



Burton Neil & Associates, P.C.  
By: Yale D. Weinstein, Esquire ID. NO. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

**FILED** *Any pd. 20.00*  
*MTJ: 4/31*  
JAN 08 2007 *1000 Notice to Def.*  
William A. Shaw *Statement to Any*  
Prothonotary/Clerk of Courts

Midland Funding LLC : IN THE COURT OF COMMON PLEAS  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
v. : NO. 07-38-CD  
GREGORY MILLER : CIVIL ACTION - LAW  
Defendant

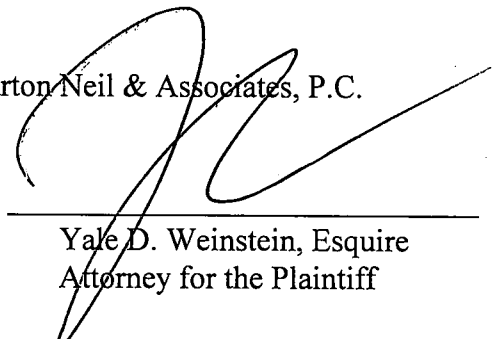
**Praeipie for Entry Judgement Pursuant to Pa. R.C.P.M.D.J. No 402 D(1) and (2)**

To the Prothonotary:

Pursuant to the attached District Justice Judgment Transcript, enter judgment on behalf of the plaintiff, Midland Funding LLC, and against the defendant, Gregory Miller, and assess damages as follows:

|                                |                   |
|--------------------------------|-------------------|
| Judgment Transcript            | \$1,915.61        |
| Interest from October 20, 2006 | \$22.04           |
| Judgment Amount                | <u>\$1,937.65</u> |

Burton Neil & Associates, P.C.

By   
Yale D. Weinstein, Esquire  
Attorney for the Plaintiff

And now on this 8<sup>th</sup> day of January, 2007 judgment is entered in favor of Midland Funding LLC and against Gregory Miller in the total sum of \$1,937.65.

Prothonotary

  
By \_\_\_\_\_

Burton Neil & Associates, P.C. is a debt collector.



Mag. Dist. No.: **46-3-03**  
MDJ Name: Hon. **MICHAEL A. RUDELLA**  
Address: **131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA**  
Telephone: **(814) 345-6789** **16847-0444**

PLAINTIFF: **MIDLAND FUNDING NCC-2 CORP**  
**1060 ANDREW DRIVE APT/STE 170**  
**WEST CHESTER, PA 19380**

VS.  
DEFENDANT: **MILLER, GREGORY**  
**510 MEASE RD.**  
**OSCEOLA MILLS, PA 16666**

**MICHAEL A. RUDELLA**  
**131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA 16847-0444**

Docket No.: **CV-0000460-06**  
Date Filed: **9/21/06**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **10/20/06**

☒ Judgment was entered for: (Name) **MIDLAND FUNDING NCC-2 CORP**

☒ Judgment was entered against: (Name) **MILLER, GREGORY**  
in the amount of \$ **1,915.61**

☐ 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              | \$ <b>1,844.11</b> |
| Judgment Costs                  | \$ <b>71.50</b>    |
| Interest on Judgment            | \$ <b>.00</b>      |
| Attorney Fees                   | \$ <b>.00</b>      |
| <b>Total</b>                    | <b>\$ 1,915.61</b> |
| Post Judgment Credits           | \$ <b>—</b>        |
| Post Judgment Costs             | \$ <b>—</b>        |
| <b>Certified Judgment Total</b> | <b>\$ 1915.61</b>  |

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 JUDGMENT 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.

**10-26-06** Date **MA Rudella**, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.  
**12/4/06** Date **MA Rudella**, Magisterial District Judge

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

SEAL

# COMMONWEALTH OF PENNSYLVANIA

COUNTY OF: Clearfield

## CIVIL COMPLAINT

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

Michael A. Rudella

Address:

P.O. Box 210  
Kylertown, PA 16847

Telephone:

814/345-6789

PLAINTIFF:

NAME and ADDRESS

Midland Funding LLC  
c/o Burton Neil & Associates, P.C.  
1060 Andrew Drive, Ste. 170  
West Chester, PA 19380

VS.

