

07-358-CD

Deutsche Bank vs Howard B. Peters et al

Deutsche Bank et al vs Howard Peters et al
2007-358-CD

FILED *Atty pd.*
M 11 5 2008 85.00
MAR 08 2008
JCC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

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

149998

ATTORNEY FOR PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-358-CD

CLEARFIELD COUNTY

Plaintiff

v.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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. Meholic, 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

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024

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

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

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

3. On 01/25/2005 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to NEW CENTURY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200501823. By Assignment of Mortgage recorded 02/24/2006 the mortgage was Assigned To PLAINTIFF which Assignment is recorded as Instrument No. 200602879. 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.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 10/01/2006 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	\$83,545.85
Interest	\$3,098.24
09/01/2006 through 03/07/2007	
(Per Diem \$16.48)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$142.65
01/25/2005 to 03/07/2007	
Cost of Suit and Title Search	\$750.00
Subtotal	\$88,786.74
Escrow	
Credit	\$0.00
Deficit	\$1,362.60
Subtotal	<u>\$1,362.60</u>
TOTAL	\$90,149.34

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 \$90,149.34, together with interest from 03/07/2007 at the rate of \$16.48 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: /s/Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PARCEL IN TOWNSHIP BRADFORD, CLEARFIELD COUNTY, COMMONWEALTH OF PA, AS MORE FULLY DESCRIBED IN LOT NO 89 AND .39 ACRES ID# 106-N9-590-35/106-N9-589-08, BEING KNOWN AND DESIGNATED AS ALL THAT CERTAIN PARCEL IN TOWNSHIP BRADFORD, CLEARFIELD COUNTY, COMMONWEALTH OF PA. AS MORE FULLY DESCRIBED IN LOT NO 89 AND .39 ACRES ID# 106-N9-590-35/106-N9-589-08, BEING KNOWN AND DESIGNATES AS AND BEING PARTICULARLY DESCRIBED AS A METES AND BOUND PROPERTY.

BEING THE SAME PROPERTY CONVEYED BY SIMPLE DEED FROM ALVERTA CURLEY KOZAK, SINGLE BY HER ATTORNEYS IN FACT MARY JANE BISHOP AND MARGARET DIDES, . TO HOWARD B PETER AND JANICE M PETER, DATED 12/15/2003 RECORDED ON 12/15/2003 IN INSTRUMENT NO 200322603, IN CLEARFIELD COUNTY RECORDS, COMMONWEALTH OF PA.

BEING KNOWN AS: 449 BIGLER PLACE

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: 3/7/07

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102532
NO: 07-358-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF

VS.

DEFENDANT: HOWARD B. PETERS and JANICE M. PETERS a/k/a JANICE DIDES PETERS
a/k/a JANICE M. DIDES

SHERIFF RETURN

NOW, March 14, 2007 AT 10:49 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON HOWARD B. PETERS DEFENDANT AT 449 BIGLER ROAD (not Place), BIGLER, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JANICE PETERS, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED
07/5/07
JUN 29 2007
WAS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102532
NO: 07-358-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF

vs.

DEFENDANT: HOWARD B. PETERS and JANICE M. PETERS a/k/a JANICE DIDES PETERS
a/k/a JANICE M. DIDES

SHERIFF RETURN

NOW, March 14, 2007 AT 10:49 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JANICE M. PETERS aka JANICE DIDES PETERS aka JANICE M. DIDES DEFENDANT AT 449 BIGLER ROAD (not Place), BIGLER, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JANICE M. PETERS AKA, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102532
NO: 07-358-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF

vs.

DEFENDANT: HOWARD B. PETERS and JANICE M. PETERS a/k/a JANICE DIDES PETERS
a/k/a JANICE M. DIDES

SHERIFF RETURN

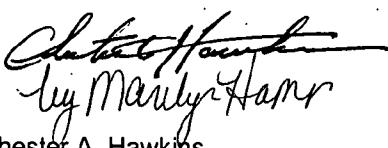
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	579707	20.00
SHERIFF HAWKINS	PHELAN	579707	31.76

Sworn to Before Me This

Day of _____ 2007

So Answers,



Chester A. Hawkins
Sheriff

**DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSMAP TRUST
2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024**

FILED Aug 06 2007 Atty pd. 20.00
MJD:2304
AUG 06 2007 ICCS-Notice
to Def.
William A. Shaw
Prothonotary/Clerk of Courts Statement to

Plaintiff,

v.

**HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE DIDES
PETERS A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825**

Defendant(s).

**PRAECLPICE 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 **HOWARD B. PETERS and JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES**, 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	\$ 90,149.34
Interest - 3/8/07-7/18/07	\$ 2,191.84
TOTAL	\$ 92,341.18

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, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 8/6/07

PRO PROTHY

149998

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

DEUTSCHE BANK NATIONAL TRUST COMPANY : COURT OF COMMON PLEAS
ON BEHALF OF THE CERTIFICATEHOLDERS : CIVIL DIVISION
GSAMP TRUST 2005-HE3, MORTGAGE PASS- :
THROUGH CERTIFICATES, SERIES 2005-HE3
Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 07-358-CD

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
Defendants

TO: HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825

FILE COPY

DATE OF NOTICE: APRIL 19, 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

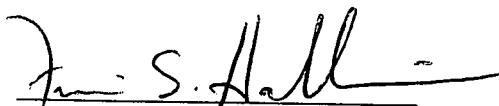
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT 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
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST COMPANY : COURT OF COMMON PLEAS
ON BEHALF OF THE CERTIFICATEHOLDERS : CIVIL DIVISION
GSAMP TRUST 2005-HE3, MORTGAGE PASS- : CLEARFIELD COUNTY
THROUGH CERTIFICATES, SERIES 2005-HE3
Plaintiff : CLEARFIELD COUNTY
Vs. : NO. 07-358-CD

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
Defendants

FILE COPY

TO: JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

DATE OF NOTICE: APRIL 19, 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 & 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

DEUTSCHE BANK NATIONAL TRUST :
COMPANY ON BEHALF OF THE :
CERTIFICATE HOLDERS GSMAP TRUST :
2005-HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 :
7105 CORPORATE DRIVE :
PLANO, TX 75024 :

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION
NO. 07-358-CD

Plaintiff, :

v. :

HOWARD B. PETERS :
JANICE M. PETERS A/K/A JANICE DIDES :
PETERS A/K/A JANICE M. DIDES :
449 BIGLER PLACE :
BIGLER, PA 16825 :

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 **HOWARD B. PETERS** is over 18 years of age and resides at **449 BIGLER PLACE, BIGLER, PA 16825**.

(c) that defendant **JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES** is over 18 years of age, and resides at **449 BIGLER PLACE, BIGLER, PA 16825**.

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

COP

DEUTSCHE BANK NATIONAL TRUST :
COMPANY ON BEHALF OF THE :
CERTIFICATE HOLDERS GSMP TRUST : CLEARFIELD COUNTY
2005-HE3, MORTGAGE PASS-THROUGH : COURT OF COMMON PLEAS
CERTIFICATES, SERIES 2005-HE3 :
7105 CORPORATE DRIVE : CIVIL DIVISION
PLANO, TX 75024 :
: NO. 07-358-CD

Plaintiff,

v.

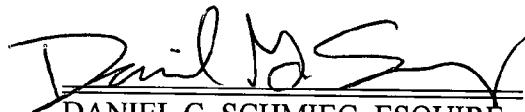
HOWARD B. PETERS :
JANICE M. PETERS :
A/K/A JANICE DIDES PETERS :
A/K/A JANICE M. DIDES :
449 BIGLER PLACE :
BIGLER, PA 16825

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on August 16, 2007

BY William Shan DEPUTY

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



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

Deutsche Bank National Trust Company

GSAMP Trust 2005-HE3

Plaintiff(s)

No.: 2007-00358-CD

Real Debt: \$92,341.18

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Howard B. Peters

Entry: \$20.00

Janice M. Peters

Defendant(s)

Instrument: In Rem Judgment

Date of Entry: August 6, 2007

Expires: August 6, 2012

Certified from the record this 6th day of August, 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

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS
GSMAP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-358-CD Term 2005...

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

HOWARD B. PETERS

JANICE M. PETERS A/K/A
JANICE DIDES PETERS A/K/A
JANICE M. DIDES

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due	\$92,341.18
Interest from JULY 18, 2007 to Sale Per diem \$16.48	\$ _____
Prothonotary costs	125.00
Add'l Costs	\$2,617.50


Attorney for the Plaintiff(s)

Note: Please attach description of Property.

149998

FILED *Att'y pd.*
112:2361 *20.00*
AUG 06 2007 *CCG 6 wnts*
William A. Shaw *W prop desc.*
Prothonotary/Clerk of Courts *to Sheriff*
(6K)

No. 07-358-CD Term 20 05 A.D.

FILED

AUG 06 2007

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSMAP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

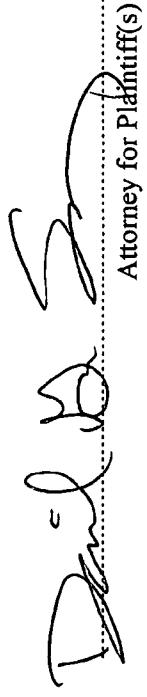
William A. Shaw
Prothonotary/Clerk of Courts

vs.

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

PRAEFICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff(s)

Address: HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

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

DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024

:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 07-358-CD

Plaintiff,

v.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

:
:
:
:
:
:

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

DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 07-358-CD

Plaintiff,

v.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG,
ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information
concerning the real property located at 449 BIGLER PLACE, BIGLER, PA 16825.

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

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

HOWARD B. PETERS	449 BIGLER PLACE BIGLER, PA 16825
------------------	--------------------------------------

JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES	449 BIGLER PLACE BIGLER, PA 16825
---	--------------------------------------

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

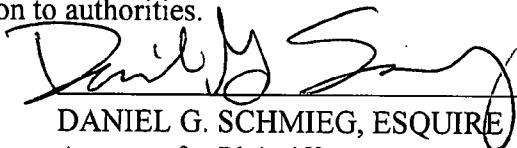
NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	--

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.

JULY 18, 2007

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DEUTSCHE BANK NATIONAL TRUST :
COMPANY ON BEHALF OF THE :
CERTIFICATE HOLDERS GSMAP TRUST :
2005-HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 :
7105 CORPORATE DRIVE :
PLANO, TX 75024 :
CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION
NO. 07-358-CD

Plaintiff, :
v. :
:

HOWARD B. PETERS :
JANICE M. PETERS :
A/K/A JANICE DIDES PETERS :
A/K/A JANICE M. DIDES :
449 BIGLER PLACE :
BIGLER, PA 16825 :
:

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129

**DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSMAP TRUST 2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3**, 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 **449 BIGLER PLACE, BIGLER, PA 16825**.

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.)
Citifinancial, Inc. **280 Commons Drive**
DuBois, PA 15801

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 **449 BIGLER PLACE**
BIGLER, PA 16825

**DOMESTIC
RELATIONS
CLEARFIELD
COUNTY
PA 16830**

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

**COMMONWEALTH
OF PENNSYLVANIA** **DEPARTMENT OF WELFARE**
PO BOX 2675
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.

JULY 18, 2007
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY ON : CLEARFIELD COUNTY
BEHALF OF THE CERTIFICATE HOLDERS GSMP : COURT OF COMMON PLEAS
TRUST 2005-HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 : CIVIL DIVISION
Plaintiff, :
v. : NO. 07-358-CD
:

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
Defendant(s)

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS:

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at: 449 BIGLER PLACE, BIGLER, PA 16825.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given to Lienholders in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the Affidavit No. 2 (previously filed) and/or Amended Affidavit No. 2 on the date indicated. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Date: September 27, 2007

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

149998

*10/7/07
OCT 01 2007
FILED NO CC
W.A. Shaw
Prothonotary/Clerk of Courts*

Name and
Address
of Sender

COS
PHELAN HALLINAN & SCHMIEG
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814

↑

PHELAN HALLINAN & SCHMIEG

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 449 BIGLER PLACE BIGLER, PA 16825		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105		
4		Citifinancial, Inc. 280 Commons Drive DuBois, PA 15801		
5				
6				
7				
8				
9				
10				
11				
12		Re: HOWARD B. PETERS	149998 TEAM 4	
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)		

0004218010 SEP 07 2007
MAILED FROM ZIP CODE 19103

\$ 01.40

UNITED STATES POSTAGE
PAID



The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.

