

07-283-CD
Bank of NY vs Michelle B. Wormuth et

Bank of New York et vs Michelle Wormuth e
2007-283-CD

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 07/01/2006 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$58,621.85
Interest	\$3,751.35
06/01/2006 through 02/22/2007	
(Per Diem \$14.05)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$162.19
09/28/2005 to 02/22/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$64,535.39
Escrow	
Credit	\$0.00
Deficit	\$152.38
Subtotal	<u>\$152.38</u>
TOTAL	\$64,687.77

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.
9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

10. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$64,687.77, together with interest from 02/22/2007 at the rate of \$14.05 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

DANIEL G. SCHMIEG, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL that certain lot of ground and right-of-way hereinafter granted situate in the Second Ward of Clearfield Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post on South side of Walnut Street; thence by lot now or formerly of Fulford South Fifteen (15) degrees Thirty (30) minutes West One Hundred Twenty (120) feet to a post in line of Lot No. 20 in Mossop's Addition; thence by said lot in an Easterly direction Thirty-nine (39) feet to a post; thence by line of lot now or formerly of A. F. Logan in a Northerly direction One Hundred Thirty (130) feet to a post in line of Walnut Street; thence by Walnut Street in a Westerly direction Forty-two and one-half (42 1/2) feet to a post and place of beginning.

AND ALSO the full and uninterrupted use, liberty and privilege of and passage in and along a certain alley or passage of Ten (10) feet in width and about Thirty-Seven (37) feet or more in depth, described as follows:

BEGINNING at a post corner between the premises hereby conveyed and lot now of formerly of A. F. Logan, extending thence by Lot No. 20 in an Easterly direction Thirty-Seven (37) feet or more to Fourth Street; thence by Fourth Street in a Northerly direction Ten (10) feet to a post; thence by land now or formerly of A. F. Logan in a Westerly direction Thirty-Seven (37) feet or more to a post in line between the lot hereby conveyed and the lot over which this right of way is given, thence by line between said lots in a Southerly direction Ten (10) feet to post and place of beginning, together with the right of free ingress, egress and regress to and from the said Herman Hoffman, his heirs and assigns.

BEING the same premises conveyed to the Mortgagors herein by Deed of Brant Maxwell Forcey and Melissa Marie Forcey dated September 28, 2005 and recorded in the Office of the Register and Record for Clearfield County as Instrument No. 2005 16319.

PROPERTY BEING: 319 EAST WALNUT STREET

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

francis s. hallinan

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 2-20-07

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102482
NO: 07-283-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A.

vs.

DEFENDANT: MICHELLE B. WORMUTH and SHELDON D. WORMUTH aka
SHELDON DEWITT WORMUTH, III

SHERIFF RETURN

NOW, February 28, 2007 AT 12:00 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON
MICHELLE B. WORMUTH DEFENDANT AT 319 EAST WALNUT ST., CLEARFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA, BY HANDING TO MICHELLE B. WORMUTH, DEFENDANT A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

FILED
07-3561
MAY 17 2007
LN

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102482
NO: 07-283-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A.

vs.

DEFENDANT: MICHELLE B. WORMUTH and SHELDON D. WORMUTH aka
SHELDON DEWITT WORMUTH, III

SHERIFF RETURN

NOW, February 28, 2007 AT 12:00 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON
SHELDON D. WORMUTH aka SHELDON DEWITT WORMUTH III DEFENDANT AT 319 EAST WALNUT ST.,
CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MICHELLE WORMUTH, WIFE A TRUE
AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE
CONTENTS THEREOF.

SERVED BY: HUNTER /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102482
NO: 07-283-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A.

vs.

DEFENDANT: MICHELLE B. WORMUTH and SHELDON D. WORMUTH aka
SHELDON DEWITT WORMUTH, III

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	576314	20.00
SHERIFF HAWKINS	PHELAN	576314	26.00

Sworn to Before Me This

So Answers,

____ Day of _____ 2007


by *Maury T. Harr*
Chester A. Hawkins
Sheriff

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE
1100 VIRGINIA DRIVE P.O. BOX 8300
FORT WASHINGTON, PA 19034

Attorney for Plaintiff

Plaintiff

v.

**MICHELLE B. WORMUTH
SHELDON D. WORMUTH A/K/A SHELDON
DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830**

Defendant(s).

