

07-351-CD
Citibank vs Anthony F. Wining

Citibank vs Anthony Wining
2007-351-CD

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

CITIBANK (SOUTH DAKOTA) N.A.,

Plaintiff

No. 2007-351-C0

vs.

COMPLAINT IN CIVIL ACTION

ANTHONY F WINING,

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

WWR#05666396

FILED *pd \$85.00 Atty*
m/11:40 am 1cc Shff
MAR 08 2007
UN

William A. Shaw
Prothonotary/Clerk of Courts

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

CITIBANK (SOUTH DAKOTA) N.A.,

Plaintiff

vs.

Civil Action No.

ANTHONY F WINING,

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 ABOUT 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 Citibank (South Dakota) N.A., with place of business located at 701 East 50th Street North, Sioux Falls, South Dakota, 57117.
2. Defendant is an adult individual residing at 411 CURTIN ST, OSCEOLA MILLS,PA 16666 .
3. Plaintiff is a national banking association, engaged in consumer lending through the issuance of credit cards.
4. Pursuant to Defendant's request, Plaintiff furnished to the Defendant a credit card account (hereinafter account) bearing account number 5491130377786322.
5. Plaintiff kept accurate running records of all debits and credits to the Account.
6. Plaintiff mailed to Defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.
7. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$11,333.07 , which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, ANTHONY F WINING , individually, in the amount of \$11,333.07 with interest at the statutory interest rate of 6% per annum from date of judgment plus costs.

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

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

AT&T Universal Cash Rewards Card  **AT&T Universal Card**
 Charter Member

Page 1 of 3

ANTHONY F WINING
 Account 5491 1303 7778 6322
 Calling Card + PIN
 October 19 - November 16, 2006

How To Reach Us
 Visit: www.universalcard.com
 Customer Service: 1-800-423-4343 or write
 Cardmember Services, PO Box 44167
 Jacksonville, FL 32231-4167

Quick Reference

Minimum Payment Due..... \$11,333.07
 Due Date*..... December 11, 2006
 *Payment must be received by 5:00 pm local time on the payment due date.
 Amount Past Due..... \$2,888.01
 Amount Over Limit..... \$1,333.07
 Credit Line..... \$9,500.00
 Available Credit..... \$0.00
 Cash Advance Limit..... \$1,100.00
 Available Cash Advance Limit..... \$0.00

Help is available! Please call the toll-free number shown above to learn about our special payment options. Please give us the opportunity to assist you.

Account Summary

Previous Balance	11,333.07
Payments and Adjustments	0.00
MasterCard® Activity	0.00
Total AT&T Services	0.00
New Balance	\$11,333.07

Note: Detailed activity starts on page 3.

EXHIBIT

date paid	amount paid	check #
-----------	-------------	---------

Please follow payment instructions outlined in the "Important Instructions for Making Payments" section of the statement.

0549113037778632299999999995819

Your Account Number

5491 1303 7778 6322

Please Enter Amount of Payment Enclosed

\$

Payment Due Date	Your Total Balance	Minimum Amount Due
DEC 11-2006	\$11333.07	\$11333.07

2549 MC 34 A 1 AR7051523

ANTHONY F WINING
 ATTNY ACCOUNT-CODE=LE14
 OSCEOLA MILLS PA 16666-1203

AT&T UNIVERSAL CARD
 PO BOX 183062
 COLUMBUS, OH 43218-3062

Verification

Shauna Houghton

I, _____, am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff CITIBANK (SOUTH DAKOTA) N.A. retained to perform services including but not primarily limited to collecting delinquent debt. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc., (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.

