

07-407-CD
HSBC Bank vs Paul Kolesar Jr al

HSBC Bank et al vs Paul Kolesar et al
2007-407-CD

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

149431

HSBC BANK USA AS TRUSTEE IN TRUST
OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4
3476 STATEVIEW BLVD
FORT MILL, SC 29715

Plaintiff

v.

PAUL A. KOLESAR, JR
A/K/A PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
A/K/A KRISTINE J. KOLESAR, JR.
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879

Defendants

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS


CIVIL DIVISION

TERM

NO. 2007-407-CD

CLEARFIELD COUNTY

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

FILED ^{Pl 85.00 Att}
M/11:45am No CC
MAR 16 2007 2cc Shff.


William A. Shaw
Prothonotary Clerk of Courts

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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

Notice to Defend:
David S. 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

HSBC BANK USA AS TRUSTEE IN TRUST
OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH
CERTIFICATE SERIES 2003-HE4
3476 STATEVIEW BLVD
FORT MILL, SC 29715

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

PAUL A. KOLESAR, JR
A/K/A PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
A/K/A KRISTINE J. KOLESAR, JR.
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879

*mistaken
NO.*

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

3. On 03/12/1996 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to ALTEGRA CREDIT COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1745, Page: 181. By Assignment of Mortgage recorded 11/4/04 the mortgage was Assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage in Assignment of Mortgage Book: 200418031, Page: . 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 11/01/2006 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	\$43,961.14
Interest	\$1,980.38
10/01/2006 through 03/15/2007 (Per Diem \$11.93)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$1,698.27
03/12/1996 to 03/15/2007	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$49,439.79
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
TOTAL	\$49,439.79

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. Plaintiff hereby releases JOAN L. HOUSER from liability for the debt secured by the mortgage.
11. By virtue of the Death of JOAN L. HOUSER on 01/09/04, Defendant became sole owner of the mortgage premises as surviving tenant by entireties

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$49,439.79, together with interest from 03/15/2007 at the rate of \$11.93 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 TRACT OR PARCEL OF LAND situate, lying and being in the Township of Cooper, County of Clearfield and State of Pennsylvania bounded and described as follows:

Tax Map #110.0-R09-000-00070

Being the same premises conveyed to Paul A. Kolesar and Esther A. Kolesar by Warranty Deed recorded 1/20/72 in Liber 586 page 307.

Address: R.R. 2, Box 325

Cooper, Pennsylvania

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, ESQUIRE
Attorney for Plaintiff

DATE: 3/15/07

PHELAN HALLINAN & SCHMIEG, L.L.P.

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

HSBC BANK USA AS TRUSTEE IN TRUST OF :

CITIGROUP MORTGAGE LOAN TRUST INC. :

ASSET BACKED PASS THROUGH :

CERTIFICATES SERIES 2003-HE4 :

Plaintiff :

vs. :

PAUL A. KOLESAR, JR. :

A/K/A PAUL A. KOLESAR, JR. :

KRISTINE J. KOLESAR :

A/K/A KRISTINE J. KOLESAR, JR. :

Defendant

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2007-407-CD

CLEARFIELD COUNTY

FILED MAR 22 2007 NOCC

William A. Shaw
Prothonotary/Clerk of Courts

SUGGESTION OF RECORD CHANGE
RE: CORRECTION OF DEFENDANTS' NAME

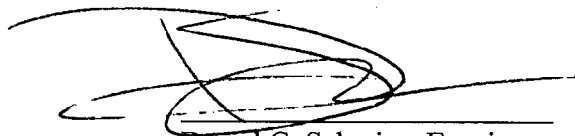
TO THE PROTHONOTARY:

Daniel G. Schmieg, Esquire, attorney for the Plaintiff, hereby certifies that, to the best of his knowledge, information and belief that the defendants' names were erroneously listed in the caption of this Action as:

PAUL A. KOLESAR, JR.
A/K/A PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
A/K/A KRISTINE J. KOLESAR, JR.

Kindly change the information on the docket to read as follows to correct this defect:

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR



Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: March 21, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102571
NO: 07-407-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: HSNB BANK USA as Trustee

vs.

DEFENDANT: PAUL A. KOLESAR, JR. aka PAUL A. KOLESAR JR. and KRISTINE J. KOLESAR
aka KRISTINE J. KOLESAR JR.