DEFENDANT:

NAME and ADDRESS

GREGORY MILLER  
510 Messe Road  
Osceola Mills PA 16866

Docket No.:

CV-460-06

Date Filed:

9-21-06



|               | AMOUNT   | DATE PAID |
|---------------|----------|-----------|
| FILING COSTS  | \$ 71.50 | 9/21/06   |
| POSTAGE       | \$       | / /       |
| SERVING COSTS | \$       | / /       |
| CONSTABLE ED. | \$       | / /       |
| TOTAL         | \$       | / /       |

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 \$1,844.11 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

For past due credit card account balance on a credit card, originally issued to Defendant by Emerge Mastercard which debt Plaintiff later acquired.

|            |                |
|------------|----------------|
| \$1,844.11 | Principal      |
| \$ .00     | Interest       |
| \$ .00     | Attorneys Fees |
| \$ .00     | Credit         |
| \$1,844.11 | Balance        |

I, Yale D. Weinstein, Esquire, Attorney for Plaintiff, 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.

(Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: Yale D. Weinstein  
Telephone: 610-696-2120

Address: 1060 Andrew Drive, Suite 170  
West Chester, PA 19380

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 magisterial district judge 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 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.  
AOPC 308A-05

Burton Neil & Associates, P.C.  
By: Yale D. Weinstein, Esquire ID. NO. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120

Attorney for Plaintiff

Midland Funding LLC  
8875 Aero Drive, Suite 200  
San Diego, CA 92123

Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

GREGORY MILLER  
510 Mease Road  
Osceola Mills PA 16666

: NO.

Defendant

: CIVIL ACTION - LAW

**Certification of Address and  
Affidavit of Non-Military**

Understanding that false statements herein are subject to penalty under 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment creditor and debtor.
2. Pursuant to Section 201(b)(1)(A) of the Servicemembers Civil Relief Act of 2003 (SCRA) the defendant is not in the military service of the United States based on information received from the defendant and/or the Department of Defense website.

Burton Neil & Associates, P.C.

By: 

Yale D. Weinstein, Esquire  
Attorney for Plaintiff

Burton Neil & Associates, P.C. is a debt collector.

Burton Neil & Associates, P.C.  
By: Yale D. Weinstein, Esquire ID. NO. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120

Attorney for Plaintiff

Midland Funding LLC

Plaintiff

v.

GREGORY MILLER

Defendant

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 07-38-CD


: CIVIL ACTION - LAW

**Rule of Civil Procedure No. 236 (Revised)**

Notice is given that a JUDGMENT in the above captioned matter has been entered against you

on

Prothonotary

By:  11/8/07

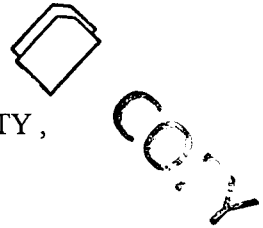
Deputy

If you have any questions concerning the above, please contact:

Yale D. Weinstein, Esquire  
Attorney for Party Filing  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
Phone: 610-696-2120

Burton Neil & Associates, P.C. is a debt collector.

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



Midland Funding LLC  
Plaintiff(s)

No.: 2007-00038-CD

Real Debt: \$1,937.65

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Gregory Miller  
Defendant(s)

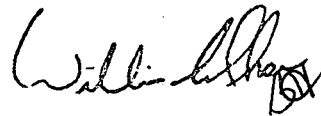
Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: January 8, 2007

Expires: January 8, 2012

Certified from the record this 8th day of January, 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

PRAECIPE FOR WRIT OF EXECUTION (MONEY JUDGMENT)

Pa.R.C.P. § 3103 to 3149

Midland Funding LLC : IN THE COURT OF COMMON PLEAS  
Plaintiff  
v. : CLEARFIELD COUNTY, PENNSYLVANIA  
GREGORY MILLER :  
Defendant : NO. 07-38-cd  
M&T BANK :  
Garnishee : CIVIL ACTION - LAW

To the Prothonotary: ISSUE A WRIT OF EXECUTION IN THE ABOVE MATTER

1. Directed to the Sheriff of Clearfield County, Pennsylvania
2. against GREGORY MILLER, Defendant(s)
3. and against M&T Bank, Garnishee(s)
4. and index this writ  
(a) against \_\_\_\_\_ Defendant(s)  
(b) against \_\_\_\_\_ Garnishee(s)

as a lis pendens against the real property of the defendant(s) in the name of the Garnishee(s) as follows: (specifically describe property)