Shauna Hight

Shauna Houghton

ANTHONY F WINING
5491130377786322
WWR#05666396

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102534
NO: 07-351-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.
vs.
DEFENDANT: ANTHONY F. WINING

SHERIFF RETURN

NOW, March 29, 2007 AT 10:00 AM SERVED THE WITHIN COMPLAINT ON ANTHONY F. WINING DEFENDANT AT 411 CURTIN ST., OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CHRISTIE WINING, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED
03:20 pm
JUL 06 2007
WMA

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8406480	10.00
SHERIFF HAWKINS	WELTMAN	8406480	76.20

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

Chester A. Hawkins
by Marilyn, Hamps
Chester A. Hawkins
Sheriff

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

Civil Action No. 2007-351-CD

ANTHONY F WINING

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 July 30, 2007

Assumpsit Judgment in the amount
of \$11333.07 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-Pros
 Confession
 Default
 Verdict
 Arbitration
Award

Prothonotary

By:

PROTHONOTARY (OR DEPUTY)

ANTHONY F WINING
411 CURTIN ST
OSCEOLA MILLS, PA 16666

Plaintiff's address is:

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

FILED

JUL 30 2007
u/2:50
William A. Shaw
Prothonotary/Clerk of Courts

1 Client to Dept w/ notice

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

STATEMENT TO
ATTORNEY

CITIBANK (SOUTH DAKOTA) NA

Plaintiff No. 2007-351-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

ANTHONY F WINING

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 Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05666396
Judgment Amount \$ 11333.07

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

Civil Action No. 2007-351-CD

ANTHONY F WINING

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, ANTHONY F WINING above named, in the default of an Answer, in the amount of \$11333.07 computed as follows:

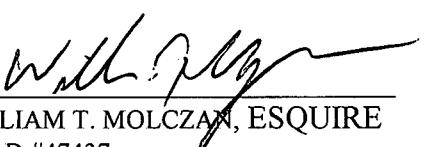
Amount claimed in Complaint	\$11333.07
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Interest from date of judgment at the legal interest rate of 6% per annum	
--	--

TOTAL	\$11333.07
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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.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05666396

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
And that the last known address of the Defendant is: 411 CURTIN ST OSCEOLA MILLS,PA 16666

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

Case # Z 007-351-CD

ANTHONY F WINING

Defendant(s)

IMPORTANT NOTICE

TO: ANTHONY F WINING
411 CURTIN ST
OSCEOLA MILLS, PA 16666

Date of Notice: 5-8-07
WWR#: 05666396

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

CITIBANK (SOUTH DAKOTA) NA

Case no: 2007-351-CD

Plaintiff
vs.
NON-MILITARY AFFIDAVIT

ANTHONY F WINING

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.

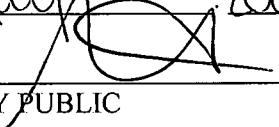
Affiant further states that based upon investigation it is the affiant's belief that the Defendant, ANTHONY F WINING is not in the military service.

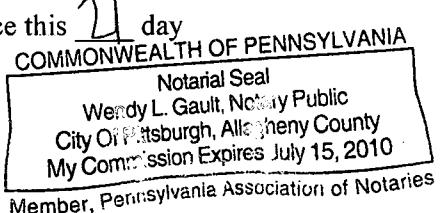
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, ANTHONY F WINING is not in the military service.

Further Affiant sayeth naught.


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 21 day
of May 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

MAY-21-2007 05:45:35



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
WINING	ANTHONY F		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

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: BOYDNGEXQDX

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

Citibank (South Dakota) N.A.
Plaintiff(s)

No.: 2007-00351-CD

Real Debt: \$11,333.07

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Anthony F. Wining
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 30, 2007

Expires: July 30, 2012

Certified from the record this July 30, 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

FILED

AUG 24 2007

11:50 AM

William A. Shaw
Prothonotary/Clerk of Courts

3 CERT TO
SHERIFF W/6 WANTS

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff No. 2007-351-CD

vs. PRAECIPE FOR WRIT OF EXECUTION
(LEVY ONLY)

ANTHONY F WINING

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#5666396

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

Civil Action No. 2007-351-CD

ANTHONY F WINING

Defendant

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of CLEARFIELD County:
2. against ANTHONY F WINING, Defendant
3. Judgment Amount

\$ 11333.07

Interest \$

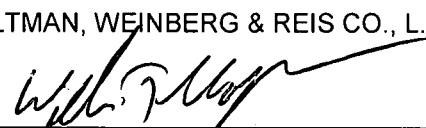
Costs \$

SUBTOTAL: \$ 11333.07

Prothonotary costs

Costs (to be added by Prothonotary): \$ 125.00 \$

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
WWR#5666396

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

CITIBANK (SOUTH DAKOTA) NA
Plaintiff

vs.