SHERIFF RETURN

NOW, March 22, 2007 AT 10:04 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON PAUL A. KOLESAR JR. DEFENDANT AT 710 BIRCH ST., LANSE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KRISTEN KOLESAR, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

FILED
013:15/01
JUL 13 2007
Wm

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102571
NO: 07-407-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: HSNC BANK USA as Trustee

vs.

DEFENDANT: PAUL A. KOLESAR, JR. aka PAUL A. KOLESAR JR. and KRISTINE J. KOLESAR
aka KRISTINE J. KOLESAR JR.

SHERIFF RETURN

NOW, March 22, 2007 AT 10:04 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KRISTINE J. KOLESAR DEFENDANT AT 710 BIRCH ST., LANSE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KRISTINE J. KOLESAR, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102571
NO: 07-407-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: HSNC BANK USA as Trustee

vs.

DEFENDANT: PAUL A. KOLESAR, JR. aka PAUL A. KOLESAR JR. and KRISTINE J. KOLESAR
aka KRISTINE J. KOLESAR JR.

SHERIFF RETURN

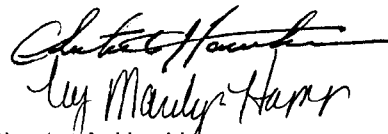
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	581922	20.00
SHERIFF HAWKINS	PHELAN	581922	43.40

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,



Chester A. Hawkins
Sheriff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

FILED Atty pd. 20.00

7/11/07 11:42 AM
JUL 27 2007 ICC Notice
to Defs.

William A. Shaw
Prothonotary/Clerk of Courts
Statement
to Atty
(GK)

HSBC BANK USA AS TRUSTEE IN TRUST
OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4
3476 STATEVIEW BLVD.
FORT MILL, SC 29715

Plaintiff,

v.

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879

Defendant(s).

PRAECIPE 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 **PAUL A. KOLESAR, JR. and KRISTINE J. KOLESAR**, 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	\$ 49,439.79
Interest - 03/16/07 - 07/25/07	\$1,574.76
TOTAL	<u>\$ 51,014.55</u>

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: 7/27/07


PRO PROTHY

149431

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

HSBC BANK USA AS TRUSTEE IN TRUST OF

: COURT OF COMMON PLEAS

CITIGROUP MORTGAGE LOAN TRUST INC.,

ASSET BACKED PASS THROUGH CERTIFICATES

: CIVIL DIVISION

SERIES 2003-HE4

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 2007-407-CD

PAUL A. KOLESAR, JR.

KRISTINE J. KOLESAR

Defendants

TO: KRISTINE J. KOLESAR

BOX 338 A/K/A 710 BIRCH STREET

WINBURNE, PA 16879

FILE

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

HSBC BANK USA AS TRUSTEE IN TRUST OF

CITIGROUP MORTGAGE LOAN TRUST INC.,

ASSET BACKED PASS THROUGH CERTIFICATES

SERIES 2003-HE4

Plaintiff

Vs.

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 2007-407-CD

PAUL A. KOLESAR, JR.

KRISTINE J. KOLESAR

Defendants

FILE COPY

TO: PAUL A. KOLESAR, JR.
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879

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

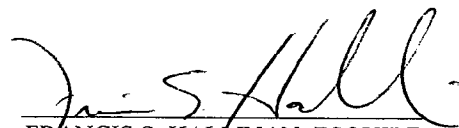
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

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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

**HSBC BANK USA AS TRUSTEE IN TRUST
OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4
3476 STATEVIEW BLVD.
FORT MILL, SC 29715**

Plaintiff,

v.

**PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879**

**CLEARFIELD COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 2007-407-CD

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

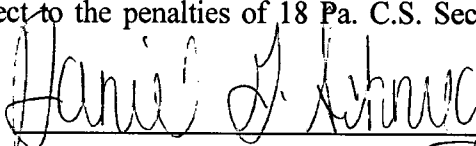
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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 **PAUL A. KOLESAR, JR.** is over 18 years of age and resides at **BOX 338 A/K/A 710 BIRCH STREET, WINBURNE, PA 16879.**

(c) that defendant **KRISTINE J. KOLESAR** is over 18 years of age, and resides at **BOX 338 A/K/A 710 BIRCH STREET, WINBURNE, PA 16879.**

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

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

COPIES

HSBC BANK USA AS TRUSTEE IN TRUST
OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4
3476 STATEVIEW BLVD.
FORT MILL, SC 29715

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

Plaintiff,

NO. 2007-407-CD

v.

