

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

CAPITAL ONE BANK

Plaintiff

vs.

WILLIAM J SMITH

Defendant

No: 07-187-CD

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05557237 C N Pit SGM

January 24, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service. William A. Shaw LM
Deputy Prothonotary

FILED ICC Sheriff
m13:03/01
FEB 05 2008 Atty pd. 85.00
William A. Shaw
Prothonotary/Clerk of Courts

April 2, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service. William A. Shaw GK
Deputy Prothonotary

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No

WILLIAM J SMITH

Defendant

COMPLAINT AND 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 an 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext 1300-1301

COMPLAINT

1. Plaintiff, CAPITAL ONE BANK is a corporation with offices at 140 EAST SHORE DR GLEN ALLEN , VA 23059 .

2. Defendant is adult individual(s) residing at the address listed below:

WILLIAM J SMITH
176 MERRIS AVE
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number 5178052414169306 .

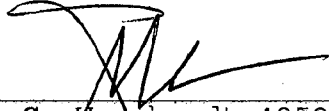
4. Defendant made use of said credit card and has a current balance due of \$1203.99 , as of December 19, 2006 .

5. Defendant is in default by failing to make monthly payments when due. As such, the entire balance is immediately due and payable to Plaintiff.

6. Plaintiff is entitled to the addition of interest at the rate of 25.900% per annum on the unpaid balance from December 19, 2006 . A copy of Plaintiff's STATEMENT is attached hereto, marked as Exhibit "1" and made a part hereof.

7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance due to Plaintiff.

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , WILLIAM J SMITH , INDIVIDUALLY , in the amount of \$1203.99 with continuing interest thereon at the rate of 25.900% per annum from December 19, 2006 plus costs.



James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05557237 C N Pit SGM

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Capital One

PLATINUM MASTERCARD ACCOUNT
5178-0524-1416-9306

AUG 04 - SEP 03, 2005

Page 1 of 1

Account Summary

Previous Balance	\$898.25
Payments, Credits and Adjustments	\$0.00
Transactions	\$29.00
Finance Charges	\$19.97
New Balance	\$947.22
Minimum Amount Due	\$947.22
Payment Due Date	October 03, 2005
Total Credit Line	\$500
Total Available Credit	\$0.00
Credit Line for Cash	\$500
Available Credit for Cash	\$0.00

At your service

To call Customer Relations to report a lost or stolen card:
1-800-903-3637

Send payments to: Send inquiries to:
Attn: Remittance Processing Capital One Bank
P.O. Box 790216 St. Louis, MO 63179-0216
Capital One
P.O. Box 30285 SLC, UT 84130-0285

Important Account Information

Twelve unsung heroes of college athletics are competing for the honor of Capital One National Mascot of the Year - and you can help decide who wins! Each week, the mascots go head-to-head in competition, but only one will win the coveted title and \$10,000 for their school. Go to capitalone.com where you can vote daily for your favorite mascot - and don't forget to tune in to the Capital One Bowl on ABC on Monday, January 2, 2006, to see who wins!

Payments, Credits and Adjustments

Transactions

1 03 SEP PAST DUE FEE \$29.00

You were assessed a past due fee of \$29.00 on 09/03/2005 because your minimum payment was not received by the due date of 09/03/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

EXHIBIT

Finance Charges

Please see reverse side for important information

	Balance applied	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$907.87	.07096%	25.90%	\$19.97
CASH	\$0.00	.07096%	25.90%	\$0.00

ANNUAL PERCENTAGE RATE applied this period 25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

Capital One

0000000 0 5178052414169306 03 0947220030000947224

New Balance \$947.22
Minimum Amount Due \$947.22
Payment Due Date October 03, 2005
Total enclosed \$
Account Number: 5178-0524-1416-9306

Please print mailing address and/or e-mail change below using blue or black ink.

Street Apt#
City State ZIP
Home Phone Alternative Phone
E-mail Address @

Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216



#9024780806235487# MAIL ID NUMBER
WILLIAM J SMITH
176 MERRIS AVE
DU BOIS PA 15801-3962

Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

SIGN UP TODAY! **1-888-587-9669**
Mention Offer Code: BRONZE
Visit: www.peoplepc.com/go/bronze

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© 2005 Capital One Services, Inc. Capital One is a federally registered service mark. All rights reserved.