PRAECLP FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **MICHELLE B. WORMUTH and**
SHELDON D. WORMUTH A/K/A SHELDON DEWITT WORMUTH, III, Defendant(s) for failure to file an
Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged
premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 64,687.77
Interest - 02/23/2007 TO 05/06/2008	\$6,167.95
TOTAL	\$ 70,855.72

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 5/7/08

PRO PROTHY

148922

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY, : COURT OF COMMON PLEAS
N.A., AS SUCCESSOR TO JP MORGAN CHASE :
BANK, N.A., AS TRUSTEE : CIVIL DIVISION
Plaintiff :
Vs. : CLEARFIELD COUNTY
: NO. 07-283-CD

MICHELLE B. WORMUTH
SHELDON D. WORMUTH
A/K/A SHELDON DEWITT WORMUTH, III
Defendants

TO: SHELDON D. WORMUTH A/K/A SHELDON DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830

FILE COPY

DATE OF NOTICE: APRIL 9, 2007

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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 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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
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ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY, : COURT OF COMMON PLEAS
N.A., AS SUCCESSOR TO JP MORGAN CHASE
BANK, N.A., AS TRUSTEE : CIVIL DIVISION
Plaintiff : CLEARFIELD COUNTY
Vs. : NO. 07-283-CD
MICHELLE B. WORMUTH
SHELDON D. WORMUTH
A/K/A SHELDON DEWITT WORMUTH, III
Defendants

TO: MICHELLE B. WORMUTH
319 EAST WALNUT STREET
CLEARFIELD, PA 16830

FILE COPY

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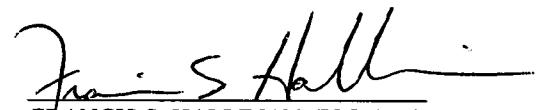
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100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE
1100 VIRGINIA DRIVE P.O. BOX 8300
FORT WASHINGTON, PA 19034

:
:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 07-283-CD

Plaintiff,

v.

MICHELLE B. WORMUTH
SHELDON D. WORMUTH A/K/A SHELDON
DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830

:
:
:
:
:

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant MICHELLE B. WORMUTH is over 18 years of age and resides at 319 EAST WALNUT STREET, CLEARFIELD, PA 16830.

(c) that defendant SHELDON D. WORMUTH A/K/A SHELDON DEWITT WORMUTH, III is over 18 years of age, and resides at 319 EAST WALNUT STREET, CLEARFIELD, PA 16830.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE

(Rule of Civil Procedure No. 236 - Revised)

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

COPY

THE BANK OF NEW YORK TRUST :
COMPANY, N.A. AS SUCCESSOR TO :
JPMORGAN CHASE BANK, N.A. AS :
TRUSTEE :
1100 VIRGINIA DRIVE P.O. BOX 8300 :
FORT WASHINGTON, PA 19034 :
: CIVIL DIVISION

Plaintiff, : NO. 07-283-CD

v.

MICHELLE B. WORMUTH :
SHELDON D. WORMUTH A/K/A SHELDON :
DEWITT WORMUTH, III :
319 EAST WALNUT STREET :
CLEARFIELD, PA 16830 :

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on May 7, 2008

BY Willie L. Thompson DEPUTY

If you have any questions concerning this matter, please contact:

Daniel G. Schmieg

DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

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

COPY

Bank of New York Trust Company, N.A.

JP Morgan Chase Bank, N.A.

Plaintiff(s)

No.: 2007-00283-CD

Real Debt: \$70,855.72

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Michelle B. Wormuth and
Sheldon D. Wormuth, a/k/a
Sheldon Dewitt Wormuth, III
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: May 7, 2008

Expires: May 7, 2013

Certified from the record this 7th day of May, 2008.



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

PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
vs.

MICHELLE B. WORMUTH

SHELDON D. WORMUTH A/K/A
SHELDON DEWITT WORMUTH,
III

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

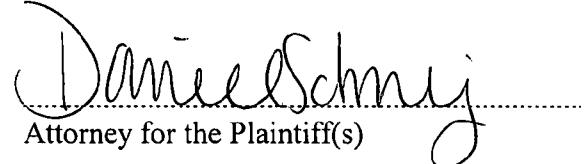
No. 07-283-CD Term 20.....

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due	\$70,855.72
Prothonotary costs	105.00
Interest from 5/7/08 to Sale	\$ _____.
Per diem \$11.65	
Add'l Costs	\$3,398.50
Writ Total	\$


Daniel Schmitz
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

148922

FILED Atty pd. \$20.00
m/13/08
MAY 28 2008 ICC & Writs
w/prop. desc. to
William A. Shaw
Prothonotary/Clerk of Courts Sheriff
(GK)

No. 07-283-CD Term 20 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

vs.

