

07-333-CD

Capital One vs Edna Wehler

Capital One vs Edna Wehler
2007-333-CD

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

CAPITAL ONE F.S.B.

Plaintiff

No: 2007-333-CD

vs.

COMPLAINT IN CIVIL ACTION

EDNA WEHLER

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
05615556 C N Pit CXC

FILED pd \$85.00 Atty
m/4:00 pm NOCC
MAR 05 2007 ICCShff
JW

William A. Shaw
Prothonotary/Clerk of Courts

July 9, 2007 Document

Reinstated/Reissued to Sheriff/Attorney
for service.

Deputy Prothonotary

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

CAPITAL ONE F.S.B.

Plaintiff
vs. Civil Action No
EDNA WEHLER
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 F.S.B. 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:

EDNA WEHLER
21 E LONG AV
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number 5178052100832498 .

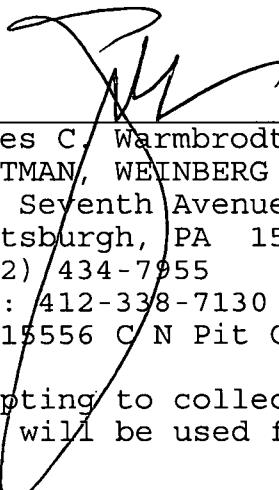
4. Defendant made use of said credit card and has a current balance due of \$1515.32 , as of February 14, 2007 .

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 20.050% per annum on the unpaid balance from February 14, 2007 . 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 , EDNA WEHLER , INDIVIDUALLY , in the amount of \$1515.32 with continuing interest thereon at the rate of 20.050% per annum from February 14, 2007 plus costs.


James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
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FAX: 412-338-7130
05615556 C N Pit CXC

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CapitalOne

PLATINUM MASTERCARD ACCOUNT

JUL 28 - AUG 27, 2005

Page 1 of 1

Account Summary

Previous Balance	\$1,113.57
Payments, Credits and Adjustments	\$0.00
Transactions	\$39.00
Finance Charges	\$19.12
New Balance	\$1,171.69
Minimum Amount Due	\$1,171.69
Payment Due Date	September 27, 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	27 AUG	CAPITAL ONE MONTHLY MEMBER FEE	\$4.00
2	27 AUG	PAST DUE FEE	\$35.00

You were assessed a past due fee of \$35.00 on 08/27/2005 because your minimum payment was not received by the due date of 08/27/2005. 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:
1-800-955-7070

Send payment to:
Attn: Remittance Processing
CapitalOne, F.S.B.
P.O. Box 790217
St. Louis MO 63179-0217

Send inquiries to:
CapitalOne
P.O. Box 30285
SLC, UT 84130-0285

EXHIBIT

Finance Charges		Please see reverse side for important information		
		Balance applied	Periodic rate	Corresponding APR
PURCHASES		\$636.66	.05493% ²⁶	20.05%
CASH		\$162.28	.05493% ²⁶	20.05%
SPECIAL TRANSFERS		\$323.97	.05493% ²⁶	20.05%

ANNUAL PERCENTAGE RATE applied this period 20.05%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne

0000000 7 5178052100832498 27 1171690050001171697

5215

New Balance	\$1,171.69
Minimum Amount Due	\$1,171.69
Payment Due Date	September 27, 2005
Total enclosed	\$
Account Number:	5178-0521-0083-2498

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

Street	Apt#	
City	State	ZIP
Home Phone	Alternate Phone	
Email Address		

005215

#9024040237139430# MAIL ID NUMBER

EDNA WEHLER
129 FERN LANE
KERSEY PA 15846-3005



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

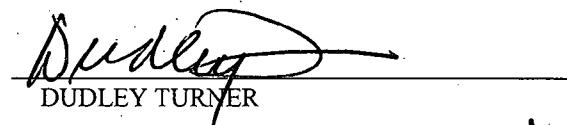
VERIFICATION

CAPITAL ONE BANK, F.S.B.

vs

WEHLER, EDNA

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, DUDLEY TURNER, Authorized Agent, of CAPITAL ONE BANK, F.S.B., 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.


DUDLEY TURNER



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

5178052100832498
A049
WELTMAN, WEINBERG & REIS CO., L.P.A.

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

CAPITAL ONE F.S.B

Plaintiff No. : 2007-333-CD

vs. PRAECLPICE TO REINSTATE COMPLAINT

EDNA WEHLER

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan
PA I.D. #47437
WELTMAN, WEINBERG & REIS, CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05615556

FILED Atty pd.
11:52 AM 7.00
JUL 09 2007, CCOI

William A. Shaw Compl.
Prothonotary/Clerk of Courts Reinstated
to Sheriff

(GR)

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

CAPITAL ONE F.S.B

Plaintiff

vs.