**NO Levy- Garnishment Only**

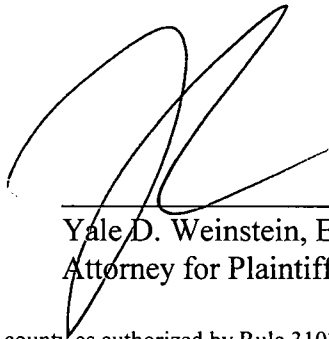
Serve interrogatories on garnishee at: 621 Spring Street, Houtzdale, PA 16651

5. Amount Due \$1,915.61  
Interest from 10/20/06 \$27.44  
Total \$1,943.05\*

\*Plus writ costs

Dated: January 15, 2007

**Prothonotary costs** 40.00

  
Yale D. Weinstein, Esquire  
Attorney for Plaintiff

NOTE: Under paragraph 1 when the writ is directed to sheriff of another county as authorized by Rule 3103(b), the county should be indicated. Under Rule 3103(c) a writ issued on a transferred judgment may be directed only to the sheriff of the county in which issued. Paragraph 3 above should be completed only if indexing of the execution in the county of issuance is desired as authorized by Rule 3104(a). When the writ issued to another county indexing is required as of course in that county. See Rule 3104(b). Paragraph 4(b) should be completed only if real property in the name of the garnishee is attached and indexing as a lis pendens is desired. See Rule 3104(c).

The firm of Burton Neil & Associates, P.C. is attempting to collect a debt.

77076

**FILED** *Atty pd. 20.00*  
*m 12:50 PM*  
JAN 22 2007 *10000 writs to Sheriff*  
William A. Shaw  
Prothonotary/Clerk of Courts (66)



Midland Funding LLC

Plaintiff

: IN THE COURT OF COMMON PLEAS

v.

GREGORY MILLER

Defendant

: CLEARFIELD COUNTY, PENNSYLVANIA

M&T BANK

Garnishee

: NO. 07-38-cd

: CIVIL ACTION - LAW

**MONEY JUDGMENT**

**Writ of Execution**

 **COPY**

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs against GREGORY MILLER Defendant:

1. You are also directed to attach the property of the defendant not levied upon in the possession of M&T BANK Garnishee per property description attached.

**NO Levy- Garnishment Only**

Serve interrogatories on garnishee at: 621 Spring Street, Houtzdale, PA 16651

and to notify Garnishee(s) that:

a. an attachment has been issued;  
b. the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(2) and from delivering any property of the defendant(s) or otherwise disposing thereof.

2. If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as stated above.

Amount Due \$1,915.61

Interest from 10/20/06 \$27.44

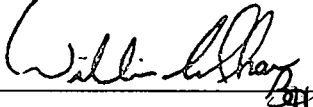
Total \$1,943.05\*

\*Plus writ costs

**Prothonotary costs** 40.00

Clearfield County Prothonotary:

SEAL

By:  1/22/07

The firm of Burton Neil & Associates, P.C. is attempting to collect a debt.

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102364  
NO: 07-38-CD  
SERVICE # 1 OF 1  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: MIDLAND FUNDING LLC  
vs.  
DEFENDANT: GREGORY MILLER  
TO: M&T BANK, Garnishee

SHERIFF RETURN

NOW, January 29, 2007 AT 9:46 AM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON M&T BANK DEFENDANT AT 621 SRING ST., HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DIANA SMOLKO, MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

**FILED**  
01/30/2007  
JAN 30 2007  
William A. Shaw  
Prothonotary/Clerk of Courts

| PURPOSE         | VENDOR | CHECK # | AMOUNT |
|-----------------|--------|---------|--------|
| SURCHARGE       | NEIL   | 5937    | 10.00  |
| SHERIFF HAWKINS | NEIL   | 5937    | 34.41  |

Sworn to Before Me This

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

So Answers,

  
Chester A. Hawkins  
Sheriff

Midland Funding LLC : IN THE COURT OF COMMON PLEAS  
Plaintiff :  
v. : CLEARFIELD COUNTY, PENNSYLVANIA  
GREGORY MILLER :  
Defendant : NO. 07-38-cd  
M&T BANK :  
Garnishee : CIVIL ACTION - LAW  
MONEY JUDGMENT

**Writ of Execution**

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs against GREGORY MILLER Defendant:

1. You are also directed to attach the property of the defendant not levied upon in the possession of M&T BANK Garnishee per property description attached.