OILGLBAK

Important Notice: Payments via mail to us will be credited to your account as of the business day we receive it, provided (1) you send the bottom portion of this statement and your check in the enclosed envelope and (2) your payments are received on our processing day by 3 p.m. ET (12 noon PT). Please allow at least five (5) business days for postal delivery in the enclosed envelope. Payments by any other method or at any other location are not guaranteed to be received on the same business day. Our business days are Monday through Saturday excluding holidays. Please do not use staples, paperclips or other prepayment devices. When you send us a check(s), authorization to make a one-time electronic transfer from your bank account for the amount(s) of the check. This authorization applies to all checks received under the billing cycle even if sent by someone else. If we cannot process the transfer you authorize us to make a charge against your account in the check's payment order form.



VERIFICATION

CAPITAL ONE BANK

vs

SMITH, WILLIAM J

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that he/she is, HENDERSON W MCKENZIE II, Authorized Agent, of CAPITAL ONE BANK, Plaintiff Herein, that he/she is duly authorized to make this Declaration, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.


HENDERSON W MCKENZIE II
MYRA PRINDLE
Notary Public
Gwinnett County Georgia
My Commission Expires July 31st 2009

5178052414169306
A049
WELTMAN, WEINBERG & REIS CO., L.P.A.

05557237 SGM

FILED

FEB 05 2007

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **102413**

CAPITAL ONE BANK

Case # 07-187-CD

vs.

WILLIAM J. SMITH

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW May 19, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO WILLIAM J. SMITH, DEFENDANT. NEW: 106 PARK AVE., PUNXSUTAWNEY, PA. PH.771-8830.

SERVED BY: /

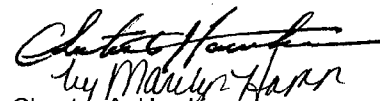
Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2667731	10.00
SHERIFF HAWKINS	WELTMAN	2667731	50.86

Sworn to Before me This

_____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

FILED
07-187-CD
MAY 21 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

WILLIAM J SMITH

Defendant

No: 07-187-CD

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF
Plaintiff

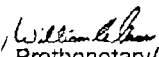
COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05557237 C N Pit SGM

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

FEB 05 2007

Attest.


Prothonotary/
Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No

WILLIAM J SMITH

Defendant

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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.

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COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext 1300-1301

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WILLIAM J SMITH
176 MERRIS AVE
DU BOIS, PA 15801

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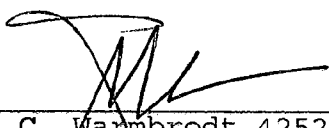
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James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05557237 C N Pit SGM

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- Spam Controls
- Smarter Smart Dialer Technology
- More Email Addresses
- Internet Call Waiting

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Capital One®

PLATINUM MASTERCARD ACCOUNT
5178-0524-1416-9306

AUG 04 - SEP 03, 2005
Page 1 of 1

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Total Available Credit	\$.00
Credit Line for Cash	\$500
Available Credit for Cash	\$.00

At your service

To call Customer Relations to report a lost or stolen card:
1-800-903-3637

Send payments to:	Sending inquiries to:
Attn: Remittance Processing	Capital One
Capital One Bank	P.O. Box 30285
P.O. Box 790216	St. Louis, MO 63179-0216
St. Louis, MO 63179-0216	SLC, UT 84130-0285

Important Account Information

Twelve unsung heroes of college athletics are competing for the honor of Capital One National Mascot of the Year - and you can help decide who wins! Each week, the mascots go head-to-head in competition, but only one will win the coveted title and \$10,000 for their school. Go to capitalone.com where you can vote daily for your favorite mascot - and don't forget to tune in to the Capital One Bowl on ABC on Monday, January 2, 2006, to see who wins!

Payments, Credits and Adjustments

Transactions

1	03 SEP	PAST DUE FEE	\$29.00
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EXHIBIT

Finance Charges

Please see reverse side for important information

	Balance applied	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$907.87	.07096%	25.90%	\$19.97
CASH	\$.00	.07096%	25.90%	\$.00

ANNUAL PERCENTAGE RATE applied this period 25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

Capital One®

0000000 0 5178052414169306 03 0947220030000947224

New Balance	\$947.22
Minimum Amount Due	\$947.22
Payment Due Date	October 03, 2005
Total enclosed \$	
Account Number:	5178-0524-1416-9306

Please print mailing address and/or e-mail address in blue or black ink.