Civil Action No. 2007-351-CD

ANTHONY F WINING
Defendant

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: ANTHONY F WINING Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of N/A, as garnishee, N/A and to notify the garnishee that:
 - a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
 - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
 - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or
 - ii. That total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above sated

Amount due \$ 11333.07

Costs to be added \$ _____

Prothonotary costs 125.00

Prothonotary



Deputy

DATED: 8-24-07

WWR#5666396

If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

No. 2007-351-CD

vs.

ANTHONY F WINING

Defendant

WRIT OF EXECUTION
NOTICE

This paper is a "Writ of Execution". It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken and sold by the Sheriff to satisfy your debts. **SUCH PROPERTY IS SAID TO BE EXEMPT**. No matter what you may owe, there is a **DEBTOR'S EXEMPTION** established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below is a summary of some of the major exemptions. You may have other exemptions or other rights. If you have an exemption, you should do the following promptly:

- (1) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. **IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.**

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.

LAWYER REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE NO.: 1-800-692-7375

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON,

(a) I desire that my statutory \$300.00 exemption be:

(1) set aside in kind (specify property, to be set aside in kind):

(2) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption: (specify property and basis of exemption):

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:

(a) my \$300.00 statutory exemption: in cash in kind
(specify property):

(b) Social Security benefits on deposit in the amount of \$ _____

(c) Other (specify amount & basis for exemption): _____

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. § 4904 relating to unsworn falsification to authorities:

Date: _____

Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County
1 N. Second Street, Suite 116, Clearfield County Courthouse
Clearfield, Pennsylvania 16830
Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

Civil Action No. 2007-351-CD

ANTHONY F WINING

Defendant

PRAECIPE FOR APPEARANCE

Kindly enter our appearance on behalf of the Plaintiff in the above captioned matter.

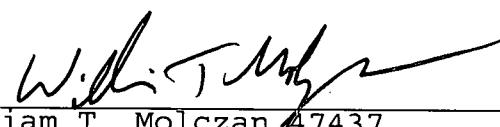
BURTON NEIL, L.P.A. *Assoc. L.C.*

By: 
Yale Weinstein, Esquire
PA I.D. # 39678
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 692-2120

PRAECIPE FOR WITHDRAWAL OF APPEARANCE

Kindly withdraw our appearance on behalf of the Plaintiff in the above captioned matter.

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

By: 
William T. Molczan #47437
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412) 434-7955

FILED
m 12/4/08
S MAR 30 2009
NO CC

APD
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20653
NO: 07-351-CD

PLAINTIFF: CITIBANK (SOUTH DAKOTA) NA

VS.

DEFENDANT: ANTHONY F. WINING

Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 8/24/2007

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 1/16/2012

5 FILED
8:45 AM
JAN 16 2012

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED ANTHONY F. WINING

DEPUTIES WERE UNABLE TO SERVE, AFTER SEVERAL ATTEMPTS TO LOCATE ANTHONY F. WINNING,
DEFENDANT AT 411 CURTIN STREET, OSEOLA MILLS, PENNSYLVANIA.

@ SERVED

NOW, DECEMBER 19, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE
PERSONAL PROPERTY LEVY UNTIL FURTHER NOTICE FROM THEIR OFFICE.

@ SERVED

NOW, JANURAY 16, 2012 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20653
NO: 07-351-CD

PLAINTIFF: CITIBANK (SOUTH DAKOTA) NA

vs.

DEFENDANT: ANTHONY F. WINING

Execution PERSONAL PROPERTY

SHERIFF RETURN

SHERIFF HAWKINS \$121.00

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

Chester Hawkins
by Cynthia Bitter Aufhauser
Chester A. Hawkins
Sheriff

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

CITIBANK (SOUTH DAKOTA) NA
Plaintiff

vs.