MICHELLE B. WORMUTH
SHELDON D. WORMUTH A/K/A SHELDON
DEWITT WORMUTH, III

PRAECEPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Sheldon D. Wormuth

Attorney for Plaintiff(s)

Address: MICHELLE B. WORMUTH SHELDON D. WORMUTH A/K/A SHELDON
DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830 CLEARFIELD, PA 16830

LEGAL DESCRIPTION

ALL that certain lot of ground and right-of-way hereinafter granted situate in the Second Ward of Clearfield Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post on South side of Walnut Street; thence by lot now or formerly of Fulford South Fifteen (15) degrees Thirty (30) minutes West One Hundred Twenty (120) feet to a post in line of Lot No. 20 in Mossop's Addition; thence by said lot in an Easterly direction Thirty-nine (39) feet to a post; thence by line of lot now or formerly of A. F. Logan in a Northerly direction One Hundred Thirty (130) feet to a post in line of Walnut Street; thence by Walnut Street in a Westerly direction Forty-two and one-half (42 1/2) feet to a post and place of beginning.

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BEING the same premises conveyed to the Grantors herein by Deed of Andrew J. Ross, Jr. and Annjane Ross, husband and wife, dated June 27, 1997 and recorded in Clearfield County Deeds and Records Book 1853, page 31.

PARCEL IDENTIFICATION NO: K08-222-00011 CONTROL #: 004210515

TITLE TO SAID PREMISES IS VESTED IN Sheldon D. Wormuth and Michelle B. Wormuth, husband and wife, as tenants by the entireties, by Deed from Brant Maxwell Forcey and Melissa Marie Forcey, husband and wife, dated 09/28/2005, recorded 09/29/2005, in Deed Mortgage Inst# 200516319.

Premises being: 319 EAST WALNUT STREET
CLEARFIELD, PA 16830

Tax Parcel No. K08-222-00011

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE
1100 VIRGINIA DRIVE P.O. BOX 8300
FORT WASHINGTON, PA 19034**

:
: **CLEARFIELD COUNTY
COURT OF COMMON PLEAS**
:
: **CIVIL DIVISION**
:
: **NO. 07-283-CD**

Plaintiff,

v.

**MICHELLE B. WORMUTH
SHELDON D. WORMUTH
A/K/A SHELDON DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830**

:
:
:
:
:

Defendant(s).

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. sec.4904 relating to unsworn falsification to authorities.



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

THE BANK OF NEW YORK TRUST COMPANY, :
N.A. AS SUCCESSOR TO JPMORGAN CHASE :
BANK, N.A. AS TRUSTEE :
1100 VIRGINIA DRIVE P.O. BOX 8300 :
FORT WASHINGTON, PA 19034 :

Plaintiff, :
v. :
NO. 07-283-CD

MICHELLE B. WORMUTH :
SHELDON D. WORMUTH :
A/K/A SHELDON DEWITT WORMUTH, III :
319 EAST WALNUT STREET :
CLEARFIELD, PA 16830 :

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at 319 EAST WALNUT STREET, CLEARFIELD, PA 16830.

1. Name and address of Owner(s) or reputed Owner(s):

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
MICHELLE B. WORMUTH	319 EAST WALNUT STREET CLEARFIELD, PA 16830

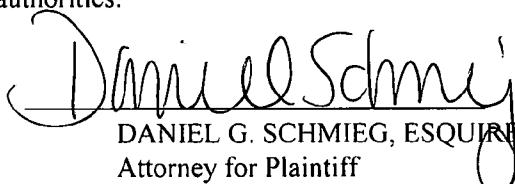
SHELDON D. WORMUTH A/K/A SHELDON DEWITT WORMUTH, III	319 EAST WALNUT STREET CLEARFIELD, PA 16830
---	--

2. Name and address of Defendant(s) in the judgment:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
Same as Above	

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

MAY 27, 2008
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE 1100 VIRGINIA DRIVE P.O. BOX 8300 FORT WASHINGTON, PA 19034	:	CLEARFIELD COUNTY COURT OF COMMON PLEAS CIVIL DIVISION
--	---	--

Plaintiff, : **NO. 07-283-CD**

v.