**NO Levy- Garnishment Only**

Serve interrogatories on garnishee at: 621 Spring Street, Houtzdale, PA 16651

and to notify Garnishee(s) that:

a. an attachment has been issued;  
b. the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(2) and from delivering any property of the defendant(s) or otherwise disposing thereof.

2. If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as stated above.

Amount Due \$1,915.61

Interest from 10/20/06 \$27.44

Total \$1,943.05\*

\*Plus writ costs

**Prothonotary costs 40.00**

Clearfield County Prothonotary:

SEAL

By: William L. Hargis 1/22/07

The firm of Burton Neil & Associates, P.C. is attempting to collect a debt.

IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

Rec'd 1-23-07 @ 10:00 AM  
Chester R. Hancher Sheriff  
by Maelyn Hamer

Midland Funding LLC

Plaintiff

: IN THE COURT OF COMMON PLEAS

v.  
GREGORY MILLER

: CLEARFIELD COUNTY, PENNSYLVANIA

M&T BANK

Defendant

: NO. 07-38-cd

Garnishee

: CIVIL ACTION - LAW

**MONEY JUDGMENT**

**Writ of Execution**

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs against GREGORY MILLER Defendant:

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\*Plus writ costs

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Clearfield County Prothonotary:

SEAL

By: William L. Hargis 1/22/07

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Rec'd 1-23-07 @ 10:00AM

Christen A. Hamer  
by Maury Hamer

Midland Funding LLC

Plaintiff

: IN THE COURT OF COMMON PLEAS

v.

GREGORY MILLER

: CLEARFIELD COUNTY, PENNSYLVANIA

Defendant

: NO. 07-38-cd

M&T BANK

Garnishee

: CIVIL ACTION - LAW

**MONEY JUDGMENT**

**Writ of Execution**

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TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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\*Plus writ costs

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Clearfield County Prothonotary:

SEAL

By: William L. Hargis 1/22/07

The firm of Burton Neil & Associates, P.C. is attempting to collect a debt.

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Rec'd 1-23-07 @ 10:00am  
Chester A. Hanes Herbs  
by Marilyn Hanes

Midland Funding LLC

Plaintiff

: IN THE COURT OF COMMON PLEAS

v.

GREGORY MILLER

: CLEARFIELD COUNTY, PENNSYLVANIA

Defendant

: NO. 07-38-cd

M&T BANK

Garnishee

: CIVIL ACTION - LAW

**MONEY JUDGMENT**

**Writ of Execution**

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TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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\*Plus writ costs

**Prothonotary costs 40.00**

Clearfield County Prothonotary:

SEAL

By: William L. Hayes 1/22/07

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IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

Rec'd 1-23-07 @ 10:00 AM

Christopher A. Hawkins Sheriff  
by Marilyn Harris

Midland Funding LLC

Plaintiff

: IN THE COURT OF COMMON PLEAS

v.

GREGORY MILLER

: CLEARFIELD COUNTY, PENNSYLVANIA

Defendant

: NO. 07-38-cd

M&T BANK

Garnishee

: CIVIL ACTION - LAW

**MONEY JUDGMENT**

**Writ of Execution**

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TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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Total \$1,943.05\*

\*Plus writ costs

**Prothonotary costs 40.00**

Clearfield County Prothonotary:

SEAL

By: William L. Hay 1/22/07

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Rec'd 1-23-07 @ 10:00AM  
Chute R. Hamlin Shupp  
My Mauley Hamlin

FILED

FEB 26 2007

m/1206

William A. Shaw  
Prothonotary/Clerk of Courts

~~LETTER TO ATTORNEY~~

LETTER TO M&T  
BANK

Burton Neil & Associates, P.C.  
By: Yale D. Weinstein, Esquire ID. NO. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

Midland Funding LLC

Plaintiff

v.

GREGORY MILLER

Defendant

and

M&T Bank

Garnishee

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 07-38-cd

: CIVIL ACTION - LAW

### Praecipe to Dissolve Attachment

To the Prothonotary:

Dissolve the attachment against M&T Bank, garnishee.

Burton Neil & Associates, P.C.

By: 

Yale D. Weinstein, Esquire  
Attorney for Plaintiff

The law firm of Burton Neil & Associates is a debt collector.

