

Burton Neil & Associates, P.C.
By: Burton Neil, Esquire ID. NO. 11348
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

FILED *Atty. pd. 85.00*
m 12:13/64
JAN 16 2007 *CC Sheriff*
William A. Shaw
Prothonotary/Clerk of Courts

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA) N.A.
701 East 60th Street North, Sioux Falls, SD
Plaintiff

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

v.

DENNIS G MIDDLETON
414 East Market Street, Clearfield PA 16830-2435
Defendant

: NO. **07-81-CD**
: CIVIL ACTION - LAW

Complaint - 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 (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 claim 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. 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 REFERENCE AND
INFORMATION SERVICE
David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

C-11085



Burton Neil & Associates, P.C.
By: Burton Neil, Esquire, I.D. NO. 11348
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA) N.A.
701 East 60th Street North, Sioux Falls, SD
Plaintiff

v.

DENNIS G MIDDLETON
414 East Market Street, Clearfield PA 16830-2435
Defendant

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
: NO.
: CIVIL ACTION - LAW

Complaint

1. Plaintiff is CITIBANK (SOUTH DAKOTA) N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.
2. Defendant is Dennis G Middleton, who resides at 414 East Market Street, Clearfield, Clearfield County, Pennsylvania.
3. Plaintiff is a national banking association, engaged in various types of banking business including consumer lending through the issuance of credit cards.
4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180131563832 hereinafter referred to as the credit card account.
5. Plaintiff kept accurate running records of all debits and credits to the account.
6. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.
7. Before plaintiff mailed Exhibit A, defendant had for many months made payments on account of the billing statement or retained the statement without payment.
8. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$5,467.05 which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, plaintiff demands judgment against defendant for the sum of \$5,467.05, and the costs of this action.

Burton Neil & Associates, P.C.

By: 

Burton Neil, Esquire

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

12/05/06 \$5467.05 \$1040.55

SITE:KC-CL TM:CO-5000 ACID:ROB0554
12/06/06 20:27:14:

DENNIS G MIDDLETON
414 E MARKET ST
CLEARFIELD
16830-2435000

PA

CITI CARDS
PO BOX 183058
COLUMBUS, OH
43218-3058

C-11085

Citi® Dividend Platinum Select® Card



Account Number
5424 1801 3156 3832

Customer Service:

1-800-866-9900

BOX 6500

SIoux FALLS, SD

57117

Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
\$5660	\$192	\$700	\$192	\$5467.05
Statement/ Closing Date	Amount Over Credit Line	Past Due	Purch/Adv Minimum Due	Minimum Amount Due
11/10/2006	\$0.00 +	\$810.34 +	\$230.21 =	\$1040.55

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	11/10		Standard Purch	
			LATE FEE - OCT PAYMENT PAST DUE	39.00
	11/10		66 0000	0000000000
			PURCHASES*FINANCE CHARGE*PERIODIC RATE	131.67
			84 0000	0000000000
	11/10		Standard Adv	
			ADVANCES*FINANCE CHARGE*PERIODIC RATE	5.54
			84 0000	0000000000

****Dividend Dollars Summary****

Previous Statement Div Dollar Total	73.48
Base Div Dollars Earned	0.00
Total Div Dollars Earned this period	0.00
Total Div Dollars Available	73.48

Bonus Cash Back may take one to two billing cycles to appear on your statement. Please refer to the specific terms and conditions pertaining to the promotion for further details.

If your 'Total Div Dollar Available' balance is at least \$50, call us at 1-866-676-4672 or go to www.citicards.com, so that we may send you a check.

REMINDER: You may be assessed an over-the-credit-line fee if your account balance exceeds your credit line at any time during the billing period.

Your late fee was based on your account balance as of the payment due date (11/06/06), which was \$5,290.84.

Your account is seriously past due and your credit privileges have been suspended. Please call the toll-free number shown above to learn about our special payment options. Call Monday - Friday, 7 am - 9 pm, or Saturday, 8 am - 5 pm, Central Time.

Our records show home phone 814-765-2346 and business phone 814-765-1407. Please update coupon if incorrect.