**MICHELLE B. WORMUTH
SHELDON D. WORMUTH
A/K/A SHELDON DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830**

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129

**THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **319 EAST WALNUT STREET, CLEARFIELD, PA 16830**.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None

4. Name and address of the last recorded holder of every mortgage of record:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

County National Bank **Corner of Second & Market Streets, P.O. Box 42**
Clearfield, PA 16830

5. Name and address of every other person who has any record lien on the property:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

TENANT/OCCUPANT

**319 EAST WALNUT STREET
CLEARFIELD, PA 16830**

**DOMESTIC RELATIONS
CLEARFIELD COUNTY**

**CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830**

**COMMONWEALTH OF
PENNSYLVANIA**

**DEPARTMENT OF WELFARE
PO BOX 2675
HARRISBURG, PA 17105**

**Commonwealth of Pennsylvania
Bureau of Individual Tax
Inheritance Tax Division**

**6th Floor, Strawberry Sq., Dept 28061
Harrisburg, PA 17128**

**Internal Revenue Service
Federated Investors Tower**

**13TH Floor, Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222**

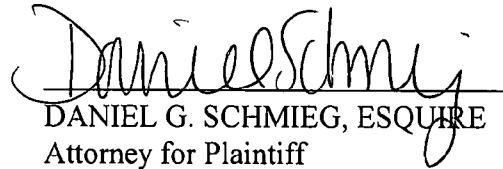
**Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program**

**P.O. Box 8486
Willow Oak Building
Harrisburg, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

MAY 27, 2008

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

OPY

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE

vs.

MICHELLE B. WORMUTH

SHELDON D. WORMUTH A/K/A
SHELDON DEWITT WORMUTH,
III

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 319 EAST WALNUT STREET, CLEARFIELD, PA 16830
(See Legal Description attached)

Amount Due	\$70,855.72
Interest from 5/7/08 to Sale	105.00
Per diem \$11.65	
Add'l Costs	\$3,398.50
Writ Total	\$

Walter L. Sharpen
(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated May 28, 2008
(SEAL)

148922

No. 07-283-CD Term 20 ...A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

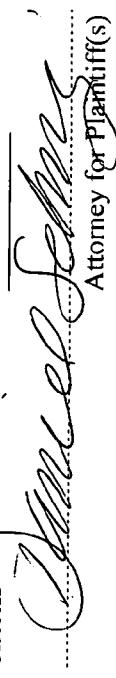
THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

vs.

MICHELLE B. WORMUTH
SHELDON D. WORMUTH A/K/A SHELDON
DEWITT WORMUTH, III

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs	\$70,855.72
Real Debt	
Int. from 5/7/08 To Date of Sale (\$11.65 per diem)	
Costs	
Prothy Pd.	<u>185.00</u>

Sheriff 
Attorney for Plaintiff(s)

Address: MICHELLE B. WORMUTH SHELDON D. WORMUTH A/K/A SHELDON
DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830 CLEARFIELD, PA 16830

LEGAL DESCRIPTION

ALL that certain lot of ground and right-of-way hereinafter granted situate in the Second Ward of Clearfield Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post on South side of Walnut Street; thence by lot now or formerly of Fulford South Fifteen (15) degrees Thirty (30) minutes West One Hundred Twenty (120) feet to a post in line of Lot No. 20 in Mossop's Addition; thence by said lot in an Easterly direction Thirty-nine (39) feet to a post; thence by line of lot now or formerly of A. F. Logan in a Northerly direction One Hundred Thirty (130) feet to a post in line of Walnut Street; thence by Walnut Street in a Westerly direction Forty-two and one-half (42 1/2) feet to a post and place of beginning.

AND ALSO the full and uninterrupted use, liberty and privilege of and passage in and along a certain alley or passage of Ten (10) feet in width and about Thirty-Seven (37) feet or more in depth, described as follows:

BEGINNING at a post corner between the premises hereby conveyed and lot now or formerly of A. F. Logan, extending thence by Lot No. 20 in an Easterly direction Thirty-Seven (37) feet or more to Fourth Street; thence by Fourth Street in a Northerly direction Ten (10) feet to a post; thence by land now or formerly of A.F. Logan in a Westerly direction Thirty-Seven (37) feet or more to a post in line between the lot hereby conveyed and the lot over which this right of way is given, thence by line between said lots in a Southerly direction Ten (10) feet to post and place of beginning, together with the right of free ingress, egress and regress to and from the said Herman Hoffman, his heirs and assigns.