COPY

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

P.R.C.P. 3180-3183 and Rule 3257

DEUTSCHE BANK NATIONAL
TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS
GSMAP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 07-358-CD Term 20 05

No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

HOWARD B. PETERS

JANICE M. PETERS A/K/A
JANICE DIDES PETERS A/K/A
JANICE M. DIDES

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: 449 BIGLER PLACE, BIGLER, PA 16825
(See Legal Description attached)

Amount Due	\$92,341.18
Interest from JULY 18, 2007 to Sale per diem \$16.48	\$-----
Total	\$----- 125.00
Add'l Costs	\$2,617.50

Prothonotary costs

Willie L. Blair, Jr.
(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 8/16/07
(SEAL)

149998

No. 07-358-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSMAP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

vs.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

WRIT OF EXECUTION
(Mortgage Foreclosure)

Real Debt	\$92,341.18
Int. from JULY 18, 2007 To Date of Sale (\$16.48 per diem)	
Costs	_____
Prothy Pd.	<u>125.00</u>

Sheriff D. Dides Attorney for Plaintiff(s)

Address: HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

LEGAL DESCRIPTION

ALL THOSE CERTAIN LOST OR PARCELS OF LAND SITUATE IN BRADFORD TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS: THE FIRST THEREOF BEGINNING AT A POINT WHERE LEIFFER STREET AND CLEARFIELD STREET INTERSECT IN THE VILLAGE OF BIGLER, LEIFFER STREET PRESENTLY BEING AN UNOPENED STREET AND CLEARFIELD STREET PRESENTLY BEING ROUTE 668; THENCE ALONG SAID CLEARFIELD STREET NORTHWESTERLY 96 FEET MORE OR LESS TO THE RIGHT-OF-WAY OF THE FORMER PENNSYLVANIA RAILROAD, NOW CONRAIL; THENCE ALONG THE SAID RIGHT-OF-WAY IN A SOUTHERLY DIRECTION 270 FEET; THENCE IN AN EASTERLY DIRECTION THROUGH THE LAND OF THE GRANTOR 46 FEET, MORE OR LESS, TO THE EASTERN PROPERTY LINE OF THE GRANTOR HEREIN, BEING AT THE CENTERLINE INTERSECTION OF LEIFFER STREET AND AN UNOPENED STREET NAMED BELL STREET; THENCE ALONG THE CENTERLINE SAID LEIFFER STREET NORtherLY 210 FEET, MORE OR LESS TO THE POINT OF BEGINNING CONTAINING IN ALL .39 ACRES, MORE OR LESS AND BEING MAP # 106-N9-590-35. THE SECOND THEREOF BEING AT A POST ON THE CORNER OF CLEARFIELD AND LEIFFER STREETS; THENCE ALONG LEIFFER STREET 123 FEET TO BELLS STREET; THENCE EAST ON BELLS STREET 112 FEET TO CLEARFIELD STREET; THENCE ALONG CLEARFIELD STREET 173 FEET TO LEIFFER STREET AND PLACE OF BEGINNING. BEING KNOWN IN THE PLOT OF SAID VILLAGE AS LOT NO. 89 AND BEING MAP # 106-N9-589-8. BEING THE SAME PREMISES WHICH ALVERTA CURLEY KOZAK AND THOMAS KOZAK, CONVEYED TO ALVERTA CURLEY KOZAK BY DEED DATED THE 29TH DAY OF DECEMBER 1997, SAID DEED BEING RECORDED IN THE OFFICE OF THE REGISTER AND RECORDER OF CLEARFIELD COUNTY, PENNSYLVANIA IN DEEDS AND INDEX VOLUME 1897 AT PAGE 271. THE SAID ATTYS-IN-FACT/AGENTS MARY JANE BISHOP AND MARGARET DIDES WERE APPOINTED BY ALVERTA CURLEY KOZAK THE POWER OF ATTORNEY DATED MARCH 31, 2003 NOT YET BUT INTENDED TO BE RECORDED CONCURRENTLY HEREWITH.

SOURCE OF TITLE : DOCUMENT NO: 200322603 (RECORDED 12/15/03)

APN: 106-N09-590-00035

VESTED BY: Special Warranty Deed, dated 12/15/2003, given by Alberta Curely Kozak, single, by her Attorneys-in-fact/agent, Mary Jane Bishop and Margaret Dides to Howard B. Peters and Janice M. Peters, husband and wife, as tenants by the entireties, and recorded 12/15/2003 Instrument # 200322603.

Premises being: 449 BIGLER PLACE
BIGLER, PA 16825

Tax Parcel No. 106-N09-590-000351

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

ATTORNEY FOR

DEUTSCHE BANK NATIONAL TRUST : COURT OF COMMON PLEAS
COMPANY ON BEHALF OF THE :
CERTIFICATE HOLDERS GSMAP TRUST : CIVIL DIVISION
2005-HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 : CLEARFIELD COUNTY

Plaintiff

vs.

HOWARD B. PETERS :
JANICE M. PETERS : No. 07-358-CD
A/K/A JANICE DIDES PETERS :
A/K/A JANICE M. DIDES :
Defendants :

PRAECIPE TO FILE AFFIDAVIT OF SERVICE

TO THE PROTHONOTARY:

Kindly file the attached Affidavits of Service with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP

By: Daniel Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: September 27, 2007

PAW.
PHS # 149998

FILED 1cc AAA
m/11/06 cm Schmieg
SEP 28 2007
WAS

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE

PLAINTIFF DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

CLEARFIELD County
No. 07-358-CD
Our File #: 149998

DEFENDANT(S) HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE DIDES
PETERS A/K/A JANICE M. DIDES

Type of Action
- Notice of Sheriff's Sale

Sale Date: NOVEMBER 2, 2007

Please serve upon: HOWARD B. PETERS

SERVE AT: 449 BIGLER PLACE Rd.
BIGLER, PA 16825

SERVED

Served and made known to Howard B. Peters, Defendant, on the 18th day of SEPTEMBER,
2007, at 2:50, o'clock P.m., at 449 Bigler Rd., Bigler, PA 16825.

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s). Relationship is Nephew, Brett
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant(s)'s office or usual place of business.
 an officer of said Defendant(s)'s company.

Other:

Description: Age 18 Height 5'8 Weight 145 Race Caucasian Sex M Other

I, D.M. ELLIS, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 19th day
of September, 2007

Notary:

By: D.M. Ellis

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES

On the _____ day of _____, 200____, at _____ o'clock _____.m., Defendant NOT FOUND because:
____ Moved ____ Unknown ____ No Answer ____ Vacant
1st attempt Date: _____ Time: _____, 2nd attempt Date: _____ Time: _____, 3rd
attempt Date: _____ Time: _____.
Other:

Sworn to and subscribed
before me this _____ day
of _____, 200..

Notary: By:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE

PLAINTIFF	DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS GSMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3	CLEARFIELD County No. 07-358-CD Our File #: 149998
DEFENDANT(S)	HOWARD B. PETERS JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES	Type of Action - Notice of Sheriff's Sale
		Sale Date: NOVEMBER 2, 2007
Please serve upon:	JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES	
SERVE AT:	449 BIGLER PLACE Rd. BIGLER, PA 16825	

Served and made known to JANICE M. PETERS SERVED, Defendant, on the 18th day of SEPTEMBER, 2007, at 2:50, o'clock P.m., at 449 Bigler Rd, Bigler, PA 16825.

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s). Relationship is Nephew, BRETT
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant(s)'s office or usual place of business.
 an officer of said Defendant(s)'s company.

Other:

Description: Age 18 Height 5'8 Weight 145 Race White Sex M Other

I, D.M. Ellis, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 19th day
of September, 2007

Notary:

By: D.M. Ellis

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES

On the _____ day of _____, 200____, at _____ o'clock ____m., Defendant NOT FOUND because:

____ Moved _____ Unknown _____ No Answer _____ Vacant

1st attempt Date: _____ Time: _____, 2nd attempt Date: _____ Time: _____, 3rd

attempt Date: _____ Time: _____.

Other:

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary:

By:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
No. 07-358-CD.

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

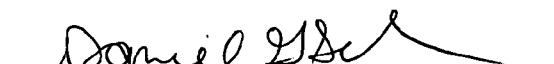
HOWARD B. PETERS

JANICE M. PETERS A/K/A
JANICE DIDES PETERS A/K/A
JANICE M. DIDES

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due	\$92,341.18
Prothonotary costs	145.00
Interest from 07/19/2007 to Sale	\$ _____
Per diem \$15.18	
Add'l Costs	\$6,152.50
Writ Total	\$


DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

Note: Please attach description of Property.

149998

FILED
M/3/3/07 Atty pd. 20.00
FEB 26 2007 1CCalworts
S William A. Shaw
Prothonotary/Clerk of Courts
W/Prop. desc.
to Sheriff
60

No. 07-358-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

vs.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:


DANIEL G. SCHMITZ, ESQUIRE
Attorney for Plaintiff

Address: HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

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

**DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024**

:
:
CLEARFIELD COUNTY
COURT OF COMMON PLEAS
:
CIVIL DIVISION
:
NO. 07-358-CD

Plaintiff,

v.

**HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES**

**449 BIGLER PLACE
BIGLER, PA 16825**

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.A. §4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DEUTSCHE BANK NATIONAL TRUST :
COMPANY ON BEHALF OF THE CERTIFICATE :
HOLDERS GSAMP TRUST 2005-HE3, :
MORTGAGE PASS-THROUGH CERTIFICATES, :
SERIES 2005-HE3 :
7105 CORPORATE DRIVE :
PLANO, TX 75024

Plaintiff, : NO. 07-358-CD

v.

HOWARD B. PETERS :
JANICE M. PETERS :
A/K/A JANICE DIDES PETERS :
A/K/A JANICE M. DIDES :
449 BIGLER PLACE :
BIGLER, PA 16825

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129.1

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG,
ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information
concerning the real property located at 449 BIGLER PLACE, BIGLER, PA 16825.

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

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

HOWARD B. PETERS	449 BIGLER PLACE BIGLER, PA 16825
------------------	--------------------------------------

JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES	449 BIGLER PLACE BIGLER, PA 16825
--	--------------------------------------

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.A §4904 relating to unsworn falsification to authorities.

FEBRUARY 24, 2009
Date

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

**DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024**

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION
NO. 07-358-CD

Plaintiff,

V.

**HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825**

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129.1

**DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG,
ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information
concerning the real property located at 449 BIGLER PLACE, BIGLER, PA 16825.**

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.)

CITIFINANCIAL, INC.

280 COMMONS DRIVE

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

None

be reasonably ascertained, please so indicate.)

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

449 BIGLER PLACE
BIGLER, PA 16825

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

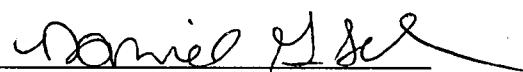
Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program

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.A. §4904 relating to unsworn falsification to authorities.

FEBRUARY 24, 2009

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Copy

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No.
No. 07-358-CD
No.

WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

HOWARD B. PETERS

JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 449 BIGLER PLACE, BIGLER, PA 16825
(See Legal Description attached)

Amount Due	
Interest from 07/19/2007 to Sale	\$ 92,341.18
Per diem \$15.18	\$ 45.00
Add'l Costs	\$ 6,152.50
Writ Total	\$

Willie L. Shan

OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 2/26/09
(SEAL)

No. 07-358-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

vs.

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

WRIT OF EXECUTION
(Mortgage Foreclosure)

Real Debt	\$92,341.18
Int. from 07/19/2007 To Date of Sale (\$15.18 per diem)	
Costs	
Prothy Pd.	<u>145.00</u>
Costs	
Sheriff	


DANIEL G. SCHMITZ, ESQUIRE
Attorney for Plaintiff

Address: HOWARD B. PETERS
BIGLER, PA 16825
449 BIGLER PLACE

JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

LEGAL DESCRIPTION

ALL those certain lots or parcels of land situate in Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF:

BEGINNING at a point where Leiffer Street and Clearfield Street intersect in the Village of Bigler, Leiffer Street presently being an unopened street and Clearfield Street presently being Route FAS 668; thence along said Clearfield Street northwesterly 96 feet more or less to the right-of-way of the former Pennsylvania Railroad, now Conrail; thence along the said right-of-way in a southerly direction 270 feet; thence in an easterly direction through the land of the Grantor 46 feet, more or less, to the eastern property line of the Grantor herein, being at the centerline intersection of Leiffer Street and an unopened street named Bell Street; thence along the centerline of the said Leiffer Street northerly 210 feet, more or less to the point of beginning. Containing in all .39 acres, more or less and being Map # 106-N9-590-35.

THE SECOND THEREOF:

BEGINNING at a post on the corner of Clearfield and Leiffer Streets; thence along Leiffer Street 123 feet to Bells Street; thence East on Bells Street 112 feet to Clearfield Street; thence along Clearfield Street 173 feet to Leiffer Street and place of beginning. Being known in the plot of said village as Lot No. 89 and being Map #106-N9-589-8.

1) Vested by Special Warranty Deed, dated 12/15/2003, given by Alberta Curley Kozak, single, by her Attorneys-in-fact/agent, Mary Jane Bishop and Margaret Dides to Howard B. Peters and Janice M. Peters, husband & wife, as tenants by the entireties, and recorded 12/15/2003 Instrument # 200322603

**Premises being: 449 BIGLER PLACE
BIGLER, PA 16825**

Tax Parcel No. 106-N9-590-00035

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20638
NO: 07-358-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS
GSMAP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2005-HE3

vs.

DEFENDANT: HOWARD B. PETERS AND JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 8/6/2007

LEVY TAKEN 8/27/2007 @ 10:34 AM

POSTED 8/27/2007 @ 10:32 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 1/22/2008

DATE DEED FILED **NOT SOLD**

FILED
010:13:01
JAN 22 2008
JS

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

8/27/2007 @ 10:36 AM SERVED HOWARD B. PETERS

SERVED HOWARD B. PETERS, DEFENDANT, AT HIS RESIDENCE 449 BIGLER PLACE, BIGLER, CLEARFIELD COUNTY, PENNSYLVANIA
BY HANDING TO JANICE DIDES PETERS, WIFE/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE
LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

8/27/2007 @ 10:36 AM SERVED JANICE M. PETERS A/K/A JANICE DIDES PETERS ET AL

SERVED JANICE M. PETERS A/K/A JANICE DIDES PETERS, DEFENDNAT, AT HER RESIDENCE 449 BIGLER PLACE, BIGLER,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JANICE DIDES PETERS

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE
LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, OCT. 11, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTY TO STAY THE SHERIFF SALE SCHEDULED FOR NOV. 2,
2007 AND RETURN THE ORIGINAL WRIT OF EXECUTION TO THE PROTHONOTARY'S OFFICE, DUE TO CHAPTER 13 BANKRUPTCY



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20638

NO: 07-358-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS
GSMAP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2005-HE3

vs.

DEFENDANT: HOWARD B. PETERS AND JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$185.44

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,


Chester A. Hawkins
Sheriff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

P.R.C.P. 3180-3183 and Rule 3257

DEUTSCHE BANK NATIONAL
TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS
GSMAP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 07-358-CD Term 20 05

No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

HOWARD B. PETERS

JANICE M. PETERS A/K/A
JANICE DIDES PETERS A/K/A
JANICE M. DIDES

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: 449 BIGLER PLACE, BIGLER, PA 16825
(See Legal Description attached)

Amount Due	\$92,341.18
Interest from JULY 18, 2007 to Sale per diem \$16.48	\$-----
Total	\$-----
Add'l Costs	125.00 \$2,617.50

Prothonotary costs

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

Dated 8/6/07
149998 (SEAL)

Received this writ this 6th day
of August A.D. 2007
At 8:00 A.M./P.M.

