

07-81-CD
Citibank vs Dennis Middleton

Citibank vs Dennis Middleton
2007-81-CD

Burton Neil & Associates, P.C.
By: Burton Neil, Esquire ID. 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. 07-81-CJ
: 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. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

C-11085

FILED
M 12/13/07
JAN 16 2008
CC Sheriff
Atty pd. 85.00
William A. Shaw
Prothonotary/Clerk of Courts



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.

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO.

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

Defendant

: 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-1108S

Citi® Dividend Platinum Select® Card

Account Number
5424 1801 3156 3832

Customer Service:

1-800-866-9900	Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
BOX 6500 SIOUX FALLS, SD 57117	\$5660	\$192	\$700	\$192	\$5467.05
	Statement/ Closing Date 11/10/2006	Amount Over Credit Line \$0.00 +	Past Due \$810.34 +	Purch/Adv Minimum Due \$230.21 =	Minimum Amount Due \$1040.55

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
11/10			Standard Purch LATE FEE - OCT PAYMENT PAST DUE 66 0000	39.00
11/10			PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	131.67 0000000000
11/10			Standard Adv ADVANCES*FINANCE CHARGE*PERIODIC RATE 84 0000	5.54 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	Days This Billing Period: 29 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.

Kathy Rizor
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 cm
APR 25 2007
JW

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2007

Chester A. Hawkins
by Marilyn Hart
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.

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

: NO. 07-81-CD

: CIVIL ACTION - LAW

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

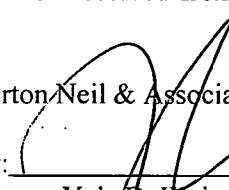
Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

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.

DENNIS G MIDDLETON

Defendant

: NO. 07-81-CD

: CIVIL ACTION - LAW

Notice of Intention to File Praeclipe 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. Meholic
 Court Administrator
 Clearfield County Courthouse
 Clearfield, PA 16830
 Telephone No. 814-765-2641 Ext. 5982

DATE OF NOTICE: March 29, 2007

In making this communication, we advise our office is a
 debt collector.

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



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

Mar 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
09:15 AM
S
William A. Shaw
Prothonotary/Clerk of Courts
No 4/4

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

Praecipe to Satisfy Judgment

To the Prothonotary:

Mark the judgment **Satisfied**.

Burton Neil & Associates, P.C.

By:

Yale D. Weinstein, Esquire
Attorney for Plaintiff

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

C-11085