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on July 27, 2007.

BY Willi L. Hays DEPUTY

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

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

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

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

COPY

HSBC Bank of USA
Citigroup Mortgage Loan Trust Inc.
Plaintiff(s)

No.: 2007-00407-CD

Real Debt: \$51,014.55

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Paul A. Kolesar Jr.
Kristine J. Kolesar
Defendant(s)

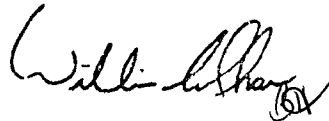
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: July 27, 2007

Expires: July 27, 2012

Certified from the record this 27th day of July, 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

HSBC.BANK.USA.AS.TRUSTEE
IN.TRUST.OF.CITIGROUP
MORTGAGE.LOAN.TRUST.INC.
ASSET.BACKED.PASS.THROUGH
CERTIFICATES.SERIES.2003-HE4

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 2007-407-CD. Term 2005.....

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

PAUL A. KOLESAR, JR.

KRISTINE J. KOLESAR

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due

\$51,014.55

Interest from JULY 25, 2007 to Sale
Per diem \$8.39

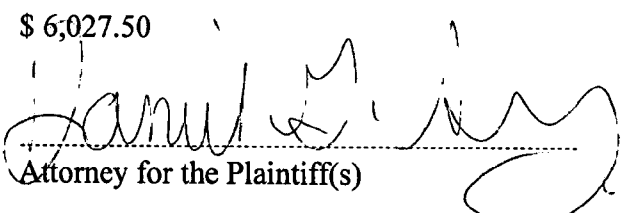
\$ _____

Prothonotary costs

125.00

Add'l Costs

\$ 6,027.50


Attorney for the Plaintiff(s)

Note: Please attach description of Property.

149431

FILED 1000 to writs
M 11:58 AM w/prop desc.
JUL 27 2007 to Shff
William A. Shaw
Prothonotary/Clerk of Courts
Att'y pd.
20.00
(CK)

No. 2007-407-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

HSBC BANK USA AS TRUSTEE IN TRUST OF
CITIGROUP MORTGAGE LOAN TRUST INC.
ASSET BACKED PASS THROUGH CERTIFICATES
SERIES 2003-HE4

vs.

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR

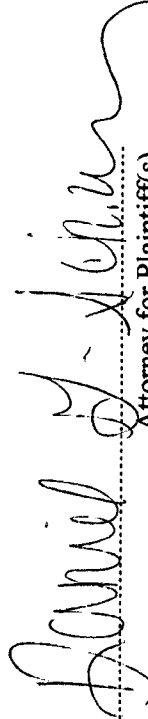
PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

William A. Shaw
Prothonotary/Clerk of Courts

JUL 27 2007

FILED


Attorney for Plaintiff(s)

Address: PAUL A. KOLESAR, JR. KRISTINE J. KOLESAR
BOX 338 A/K/A 710 BIRCH STREET BOX 338 A/K/A 710 BIRCH
STREET
WINBURN, PA 16879 WINBURN, PA 16879

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

HSBC BANK USA AS TRUSTEE IN TRUST
OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4
3476 STATEVIEW BLVD.
FORT MILL, SC 29715

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2007-407-CD

Plaintiff,

v.

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879

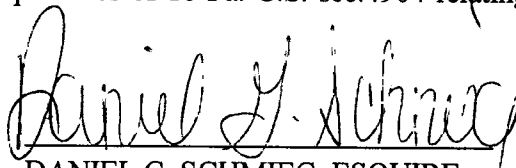
Defendant(s).

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

HSBC BANK USA AS TRUSTEE IN TRUST
OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4
3476 STATEVIEW BLVD.
FORT MILL, SC 29715

Plaintiff,

v.

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2007-407-CD

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)**

HSBC BANK USA AS TRUSTEE IN TRUST OF CITIGROUP MORTGAGE LOAN TRUST INC. ASSET BACKED PASS THROUGH CERTIFICATES SERIES 2003-HE4, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **BOX 338 A/K/A 701 BIRCH STREET, WINBURNE, PA 16879**.