Chas. A. Hawkins
Sheriff by Cynthia Ritter - Deputy Sheriff

No. 07-358-CD..... Term 20.05.A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSMAP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

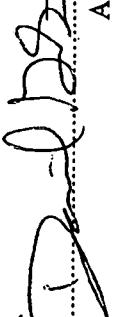
vs.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs	_____
Real Debt	\$92,341.18
Int. from JULY 18, 2007 To Date of Sale (\$16.48 per diem)	_____
Costs	_____
Prothy Pd.	<u>125.00</u>

Sheriff



Attorney for Plaintiff(s)

Address: HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825

JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

LEGAL DESCRIPTION

ALL THOSE CERTAIN LOST OR PARCELS OF LAND SITUATE IN BRADFORD TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS: THE FIRST THEREOF BEGINNING AT A POINT WHERE LEIFFER STREET AND CLEARFIELD STREET INTERSECT IN THE VILLAGE OF BIGLER, LEIFFER STREET PRESENTLY BEING AN UNOPENED STREET AND CLEARFIELD STREET PRESENTLY BEING ROUTE 668; THENCE ALONG SAID CLEARFIELD STREET NORTHWESTERLY 96 FEET MORE OR LESS TO THE RIGHT-OF-WAY OF THE FORMER PENNSYLVANIA RAILROAD, NOW CONRAIL; THENCE ALONG THE SAID RIGHT-OF-WAY IN A SOUTHERLY DIRECTION 270 FEET; THENCE IN AN EASTERLY DIRECTION THROUGH THE LAND OF THE GRANTOR 46 FEET, MORE OR LESS, TO THE EASTERN PROPERTY LINE OF THE GRANTOR HEREIN, BEING AT THE CENTERLINE INTERSECTION OF LEIFFER STREET AND AN UNOPENED STREET NAMED BELL STREET; THENCE ALONG THE CENTERLINE SAID LEIFFER STREET NORTHERLY 210 FEET, MORE OR LESS TO THE POINT OF BEGINNING CONTAINING IN ALL .39 ACRES, MORE OR LESS AND BEING MAP # 106-N9-590-35. THE SECOND THEREOF BEING AT A POST ON THE CORNER OF CLEARFIELD AND LEIFFER STREETS; THENCE ALONG LEIFFER STREET 123 FEET TO BELLS STREET; THENCE EAST ON BELLS STREET 112 FEET TO CLEARFIELD STREET; THENCE ALONG CLEARFIELD STREET 173 FEET TO LEIFFER STREET AND PLACE OF BEGINNING. BEING KNOWN IN THE PLOT OF SAID VILLAGE AS LOT NO. 89 AND BEING MAP # 106-N9-589-8. BEING THE SAME PREMISES WHICH ALVERTA CURLEY KOZAK AND THOMAS KOZAK, CONVEYED TO ALVERTA CURLEY KOZAK BY DEED DATED THE 29TH DAY OF DECEMBER 1997, SAID DEED BEING RECORDED IN THE OFFICE OF THE REGISTER AND RECORDER OF CLEARFIELD COUNTY, PENNSYLVANIA IN DEEDS AND INDEX VOLUME 1897 AT PAGE 271. THE SAID ATTYS-IN-FACT/AGENTS MARY JANE BISHOP AND MARGARET DIDES WERE APPOINTED BY ALVERTA CURLEY KOZAK THE POWER OF ATTORNEY DATED MARCH 31, 2003 NOT YET BUT INTENDED TO BE RECORDED CONCURRENTLY HEREWITH.

SOURCE OF TITLE : DOCUMENT NO: 200322603 (RECORDED 12/15/03)

APN: 106-N09-590-00035

VESTED BY: Special Warranty Deed, dated 12/15/2003, given by Alberta Curely Kozak, single, by her Attorneys-in-fact/agent, Mary Jane Bishop and Margaret Dides to Howard B. Peters and Janice M. Peters, husband and wife, as tenants by the entireties, and recorded 12/15/2003 Instrument # 200322603.

Premises being: 449 BIGLER PLACE
BIGLER, PA 16825

Tax Parcel No. 106-N09-590-00035I

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME HOWARD B. PETERS NO. 07-358-CD

NOW, January 21, 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 Howard B. Peters And Janice M. Peters A/K/A Janice Dides Peters A/K/A Janice M. Dides 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	15.00	DEBT-AMOUNT DUE	92,341.18
SERVICE	15.00	INTEREST @ 16.4800	0.00
MILEAGE	7.76	FROM TO	
LEVY	15.00		
MILEAGE	7.76	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	4.92	ATTORNEY COMMISSION	
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	40.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE	15.00	ESCROW DEFICIENCY	
DEED		PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID/SETTLEMENT AMOUNT		TOTAL DEBT AND INTEREST	\$92,381.18
RETURNS/DEPUTIZE			
COPIES	15.00	COSTS:	
	5.00	ADVERTISING	168.82
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$185.44	LIEN SEARCH	
		ACKNOWLEDGEMENT	
		DEED COSTS	0.00
		SHERIFF COSTS	185.44
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	
		MORTGAGE SEARCH	125.00
		MUNICIPAL LIEN	
DEED COSTS:			
ACKNOWLEDGEMENT		TOTAL COSTS	\$479.26
REGISTER & RECORDER			
TRANSFER TAX 2%	0.00		
TOTAL DEED COSTS	\$0.00		

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

Law Offices
PHELAN HALLINAN & SCHMIEG, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Christine.Schoffler@fedphe.com

Christine schoffler
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

October 11, 2007

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE
HOLDERS GSMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES
2005-HE3 v. HOWARD B. PETERS and JANICE M. PETERS A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

449 BIGLER PLACE, BIGLER, PA 16825
No. 07-358-CD

Dear Cindy:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for
NOVEMBER 2, 2007.

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

The Defendant (s) filed a Chapter 13 Bankruptcy (No.07-71138) on 10/10/07.

Please return the original writ of execution to the Prothonotary as soon as possible.

Very truly yours,

Christine Schoffler

Christine Schoffler (for)
Phelan Hallinan & Schmieg, LLP

CC: HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825

JANICE M. PETERS A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

PHELAN HALLINAN & SCHMIEG, LLP
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

DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: CLEARFIELD COUNTY

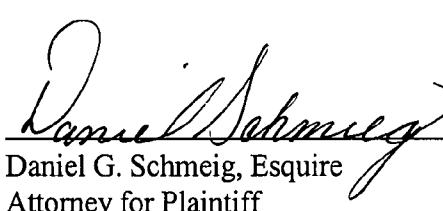
Vs.
HOWARD B. PETERS
JANICE M. PETERS

: NO. 07-358-CD

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE
PURSUANT TO Pa.R.C.P. 404(2)/403**

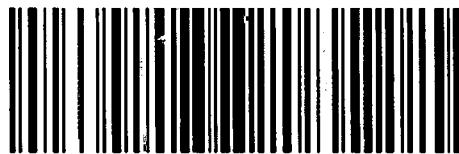
Daniel G. Schmeig, Esquire, Attorney for Plaintiff, hereby certifies that service of the Notice of Sheriff's Sale was made by sending a true and correct copy by certified mail to Defendant, **HOWARD B. PETERS** and **JANICE M. PETERS** at **701 BIGLER AVENUE, CLEARFIELD, PA 16830**. The Notice of Sale was received by Defendants, **HOWARD B. PETERS** and **JANICE M. PETERS**, on **APRIL 9, 2009** as evidenced by the attached Return Receipt. 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.

Date: **APRIL 14, 2009**



Daniel G. Schmeig, Esquire
Attorney for Plaintiff

5
FILED NO cc
110:45 AM
APR 15 2009
i
William A. Shaw
Prothonotary/Clerk of Courts



7178 2417 6099 0025 7348

4 / JJN **RESTRICTED DELIVERY**
HOWARD B. PETERS
P.O. BOX 56
BIGLER, PA 16825-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)



Date Produced: 04/13/2009

PHELAN HALLINAN & SCHMIEG

The following is the delivery information for Certified Mail™ item number 7178 2417 6099 0025 7348. Our records indicate that this item was delivered on 04/09/2009 at 02:46 p.m. in CLEARFIELD, PA, 16830. The scanned image of the recipient information is provided below.

Delivery Section	
Signature of Recipient:	 Howard P. Tracy
Address of Recipient:	201 Bigrler Ave.

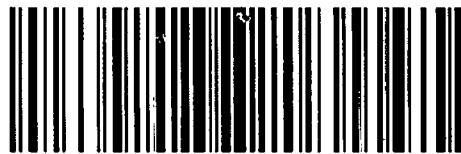
Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 26425



7178 2417 6099 0025 7355

4 / JJN **RESTRICTED DELIVERY**
JANICE M. PETERS
P.O. BOX
BIGLER, PA 16825-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)

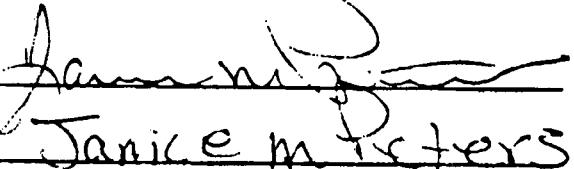


Date Produced: 04/13/2009

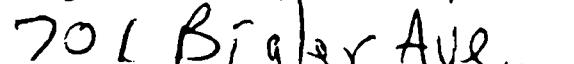
PHELAN HALLINAN & SCHMIEG

The following is the delivery information for Certified Mail™ item number 7178 2417 6099 0025 7355. Our records indicate that this item was delivered on 04/09/2009 at 02:44 p.m. in CLEARFIELD, PA, 16830. The scanned image of the recipient information is provided below.

Signature of Recipient:


Janice M. Fichters

Address of Recipient:


701 Bigger Ave.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 26426

FILED NO
M 11-1084 CC
APR 23 2009
S William A. Shaw
Prothonotary/Clerk of Courts
(610)

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire
Atty. I.D. No. 69849
One Penn Center, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST	:	Court of Common Pleas
COMPANY ON BEHALF OF THE	:	
CERTIFICATE HOLDERS GSAMP TRUST 2005-	:	Civil Division
HE3, MORTGAGE PASS-THROUGH	:	
CERTIFICATES, SERIES 2005-HE3	:	CLEARFIELD County
Plaintiff	:	
	:	No. 07-358-CD
v.	:	

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

Defendants

PLAINTIFF'S MOTION TO REASSESS DAMAGES

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on March 8, 2007, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".

2. Judgment was entered on August 6, 2007 in the amount of \$92,341.18. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".

3. Pursuant to Pennsylvania Rule of Civil Procedure 1037(b)(1), a default judgment containing a dollar amount must be entered for the amount claimed in the complaint and any item which can be calculated from the complaint, i.e. bringing the interest current. However, new items cannot be added at the time of entry of the judgment.

4. A Sheriff's Sale of the mortgaged property at 449 BIGLER PLACE, BIGLER, PA 16825 (hereinafter the "Property") was postponed or stayed for the following reason:

a.) The Defendants filed a Chapter 13 Bankruptcy at Docket Number 07-71138 on October 10, 2007. The Bankruptcy was discharged by order of court dated December 12, 2008. A true and correct copy of the Bankruptcy Court Order is attached hereto, made part hereof, and marked as Exhibit "C".

5. The Property is listed for Sheriff's Sale on June 5, 2009.

6. Additional sums have been incurred or expended on Defendants' behalf since the Complaint was filed and Defendants have been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$82,749.35
Interest Through June 5, 2009	\$14,870.76
Per Diem \$19.84	
Late Charges	\$667.69
Legal fees	\$2,300.00
Cost of Suit and Title	\$1,742.50
Sheriff's Sale Costs	\$346.02
Property Inspections/ Property Preservation	\$359.00
Appraisal/Brokers Price Opinion	\$0.00
Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	\$3,991.96
 TOTAL	 \$107,027.28

7. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

8. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendants.

9. Plaintiff's foreclosure judgment is in rem only and does not include personal liability, as addressed in Plaintiff's attached brief.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

DATE: 4/21/09

By:

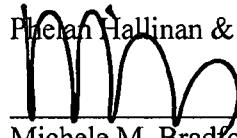
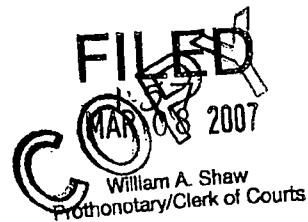

Phelan Hallinan & Schmieg, LLP
Michele M. Bradford, Esquire
Attorney for Plaintiff

Exhibit “A”



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

149998

ATTORNEY FOR PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-358-CJ

CLEARFIELD COUNTY

Filed 3/8/07

Plaintiff

v.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLAINTIFF RETURN

I hereby verify the
within to be a true and
correct copy of the
original filed of record

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. Meholic, 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

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3
7105 CORPORATE DRIVE
PLANO, TX 75024

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

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

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

3. On 01/25/2005 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to NEW CENTURY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200501823. By Assignment of Mortgage recorded 02/24/2006 the mortgage was Assigned To PLAINTIFF which Assignment is recorded as Instrument No. 200602879. 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.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 10/01/2006 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	\$83,545.85
Interest	\$3,098.24
09/01/2006 through 03/07/2007	
(Per Diem \$16.48)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$142.65
01/25/2005 to 03/07/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$88,786.74
Escrow	
Credit	\$0.00
Deficit	\$1,362.60
Subtotal	<u>\$1,362.60</u>
TOTAL	\$90,149.34

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.

