106

(412) 429-7675

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


Notary Public



GREGG L. MORRIS, ESQ.
PATENAUE & 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,

y.

WILLIE T COCKRELL ,

Defendant(s).

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) NO. 07-14-CD
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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

v.

WILLIE T COCKRELL ,

Defendant(s)

)
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) NO. 07-14-CD
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)

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

Patenaude & Felix, A.P.C.

By

GREGG L. MORRIS, ESQUIRE

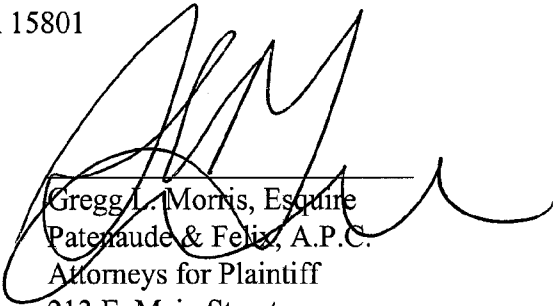
Patenaude & Felix, A.P.C.

213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

I, GREGG L. MORRIS, attorney for Plaintiff, CAPITAL ONE BANK, herby
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
Paternaude & Felix, A.P.C.
Attorneys for Plaintiff
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CAPITAL ONE BANK

Plaintiff,

v.

WILLIE T COCKRELL ,

Defendant(s).

)
)
) NO. 07-14-CD
)
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)

**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
Carnegie, PA 15106
(412) 429-7675

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

COPY

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