

07-187-CD
Capital One vs William J. Smith

Capital One vs William J Smith
2007-187-CD

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

CAPITAL ONE BANK

Plaintiff

No: 07-187-CD

vs.

COMPLAINT IN CIVIL ACTION

WILLIAM J SMITH

Defendant

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 im
Deputy Prothonotary

April 2, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw GK
Deputy Prothonotary

FILED
m13:03/01
FEB 05 2008 Atty pd. \$5.00
William A. Shaw

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

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.

5. 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

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.

MORE Features!

peoplepc™ online
A better way to Internet.

\$4.97*
*3 months for first 3 months;
\$9.95/mo. thereafter

SIGN UP TODAY!

1-888-587-9669
Mention Offer Code: BRONZE
Visit: www.peoplepc.com/go/bronze

003

UNLIMITED INTERNET ACCESS

PeoplePC Online offers all the features you would expect from higher-priced Internet Service Providers, including:

- Virus Protection powered by Symantec™
- Pop-Up Blocker™
- Spam Controls
- Smarter Smart Dialer Technology
- More Email Addresses
- Internet Call Waiting

Or, Surf up to 5x faster* with PeoplePC Online Accelerated™ for a few dollars more.

SPECIAL LIMITED-TIME OFFER FOR CAPITAL ONE® CARDHOLDERS!

CapitalOne®

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 payment to:
Attn: Remittance Processing
CapitalOneBank
P.O. Box 790216
St. Louis MO 63179-0216

Send inquiries to:
CapitalOne
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!

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 ▼

CapitalOne®

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 below using blue or black ink.

Street	Apt#	
City	State	ZIP
Home Phone	Alt. Phone	
Email Address <input type="text"/>		



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

006605

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

6055

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 5GM

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

So Answers,

____ Day of _____ 2007

Chester A. Hawkins
by *Marilyn Hark*
Chester A. Hawkins
Sheriff

FILED
05/18/2007
MAY 21 2007
WAS

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff No: 07-187-CD

vs.

COMPLAINT IN CIVIL ACTION

WILLIAM J SMITH

Defendant 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, *William L. Brown*,
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

Civil Action No

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 .

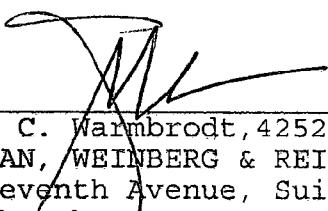
4. Defendant made use of said credit card and has a current balance due of \$1203.99 , as of December 19, 2006 .

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

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.

MORE Features!

peoplepc™ online

A better way to Internet.

\$4.97*

\$4.97*
per month for
first 3 months;
\$9.95/mo. thereafter

SIGN UP
TODAY! →

1-888-587-9669

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

003
UNLIMITED
INTERNET ACCESS

PeoplePC Online offers all the features you would expect from higher-priced Internet Service Providers, including:

- Virus Protection powered by Symantec™
- Pop-Up Blocker™
- Spam Controls
- Smarter Smart Dialer Technology
- More Email Addresses
- Internet Call Waiting

Or, Surf up to 5x faster* with PeoplePC Online Accelerated™ for a few dollars more.

SPECIAL LIMITED-TIME OFFER FOR CAPITAL ONE® CARDHOLDERS!

CapitalOne®

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

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.

At your service

To call Customer Relations or to report a lost or stolen card:

1-800-903-3637

Send payment to: Send inquiries to:
Attn: Remittance Processing CapitalOne
CapitalOne Bank CapitalOne
P.O. Box 90216 P.O. Box 90285
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!

EXHIBIT

Finance Charges

Please see reverse side for important information

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

ANNUAL PERCENTAGE RATE applied this period

25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne®

0000000 0 5178052414169306 03 0947220030000947224

New Balance	\$947.22
Minimum Amount Due	\$947.22
Payment Due Date	October 03, 2005
Total enclosed	\$ <input type="text"/>
Account Number:	5178-0524-1416-9306

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

Street Apt#

City State ZIP

HomePhone AlternatePhone

EmailAddress

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



006055

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

peoplepc™ online
A better way to Internet.