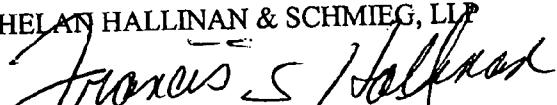
8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability 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 \$90,149.34, together with interest from 03/07/2007 at the rate of \$16.48 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: 
/s/ Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PARCEL IN TOWNSHIP BRADFORD, CLEARFIELD COUNTY,
COMMONWEALTH OF PA, AS MORE FULLY DESCRIBED IN LOT NO 89 AND .39
ACRES ID# 106-N9-590-35/106-N9-589-08, BEING KNOWN AND DESIGNATED AS ALL
THAT CERTAIN PARCEL IN TOWNSHIP BRADFORD, CLEARFIELD COUNTY,
COMMONWEALTH OF PA. AS MORE FULLY DESCRIBED IN LOT NO 89 AND .39
ACRES ID# 106-N9-590-35/106-N9-589-08, BEING KNOWN AND DESIGNATES AS AND
BEING PARTICULARLY DESCRIBED AS A METES AND BOUND PROPERTY.

BEING THE SAME PROPERTY CONVEYED BY SIMPLE DEED FROM ALVERTA
CURLEY KOZAK, SINGLE BY HER ATTORNEYS IN FACT MARY JANE BISHOP AND
MARGARET DIDES, . TO HOWARD B PETER AND JANICE M PETER, DATED
12/15/2003 RECORDED ON 12/15/2003 IN INSTRUMENT NO 200322603, IN
CLEARFIELD COUNTY RECORDS, COMMONWEALTH OF PA.

BEING KNOWN AS: 449 BIGLER PLACE

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: 3/2/07

Exhibit “B”

10

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE DIDES
PETERS A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

FILED
COPY
AUG 10 2007
William A. Shaw
Prothonotary/Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

Defendant(s):

**PRAEICE 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 **HOWARD B. PETERS and JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES**, 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	\$ 90,149.34
Interest - 3/8/07-7/18/07	\$2,191.84
TOTAL	\$ 92,341.18

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, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 8/6/07

149998

Exhibit “C”

United States Bankruptcy Court

WESTERN DISTRICT OF PENNSYLVANIA

Case No. 07-71138-BM

Chapter 7

In re Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Howard B. Peters
701 Bigler Avenue
Clearfield, PA 16830

Janice M. Peters
aka Janice M. Dides
701 Bigler Avenue
Clearfield, PA 16830

Social Security / Individual Taxpayer ID No.:

xxx-xx-2949

xxx-xx-9801

Employer Tax ID / Other nos.:

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge,

IT IS ORDERED:

The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

BY THE COURT

Dated: 12/12/08

Bernard Markovitz
United States Bankruptcy Judge

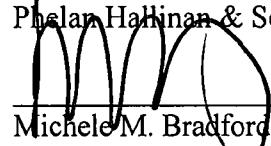
SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

VERIFICATION

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

DATE: 4/21/09

By:

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST	:	Court of Common Pleas
COMPANY ON BEHALF OF THE	:	
CERTIFICATE HOLDERS GSAMP TRUST 2005-	:	Civil Division
HE3, MORTGAGE PASS-THROUGH	:	
CERTIFICATES, SERIES 2005-HE3	:	CLEARFIELD County
Plaintiff	:	
v.	:	No. 07-358-CD
	:	

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
Defendants

CERTIFICATION OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages, and Brief in Support thereof were sent to the following individuals on the date indicated below.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
P.O. BOX 56
BIGLER, PA 16825

DATE: 4/21/09

By:

Pheilan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

FILED ^{1CC}
04/13/2009 *Atty Bradford*
APR 24 2009
S *(610)*
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST : Court of Common Pleas
COMPANY ON BEHALF OF THE :
CERTIFICATE HOLDERS GSAMP TRUST 2005- : Civil Division
HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 : CLEARFIELD County
Plaintiff : No. 07-358-CD
v. :
:

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
Defendants

RULE

AND NOW, this 24th day of April 2009, a Rule is entered upon the
Defendants to show cause why an Order should not be entered granting Plaintiff's Motion to
Reassess Damages.

Rule Returnable on the 30th day of JUNE 2009, at 2:15 pm in the Clearfield
County Courthouse, Clearfield, Pennsylvania, Courtroom #1.

BY THE COURT
Judge J. Zimmerman
J.

149998

FILED

APR 24 2009

DATE: 4/24/09
William A. Shaw
Prothonotary/Clerk of Courts

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney Other

Special Instructions:

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
Michele M. Bradford, Esq., Id. No. 69849
Judith T. Romano, Esq., Id. No. 58745
Sheetal R. Shah-Jani, Esq., Id. No. 81760
Jenine R. Davey, Esq., Id. No. 87077
Lauren R. Tabas, Esq., Id. No. 93337
Vivek Srivastava, Esq., Id. No. 202331
Jay B. Jones, Esq., Id. No. 86657
Peter J. Mulcahy, Esq., Id. No. 61791
Andrew L. Spivack, Esq., Id. No. 84439
Jaime McGuinness, Esq., Id. No. 90134
Chrisovalante P. Fliakos, Esq., Id. No. 94620
Joshua I. Goldman, Esq., Id. No. 205047
1617 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103
215-563-7000

S FILED NO
M 110:30 AM APR 27 2009
CC

William A. Shaw
Prothonotary/Clerk of Courts

DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: CLEARFIELD COUNTY

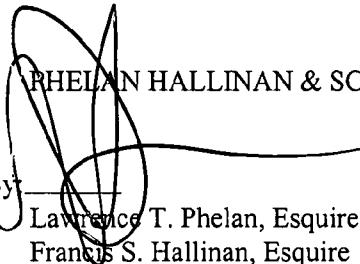
Vs.
HOWARD B. PETERS
JANICE M. PETERS

: NO. 07-358-CD

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE
PURSUANT TO Pa.R.C.P. 404(2)/403**

Daniel G. Schmeig, Esquire, Attorney for Plaintiff, hereby certifies that service of the Notice of Sheriff's Sale was made by sending a true and correct copy by certified mail to Defendant, **HOWARD B. PETERS** and **JANICE M. PETERS** at **P.O. BOX 56, BIGLER, PA 16825**. The Notice of Sale was received by Defendants, **HOWARD B. PETERS** and **JANICE M. PETERS**, on **APRIL 9, 2009** as evidenced by the attached Return Receipt.

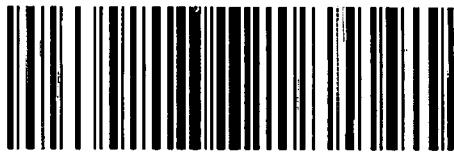
The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.


PHELAN HALLINAN & SCHMIEG, LLP

By _____
Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Daniel G. Schmieg, Esquire
Michele M. Bradford, Esquire
Judith T. Romano, Esquire
Sheetal R. Shah-Jani, Esquire
Jenine R. Davey, Esquire
Lauren R. Tabas, Esquire
Vivek Srivastava, Esquire
Jay B. Jones, Esquire
Peter J. Mulcahy, Esquire
Andrew L. Spivack, Esquire
Jaime McGuinness, Esquire
Chrisovalante P. Fliakos, Esquire
Joshua I. Goldman, Esquire

Attorneys for Plaintiff

JJN/PETERS



7178 2417 6099 0025 7355

4 / JJN **RESTRICTED DELIVERY**
JANICE M. PETERS
P.O. BOX
BIGLER, PA 16825-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)



Date Produced: 04/13/2009

PHELAN HALLINAN & SCHMIEG

The following is the delivery information for Certified Mail™ item number 7178 2417 6099 0025 7355. Our records indicate that this item was delivered on 04/09/2009 at 02:44 p.m. in CLEARFIELD, PA, 16830. The scanned image of the recipient information is provided below.

Signature of Recipient:

A handwritten signature in black ink, appearing to read 'Janice M. Fretters'. The signature is written over two lines of a horizontal line separator. The first line starts with a small 'M' and ends with a small 'P'. The second line starts with a small 'J' and ends with a small 'F'.

Address of Recipient:

A handwritten address in black ink, appearing to read '701 Bigger Ave.'. The address is written over two lines of a horizontal line separator. The first line starts with a small 'B' and ends with a small 'A'. The second line starts with a small 'B' and ends with a small 'A'.

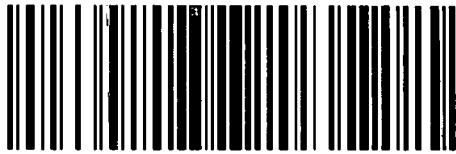
Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 26426



7178 2417 6099 0025 7348

4 / JJN **RESTRICTED DELIVERY**
HOWARD B. PETERS
P.O. BOX 56
BIGLER, PA 16825-0000

--fold here (regular)

-- fold here (6x9)

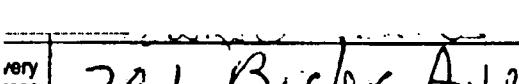
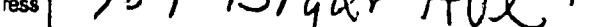
--fold here (regular)



Date Produced: 04/13/2009

PHELAN HALLINAN & SCHMIEG

The following is the delivery information for Certified Mail™ item number 7178 2417 6099 0025 7348. Our records indicate that this item was delivered on 04/09/2009 at 02:46 p.m. in CLEARFIELD, PA, 16830. The scanned image of the recipient information is provided below.

Delivery Section	
Signature of Recipient:	
Street	
City	
Address of Recipient:	701 Bigler Ave.
City	

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 26425

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY ON : CLEARFIELD COUNTY
BEHALF OF THE CERTIFICATE HOLDERS GSAMP : COURT OF COMMON PLEAS
TRUST 2005-HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 : CIVIL DIVISION
Plaintiff, :
v. : NO. 07-358-CD
:

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
Defendant(s)

AFFIDAVIT OF SERVICE OF LIENHOLDERS PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS:

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at: 449 BIGLER PLACE, BIGLER, PA 16825.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given to Lienholders in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the Affidavit No. 2 (previously filed) and/or Amended Affidavit No. 2 on the date indicated. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

PHELAN HALLINAN & SCHMIEG, LLP

By Lawrence T. Phelan 62695

Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Daniel G. Schmieg, Esquire
Michele M. Bradford, Esquire
Judith T. Romano, Esquire
Sheetal R. Shah-Jani, Esquire
Jenine R. Davey, Esquire
Lauren R. Tabas, Esquire
Vivek Srivastava, Esquire
Jay B. Jones, Esquire
Peter J. Mulcahy, Esquire
Andrew L. Spivack, Esquire
Jaime McGuinness, Esquire
Chrisovalante P. Fliakos, Esquire
Joshua I. Goldman, Esquire

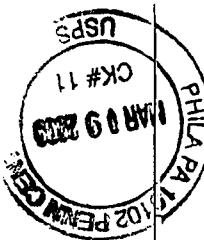
Attorneys for Plaintiff

Date: April 23, 2009

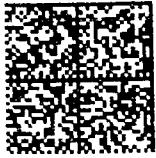
IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

Name and
Address
of Sender

CQS
PHILAN HALLINAN & SCHMIEG
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814



Line	Article Number	Name of Addressee, Street, and Post Office Address	Fee
1		TENANT/OCCUPANT 449 BIGLER PLACE BIGLER, PA 16825	
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830	
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105	
4		Commonwealth of Pennsylvania, Bureau of Individual Tax, Inheritance Tax Division, 6 th Floor, Strawberry Sq., Dept 28061, Harrisburg, PA 17128	
5		Internal Revenue Service, Federated Investors Tower, 13 TH Floor, Suite 1300, 1001 Liberty Avenue, Pittsburgh, PA 15222	
6		Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program, P.O. Box 8486, Willow Oak Building, Harrisburg, PA 17105	
7		CITIFINANCIAL, INC. 280 COMMONS DRIVE DUBOIS, PA 15801	
8			
9			
10			
11			
12	THA	Re: HOWARD B. PETERS	149998 TEAM 3
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)



The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$50,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.

PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180-3183

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-
HE3

vs.

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A
JANICE DIDES PETERS

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due	
Interest from 06/06/2009 to Sale	\$ _____
Per diem \$17.59	\$ _____
Add'l Costs	\$0.00
Writ Total	\$ _____

[Signature]

Attorney for Plaintiff

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
- Michele M. Bradford, Esq., Id. No. 69849
- Judith T. Romano, Esq., Id. No. 58745
- Sheetal R. Shah-Jani, Esq., Id. No. 81760
- Jenine R. Davey, Esq., Id. No. 87077
- Lauren R. Tabas, Esq., Id. No. 93337
- Vivek Srivastava, Esq., Id. No. 202331
- Jay B. Jones, Esq., Id. No. 86657
- Peter J. Mulcahy, Esq., Id. No. 61791
- Andrew L. Spivack, Esq., Id. No. 84439
- Jaime McGuinness, Esq., Id. No. 90134
- Chrisovalante P. Fliakos, Esq., Id. No. 94620
- Joshua I. Goldman, Esq., Id. No. 205047
- Courtenay R. Dunn, Esq., Id. No. 206779
- Andrew C. Bramblett, Esq., Id. No. 208375

Note: Please attach description of Property.

PHS # 149998

FILED Atty. pd. 20.00
MAY 09 2010 1CC@lewnits
William A. Shaw w/ prop. desc.
Prothonotary/Clerk of Courts to Sheriff
(61)

FILED

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

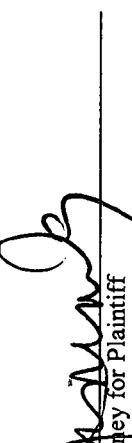
William A. Shaw
Prothonotary/Clerk of Courts

vs.