Street	Apt#
City	State ZIP
Home phone	Alternate phone
E-mail address	@

Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216



#9024780806235487# MAIL ID NUMBER
WILLIAM J SMITH
176 MERRIS AVE
DU BOIS PA 15801-3962

Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

Mention Offer Code: BRONZE
Visit: www.peoplepc.com/go/bronze

© 2005 Capital One Services, Inc. Capital One is a federally registered service mark. All rights reserved.

[illegible]

Important Notice: Payments you mail to us will be credited to your accounts of the business day we receive it, provided 1) you send the bottom portion of this statement and your check in the enclosed envelope and 2) your payment is received by our processing center by 3 p.m. ET (12 noon PT). Please allow at least 5 business days for postal delivery. If your payment is received after the above deadline, it will be credited to your account on the next business day. We do not process payments received on Saturdays or holidays. Please do not use staples, paperclips etc. when preparing your payment. When you send us a check(s), you authorize us to make one tele-customer transfer from your bank account for the amount of the check. This authorization applies to all checks received under the billing/collection sent by someone else. If we cannot process the transfer, you authorize us to make a charge against your bank account using the check, a paper draft or other item.

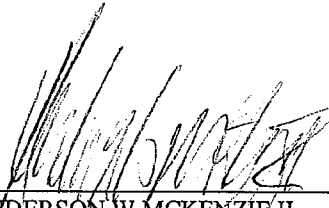
VERIFICATION

CAPITAL ONE BANK

vs

SMITH, WILLIAM J

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that he/she is, HENDERSON W MCKENZIE II, Authorized Agent, of CAPITAL ONE BANK, Plaintiff Herein, that he/she is duly authorized to make this Declaration, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.



HENDERSON W MCKENZIE II



MYRA PRINDLE
Notary Public
Gwinnett County Georgia
My Commission Expires July 31st 2009

5178052414169306

A049

WELTMAN, WEINBERG & REIS CO., L.P.A.

05557237 SGM

FILED

MAY 21 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

WILLIAM J SMITH

Defendant

No. 07-187-CD

PRAECIPE TO REINSTATE COMPLAINT

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

JAMES C WARMBRODT, ESQUIRE
PA I.D. #42524
WELTMAN, WEINBERG & REIS, CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#5557237

pd \$7.00 Atty
FILED ICC + 1 reinstated
m/1:30 am Complaint
JAN 24 2008 to Atty.

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 07-187-CD


WILLIAM J SMITH

Defendant

PRAECIPE TO REINSTATE COMPLAINT

Kindly reinstate the Complaint in the above captioned matter.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
JAMES C WARMBRODT, ESQUIRE
PA I.D. #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR #5557237

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

CAPITAL ONE BANK

Plaintiff

vs.

WILLIAM J SMITH

Defendant

No. 07-187-CD

PRAECIPE TO REINSTATE COMPLAINT

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

BENJAMIN R. BIBLER, ESQUIRE
PA I.D. #93598
WELTMAN, WEINBERG & REIS, CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05557237

FILED *Atty. pd.*
MTB: 52304
APR 02 2008 *7.00*
William A. Shaw
Prothonotary/Clerk of Courts
1CCo 1 Compl. Reinstated to Sheriff
(60) 1 Compl. Reinstated to Atty

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 07-187-CD

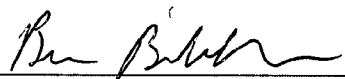
WILLIAM J SMITH

Defendant

PRAECIPE TO REINSTATE COMPLAINT

Kindly reinstate the Complaint in the above captioned matter.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
BENJAMIN R. BIBLER, ESQUIRE
PA I.D. #93598
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR #05557237

FILED

APR 02 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103988
NO: 07-187-CD
SERVICE # 1 OF 1
PRAECIPE & COMPLAINT

PLAINTIFF: CAPITAL ONE BANK
vs.
DEFENDANT: WILLIAM J. SMITH

SHERIFF RETURN

NOW, April 07, 2008 AT 2:07 PM SERVED THE WITHIN PRAECIPE & COMPLAINT ON WILLIAM J. SMITH
DEFENDANT AT 176 MERRIS AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO
ELIZABETH SMITH, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE & COMPLAINT AND
MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET


FILED
07:57:01
JUL 16 2008
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8671195	10.00
SHERIFF HAWKINS	WELTMAN	8671195	47.38