Civil Action No. : 2007-333-CD

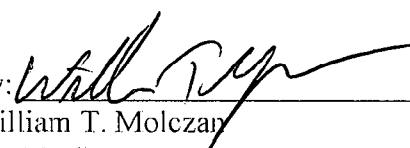
EDNA WEHLER

Defendant

PRAECIPE TO REINSTATE COMPLAINT

Kindly reinstate the Complaint in the above captioned matter.

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

By: 

William T. Molczan

PA I.D. #47437

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR #05615556

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **102523**

CAPITAL ONE F.S.B.

Case # 07-333-CD

VS.

EDNA WEHLER

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW July 20, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO EDNA WEHLER, DEFENDANT. MOVED 6 MONTHS AGO, NO FORWARDING.

SERVED BY: /

Return Costs

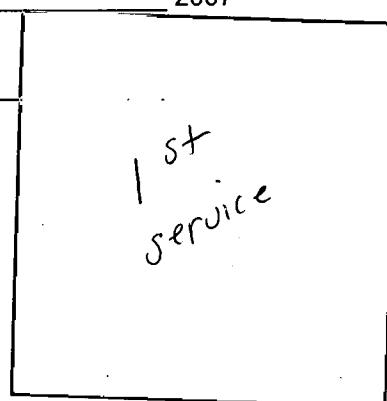
PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2761916	10.00
SHERIFF HAWKINS	WELTMAN	2761916	32.43

Sworn to Before me This

____ Day of 2007

So Answers,

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



FILED
6/3/2007
JUL 20 2007
LM

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE F.S.B.

Plaintiff

No: 2007-333-CD

vs.

COMPLAINT IN CIVIL ACTION

EDNA WEHLER

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
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Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05615556 C N Pit CXC

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

MAR 05 2007

Attest.

William L. Blawie
Prothonotary/
Clerk of Courts

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

CAPITAL ONE F.S.B.

Plaintiff
vs. Civil Action No
EDNA WEHLER
Defendant

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COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
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CLEARFIELD, PA 16830
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COMPLAINT

1. Plaintiff, CAPITAL ONE F.S.B. 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:

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21 E LONG AV
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number 5178052100832498 .

4. Defendant made use of said credit card and has a current balance due of \$1515.32 , as of February 14, 2007 .

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 20.050% per annum on the unpaid balance from February 14, 2007 . 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 , EDNA WEHLER , INDIVIDUALLY , in the amount of \$1515.32 with continuing interest thereon at the rate of 20.050% per annum from February 14, 2007 plus costs.

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Pittsburgh, PA 15219
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With 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. 55K is the maximum speed of service; actual speed may vary.

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1. How To Avoid A Finance Charge

DILGLBAK

Importants! Notice! Payments to us will be credited to your accounts of the business day you received, provided (1) you send the payment prior to this statement and your check in the enclosed amount, (2) you payments received on or before 3 p.m. EST on 17th business day, (3) we allow five (5) business days for postal delivery. Payments received by us at any other time or day will be credited to the next business day we receive them. Our business days are Monday through Saturday, excluding all public holidays. Please do not use staples, paperclips, etc. when preparing your payment. When you send us a check(s), you authorize us to make one-time electronic transfer on your bank account for the amount(s) of the check(s). This authorization is complete if all checks received during the billing cycle (even if sent by someone else). If we cannot process a transfer you authorize us to make a charge against your account using the check, paperclip or other item.

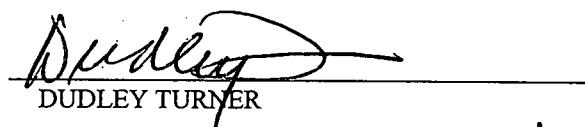
VERIFICATION

CAPITAL ONE BANK, F.S.B.

vs

WEHLER, EDNA

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DUDLEY TURNER



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

5178052100832498

A049

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

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

CAPITAL ONE F.S.B.

Plaintiff No. 2007-333-CD

vs. PRAECIPE TO SETTLE, DISCONTINUE
EDNA WEHLER AND END WITHOUT PREJUDICE TO REFILE

EDNA WEHLER

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.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05615556

FILED NO CC
11:40 AM & 1 Cert of
OCT 01 2007 disc issued
William A. Shaw
Prothonotary/Clerk of Courts
to Atty Molczan

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

CAPITAL ONE F.S.B.

Plaintiff

vs.

Civil Action No. 2007-333-CD

EDNA WEHLER

Defendant

PRAECLPSE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Settle, Discontinue and End the above-captioned matter upon the records of the Court without prejudice to refile and mark the costs paid.

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

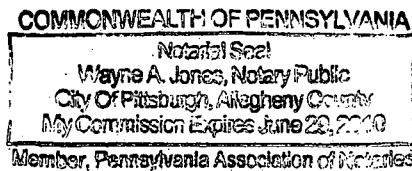
By: 
William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

SWORN TO AND SUBSCRIBED

before me this 12th day

of September, 2007

Wayne A. Jones
NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Capital One F.S.B.