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE DIDES
PETERS

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff

Phelan Hallinan & Schmiege, LLP

- Lawrence T. Phelan, Esq., Id. No. 322227
- Francis S. Hallinan, Esq., Id. No. 62695
- Daniel G. Schmiege, Esq., Id. No. 62205
- Michele M. Bradford, Esq., Id. No. 69849
- Judith T. Romano, Esq., Id. No. 58745
- Sangeeta R. Shah-Jani, Esq., Id. No. 81760
- Jenine R. Davey, Esq., Id. No. 86657
- Lauren R. Tabas, Esq., Id. No. 933337
- Vivek Srivastava, Esq., Id. No. 202331
- Jay B. Jones, Esq., Id. No. 86657
- Peter J. Mulcahy, Esq., Id. No. 61791
- Andrew L. Spivack, Esq., Id. No. 84439
- Jaime McGuinness, Esq., Id. No. 90134
- Chrisovalante P. Filiakos, Esq., Id. No. 94620
- Joshua I. Goldman, Esq., Id. No. 205047
- Courtney R. Dunn, Esq., Id. No. 206779
- Andrew C. Bramblett, Esq., Id. No. 208375

Address where papers may be served:

HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825
JANICE M. PETERS A/K/A JANICE M. DIDES
A/K/A JANICE DIDES PETERS
449 BIGLER PLACE
BIGLER, PA 16825

Phelan Hallinan & Schmieg, LLP
1617 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103
215-563-7000

Attorneys for Plaintiff

**DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-
HE3**

Plaintiff

v.

**HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A
JANICE DIDES PETERS**

Defendant(s)

: **COURT OF COMMON PLEAS**
: **CIVIL DIVISION**
: **NO. 07-358-CD**
: **CLEARFIELD COUNTY**

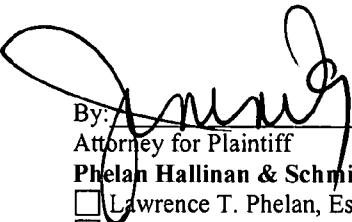
:

CERTIFICATION

The undersigned attorney hereby states that he/she 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:

- () the mortgage is an FHA Mortgage
- () the premises is non-owner occupied
- () the premises is vacant
- (X) Act 91 procedures have been fulfilled

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

By: 

Attorney for Plaintiff

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
- Michele M. Bradford, Esq., Id. No. 69849
- Judith T. Romano, Esq., Id. No. 58745
- Sheetal R. Shah-Jani, Esq., Id. No. 81760
- Jenine R. Davey, Esq., Id. No. 87077
- Lauren R. Tabas, Esq., Id. No. 93337
- Vivek Srivastava, Esq., Id. No. 202331
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- Peter J. Mulcahy, Esq., Id. No. 61791
- Andrew L. Spivack, Esq., Id. No. 84439
- Jaime McGuinness, Esq., Id. No. 90134
- Chrisovalante P. Fliakos, Esq., Id. No. 94620
- Joshua I. Goldman, Esq., Id. No. 205047
- Courtenay R. Dunn, Esq., Id. No. 206779
- Andrew C. Bramblett, Esq., Id. No. 208375

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3	:	COURT OF COMMON PLEAS
Plaintiff	:	CIVIL DIVISION
v.	:	NO. 07-358-CD
	:	CLEARFIELD COUNTY

HOWARD B. PETERS
JANICE M. PETERS A/K/A
JANICE M. DIDES A/K/A
JANICE DIDES PETERS
 Defendant(s)

AFFIDAVIT PURSUANT TO RULE 3129.1

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3, Plaintiff in the above action, by the undersigned attorney, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **449 BIGLER PLACE, BIGLER, PA 16825**.

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

Name	Address (if address cannot be reasonably ascertained, please so indicate)
HOWARD B. PETERS	449 BIGLER PLACE
	BIGLER, PA 16825
JANICE M. PETERS A/K/A	449 BIGLER PLACE
JANICE M. DIDES A/K/A	BIGLER, PA 16825
JANICE DIDES PETERS	
2. Name and address of Defendant(s) in the judgment:

Name	Address (if address cannot be reasonably ascertained, please so indicate)
SAME AS ABOVE	
3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name	Address (if address cannot be reasonably ascertained, please indicate)
None.	
4. Name and address of last recorded holder of every mortgage of record:

Name	Address (if address cannot be reasonably ascertained, please indicate)
CITIFINANCIAL INC	280 COMMONS DRIVE
	DU BOIS, PA 15801
5. Name and address of every other person who has any record lien on the property:

Name	Address (if address cannot be reasonably ascertained, please 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	Address (if address cannot be reasonably ascertained, please indicate)
------	--

None.

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

Name

Address (if address cannot be
reasonably ascertained, please indicate)

TENANT/OCCUPANT

449 BIGLER PLACE
BIGLER, PA 16825

DOMESTIC RELATIONS
CLEARFIELD COUNTY

CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830

Commonwealth of Pennsylvania
Department of Welfare

P.O. Box 2675
Harrisburg, PA 17105

United States Internal Revenue
Special Procedures Branch
Federated Investors Tower

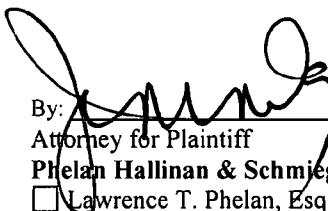
13th Floor, Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222

U.S. Department of Justice
Michael C. Colville, Esquire,
United States Attorney

Western District of PA
633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219

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

April 29, 2010

By: 

Attorney for Plaintiff

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
- Michele M. Bradford, Esq., Id. No. 69849
- Judith T. Romano, Esq., Id. No. 58745
- Sheetal R. Shah-Jani, Esq., Id. No. 81760
- Jenine R. Davey, Esq., Id. No. 87077
- Lauren R. Tabas, Esq., Id. No. 93337
- Vivek Srivastava, Esq., Id. No. 202331
- Jay B. Jones, Esq., Id. No. 86657
- Peter J. Mulcahy, Esq., Id. No. 61791
- Andrew L. Spivack, Esq., Id. No. 84439
- Jaime McGuinness, Esq., Id. No. 90134
- Chrisovalante P. Fliakos, Esq., Id. No. 94620
- Joshua I. Goldman, Esq., Id. No. 205047
- Courtenay R. Dunn, Esq., Id. No. 206779
- Andrew C. Bramblett, Esq., Id. No. 208375

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180-3183 and Rule 3257

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-
HE3

vs.

COURT OF COMMON PLEAS
CIVIL DIVISION
NO. 07-358-CD
CLEARFIELD COUNTY

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE
DIDES PETERS
Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 449 BIGLER PLACE, BIGLER, PA 16825

(See Legal Description attached)

Amount Due	
Interest from 06/06/2009 to Sale	\$107,027.28
Per diem \$17.59	105.00
Add'l Costs	\$0.00
Writ Total	

Willie L. Shanahan
OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 5/7/10
(SEAL)

PHS # 149998

IN THE COURT OF COMMON PLEAS OF
CLERAFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS GSAMP
TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3

vs.

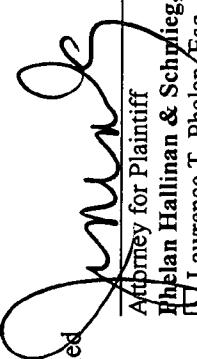
HOWARD B. PETERS

JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE DIDES PETERS

WRIT OF EXECUTION
(Mortgage Foreclosure)

	Costs
Real Debt	\$107,027.28
Int. from	
To Date of Sale (\$17.59 per dicm)	
Costs	
Prothy Pd.	<u>105.00</u>
Sheriff	

Filed


Attorney for Plaintiff

Phelan Hallinan & Schmieg, LLP

Lawrence T. Phelan, Esq., Id. No. 322227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

Michele M. Bradford, Esq., Id. No. 69849

Judith T. Romano, Esq., Id. No. 58745

Sheetal R. Shah-Jani, Esq., Id. No. 81760

Jenine R. Davey, Esq., Id. No. 87077

Lauren R. Tabas, Esq., Id. No. 93337

Vivek Srivastava, Esq., Id. No. 202331

Jay B. Jones, Esq., Id. No. 86657

Peter J. Mulcahy, Esq., Id. No. 61791

Andrew L. Spivack, Esq., Id. No. 84439

Jaime McGuinness, Esq., Id. No. 90134

Chrisovalante P. Flakos, Esq., Id. No. 94620

Joshua I. Goldman, Esq., Id. No. 205047

Courtenay R. Dunn, Esq., Id. No. 206779

Andrew C. Bramblett, Esq., Id. No. 208375

Address where papers may be served:

HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825

JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A
JANICE DIDES PETERS
449 BIGLER PLACE
BIGLER, PA 16825

LEGAL DESCRIPTION

ALL those certain lots or parcels of land situate in Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF:

BEGINNING at a point where Leiffer Street and Clearfield Street intersect in the Village of Bigler, Leiffer Street presently being an unopened street and Clearfield Street presently being Route FAS 668; thence along said Clearfield Street northwesterly 96 feet more or less to the right-of-way of the former Pennsylvania Railroad, now Conrail; thence along the said right-of-way in a southerly direction 270 feet; thence in an easterly direction through the land of the Grantor 46 feet, more or less, to the eastern property line of the Grantor herein, being at the centerline intersection of Leiffer Street and an unopened street named Bell Street; thence along the centerline of the said Leiffer Street northerly 210 feet, more or less to the point of beginning. Containing in all .39 acres, more or less and being Map # 106-N9-590-35.

THE SECOND THEREOF:

BEGINNING at a post on the corner of Clearfield and Leiffer Streets; thence along Leiffer Street 123 feet to Bells Street; thence East on Bells Street 112 feet to Clearfield Street; thence along Clearfield Street 173 feet to Leiffer Street and place of beginning. Being known in the plot of said village as Lot No. 89 and being Map #106-N9-589-8.

VESTED by Special Warranty Deed, dated 12/15/2003, given by Alvers Curley Kozak, single by her Attorneys-in-fact/agent, Mary Jane Bishop and Margaret Dides to Howard B Peters and Janice M. Peters, husband and wife, as tenants by the entireties, and recorded 12/15/2003 Instrument # 200322603.

Premises being: 449 BIGLER PLACE, BIGLER, PA 16825

Tax Parcel No. 106-N09-590-00035
106-N9-589-8

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST
COMPANY ON BEHALF OF THE CERTIFICATE
HOLDERS GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2005-HE3
Plaintiff,

v.

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES
A/K/A JANICE DIDES PETERS
Defendant(s)

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION
No. 07-358-CD

FILED NOCC

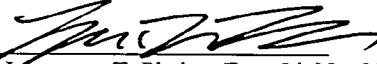
0/10:38cm
JUL 09 2010

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA)
PHILADELPHIA COUNTY) SS:

As required by Pa. R.C.P. 3129.1(a) Notice of Sale has been given to Lienholders and any known interested party in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address, set forth on the Affidavit and as amended if applicable. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached hereto Exhibit "A".



- Lawrence T. Phelan, Esq., Id. No. 32227
- Francis S. Hallinan, Esq., Id. No. 62695
- Daniel G. Schmieg, Esq., Id. No. 62205
- Michele M. Bradford, Esq., Id. No. 69849
- Judith T. Romano, Esq., Id. No. 58745
- Sheetal R. Shah-Jani, Esq., Id. No. 81760
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- Peter J. Mulcahy, Esq., Id. No. 61791
- Andrew L. Spivack, Esq., Id. No. 84439
- Jaime McGuinness, Esq., Id. No. 90134
- Chrisovalante P. Fliakos, Esq., Id. No. 94620
- Joshua I. Goldman, Esq., Id. No. 205047
- Courtenay R. Dunn, Esq., Id. No. 206779
- Andrew C. Bramblett, Esq., Id. No. 208375

Attorney for Plaintiff

Date: 7/6/10

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

Name and
Address
Of Sender

Pheilan Hallinan & Schmieg, LLP
1617 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103

↑

TS
JOT/HOS.

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	*****	TENANT/OCCUPANT 449 BIGLER PLACE BIGLER, PA 16825		
2	*****	DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3	*****	Commonwealth of Pennsylvania Department of Welfare P.O. Box 2675 Harrisburg, PA 17105	8 6 0	10.00
4	*****	United States Internal Revenue Special Procedures Branch Federated Investors Tower 13th Floor, Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222		
5	*****	U.S. Department of Justice Michael C. Colville, Esquire, United States Attorney Western District of PA 633 U.S. Post Office & Courthouse Pittsburgh, PA 15219		
6		CITIFINANCIAL INC 280 COMMONS DRIVE DU BOIS, PA 15801		
7				
8				
9				
10				
11				
12				
13				
14				
15		RE: HOWARD B. PETERS (CLEARFIELD) TEAM 3 PHS# 149998		

SALE

UNITED STATES POSTAGE
02-520
DOMESTIC BUNDLES
0004277256 JUN15 2010
MAILED FROM ZIP CODE 19103

PHILA PA 19103
JUN 15 2010
CLEARFIELD

Total Number of
Pieces Listed by Sender

Total Number of Pieces
Received at Post Office

Postmaster, Per (Name of
Receiving Employee)

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable
for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per
piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500.
R900, S913 and S921 for limitations of coverage.

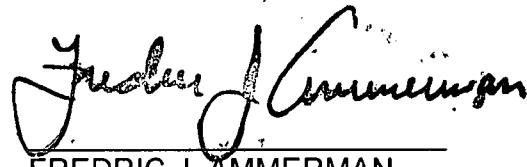
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

DEUTSCHE BANK NATIONAL TRUST COMPANY * No. 07-358-CD
ON BEHALF OF THE CERTIFICATE HOLDERS *
GSAMP TRUST 2005-HE3, MORTGAGE *
PASS-THROUGH CERTIFICATES 2005-HE3, *
*
vs. *
HOWARD B. PETERS *
JANICE M. PETERS, a/k/a JANICE DIDES PETERS *
a/k/a JANICE M. DIDES *

ORDER

NOW, this 5th day of May, 2009, due to a scheduling conflict; it is the
ORDER of this Court that the argument on the Plaintiff's Petition to Reassess
Damages be and is hereby rescheduled from the 30th day of June, 2009, at 2:15 p.m.
to the 18th day of June, 2009 at 2:15 p.m. in Courtroom No. 1 of the Clearfield County
Courthouse, Clearfield, Pennsylvania.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED 2CC
02-542N Atty Hallinan
MAY 06 2009
2CC Def.-
William A. Shaw
Prothonotary/Clerk of Courts 449 Bigler Place
Bigler, PA 15825

FILED

MAY 06 2019

William A. Shaw
Prothonotary/Clerk of Courts

DATE: *Shelby*

 You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other
 Defendant(s) Defendant(s) Attorney
 Special Instructions:

S FILED NOCC
MAY 07 2009
William A. Shaw
Prothonotary/Clerk of Courts
JS

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST	:	Court of Common Pleas
COMPANY ON BEHALF OF THE	:	
CERTIFICATE HOLDERS GSAMP TRUST 2005-	:	Civil Division
HE3, MORTGAGE PASS-THROUGH	:	
CERTIFICATES, SERIES 2005-HE3	:	CLEARFIELD County
Plaintiff	:	
v.	:	No. 07-358-CD
HOWARD B. PETERS	:	
JANICE M. PETERS	:	
A/K/A JANICE DIDES PETERS	:	
A/K/A JANICE M. DIDES	:	
Defendants	:	

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Court's April 24, 2009 Rule directing the Defendants to show cause as to why Plaintiff's Motion to Reassess Damages should not be granted was served upon the following individuals on the date indicated below.