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,


Chester A. Hawkins
Sheriff

FILED

JUL 16 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

WILLIAM J SMITH

Defendant

No. 07-187-CD

PRAECIPE FOR DEFAULT JUDGMENT

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

WILLIAM T. MOLCZAN, ESQUIRE
PA I.D.#47437
Weltman, Weinberg & Reis Co., L.P.A.
1400 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#5557237
Judgment Amount \$ 1676.74

**THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

5 FILED Any pd. 20.00
M 11:52 AM 1cc - Notice
APR 02 2009 to Def.
William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No. 07-187-CD

WILLIAM J SMITH

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

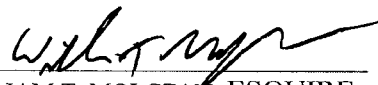
TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, WILLIAM J SMITH above named, in the default of an Answer, in the amount of \$1676.74 computed as follows:

Amount claimed in Complaint	\$1203.99
Interest from DECEMBER 19, 2006 TO MARCH 16, 2009 at the legal interest rate of 25.900% per annum	\$472.75
TOTAL	\$1676.74

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
WILLIAM T. MOLCZAN, ESQUIRE
PA I.D.#47437

Weltman, Weinberg & Reis Co., L.P.A.
1400 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#5557237

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 1400 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219

And that the last known address of the Defendant is: 176 MERRIS AVE, DU BOIS, PA 15801

COPY

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

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No. 07-187-CD

WILLIAM J SMITH

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: ☐ Plaintiff
 ☒ Defendant
 ☐ Garnishee

You are hereby notified that the following
Order or Judgment was entered against you
on 4/21/09

(xx) Assumpsit Judgment in the amount
 of \$1676.74 plus costs.

() Trespass Judgment in the amount
 of \$_____ plus costs.

() If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration
will be suspended by the Department of Transportation, Bureau
of Traffic Safety, Harrisburg, PA.

(xx) Entry of Judgment of
 ☐ Court Order
 ☐ Non-Pros
 ☐ Confession
 ☒ Default
 ☐ Verdict
 ☐ Arbitration
 Award

Prothonotary

By: 
PROTHONOTARY (OR DEPUTY)

WILLIAM J SMITH
176 MERRIS AVE
DU BOIS, PA 15801

Plaintiff's address is:
c/o Weltman, Weinberg & Reis Co., L.P.A., 1400 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
1-888-434-0085

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

CAPITAL ONE BANK (USA), NA

Case no: 07-187-CD

Plaintiff
vs.

NON-MILITARY AFFIDAVIT

WILLIAM J SMITH

Defendant

The undersigned, who first being duly sworn, according to law, deposes and states as follows:

That he/she is the duly authorized agent of the Plaintiff in the within matter.

Affiant further states that the within Affidavit is made pursuant to and in accordance with the Servicemembers' Civil Relief Act (SCRA), 50 U.S.C. App. § 521.

Affiant further states that based upon investigation it is the affiant's belief that the Defendant, WILLIAM J SMITH is not in the military service.

Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, WILLIAM J SMITH is not in the military service.

Further Affiant sayeth naught.


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 19th day
of March, 2009


NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Wayne A. Jones, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires June 29, 2010
Member, Pennsylvania Association of Notaries

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

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

CAPITAL ONE BANK (USA), NA

Plaintiff

Case No. 07-187-CD

vs.

WILLIAM J SMITH

Defendant

IMPORTANT NOTICE

TO:
WILLIAM J SMITH
176 MERRIS AVE
DU BOIS, PA 15801

Date of Notice: 2/26/09

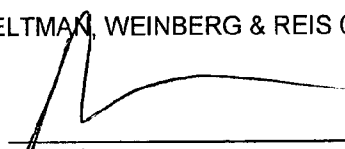
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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.

COURT ADMINISTRATOR
CLEARFILED COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PA. 16830
(814) 765-2641, EXT 50-51

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
Matthew Urban
P.A.I.D.# 90963
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, 1400 Koppers Building
Pittsburgh, PA 15219
Phone: (412) 434-7955
5557237 N PIT KM3

Department of Defense Manpower Data Center

MAR-16-2009 12:37:11



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

← Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
SMITH	WILLIAM	Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavelly-Dixon

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenseink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

FILED

APR 02 2009

William A. Shaw
Prothonotary/Clerk of Courts