UNLIMITED INTERNET ACCESS

1-888-587-9669

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

**SIGN UP
TODAY!**

PeoplePC is solely responsible for this offer, and is not affiliated with Capital One. Capital One does not provide, endorse or guarantee, and is not affiliated with, any product or service shown here. Any trademarks mentioned herein are solely owned by the respective entity. All rights reserved. By responding to this offer, you may be communicating information about yourself to the company that provides this product - for example, that you are a Capital One customer.

PeoplePC Online: First 3 months are billed at \$4.97 per month; \$9.95 per month thereafter. PeoplePC Accelerated™: First 3 months are billed at \$7.47 per month; \$14.95 per month thereafter. Offer available to new dial-up subscribers at least 18 years of age and may not be redeemed with any other offer. Offer subject to change at any time. Phone technical support available for \$1.95 per minute.

Twitter PeoplePC Online Accelerated, certain Web page text and graphics will load faster when compared to standard dial-up Internet service. Actual results may vary. PeoplePC Online Accelerated is only compatible with PeoplePC Online Internet service and specified Windows® browsers. PeoplePC Online Accelerated is not compatible with Windows® 95 with IE 5.5 SP2.

Service not available in all areas. Access fees, taxes, and other fees and restrictions may apply. Telephone toll charges may apply, even during trial periods. You are responsible for determining whether a call to one of our access numbers will result in telephone toll charges. Access may be limited, especially during times of peak usage. Dial-up numbers may be changed at PeoplePC's discretion. Continuous use subject to timeout procedures. All use is subject to PeoplePC Online's Services Agreement and Acceptable Use Policy. 56K is the maximum speed of service; actual speed may vary.

© 2005 PeoplePC Inc. All Rights Reserved. PeoplePC Online and its logos are trademarks of PeoplePC in the U.S. and other countries.
© 2005 Capital One Services, Inc. Capital One is a federally registered service mark. All rights reserved.

© 2003 Capital One Services, Inc. Capital One is a federally registered service mark. All rights reserved.

1. How To Avoid A Finance Charge

03R02 Z 0100
6055

O1LGLBAK

Important Notice: Payments you make to us will be credited to your account at the business day following the date you make the payment. If this statement and my check is not received by us by 3 p.m. EST (7 p.m. PT), Please allow at least five (5) business days for postal delivery. Payment received by us at any other location or in any other form may not be credited to the day we receive them. Our business days are Monday through Saturday, excluding holidays. Please do not use staples, paperclips, etc. when preparing your payment. When you send us a check, you authorize us to make one-time electronic transfer of it from your bank account for the amount of the check. This authorization applies to all checks received during 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 using the check, a paper draft or other item.

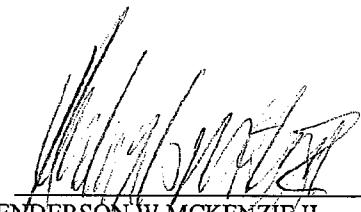
VERIFICATION

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.

05578234 3GM

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 No. 07-187-CD

vs. PRAECIPE TO REINSTATE COMPLAINT

WILLIAM J SMITH

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

JAMES C WARBRODT, 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 1cc & 1 reinstated
m/1:30 pm 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 WARBRODT, 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 No. 07-187-CD

vs. PRAECIPE TO REINSTATE COMPLAINT

WILLIAM J SMITH

Defendant 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 ad.*
MTB: 52304 *7.00*
APR 02 2008
1CC1 Compl.
William A. Shaw
Prothonotary/Clerk of Courts
Reinstated to
Sheriff
⑥ 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: Ben Bibler
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

JUL 12 2008
JUL 16 2008

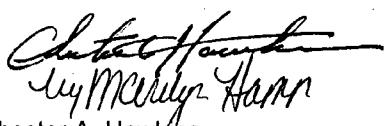
William A. Shaw
Prothonotary/Clerk of Courts


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

No. 07-187-CD

vs.

PRAECIPE FOR DEFAULT JUDGMENT

WILLIAM J SMITH

Defendant

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 Atty pd. 20.00
M 11:52 AM APR 02 2009 1cc - Notice
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

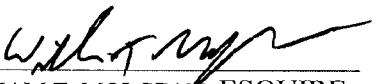
TO THE PROTHONOTARY:

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

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

COPY

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

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.

Entry of Judgment of
 Court Order
 Non-Pro
 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 10th 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. Snavely-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 "defenselink.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