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES P.O. BOX 56
BIGLER, PA 16825

DATE: 5/6/09

By:

Phelan Hallinan & Schmieg, LLP
Michele M. Bradford, Esquire
Attorney for Plaintiff

Y
FILED 2CC A/H
06/19/09 for Pff
JUN 18 2009 (will serve)

William A. Shaw
Prothonotary/Clerk of Courts

610

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST : Court of Common Pleas
COMPANY ON BEHALF OF THE :
CERTIFICATE HOLDERS GSAMP TRUST 2005- : Civil Division
HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 : CLEARFIELD County
Plaintiff :
: No. 07-358-CD
v. :
:

HOWARD B. PETERS
JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

Defendants

ORDER

AND NOW, this 18 day of June, 2009 the Prothonotary is ORDERED to
amend the in rem judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this
case as follows:

Principal Balance	\$82,749.35
Interest Through June 5, 2009	\$14,870.76
Per Diem \$19.84	
Late Charges	\$667.69
Legal fees	\$2,300.00
Cost of Suit and Title	\$1,742.50
Sheriff's Sale Costs	\$346.02
Property Inspections/ Property Preservation	\$359.00
Appraisal/Brokers Price Opinion	\$0.00

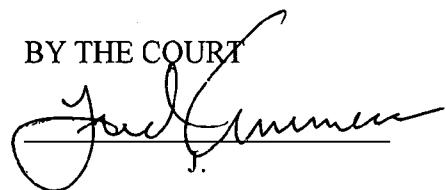
ORIGINAL

Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	<u>\$3,991.96</u>
TOTAL	\$107,027.28

Plus interest from June 5, 2009 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT



149998

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20939
NO: 07-358-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3

vs.

DEFENDANT: HOWARD B. PETERS AND JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 2/27/2009

LEVY TAKEN 3/12/2009 @ 9:24 AM

POSTED 3/12/2009 @ 9:24 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 11/18/2009

DATE DEED FILED

PROPERTY ADDRESS 449 BIGLER PLACE BIGLER , PA 16825

SERVICES

SEE ATTACHED SHEET(S) OF SERVICES

SHERIFF HAWKINS \$205.06

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2009

Chester A. Hawkins
Chester A. Hawkins
Sheriff

vs DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS GSAMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3
HOWARD B. PETERS AND JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES

1 @ SERVED HOWARD B. PETERS

DEPUTIES UNABLE TO SERVE HOWARD B. PETERS, DEFENDANT, AT 449 BIGLER PLACE, BIGLER, PA THE HOUSE
WAS VACANT.

2 @ SERVED JANICE M. PETERS A/K/A JANICE DIDES PETERS ET AL

DEPUTIES UNABLE TO SERVE JANICE M. PETERS A/K/A JANICE DIDES PETERS, DEFENDANT, AT 449 BIGLER
PLACE, BIGLER, PA THE HOUSE WAS VACANT.

3 4/24/2009 @ 2:50 PM SERVED JANICE M. PETERS A/K/A JANICE DIDES PETERS ET AL

SERVED JANICE M. PETERS A/K/A JANICE DIDES PETERS ET AL, DEFENDANT, AT 701 BIGLER AVENUE, CLEARFIELD
COUNTY, PENNSYLVANIA BY HANDING TO JANICE PETERS

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY
AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

4 4/24/2009 @ 2:50 PM SERVED HOWARD B. PETERS

SERVED HOWARD B. PETERS, DEFENDANT, AT HIS RESIDENCE 701 BIGLER AVENUE, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO JANICE PETERS, WIFE/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY
AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, JUNE 4, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF
SALE SCHEDULED FOR JUNE 5, 2009 TO AUGUST 7, 2009.

@ SERVED

NOW, JUNE 4, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE
SCHEDULED FOR AUGUST 7, 2009.

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No.
No. 07-358-CD
No.

WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

HOWARD B. PETERS

JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 449 BIGLER PLACE, BIGLER, PA 16825
(See Legal Description attached)

Amount Due

\$92,341.18
Prothonotary costs 145.00

Interest from 07/19/2007 to Sale

\$ _____.

Per diem \$15.18

\$

Add'l Costs

\$6,152.50

Writ Total

\$

Willie H. Hays
OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 2/26/09
(SEAL)

149998

Received this writ this 27th day
of February A.D. 2009
At 11:30 A.M./P.M.

Deoster A. Hawley
Sheriff by Cynthia Butterbaugh



LEGAL DESCRIPTION

ALL those certain lots or parcels of land situate in Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF:

BEGINNING at a point where Leiffer Street and Clearfield Street intersect in the Village of Bigler, Leiffer Street presently being an unopened street and Clearfield Street presently being Route FAS 668; thence along said Clearfield Street northwesterly 96 feet more or less to the right-of-way of the former Pennsylvania Railroad, now Conrail; thence along the said right-of-way in a southerly direction 270 feet; thence in an easterly direction through the land of the Grantor 46 feet, more or less, to the eastern property line of the Grantor herein, being at the centerline intersection of Leiffer Street and an unopened street named Bell Street; thence along the centerline of the said Leiffer Street northerly 210 feet, more or less to the point of beginning. Containing in all .39 acres, more or less and being Map # 106-N9-590-35.

THE SECOND THEREOF:

BEGINNING at a post on the corner of Clearfield and Leiffer Streets; thence along Leiffer Street 123 feet to Bells Street; thence East on Bells Street 112 feet to Clearfield Street; thence along Clearfield Street 173 feet to Leiffer Street and place of beginning. Being known in the plot of said village as Lot No. 89 and being Map #106-N9-589-8.

1) Vested by Special Warranty Deed, dated 12/15/2003, given by Alberta Curley Kozak, single, by her Attorneys-in-fact/agent, Mary Jane Bishop and Margaret Dides to Howard B. Peters and Janice M. Peters, husband & wife, as tenants by the entireties, and recorded 12/15/2003 Instrument # 200322603

**Premises being: 449 BIGLER PLACE
BIGLER, PA 16825**

Tax Parcel No. 106-N9-590-00035

vs DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS GSAMP TRUST
2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3
HOWARD B. PETERS AND JANICE M. PETERS A/K/A JANICE DIDES PETERS A/K/A JANICE M. DIDES

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DEPUTIES UNABLE TO SERVE HOWARD B. PETERS, DEFENDANT, AT 449 BIGLER PLACE, BIGLER, PA THE HOUSE
WAS VACANT.

2 @ SERVED JANICE M. PETERS A/K/A JANICE DIDES PETERS ET AL

DEPUTIES UNABLE TO SERVE JANICE M. PETERS A/K/A JANICE DIDES PETERS, DEFENDANT, AT 449 BIGLER
PLACE, BIGLER, PA THE HOUSE WAS VACANT.

3 4/24/2009 @ 2:50 PM SERVED JANICE M. PETERS A/K/A JANICE DIDES PETERS ET AL

SERVED JANICE M. PETERS A/K/A JANICE DIDES PETERS ET AL, DEFENDANT, AT 701 BIGLER AVENUE, CLEARFIELD
COUNTY, PENNSYLVANIA BY HANDING TO JANICE PETERS

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY
AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

4 4/24/2009 @ 2:50 PM SERVED HOWARD B. PETERS

SERVED HOWARD B. PETERS, DEFENDANT, AT HIS RESIDENCE 701 BIGLER AVENUE, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO JANICE PETERS, WIFE/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY
AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, JUNE 4, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF
SALE SCHEDULED FOR JUNE 5, 2009 TO AUGUST 7, 2009.

@ SERVED

NOW, JUNE 4, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE
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WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180-3183 and Rule 3257

DEUTSCHE BANK NATIONAL
TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HE3

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No.
No. 07-358-CD
No.

WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

HOWARD B. PETERS

JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 449 BIGLER PLACE, BIGLER, PA 16825
(See Legal Description attached)

Amount Due	
Interest from 07/19/2007 to Sale	\$92,341.18
Per diem \$15.18	145.00
Add'l Costs	\$6,152.50
Writ Total	\$

Willie H. Hause
OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 2/26/09
(SEAL)

149998

Received this writ this 27th day
of February A.D. 2009
At 11:30 A.M./P.M.

Deputy A. Hawley
Sheriff by Cynthia Butler-Aughland

No. 07-358-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

vs.

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES

WRIT OF EXECUTION
(Mortgage Foreclosure)

	Costs
Real Debt	\$92,341.18
Int. from 07/19/2007 To Date of Sale (\$15.18 per diem)	
Costs	
Prothy Pd.	<u>145.00</u>

Sheriff


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Address: HOWARD B. PETERS
BIGLER, PA 16825
449 BIGLER PLACE

JANICE M. PETERS
A/K/A JANICE DIDES PETERS
A/K/A JANICE M. DIDES
449 BIGLER PLACE
BIGLER, PA 16825



LEGAL DESCRIPTION

ALL those certain lots or parcels of land situate in Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF:

BEGINNING at a point where Leiffer Street and Clearfield Street intersect in the Village of Bigler, Leiffer Street presently being an unopened street and Clearfield Street presently being Route FAS 668; thence along said Clearfield Street northwesterly 96 feet more or less to the right-of-way of the former Pennsylvania Railroad, now Conrail; thence along the said right-of-way in a southerly direction 270 feet; thence in an easterly direction through the land of the Grantor 46 feet, more or less, to the eastern property line of the Grantor herein, being at the centerline intersection of Leiffer Street and an unopened street named Bell Street; thence along the centerline of the said Leiffer Street northerly 210 feet, more or less to the point of beginning. Containing in all .39 acres, more or less and being Map # 106-N9-590-35.

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BEGINNING at a post on the corner of Clearfield and Leiffer Streets; thence along Leiffer Street 123 feet to Bells Street; thence East on Bells Street 112 feet to Clearfield Street; thence along Clearfield Street 173 feet to Leiffer Street and place of beginning. Being known in the plot of said village as Lot No. 89 and being Map #106-N9-589-8.

1) Vested by Special Warranty Deed, dated 12/15/2003, given by Alverta Curley Kozak, single, by her Attorneys-in-fact/agent, Mary Jane Bishop and Margaret Dides to Howard B. Peters and Janice M. Peters, husband & wife, as tenants by the entireties, and recorded 12/15/2003 Instrument # 200322603

**Premises being: 449 BIGLER PLACE
BIGLER, PA 16825**

Tax Parcel No. 106-N9-590-00035

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME HOWARD B. PETERS NO. 07-358-CD

NOW, November 18, 2009, 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 August 07, 2009, I exposed the within described real estate of Howard B. Peters And Janice M. Peters A/K/A Janice Dides Peters A/K/A Janice M. Dides 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	15.00	DEBT-AMOUNT DUE	92,341.18
MILEAGE	15.00	INTEREST @ 15.1800	11,385.00
LEVY	8.80	FROM 07/19/2007 TO 08/07/2009	
MILEAGE	15.00	ATTORNEY FEES	
POSTING	8.80	PROTH SATISFACTION	
CSDS	15.00	LATE CHARGES AND FEES	
COMMISSION	10.00	COST OF SUIT-TO BE ADDED	
POSTAGE	0.00	FORECLOSURE FEES	
HANDBILLS	5.46	ATTORNEY COMMISSION	
DISTRIBUTION	15.00	REFUND OF ADVANCE	
ADVERTISING	25.00	REFUND OF SURCHARGE	20.00
ADD'L SERVICE	15.00	SATISFACTION FEE	
DEED		ESCROW DEFICIENCY	
ADD'L POSTING		PROPERTY INSPECTIONS	
ADD'L MILEAGE	2.00	INTEREST	
ADD'L LEVY		MISCELLANEOUS	
BID/SETTLEMENT AMOUNT		TOTAL DEBT AND INTEREST	\$103,746.18
RETURNS/DEPUTIZE			
COPIES	15.00	COSTS:	
	5.00	ADVERTISING	456.25
BILLING/PHONE/FAX	15.00	TAXES - COLLECTOR	
CONTINUED SALES	20.00	TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$205.06	LIEN SEARCH	100.00
		ACKNOWLEDGEMENT	
		DEED COSTS	0.00
		SHERIFF COSTS	205.06
		LEGAL JOURNAL COSTS	297.00
		PROTHONOTARY	145.00
		MORTGAGE SEARCH	40.00
		MUNICIPAL LIEN	
DEED COSTS:		TOTAL COSTS	\$1,243.31
ACKNOWLEDGEMENT			
REGISTER & RECORDER			
TRANSFER TAX 2%	0.00		
TOTAL DEED COSTS	\$0.00		

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

June 4, 2009

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

Attn: Real Estate Department

Fax Number: 814-765-5915

**Re: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3 v.
HOWARD B. PETERS and JANICE M. PETERS
449 BIGLER PLACE BIGLER, PA 16825
Court No. 07-358-CD**

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for August 7, 2009 due to the following: Per Client.

Please be advised that no funds were reported to have been 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. In addition, please forward a copy of the cost sheet pertaining to this sale to our office via facsimile to 215-567-0072 or regular mail at your earliest convenience.