Vs.
Edna Wehler

No. 2007-00333-CD

CERTIFICATE OF DISCONTINUATION

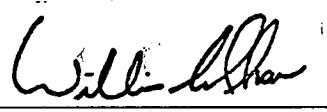
Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on October 1, 2007, marked:

Settled, discontinued and ended without prejudice

Record costs in the sum of \$92.00 have been paid in full by William T. Molczan Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 1st day of October A.D. 2007.


William A. Shaw, Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

102982

CAPITAL ONE F.S.B.

Case # 07-333-CD

vs.

EDNA WEHLER

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW December 12, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO EDNA WEHLER, DEFENDANT. 50 REDWOOD R., PENFIELD "TRAILER EMPTY".

SIGN ON TRAILER "FOR SALE" 814-867-4616

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8472873	10.00
SHERIFF HAWKINS	WELTMAN	8472873	20.52

Sworn to Before me This

____ Day of 2006

So Answers,

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

FILED
03:00 PM
DEC 14 2007
W.A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE F.S.B.

Plaintiff

No: 07-333-CD

vs.

COMPLAINT IN CIVIL ACTION

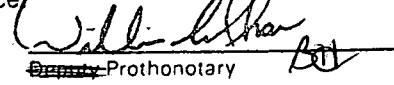
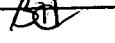
EDNA WEHLER

Defendant

FILED ON BEHALF OF
Plaintiff

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7/9/07 Document
Reinstated ~~for~~ served to Sheriff ~~Attorney~~
for service

~~Deputy~~ Prothonotary 

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

CAPITAL ONE F.S.B.

Plaintiff
vs. Civil Action No

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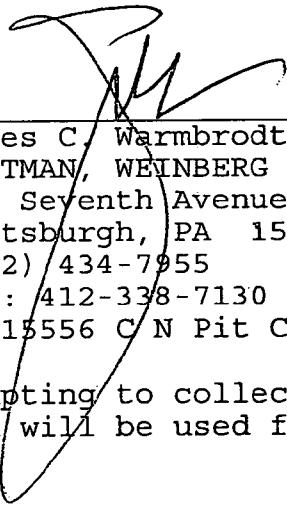
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This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

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first 3 months;
\$9.95/mo
thereafter

**SIGN UP
TODAY!**

1-888-587-9669

Mention Offer Code: COPPER
Visit: www.peoplepc.com/go/copper

SPECIAL PRICE FOR CAPITAL ONE CARDHOLDERS

003
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**PeoplePC Online offers all the features
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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 faster¹ with PeoplePC
Online Accelerated™ for a few dollars more.

CapitalOne®

PLATINUM MASTERCARD ACCOUNT
5178-0521-0083-2498

JUL 28 - AUG 27, 2005

Page 1 of 1

Account Summary

Previous Balance	\$1,113.57
Payments, Credits and Adjustments	\$0.00
Transactions	\$39.00
Finance Charges	\$19.12
New Balance	\$1,171.69
Minimum Amount Due	\$1,171.69
Payment Due Date	September 27, 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	27 AUG	CAPITAL ONE MONTHLY MEMBER FEE	\$4.00
2	27 AUG	PAST DUE FEE	35.00

You were assessed a past due fee of \$35.00 on 08/27/2005 because your minimum payment was not received by the due date of 08/27/2005. 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:

1-800-955-7070

Send payment to:
Alt: Remittance Processing
CapitalOne F.S.B.
P.O. Box 790217
St. Louis, MO 63179-0217

Send inquiries to:
CapitalOne
P.O. Box 30285
SLC, UT 84130-0285

EXHIBIT

Finance Charges				Please see reverse side for important information			
	Balance applied	Periodic rate	Corresponding APR	FINANCE CHARGE			
PURCHASES	\$636.66	.05493% ²	20.05%	\$10.84			
CASH	\$162.28	.05493% ²	20.05%	\$2.76			
SPECIAL TRANSFERS	\$323.97	.05493% ²	20.05%	\$5.52			

ANNUAL PERCENTAGE RATE applied this period **20.05%**

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne®

0000000 7 5178052100832498 27 1171690050001171697

New Balance **\$1,171.69**
Minimum Amount Due **\$1,171.69**
Payment Due Date **September 27, 2005**
Total enclosed **\$**
Account Number: **5178-0521-0083-2498**

Please print mailing address and mail using blue or black ink.

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

#9024040237139430# MAIL ID NUMBER

EDNA WEHLER
129 FERN LANE
KERSERY PA 15846-3005



005215

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

VERIFICATION

CAPITAL ONE BANK, F.S.B.

vs

WEHLER, EDNA

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, DUDLEY TURNER, Authorized Agent, of CAPITAL ONE BANK, F.S.B., 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.


DUDLEY TURNER



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

5178052100832498

A049

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