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

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

PAUL A. KOLESAR, JR.	BOX 338 A/K/A 710 BIRCH STREET WINBURNE, PA 16879
----------------------	--

KRISTINE J. KOLESAR	BOX 338 A/K/A 710 BIRCH STREET WINBURNE, PA 16879
---------------------	--

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

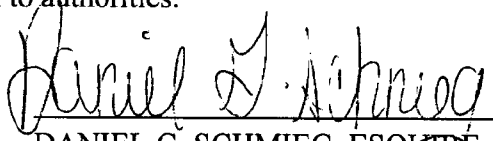
NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	---

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 25, 2007

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

**HSBC BANK USA AS TRUSTEE IN TRUST
OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4
3476 STATEVIEW BLVD.
FORT MILL, SC 29715**

Plaintiff,

v.

**PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879**

Defendant(s).

**CLEARFIELD COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 2007-407-CD

AFFIDAVIT PURSUANT TO RULE 3129

HSBC BANK USA AS TRUSTEE IN TRUST OF CITIGROUP MORTGAGE LOAN TRUST INC. ASSET BACKED PASS THROUGH CERTIFICATES SERIES 2003-HE4, Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **BOX 338 A/K/A 701 BIRCH STREET, WINBURNE, PA 16879**.

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.)
HOWARD MURPHY ESQUIRE FOR ALTEGRA CREDIT COMPANY	4268 NORTHERN PIKE MONROEVILLE, PA 15146

LOUIS P. VITTI AND ASSOC., P.C. FOR NATIONAL CITY HOME LOAN SERVICES, INC., F/K/A ALTEGRA CREDIT COMPANY	916 FIFTH AVENUE PITTSBURGH, PA 15219
---	--

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.)
HSBC BANK, USA, AS TRUSTEE FOR CITIGROUP MORTGAGE LOAN	C/O WELLS FARGO 3476 STATEVIEW BLVD. FORT MILL, SC 29715

**MORTGAGE LOAN
TRUST, INC.**

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 BOX 338 A/K/A 701 BIRCH STREET
WINBURNE, PA 16879

DOMESTIC CLEARFIELD COUNTY COURTHOUSE
RELATIONS 230 EAST MARKET STREET
CLEARFIELD CLEARFIELD, PA 16830
COUNTY

COMMONWEALTH DEPARTMENT OF WELFARE
OF PENNSYLVANIA PO BOX 2675
HARRISBURG, PA 17105

COMMONWEALTH OF PA 6TH FL. STRAWBERRY SQUARE
BUREAU OF INDIVIDUAL DEPT. 280601
TAX HARRISBURG, PA 17128
INHERITANCE TAX
DIVISION
ATTN: JOHN MURPHY

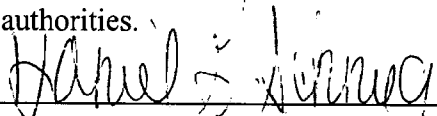
DEPT. OF PUBLIC P.O. BOX 8486
WELFARE WILLOW OAK BLDG.
TPL CASUALTY UNIT HARRISBURG, PA 17105
ESTATE RECOVERY
PROGRAM

INTERNAL REVENUE 13TH FLOOR, SUITE 1300
SERVICE 1001 LIBERTY AVENUE
FEDERATED INVESTORS PITTSBURGH, PA 15222
TOWER

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 25, 2007

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

COPIES

HSBC.BANK.USA.AS.TRUSTEE
IN.TRUST.OF.CITIGROUP
MORTGAGE.LOAN.TRUST.INC.
ASSET.BACKED.PASS.THROUGH
CERTIFICATES.SERIES.2003-HE4

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 2007-407-CD. Term 20 05
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

PAUL A. KOLESAR, JR.

KRISTINE J. KOLESAR

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: BOX 338 A/K/A 701 BIRCH STREET, WINBURNE, PA 16879
(See Legal Description attached)

Amount Due \$51,014.55

Interest from JULY 25, 2007 to Sale \$-----
per diem \$8.39

Total \$-----

Add'l Costs \$6,027.50

Prothonotary costs

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

Dated 7/27/07
(SEAL)

149431

No. 2007-407-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

HSBC BANK USA AS TRUSTEE IN TRUST OF
CITIGROUP MORTGAGE LOAN TRUST INC.
ASSET BACKED PASS THROUGH CERTIFICATES
SERIES 2003-HE4

vs.