Thank you for your correspondence in this matter.

Very Truly Yours,
TOBY BJORKMAN for
Phelan Hallinan & Schmieg, LLP

PHELAN HALLINAN & SCHMIEG, LLP
BY: Vivek Srivastava, Esq.
Attorney I.D. No.: 202331
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

DEUTSCHE BANK NATIONAL TRUST : CLEARFIELD COUNTY
COMPANY ON BEHALF OF THE : COURT OF COMMON PLEAS
CERTIFICATE HOLDERS GSAMP TRUST 2005- :
HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 : CIVIL DIVISION

Plaintiff : NO. 07-358-CD

v.

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES
A/K/A JANICE DIDES PETERS

**CLEARFIELD COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 07-358-CD

FILED
M 1/20/2010
AUG 09 2010
William A. Shaw
Notary/Clerk of Courts
no cc
60

Defendants

**MOTION FOR SERVICE OF NOTICE OF SALE
PURSUANT TO SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court for an Order directing service of the Notice of Sale upon the above-captioned Defendants, **HOWARD B. PETERS and JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE DIDES PETERS**, by certified mail and regular mail to 449 BIGLER PLACE, BIGLER, PA 16825 and 701 BIGLER AVENUE, CLEARFIELD, PA 16830, and posting 449 BIGLER PLACE, BIGLER, PA 16825 and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for **OCTOBER 1, 2010.**
2. Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 3129.2 requires that the Defendants

be served with a notification of Sheriff's Sale at least thirty (30) days prior to the scheduled sale date.

3. Attempts to serve Defendants with the Notice of Sale have been unsuccessful, as indicated by the Returns of Service attached hereto as Exhibit "A".
4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendants. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 449 BIGLER PLACE, BIGLER, PA 16825 and 701 BIGLER AVENUE, CLEARFIELD, PA 16830, and posting 449 BIGLER PLACE, BIGLER, PA 16825.

PHELAN HALLIWAN & SCHMIEG, LLP

By: 

Vivek Srivastava, Esq.
Attorney for Plaintiff

EXHIBIT A

AFFIDAVIT OF SERVICE

PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-
HE3

CLEARFIELD COUNTY

PHS # 149998

DEFENDANT

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE
DIDES PETERS

SERVICE TEAM/ kxc

COURT NO.: 07-358-CD

SERVE HOWARD B. PETERS AT:

449 BIGLER PLACE
BIGLER, PA 16825

TYPE OF ACTION

XX Notice of Sheriff's Sale
SALE DATE: 08/06/2010

PLEASE RUSH SERVICE ATTEMPTS

SERVED

Served and made known to HOWARD B. PETERS, Defendant on the _____ day of _____, 20____, at _____, o'clock M., at _____, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s).

Relationship is _____.

Adult in charge of Defendant's residence who refused to give name or relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s).

Agent or person in charge of Defendant's office or usual place of business.

_____ an officer of said Defendant's company.

Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, _____, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 20____.

Notary: By:

NOT SERVED

On the 1st day of July, 2010, at 2:10 o'clock P.M., Defendant NOT FOUND because:

Vacant Bad Address Moved Does Not Reside (Not Vacant)
 No Answer on _____ at _____; _____ at _____
 Service Refused

Other:

Sworn to and subscribed
before me this 20th day
of July, 2010.

By:

No furniture, electric off, grass 2 ft high
in yard.

Thomas J. Blumberg
DMC/LL

Notary:

Elizabeth A. Ventre

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Elizabeth A. Ventre, Notary Public
Blair Twp., Blair County
My Commission Expires March 31, 2011

Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF

Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
Michele M. Bradford, Esq., Id. No. 69849
Judith T. Romano, Esq., Id. No. 58745
Sheetal R. Shah-Jani, Esq., Id. No. 81760
Jenine R. Davey, Esq., Id. No. 87077
Lauren R. Tabus, Esq., Id. No. 93337
Vivek Srivastava, Esq., Id. No. 202331
Jay B. Jones, Esq., Id. No. 86657
Peter J. Mulehny, Esq., Id. No. 61791
Andrew L. Spivack, Esq., Id. No. 84439
Jaime McGuinness, Esq., Id. No. 90134
Christovalante P. Flakos, Esq., Id. No. 94620
Joshua I. Goldman, Esq., Id. No. 205047
Courtenay R. Dunn, Esq., Id. No. 206779
Andrew C. Bramblett, Esq., Id. No. 208375
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE

PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-
HE3

CLEARFIELD COUNTY

PHS # 149998

EXHIBIT A

DEFENDANT

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE
DIDES PETERS

SERVICE TEAM/ kxc

COURT NO.: 07-358-CD

SERVE JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A
JANICE DIDES PETERS AT:
449 BIGLER PLACE
BIGLER, PA 16825

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: 08/06/2010

****PLEASE RUSH SERVICE ATTEMPTS****

SERVED

Served and made known to JANICE M. PETERS, Defendant on the _____ day of _____, 20____, at _____, o'clock M., at _____, in the manner described below:

 Defendant personally served. Adult family member with whom Defendant(s) reside(s).

Relationship is _____.

 Adult in charge of Defendant's residence who refused to give name or relationship. Manager/Clerk of place of lodging in which Defendant(s) reside(s). Agent or person in charge of Defendant's office or usual place of business. _____ an officer of said Defendant's company. Other: _____

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Halmsey, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 20____.

Notary: By:

NOT SERVED

On the 1st day of July, 2010 at 2:10 o'clock P.M., Defendant NOT FOUND because: Vacant Bad Address Moved Does Not Reside (Not Vacant) No Answer on _____ at _____; _____ at _____ Service Refused

Other:

Sworn to and subscribed
before me this 20th day
of July, 2010.

By: Thomas Halmsey*No furniture, electric off, grass 2 ft high
in yard*

Notary:

Elizabeth A. VentreDME

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Elizabeth A. Ventre, Notary Public
Blair Twp., Blair County
My Commission Expires March 31, 2011

Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF

Lawrence T. Phelin, Esq., Id. No. 32227
Francis S. Hullinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
Michael M. Bradford, Esq., Id. No. 69849
Judith T. Romano, Esq., Id. No. 58745
Sheetal R. Shah-Jini, Esq., Id. No. 81760
Jenine R. Davey, Esq., Id. No. 87077
Lauren R. Tabas, Esq., Id. No. 93337
Vivek Srivastava, Esq., Id. No. 202331
Jay B. Jones, Esq., Id. No. 86657
Peter J. Mulcahy, Esq., Id. No. 61791
Andrew L. Spivack, Esq., Id. No. 84439
Jaime McGuinness, Esq., Id. No. 90134
Chrisvalante P. Flukos, Esq., Id. No. 94620
Joshua I. Goldman, Esq., Id. No. 205047
Courtney R. Dunn, Esq., Id. No. 206779
Andrew C. Bramblett, Esq., Id. No. 208375
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

EXHIBIT A

AFFIDAVIT OF SERVICE

PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

CLEARFIELD COUNTY

PHS # 149998

DEFENDANT**HOWARD B. PETERS****SERVICE TEAM/ kxc**

JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A
JANICE DIDES PETERS

COURT NO.: 07-358-CD

SERVE JANICE M. PETERS A/K/A JANICE M. DIDES **TYPE OF ACTION**
A/K/A JANICE DIDES PETERS AT: XX Notice of Sheriff's Sale
701 BIGLER AVE SALE DATE: 08/06/2010
CLEARFIELD, PA 16839

SERVED

Served and made known to _____, Defendant on the ___ day of _____, 20 __, at
_____, o'clock __. M., at _____, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s).

Relationship is _____.

Adult in charge of Defendant's residence who refused to give name or relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s).

Agent or person in charge of Defendant's office or usual place of business.

_____ an officer of said Defendant's company.

Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, _____, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed:

before me this ____ day
of _____, 20 ____.

Notary: By:

NOT SERVED

On the 8th day of June, 20 10 at 9:30 o'clock A. M., Defendant NOT FOUND because:

Vacant Bad Address Moved Does Not Reside (Not Vacant)

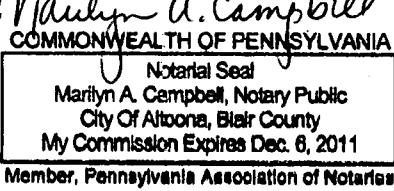
No Answer on 6/3/10 at 6:24 PM; 6/6/10 at 2:22 PM

Service Refused

Other:

Sworn to and subscribed
before me this 9th day
of June, 20 10.

By: D. M. Ellis
Marilyn A. Campbell

**ATTORNEY FOR PLAINTIFF**

Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
Michele M. Bradford, Esq., Id. No. 69849
Judith T. Romano, Esq., Id. No. 58745
Sheetal R. Shah-Jani, Esq., Id. No. 81760
Jenine R. Davey, Esq., Id. No. 87077
Lauren R. Tubis, Esq., Id. No. 93337
Vivek Srivastava, Esq., Id. No. 202331
Joy B. Jones, Esq., Id. No. 86657
Peter J. Mulcahy, Esq., Id. No. 61791
Andrew L. Spivack, Esq., Id. No. 84439

AFFIDAVIT OF SERVICE

PLAINTIFF

DEUTSCHE BANK NATIONAL TRUST COMPANY
ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3

CLEARFIELD COUNTY

EXHIBIT A

PHS # 149998

DEFENDANT

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A
JANICE DIDES PETERS

SERVICE TEAM/ kxc

COURT NO.: 07-358-CD

SERVE HOWARD B. PETERS AT:
701 BIGLER AVE
CLEARFIELD, PA 16830-2630

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: 08/06/2010

SERVED

Served and made known to _____, Defendant on the ___ day of _____, 20 __, at
_____, o'clock ___. M., at _____, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s).

Relationship is _____.

Adult in charge of Defendant's residence who refused to give name or relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s).

Agent or person in charge of Defendant's office or usual place of business.

_____ an officer of said Defendant's company.

Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, _____, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed

before me this _____ day

of _____, 20 ____.

Notary:

By:

NOT SERVED

On the 8th day of June, 20 10, at 9:30 o'clock A. M., Defendant NOT FOUND because:

Vacant Bad Address Moved Does Not Reside (Not Vacant)

No Answer on 6/3/10 at 6:24 PM; 6/6/10 at 2:22 PM

Service Refused

Other:

Sworn to and subscribed
before me this 9th day
of June, 20 10.

D.M. ELLIS

By: M.Ellis

Notary:

Marilyn A. Campbell

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Marilyn A. Campbell, Notary Public
City Of Altoona, Blair County
My Commission Expires Dec. 6, 2011

Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF

Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

Michele M. Bradford, Esq., Id. No. 69849

Judith T. Romano, Esq., Id. No. 58745

Sheetal R. Shah-Jani, Esq., Id. No. 81760

Jenine R. Davey, Esq., Id. No. 87077

Lauren R. Tabas, Esq., Id. No. 93337

Vivek Srivastava, Esq., Id. No. 202331

Jay B. Jones, Esq., Id. No. 86657

Peter J. Mulcahy, Esq., Id. No. 61791

Andrew L. Spivack, Esq., Id. No. 84439

Jaime McGuinness, Esq., Id. No. 90134

Chrisovalante P. Filiakos, Esq., Id. No. 94620

EXHIBIT B

AFFIDAVIT OF GOOD FAITH INVESTIGATION

File Number: 149998

Attorney Firm: Phelan, Hallinan & Schmieg, LLP

Subject: Howard B. Peters & Janice M. Peters

Current Address: 701 Bigler Avenue, Clearfield, PA 16830

Property Address: 449 Bigler Place, Bigler, PA 16825

Mailing Address: 701 Bigler Avenue, Clearfield, PA 16830

I, being duly sworn according to law, do hereby depose and state as follows, an investigation into the whereabouts of the above-noted individual(s) was conducted and the following has been discovered:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct

Howard B. Peters - xxx-xx-2949

Janice M. Peters - xxx-xx-9801

B. EMPLOYMENT SEARCH

Howard B. Peters & Janice M. Peters - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that Howard B. Peters reside(s) at: 701 Bigler Avenue, Clearfield, PA 16830 & Janice M. Peters reside(s) at: 449 Bigler Road, Bigler, PA 16825.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office searched directory assistance databases, which had no listing for Howard B. Peters & Janice M. Peters.

B. On 07-30-10 our office made several telephone calls to a possible phone number of the subject(s) (814) 857-4922 and received the following information: answering machine.

III. INQUIRY OF NEIGHBORS

On 07-30-10 our office made a phone call in an attempt to contact Phillip M.

Biancuzzo Sr. (814) 765-6456, 615 Bigler Avenue, Clearfield, PA 16830: spoke with an unidentified male who confirmed that Howard B. Peters & Janice M. Peters reside(s) at: 701 Bigler Avenue, Clearfield, PA 16830.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 07-30-10 we reviewed the National Address database and found the following information: Howard B. Peters & Janice M. Peters - 701 Bigler Avenue, Clearfield, PA 16830.

EXHIBIT B

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: no addresses on file.

V. OTHER INQUIRIES

A. DEATH RECORDS

As of 07-30-10 Vital Records and all public databases have no death record on file for Howard B. Peters & Janice M. Peters.

VI. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

Howard B. Peters - 11-19-1956

Janice M. Peters - 05-20-1963

B. A.K.A.

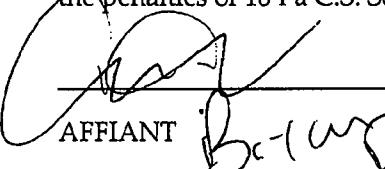
Janice Dides Peters; Janice M. Dides

* Our accessible databases have been checked and cross-referenced for the above named individual(s).

* Please be advised our database information indicates the subject resides at the current address.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.


AFFIANT

Sworn to and subscribed before me this 3 day of August 2010.

The above information is obtained from available public records
and we are only liable for the cost of the affidavit.