Civil Action No. 2007-351-CD

ANTHONY F WINING
Defendant

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: ANTHONY F WINING, Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of N/A, as garnishee, N/A and to notify the garnishee that:
 - a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
 - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
 - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or
 - ii. That total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above sated

Amount due \$ 11333.07

Costs to be added \$ _____
Received this writ this 24th day
of August A.D. 2007 Prothonotary costs 125.00
At 3:00 A.M./P.M. Prothonotary
Chesler A. Hawkins *Will*
Sheriff by Cynthia Ritter Deputy

DATED: 8-24-07

WWR#5666396

If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME ANTHONY F. WINING NO. 07-351-CD

NOW, January 16, 2012, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Anthony F. Wining 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:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	9.00	DEBT-AMOUNT DUE	11,333.07
MILEAGE LEVY	19.40	INTEREST @ %	0.00
MILEAGE POSTING		FROM TO	
HANDBILLS			
COMMISSION	0.00	PROTH SATISFACTION	
POSTAGE		LATE CHARGES AND FEES	
HANDBILLS		COST OF SUIT-TO BE ADDED	
DISTRIBUTION		FORECLOSURE FEES	
ADVERTISING		ATTORNEY COMMISSION	
ADD'L SERVICE		REFUND OF ADVANCE	20.00
ADD'L POSTING		REFUND OF SURCHARGE	
ADD'L MILEAGE	77.60	SATISFACTION FEE	
ADD'L LEVY		ESCROW DEFICIENCY	
BID/ SETTLEMENT AMOUNT		PROPERTY INSPECTIONS	
RETURNS/DEPUTIZE		INTEREST	
COPIES	10.00	MISCELLANEOUS	
BILLING/PHONE/FAX	5.00	TOTAL DEBT AND INTEREST	\$11,599.07
CONTINUED SALES			
MISCELLANEOUS			
TOTAL SHERIFF COSTS	\$121.00	COSTS:	
		ADVERTISING	0.00
		TAXES - COLLECTOR	
		TAXES - TAX CLAIM	
		DUE	
		LIEN SEARCH	
		ACKNOWLEDGEMENT	
		SHERIFF COSTS	121.00
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	125.00
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	\$246.00
		TOTAL COSTS	\$11,599.07

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. 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

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

ATTORNEYS AT LAW
2718 Koppers Bldg., 436 7th Ave.
Pittsburgh, PA 15219
Main Phone: 412 434-7955
Fax Number: 412 434-7959
www.weltman.com

Fax Transmittal

Date: 12/17/07 No. of Pages: 1
To: Cindy. Fax Number: 814-765-5915
From: Jen Borowski Direct Line: 412-434-7955

Comments

RE: Citibank (South Dakota) NA vs Anthony F Wining Docket # 2007-351-CD WWR# 5666396

Please GENERALLY CONTINUE the personal property levy on the above matter until further notice from our office.

If you should have any questions or concerns please contact me. Thanks.

WCR

Cincinnati, OH • Cleveland, OH • Columbus, OH • Detroit, MI • Mount Holly, NJ • Philadelphia, PA

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TOTAL P.01

FILED *S*
pls

JAN 27 2015

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

m/124/BS

law 7.wpd Atty. O'Brien

Burton Neil & Associates, P.C.
By: Edward J. O'Brien, Esquire ID. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120
Attorney for Plaintiff

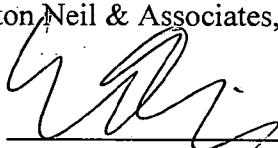
CITIBANK (SOUTH DAKOTA), N.A. : IN THE COURT OF COMMON PLEAS
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
v. : NO. 2007-351-CD
ANTHONY F WINING : CIVIL ACTION - LAW
Defendant

Praecipe to Satisfy Judgment

To the Prothonotary:

Mark the judgment **Satisfied**.

Burton Neil & Associates, P.C.

By: 

Edward J. O'Brien, Esquire
Attorney for Plaintiff

This is an attempt to collect a debt, and any information obtained will be used for that purpose.
This communication is from a debt collector.

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