BEING the same premises conveyed to the Grantors herein by Deed of Andrew J. Ross, Jr. and Annjane Ross, husband and wife, dated June 27, 1997 and recorded in Clearfield County Deeds and Records Book 1853, page 31.

PARCEL IDENTIFICATION NO: K08-222-00011 CONTROL #: 004210515

TITLE TO SAID PREMISES IS VESTED IN Sheldon D. Wormuth and Michelle B. Wormuth, husband and wife, as tenants by the entireties, by Deed from Brant Maxwell Forcey and Melissa Marie Forcey, husband and wife, dated 09/28/2005, recorded 09/29/2005, in Deed Mortgage Inst# 200516319.

Premises being: 319 EAST WALNUT STREET
CLEARFIELD, PA 16830

Tax Parcel No. K08-222-00011

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20782

NO: 07-283-CD

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK,
N.A. AS TRUSTEE

vs.

DEFENDANT: MICHELLE B. WORMUTH, SHELDON D. WORMUTH A/K/A SHELDON DEWITT WORMUTH, III

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 5/28/2008

LEVY TAKEN 6/10/2008 @ 3:15 PM

POSTED 6/10/2008 @ 3:15 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 10/23/2023

DATE DEED FILED NOT SOLD

DETAILS

@ SERVED MICHELLE B. WORMUTH

DEPUTIES WERE UNABLE TO SERVE MICHELLE B. WORMUTH, DEFENDANT AT HER RESIDENCE 319 WALNUT STREET, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA THE RESIDENCE WAS EMPTY.

@ SERVED SHELDON D. WORMUTH A/K/A SHELDON DEWITT WORMUTH III

DEPUTIES WERE UNABLE TO SERVE SHELDON D. WORMUTH A/K/A SHELDON DEWITT WORMUTH III, DEFENDANT, AT HIS RESIDENCE 319 WALNUT STREET, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA THE RESIDENCE WAS EMPTY.

@ SERVED

NOW, JULY 1, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR AUGUST 1, 2008. DUE TO A CHARGE-OFF.

FILED
01/11/2008
OCT 23 2008
5
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20782
NO: 07-283-CD

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK,
N.A. AS TRUSTEE

vs.

DEFENDANT: MICHELLE B. WORMUTH, SHELDON D. WORMUTH A/K/A SHELDON DEWITT WORMUTH, III

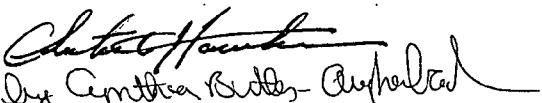
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$174.04

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,


By: *Cynthia Butler-Cayhula*
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE

vs.

MICHELLE B. WORMUTH

SHELDON D. WORMUTH A/K/A
SHELDON DEWITT WORMUTH,
III

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 319 EAST WALNUT STREET, CLEARFIELD, PA 16830
(See Legal Description attached)

Amount Due	\$70,855.72
Interest from 5/7/08 to Sale	\$ _____.
Per diem \$11.65	
Add'l Costs	\$3,398.50
Writ Total	\$ _____.

Will L. B.
(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated May 28, 2008
(SEAL)

148922

Received this writ this 28th day
of May A.D. 2008
At 3:00 A.M./P.M.

Chester A. Hawkins
Sheriff by Amber Button-Aylenhau

No. 07-283-CD Term 20A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

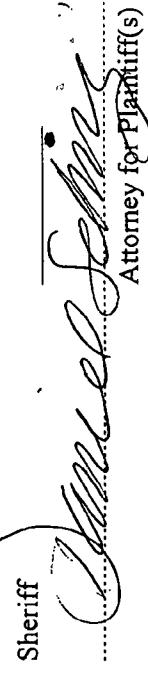
vs.

MICHELLE B. WORMUTH
SHELDON D. WORMUTH A/K/A SHELDON
DEWITT WORMUTH, III

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs	\$70,855.72
Real Debt	

Int. from 5/7/08
To Date of Sale (\$11.65 per diem)

Costs	
Prothy Pd.	<u>125.00</u>
Sheriff	 _____ Attorney for Plaintiff(s)

Address: MICHELLE B. WORMUTH SHELDON D. WORMUTH A/K/A SHELDON
DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830 CLEARFIELD, PA 16830

LEGAL DESCRIPTION

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BEGINNING at a post on South side of Walnut Street; thence by lot now or formerly of Fulford South Fifteen (15) degrees Thirty (30) minutes West One Hundred Twenty (120) feet to a post in line of Lot No. 20 in Mossop's Addition; thence by said lot in an Easterly direction Thirty-nine (39) feet to a post; thence by line of lot now or formerly of A. F. Logan in a Northerly direction One Hundred Thirty (130) feet to a post in line of Walnut Street; thence by Walnut Street in a Westerly direction Forty-two and one-half (42 1/2) feet to a post and place of beginning.