IND


ENID ESTRADA
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 12/6/2011

PHELAN HALLINAN & SCHMIEG, LLP
BY: Vivek Srivastava, Esq.
Attorney I.D. No.: 202331
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

DEUTSCHE BANK NATIONAL TRUST :
COMPANY ON BEHALF OF THE :
CERTIFICATE HOLDERS GSAMP TRUST 2005- :
HE3, MORTGAGE PASS-THROUGH :
CERTIFICATES, SERIES 2005-HE3 :
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION

Plaintiff : NO. 07-358-CD

v.

HOWARD B. PETERS :
JANICE M. PETERS A/K/A JANICE M. DIDES :
A/K/A JANICE DIDES PETERS :
:

Defendants

PLAINTIFF'S MEMORANDUM OF LAW

Pursuant to Pennsylvania Rule of Civil Procedure, Rule 3129.2, it is necessary in a foreclosure action for the Sheriff or Process Server to serve upon the Defendants Notice of the Sale of the mortgaged premises. Specifically, Pa.R.C.P., Rule 3129.2 (c) provides in applicable part as follows:

The written notice shall be prepared by the plaintiff, shall contain the same information as the handbills or may consist of the handbill and shall be served at least thirty days before the sale on all persons whose names and addresses are set forth in the affidavit required by Rule 3129.1.

- (1) Service of the Notice shall be made:
 - (i) upon a defendant...
 - (A) by the sheriff or by a competent adult in the manner prescribed by Rule 402 (a) for the service of original process upon a defendant, or
 - (B) by the plaintiff mailing a copy of the manner prescribed by Rule

403 to the addresses set forth in the affidavit; or

(C) if service cannot be made as provided in the subparagraph (A) or (B), the notice shall be served pursuant to special order of court as prescribed by Rule 430, except that if original process was served pursuant to a special order of court under Rule 430 upon the defendant in the judgment, the notice may be served upon that defendant in the manner provided by the order for service of original process without further application to the court.

Because the whereabouts of Defendants, HOWARD B. PETERS and JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE DIDES PETERS, are unknown, a reasonable investigation of their last known address was made in accordance with Pa.R.C.P. 430(a).

Pennsylvania Rule of Civil Procedure, Rule 430 (a) provides as follows:

(a) If service cannot be made under the applicable rule the Plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.

Note: A Sheriff's Return or Affidavit of Service of "not found" or the fact that a defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa.Super. 362, 357 A.2d 580 (1976). Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address. Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives, neighbors, friends and employers of the defendant and (3) examinations of local telephone directories, voter registration records, local tax records and motor vehicle records.

As indicated by the attached Affidavits of Return of Service, marked hereto as Exhibit "A", the Process Server has been unable to serve the Notice of Sale.

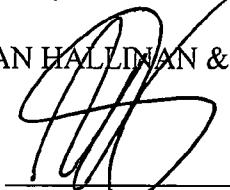
A good faith effort to discover the whereabouts of the Defendants has been made as evidenced by the attached Affidavit of Reasonable Investigation, marked as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 449 BIGLER PLACE, BIGLER, PA 16825 and 701 BIGLER AVENUE, CLEARFIELD, PA 16830, and posting 449 BIGLER PLACE, BIGLER, PA 16825.

Respectfully submitted,

PHELAN HALLINAN & SCHMIEG, LLP

By:



Vivek Srivastava, Esq.
Attorney for Plaintiff

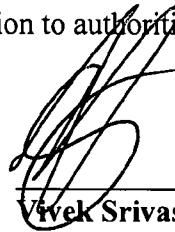
VERIFICATION

Vivek Srivastava, Esquire, hereby states that he is the attorney for the Plaintiff in this action, that he is authorized to take the verification and that the statements made in the foregoing Motion for Service of Notice of Sale pursuant to Special Order of Court are true and correct to the best of his knowledge, information and belief.

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

Date:

08/09/10



Vivek Srivastava, Esq.

PHELAN HALLINAN & SCHMIEG, LLP
BY: Vivek Srivastava, Esq.
Attorney I.D. No.: 202331
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

DEUTSCHE BANK NATIONAL TRUST	:	CLEARFIELD COUNTY
COMPANY ON BEHALF OF THE	:	COURT OF COMMON PLEAS
CERTIFICATE HOLDERS GSAMP TRUST 2005-	:	
HE3, MORTGAGE PASS-THROUGH	:	CIVIL DIVISION
CERTIFICATES, SERIES 2005-HE3	:	
Plaintiff	:	NO. 07-358-CD
v.	:	
HOWARD B. PETERS	:	
JANICE M. PETERS A/K/A JANICE M. DIDES	:	
A/K/A JANICE DIDES PETERS	:	
Defendants	:	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Service of Notice of Sale Pursuant to Special Order of Court, Proposed Order, Memorandum of Law, Certification of Service and Verification in the above captioned matter was sent by first class mail, postage prepaid to the following interested parties on the date indicated below.

HOWARD B. PETERS
JANICE M. PETERS A/K/A
JANICE M. DIDES A/K/A
JANICE DIDES PETERS
449 BIGLER PLACE
BIGLER, PA 16825
and
701 BIGLER AVENUE
CLEARFIELD, PA 16830



Vivek Srivastava, Esq.
Attorney for Plaintiff

Date: 06/06/10

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

DEUTSCHE BANK NATIONAL TRUST COMPANY * NO. 07-358-CD
ON BEHALF OF THE CERTIFICATE HOLDERS *
GSAMP TRUST 2005-HE3, MORTGAGE PASS- *
THROUGH CERTIFICATES, SERIES 2005-HE3 *
Plaintiff *
vs *
HOWARD B. PETERS *
JANICE M. PETERS a/k/a JANICE M. DIDES *
a/k/a JANICE DIDES PETERS *
Defendants *

O R D E R

NOW, this 10th day of August, 2010, the Plaintiff is granted leave to serve the
NOTICE OF SALE upon the Defendants **HOWARD B. PETERS and JANICE M.**
PETERS a/k/a JANICE M. DIDES a/k/a JANICE DIDES PETERS by:

1. Publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal;
2. By first class mail to the following addresses: 449 Bigler Place, Bigler, PA 16825 and 701 Bigler Avenue, Clearfield, Pa 16830;
3. By certified mail, return receipt requested, to the following addresses: 449 Bigler Place, Bigler, PA 16825 and 701 Bigler Avenue, Clearfield, Pa 16830; and
4. By posting the mortgaged premises known in this herein action as 449 Bigler Place, Bigler, PA 16825.

Service of the aforementioned publication and mailings is effective upon the date of publication and mailing and is to be done by Plaintiff's attorney, who will file Affidavits of Service with the Prothonotary of Clearfield County.

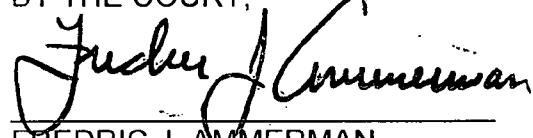
FILED

07/05/2010
AUG 11 2010

William A. Shaw
Prothonotary/Clerk of Courts

3 CCP/Hy Srivastava

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 21169
NO: 07-358-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3

VS.

DEFENDANT: HOWARD B. PETERS AND JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE DIDES PETERS

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 5/7/2010

LEVY TAKEN 5/25/2010 @ 11:20 AM

POSTED 5/25/2010 @ 11:20 AM

SALE HELD 10/1/2010

SOLD TO DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 10/25/2010

DATE DEED FILED 10/25/2010

PROPERTY ADDRESS 449 BIGLER PLACE BIGLER , PA 16825
SERVICES

5/25/2010 @ 11:40 AM SERVED HOWARD B. PETERS

SERVED HOWARD B. PETERS, DEFENDANT, AT HIS RESIDENCE 701 BIGLER AVENUE, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HOWARD PETERS

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING
KNOW TO HIM / HER THE CONTENTS THEREOF.

5/25/2010 @ 11:40 AM SERVED JANICE M. PETERS A/K/A JANICE M. DIDES

SERVED JANIEC M. PETERS A/K/A JANICE M. DIDES, DEFENDANT, AT HER RESIDENCE 701 BIGLER AVENUE, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HOWARD PETERS, HUSBAND/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING
KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, JULY 30, 2010 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED
FOR AUGUST 6, 2010 TO OCTOBER 1, 2010.

5
FILED
07/04/11
OCT 25 2010
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 21169
NO: 07-358-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS
GSAMP 1ST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3

VS.
DEFENDANT: HOWARD B. PETERS AND JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE DIDES PETERS

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$238.60

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

____ day of _____ 2010

So Answers,


by *Cynthia Butler-Alexander*
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180-3183 and Rule 3257

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF
OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-
HE3

vs.

COURT OF COMMON PLEAS
CIVIL DIVISION
NO. 07-358-CD
CLEARFIELD COUNTY

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE
DIDES PETERS
Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 449 BIGLER PLACE, BIGLER, PA 16825
(See Legal Description attached)

Amount Due	\$107,027.28
Interest from 06/06/2009 to Sale	
Per diem \$17.59	
Add'l Costs	\$165.00
Writ Total	\$0.00

Walter L. Stoy
OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 5/7/10
(SEAL)

PHS # 149998

Received this writ this 7th day
of May A.D. 2010
At 3:00 A.M./P.M.

Chester A. Hendren
Sheriff *By Cynthia Bitter-Authorized*

IN THE COURT OF COMMON PLEAS OF
CLERAFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS GSAMP
TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3

vs.

HOWARD B. PETERS
JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A JANICE DIDES PETERS

WRIT OF EXECUTION
(Mortgage Foreclosure)

Real Debt	Costs	\$107,027.28
Int. from		
To Date of Sale (\$17.59 per diem)		
Costs		<u>105.00</u>
Proth. Pd.		
Sheriff		

Filed

Address where papers may be served:

HOWARD B. PETERS
449 BIGLER PLACE
BIGLER, PA 16825

JANICE M. PETERS A/K/A JANICE M. DIDES A/K/A
JANICE DIDES PETERS
449 BIGLER PLACE
BIGLER, PA 16825

Lawrence T. Phelan, Esq., Id. No. 322227
 Francis S. Hallinan, Esq., Id. No. 62695
 Daniel G. Schmieg, Esq., Id. No. 62205
 Michele M. Bradford, Esq., Id. No. 69849
 Judith T. Romano, Esq., Id. No. 58745
 Seetal R. Shah-Jani, Esq., Id. No. 81760
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 Vivek Srivastava, Esq., Id. No. 202331
 Jay B. Jones, Esq., Id. No. 86657
 Peter J. Mulcahy, Esq., Id. No. 61791
 Andrew L. Spivack, Esq., Id. No. 84439
 Jaime McGuinness, Esq., Id. No. 90134
 Chrisovalante P. Fliakos, Esq., Id. No. 94620
 Joshua I. Goldman, Esq., Id. No. 205047
 Courtenay R. Dunn, Esq., Id. No. 206779
 Andrew C. Bramblett, Esq., Id. No. 208375

LEGAL DESCRIPTION

ALL those certain lots or parcels of land situate in Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF:

BEGINNING at a point where Leiffer Street and Clearfield Street intersect in the Village of Bigler, Leiffer Street presently being an unopened street and Clearfield Street presently being Route FAS 668; thence along said Clearfield Street northwesterly 96 feet more or less to the right-of-way of the former Pennsylvania Railroad, now Conrail; thence along the said right-of-way in a southerly direction 270 feet; thence in an easterly direction through the land of the Grantor 46 feet, more or less, to the eastern property line of the Grantor herein, being at the centerline intersection of Leiffer Street and an unopened street named Bell Street; thence along the centerline of the said Leiffer Street northerly 210 feet, more or less to the point of beginning. Containing in all .39 acres, more or less and being Map # 106-N9-590-35.

THE SECOND THEREOF:

BEGINNING at a post on the corner of Clearfield and Leiffer Streets; thence along Leiffer Street 123 feet to Bells Street; thence East on Bells Street 112 feet to Clearfield Street; thence along Clearfield Street 173 feet to Leiffer Street and place of beginning. Being known in the plot of said village as Lot No. 89 and being Map #106-N9-589-8.

VESTED by Special Warranty Deed, dated 12/15/2003, given by Alvers Curley Kozak, single by her Attorneys-in-fact/agent, Mary Jane Bishop and Margaret Dides to Howard B Peters and Janice M. Peters, husband and wife, as tenants by the entireties, and recorded 12/15/2003 Instrument # 200322603.

Premises being: 449 BIGLER PLACE, BIGLER, PA 16825

Tax Parcel No. 106-N09-590-00035
106-N9-589-8

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME HOWARD B. PETERS

NO. 07-358-CD

NOW, October 25, 2010, 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 October 01, 2010, I exposed the within described real estate of Howard B. Peters And Janice M. Peters A/K/A Janice M. Dides A/K/A Janice Dides Peters to public venue or outcry at which time and place I sold the same to DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE3 he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	8.00
LEVY	15.00
MILEAGE	8.00
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	6.60
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$238.60

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	53.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$53.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	107,027.28
INTEREST @ 17.5900 %	8,478.38
FROM 06/06/2009 TO 10/01/2010	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$115,525.66

COSTS:

ADVERTISING	298.75
TAXES - COLLECTOR	99.65
TAXES - TAX CLAIM	
ASSESSMENT FEE	20.00
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	53.50
SHERIFF COSTS	238.60
LEGAL JOURNAL COSTS	189.00
PROTHONOTARY	165.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	40.00
TOTAL COSTS	\$1,209.50

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 30, 2010

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

Attn: Real Estate Department

Fax Number: 814-765-5915

**Re: DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THE
CERTIFICATE HOLDERS GSAMP TRUST 2005-HE3, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-HE3 v.
HOWARD B. PETERS and JANICE M. PETERS
449 BIGLER PLACE BIGLER, PA 16825
Court No. 07-358-CD**

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for August 6, 2010 due to the following: HAMP Certification 10-02.

The Property is to be relisted for the October 1, 2010 Sheriff Sale.

Thank you for your cooperation in this matter.

Very Truly Yours,
PATRICK WIRT for
Phelan Hallinan & Schmieg, LLP