

07-204-CD  
HSBC Nevada vs Marcella Carles

HSBC Nevada vs Marcella Carles  
2007-204-CD

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

HSBC NEVADA BANK, N.A.

Plaintiff

No. 2007-204-CD

vs.

COMPLAINT IN CIVIL ACTION

MARCELLA C CARLES

Defendant

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

William T. Molczan, 47437  
WELTMAN, WEINBERG & REIS CO., L.P.A  
436 Seventh Avenue, Suite 2718  
Pittsburgh, Pa 15219  
(412) 434-7955  
FAX: 412-338-7130

WWR#05491376

FILED pd \$85.00 Atty  
WJL: 47cm 1cc Shff  
FEB 09 2007  
WM

William A. Shaw  
Prothonotary/Clerk of Courts

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

HSBC NEVADA BANK, N.A.

Plaintiff

vs.

Civil Action No.

MARCELLA C CARLES

Defendant

**COMPLAINT IN CIVIL ACTION 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 ON AGENCIES THAT MAY OFFER LEGAL SERVICES  
TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

CLEARFIELD COUNTY

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

COMPLAINT

1. Plaintiff is a corporation with offices at 1111 Towne Center Drive, Las Vegas, NV 89193-8724.
2. Defendant is an adult individual residing at 48 CARLES LN ., MORRISDALE,PA 16858.
3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number 5499441090313621.
4. Defendant made use of said credit card and has currently a balance due and owing to Plaintiff, as of January 31, 2007, in the amount of \$5,711.37. A true and correct copy of Plaintiff's Statement of Account is attached hereto, marked as Exhibit "1" and made a part hereof.
5. Defendant is in default of the terms of the cardholder Agreement having not made monthly payments to Plaintiff thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the Cardholder Agreement between the parties provides that Plaintiff is entitled to the addition of finance charges at the statutory rate of 6% per annum on the unpaid balance.
7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the principal balance, finance charges or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, MARCELLA C CARLES individually, in the amount of \$5,711.37 with continuing finance charges thereon at the statutory rate of 6% per annum from the date of judgment, plus costs.

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED  
SHALL BE USED FOR THAT PURPOSE.**

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

  
\_\_\_\_\_  
William T. Molczan, 47437  
WELTMAN, WEINBERG & REIS CO., L.P.A  
436 Seventh Avenue, Suite 2718  
Pittsburgh, Pa 15219  
(412) 434-7955  
FAX: 412-338-7130

WWR#:05491376

**Quick-Look Account Summary**

Statement Date 1/18/06 Acct #5499 4410 9031 3621  
 New Balance \$4,701.13 Total Credit Limit \$0  
 Customer Center Payment Address: Payment Due Date 2/12/06 Total Cash Adv Limit \$0  
 1-800-947-1000 Cardmember Svcs Minimum Payment \$236.00 Available Credit \$0  
 P.O. Box 80082 PO BOX 37281 Overlimit Amount \$701.13 Available Cash Advance \$0  
 Salinas, CA BALTIMORE # Days This Bill Cycle 31  
 93912-0082 MD Current Payment Due \$863.13 Page 1 of 1  
 21297-3281 Past Due Amount \$478.00  
 \*See reverse side for an explanation of these amounts.

Visit us at [gmcards.com](http://gmcards.com)

**Transactions**

(For additional transaction detail go to [www.gmcards.com](http://www.gmcards.com))

Trans	Post	Description	Amount	Reference Number
12/23	12/25	OVERLIMIT CHARGE ASSESSMENT	\$35.00	10000002010000999895420
01/12	01/12	LATE CHARGE ASSESSMENT	\$39.00	1000000201000099951160

**Account Activity**

Previous Balance	- Payments and Other Credits	+ Purchases, Fees and Other Debits	+ Cash Advances, + Finance Charges	= New Balance
\$4,512.72	\$0.00	\$74.00	\$114.41	\$4,701.13

**Finance Charge Calculation**

Average Daily Balance	Daily Periodic Rate	Nominal Annual Rate	Finance Charge	Cash Advance/ Transaction Fees	Annual Percentage Rate
Purchases \$4,607.00	0.0801%	29.24%	\$114.41	\$0.00	29.24%
Cash Advances \$0.00	0.0000%	29.24%	\$0.00	\$0.00	0.00%

**Earnings Summary**

Prev Earnings \$0.00 New Earnings Total \$0.00  
 Earnings Rcvd \$0.00 Anniversary Date 8/09/02  
 Addtnl Earnings \$0.00 Anniv Y-T-D Earnings \$0.00  
 Earnings Adjmnt \$0.00 Lifetime Earnings Rdem \$0.00  
 Current Period \$0.00ngs

Remember, every time you make a purchase with your GM Card, you'll earn 5% in GM Card Earnings. You can save hundreds, even thousands on the purchase or lease of your new GM Car or truck (excluding Saturn, Saab and HUMMER H1). Choose from over 50 brands.

When you're ready to redeem your GM Card Earnings to buy or lease an eligible new GM car or truck, call us at 1-800-947-1000

100210 N 18

STMTGX D

(Please detach and return bottom portion with payment and retain top portion for your records. Do not staple or clip your check to the form below.)