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$51,014.55

Int. from JULY 25, 2007
To Date of Sale (\$8.39 per diem)

Costs

Prothy Pd. 125.00

Sheriff

David J. Schuy
Attorney for Plaintiff(s)

Address: PAUL A. KOLESAR, JR. KRISTINE J. KOLESAR
 BOX 338 A/K/A 710 BIRCH STREET BOX 338 A/K/A 710 BIRCH
STREET

WINBURN, PA 16879 WINBURN, PA 16879

DESCRIPTION

ALL that certain lot or piece of land situate in the Township of Cooper, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake in right of way line of Township Road No-T-720 and the Northeast corner of Lot No. 43, the property of Hilma Lundquist; thence along said Lot No. 43, North Eighty-five degrees Forty-Nine minutes West (N 85 degrees 49 minutes W) a distance of One hundred twenty-five (125) feet to a stake; thence still by the lands of Hilma Lundquist Lot No. 105, from which this is a port, North Five degrees Fifty-three minutes East (N 5 degrees 53 minutes E) a distance of One hundred (100) feet to a stake; thence still by the same lands of Hilma Lundquist, South Eighty-five degrees Forty-nine minutes East (S 85 degrees 49 minutes E) a distance of one hundred twenty-five (125) feet to a stake in right of way line of Township Road, No-T-720; thence along said right of way line of South five degrees Fifty-three minutes West (S 5 degrees 53 minutes W) a distance of one hundred (100) feet to a stake and the place of beginning. This piece of land containing .0287 acres, as shown on plan and map prepared by Bernard Lucas Associates.

UNDER AND SUBJECT to all exceptions, reservations, restrictions, conditions, easements, rights and rights of way as contained in prior deeds and instruments of record.

BEING the same premises which became vested in William I Houser and Joan L. Houser, as Tenants by the Entirety by Deed dated July 17, 1970 and recorded in Clearfield County Deed Book 563, page 318. William I. Houser subsequently died thus vesting title in Joan L. Houser as Surviving Spouse.

Being Parcel # 110-0-509-000-187.1

Premises: P.O. Box 338, a/k/a 710 Birch Street, Winburne, PA 16879
Copper Township, Clearfield County
Pennsylvania

TITLE TO SAID PREMISES IS VESTED IN the Estate of Joan L. Houser, Deceased by reason of the following:

BEING THE SAME premises which Joan L. Houser and Paul A. Kolesar, Jr. and Kristine J. Kolesar, as Joint Tenants with the Right of Survivorship, by Deed from Joan L. Houser, dated 3-12-96, recorded 3-22-96 in Deed Book 1745, page 178.

AND THE SAID Joan L. Houser being so seized thereof, departed this life on 1-9-04, intestate, leaving to survive the following heir(s) at law:

Donna J. Lippert - Addr: 1518 Pine Top Road, Woodland, PA 16881
William W. Houser - Addr: 50 Bedford Street, Grassflat, PA 16839
Kristine J. Kolesar - Addr: P.O. Box 338, 710 Birch St., Winburne, PA 16879

AND Letters of Administration on the Estate of Joan L. Houser aforesaid were duly granted unto Donna J. Lippert by the Register of Wills of Clearfield County, Pennsylvania on 1-16-04 at Estate Docket # 17-2004-0036.

1
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

HSBC BANK USA AS TRUSTEE IN TRUST : COURT OF COMMON PLEAS
OF CITIGROUP MORTGAGE LOAN :
TRUST INC. ASSET BACKED PASS : CIVIL DIVISION
THROUGH CERTIFICATES SERIES 2003- :
HE4 : CLEARFIELD COUNTY

Plaintiff

vs.

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR
Defendants

:
: No. 2007-407-CD
:
:
:

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 G. Schmieg*
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: September 25, 2007

PAW.
PHS # 149431

FILED ice AH
m/12:20um
SEP 25 2007
William J. ...
Prothonotary of Court

AFFIDAVIT OF SERVICE

PLAINTIFF

HSBC BANK USA AS TRUSTEE IN TRUST OF
CITIGROUP MORTGAGE LOAN TRUST INC.
ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4

CLEARFIELD County

No. 2007-407-CD

Our File #: 149431

Type of Action

- Notice of Sheriff's Sale

Sale Date:

November 2, 2007

DEFENDANT(S)

PAUL A. KOLESAR, JR.

KRISTINE J. KOLESAR

Please serve upon:

PAUL A. KOLESAR, JR.