AND ALSO the full and uninterrupted use, liberty and privilege of and passage in and along a certain alley or passage of Ten (10) feet in width and about Thirty-Seven (37) feet or more in depth, described as follows:

BEGINNING at a post corner between the premises hereby conveyed and lot now of formerly of A. F. Logan, extending thence by Lot No. 20 in an Easterly direction Thirty-Seven (37) feet or more to Fourth Street; thence by Fourth Street in a Northerly direction Ten (10) feet to a post; thence by land now or formerly of A.F. Logan in a Westerly direction Thirty-Seven (37) feet or more to a post in line between the lot hereby conveyed and the lot over which this right of way is given, thence by line between said lots in a Southerly direction Ten (10) feet to post and place of beginning, together with the right of free ingress, egress and regress to and from the said Herman Hoffman, his heirs and assigns.

BEING the same premises conveyed to the Grantors herein by Deed of Andrew J. Ross, Jr. and Annjane Ross, husband and wife, dated June 27, 1997 and recorded in Clearfield County Deeds and Records Book 1853, page 31.

PARCEL IDENTIFICATION NO: K08-222-00011 **CONTROL #: 004210515**

TITLE TO SAID PREMISES IS VESTED IN Sheldon D. Wormuth and Michelle B. Wormuth, husband and wife, as tenants by the entireties, by Deed from Brant Maxwell Forcey and Melissa Marie Forcey, husband and wife, dated 09/28/2005, recorded 09/29/2005, in Deed Mortgage Inst# 200516319.

Premises being: 319 EAST WALNUT STREET
CLEARFIELD, PA 16830

Tax Parcel No. K08-222-00011

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME MICHELLE B. WORMUTH

NO. 07-283-CD

NOW, October 23, 2008, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of Michelle B. Wormuth, Sheldon D. Wormuth A/K/A Sheldon Dewitt Wormuth, lli to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	2.00
LEVY	15.00
MILEAGE	2.00
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.04
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$174.04

DEED COSTS:

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$0.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	70,855.72
INTEREST @ 11.6500	0.00
FROM TO	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	3,398.50
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$74,294.22

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	174.04
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$299.04

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

**Phelan Hallinan & Schmieg, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000
Fax: (215) 563-7009**

Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

July 1, 2008

Office of the Sheriff
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830

Attn: Real Estate Department

Fax Number: 814-765-5915

**Re: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE v.
MICHELLE B. WORMUTH and SHELDON D. WORMUTH
319 EAST WALNUT STREET CLEARFIELD, PA 16830
Court No. 07-283-CD**

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is
scheduled for August 1, 2008 due to the following: OTHER - Charge-off.

\$0.00 was received in consideration of the stay. Please be advised that no funds
were reported received.

You are hereby directed to immediate discontinue the advertising of the sale and
processing or posting of the Notice of Sale.

Please return the original Writ of Execution to the Prothonotary as soon as
possible..

Thank you for your correspondence in this matter.

Very Truly Yours,
SUE FRUIT for
Phelan Hallinan & Schmieg, LLP

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

148922

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

Plaintiff

v.

MICHELLE B. WORMUTH
SHELDON D. WORMUTH
A/K/A SHELDON DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-283-CD

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

FILED

MT3:566P
FEB 23 2007
CM

Atty pd. 85.00
2cc Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

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 twenty (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 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, 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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF
RECEIPT OF THIS PLEADING, COUNSEL FOR
PLAINTIFF WILL OBTAIN AND PROVIDE
DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING,
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)
THE NAME AND ADDRESS OF THE ORIGINAL
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS**

COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

2. The name(s) and last known address(es) of the Defendant(s) are:

MICHELLE B. WORMUTH
SHELDON D. WORMUTH
A/K/A SHELDON DEWITT WORMUTH, III
319 EAST WALNUT STREET
CLEARFIELD, PA 16830

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 09/28/2005 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200516320. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
4. The premises subject to said mortgage is described as attached.