**Account Information**

Account Number	Payment Due Date	New Balance	Current Payment Due
5499 4410 9031 3621	2/12/06	\$4,701.13	\$863.13

Make Check Payable to:

Amount
Enclosed

GM CARDMEMBER SERVICES  
 -Please write your account number

on your check; do not send cash

-Do not fold, staple or clip

-Please send your payment 7 days prior to the due date to ensure timely delivery

-Submit one check or money order per payment coupon

. See reverse for more information

GM CARDMEMBER SERVICES  
 PO BOX 37281  
 BALTIMORE MD 21297-3281

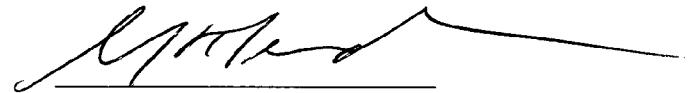
MARCELLA C CARLES  
 48 CARLES LN  
 MORRISDALE PA 16858-8342  
 0086313 0470113 5499441090313621 5

**EXHIBIT**

"11"

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is Ariel Mendoza Manager of HSBC Nevada, NA, plaintiff herein, that he/she is duly authorized to make this verification, and that the facts set forth in the foregoing Complaint are true and correct the best of his/her knowledge, information and belief.



(Signature)

Wwr#

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102435  
NO: 07-204-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: HSBC NEVADA BANK, N.A.

vs.

DEFENDANT: MARCELLA C. CARLES

SHERIFF RETURN

---

NOW, February 23, 2007 AT 11:12 AM SERVED THE WITHIN COMPLAINT ON MARCELLA C. CARLES DEFENDANT AT 48 CARLES LN, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MARCELLA C. CARLES, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED  
07/31/2007  
MAY 09 2007  
JM

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2656090	10.00
SHERIFF HAWKINS	WELTMAN	2656090	30.61

Sworn to Before Me This

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

So Answers,

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

**FILED**

**MAY 09 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

pd \$20.00 Atty  
FILED *cc/c notice*  
*m/11:50cm deft*  
JUN 21 2007 *cc/c statement*  
William A. Shaw  
Prothonotary/Clerk of Courts  
to Atty.

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

HSBC BANK NEVADA, N.A.

Plaintiff No. 2007-204-CD

vs. PRAEICE FOR DEFAULT JUDGMENT

MARCELLA C CARLES

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.  
436 Seventh Avenue, Suite 2718  
Pittsburgh, PA 15219  
(412) 434-7955  
FAX: 412-338-71305

WWR#05491376  
Judgment Amount \$ 5,828.73

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

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

HSBC BANK NEVADA, N.A.

Plaintiff

vs.

Civil Action No. 2007-204-CD

MARCELLA C CARLES

Defendant

**PRAECIPE FOR DEFAULT JUDGMENT**

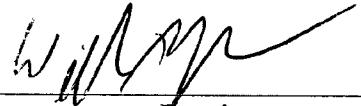
TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, MARCELLA C CARLES above named, in the default of an Answer, in the amount of \$5,828.73 computed as follows:

Amount claimed in Complaint	\$5,711.37
Interest from February 9, 2007 to June 14, 2007 at the interest rate of 6.00% per annum	\$117.36
<b>TOTAL</b>	<b>\$5,828.73</b>

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.  
436 Seventh Avenue, Suite 2718  
Pittsburgh, PA 15219  
(412) 434-7955  
FAX: 412-338-71305  
WWR#05491376

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219  
And that the last known address of the Defendant is: 48 CARLES LN  
MORRISDALE, PA 16858

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

HSBC BANK NEVADA, N.A

Plaintiff

vs.

Civil Action No. 2007-204-CD

MARCELLA C CARLES

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 June 21, 2007

Assumpsit Judgment in the amount  
of \$5,828.73 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)

MARCELLA C CARLES  
48 CARLES LN  
MORRISDALE, PA 16858

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219  
1-888-434-0085

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

HSBC BANK NEVADA, N.A

Plaintiff

Case # 2007-204-CD

MARCELLA C CARLES

Defendant(s)

IMPORTANT NOTICE

TO: MARCELLA C CARLES  
48 CARLES LN  
MORRISDALE, PA 16858

Date of Notice: June 4, 2007  
WWR#: 05491376

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

BY: Patrick Thomas Woodman  
PATRICK THOMAS WOODMAN  
PA I.D. #34507  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 KOPPERES BLDG, 436 7TH AVE.  
PITTSBURGH, PA 15219

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

HSBC BANK NEVADA, N.A.

Case no: 2007-204-CD

Plaintiff  
vs.  
NON-MILITARY AFFIDAVIT

MARCELLA C CARLES

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.

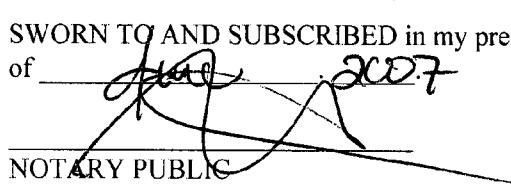
Affiant further states that based upon investigation it is the affiant's belief that the Defendant, MARCELLA C CARLES is not in the military service.

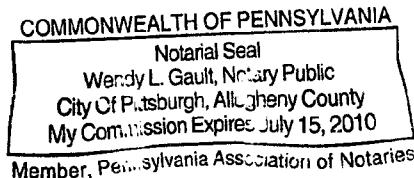
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, MARCELLA C CARLES is not in the military service.

Further Affiant sayeth naught.

  
AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 14th day  
of July, 2007

  
NOTARY PUBLIC



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.

Department of Defense Manpower Data Center

JUN-14-2007 11:58:07



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
CARLES	MARCELLA C		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. #167;#167; 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

by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

*Report ID:BNKBEGFEDDX*

**FILED**

**JUN 21 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

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

COPY

HSBC Bank Nevada, N.A.  
Plaintiff(s)

No.: 2007-00204-CD

Real Debt: \$5828.73

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Marcella C. Carles  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: June 21, 2007

Expires: June 21, 2012

Certified from the record this June 21, 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