EXHIBIT

A

DENNIS G MIDDLETON

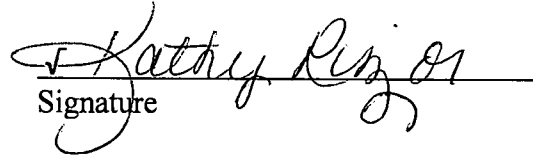
Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
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Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$5,077.11	\$39.00	\$0.00	\$131.67	\$5,247.78
ADVANCES	\$213.73	\$0.00	\$0.00	\$5.54	\$219.27
TOTAL	\$5,290.84	\$39.00	\$0.00	\$137.21	\$5,467.05

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$5,140.40	0.08833%(D)	32.240%	32.240%
ADVANCES				
Standard Adv	\$216.39	0.08833%(D)	32.240%	32.240%

Verification

I, Kathy Rizor am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff CITIBANK (SOUTH DAKOTA), N.A. retained to perform services including but not primarily limited to collecting delinquent debt. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc. (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.


Signature

Dennis G Middleton
5424180131563832

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102348
NO: 07-81-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.
vs.
DEFENDANT: DENNIS G. MIDDLETON

SHERIFF RETURN

NOW, January 22, 2007 AT 3:30 PM SERVED THE WITHIN COMPLAINT ON DENNIS G. MIDDLETON
DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA, BY HANDING TO DENNIS G. MIDDLETON, DEFENDANT A TRUE AND ATTESTED COPY OF
THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: MORGILLO /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	28612	10.00
SHERIFF HAWKINS	NEIL	28612	21.00

FILED


0/9:00 am
APR 25 2007

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

CITIBANK (SOUTH DAKOTA), N.A.
701 East 60th Street N, Sioux Falls, SD 57117
Plaintiff

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

v.

: NO. 07-81-CD

DENNIS G MIDDLETON
414 East Market Street
Clearfield PA 16830-2435
Defendant

: CIVIL ACTION - LAW

FILED

MAY 07 2007
William A. Shaw
Prothonotary/Clerk of Courts
I CERT W/NOTICE
TO DEF

Praecipe for Default Judgment

To the Prothonotary:

Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:


Principal: \$5,467.05

TOTAL \$5,467.05

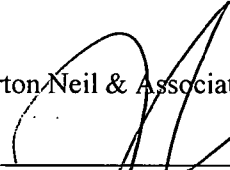
Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment debtor and creditor.
2. The annexed notice of intention to file this praecipe was mailed to all parties against whom judgment is to be entered and to their record attorneys, if any, after the default occurred, and at least ten days prior to the date of the filing of this praecipe.
3. 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.

**JUDGMENT BY DEFAULT ENTERED
AND DAMAGES ASSESSED AS ABOVE.
NOTICE GIVEN UNDER PA.R.CIV.P. 236**


Pro Prothonotary

Burton Neil & Associates, P.C.

By: 
Yale D. Weinstein, Esquire
Attorney for Plaintiff
I.D. #89678
1060 Andrew Drive, Suite 170
W. Chester, PA 19380

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C-11085



CITIBANK (SOUTH DAKOTA), N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 07-81-CD

DENNIS G MIDDLETON

Defendant

: CIVIL ACTION - LAW

Notice of Intention to File Praecipe for Default Judgment

TO: Dennis G Middleton
414 East Market Street
Clearfield PA 16830-2435

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 (10) 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 your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help. 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 REFERENCE AND
INFORMATION SERVICE**

David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

DATE OF NOTICE: March 29, 2007

Burton Neil & Associates, P.C.

By: 

Yale D. Weinstein, Esquire

Attorney for Plaintiff

Identification No. 89678

1060 Andrew Drive, Suite 170

West Chester, PA 19380

(610) 696-2120

In making this communication, we advise our office 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

CITIBANK (SOUTH DAKOTA), N.A.
Plaintiff

v.

DENNIS G MIDDLETON
Defendant

: IN THE COURT OF COMMON PLEAS
:
: CLEARFIELD COUNTY, PENNSYLVANIA
:
: NO. 07-81-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

May 7, 2007

Prothonotary

By: 

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

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FILED

AUG 11 2010

William A. Shaw
Prothonotary/Clerk of Courts

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

CITIBANK (SOUTH DAKOTA), N.A. : IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 07-81-CD

DENNIS G MIDDLETON

Defendant

: CIVIL ACTION - LAW

Praecepte to Satisfy Judgment

To the Prothonotary:

Mark the judgment **Satisfied**.

Burton Neil & Associates, P.C.

By:

Yale D. Weinstein, Esquire
Attorney for Plaintiff

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C-11085