SERVE AT:

BOX 338 A/K/A 710 BIRCH STREET

WINBURNE, PA 16879

Served and made known to PAUL A. KOLESAR, JR. ^{SERVED} Defendant, on the 10th day of SEPTEMBER, 2007, at 12:56 o'clock P.m., at 710 BIRCH ST, LANSE, PA 16849

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

☒ Adult family member with whom Defendant(s) reside(s). Relationship is wife, KRISTINE J. KOLESAR

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 40 Height 5'8 Weight 270 Race Cauc. Sex F Other

I, DM. 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 11th day

of SEPTEMBER, 2007

Notary:

By:

DM Ellis

NOT SERVED

ATTEMPT SERVICE NOT THREE (3) TIMES

On the 10th day of SEPTEMBER, 2007, at 710 BIRCH ST, LANSE, PA 16849 o'clock P.m., Defendant **NOT FOUND** because:

☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

1st attempt Date: SEPTEMBER 10, 2007 Time: 12:56 P.M., 2nd attempt Date: SEPTEMBER 11, 2007 Time: 12:56 P.M., 3rd

attempt Date: SEPTEMBER 12, 2007 Time: 12:56 P.M.

Other:

Sworn to and subscribed

before me this 11th day

of SEPTEMBER, 2007

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

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

AFFIDAVIT OF SERVICE

PLAINTIFF

HSBC BANK USA AS TRUSTEE IN TRUST OF
CITIGROUP MORTGAGE LOAN TRUST INC.
ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4

CLEARFIELD County
No. 2007-407-CD
Our File #: 149431

DEFENDANT(S)

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR

Type of Action
- Notice of Sheriff's Sale

Please serve upon:

KRISTINE J. KOLESAR

Sale Date:

November 2, 2007

SERVE AT:

BOX 338 A/K/A 710 BIRCH STREET
WINBURNE, PA 16879

SERVED

Served and made known to KRISTINE J. KOLESAR, Defendant, on the 10th day of SEPTEMBER, 2007, at 12:56 o'clock P.m., at 710 BIRCH ST., LANSE, PA. 16849

Commonwealth of Pennsylvania, 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)'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 40 Height 5'8" Weight 270 Race Cauc. Sex F 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 11th day
of SEPTEMBER, 2007

Notary:

By: D.M. Ellis

NOT SERVED

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

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

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

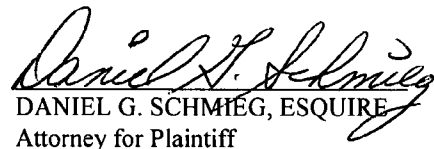
HSBC BANK USA AS TRUSTEE IN TRUST OF	:	CLEARFIELD COUNTY
CITIGROUP MORTGAGE LOAN TRUST INC. ASSET	:	COURT OF COMMON PLEAS
BACKED PASS THROUGH CERTIFICATES SERIES	:	
2003-HE4	:	CIVIL DIVISION
Plaintiff,	:	
v.	:	NO. 2007-407-CD
	:	
PAUL A. KOLESAR, JR.		
KRISTINE J. KOLESAR		
Defendant(s)		

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 Praecipe for the Writ of Execution was filed the following information concerning the real property located at: BOX 338 A/K/A 701 BIRCH STREET, WINBURNE, PA 16879.

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.

149431

FILED
m 110:43201
OCT 01 2007
William A. Shaw
Prothonotary/Clerk of Courts

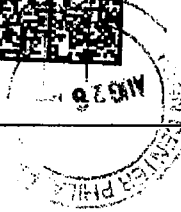
Name and
Address
of Sender



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

axa

Line	Article Number	Name of Addressee, Street, and Post Office Address
1		TENANT/OCCUPANT BOX 338 A/K/A 701 BIRCH STREET WINBURNE, PA 16879
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		HOWARD MURPHY ESQUIRE FOR ALTEGRA CREDIT COMPANY 4268 MONROEVILLE, PA 15146
5		LOUIS P. WITTI AND ASSOC., P.C. FOR NATIONAL CITY HOME LOAN SERVICES, INC. F/K/A ALTEGRA CREDIT COMPANY 916 FIFTH AVENUE PITTSBURGH, PA 15219
6		HSBC BANK, USA, AS TRUSTEE IN TRUST FOR CITIGROUP MORTGAGE LOAN TRUST INC. C/O WELLS FARGO 3476 STATEVIEW BLVD. FORT MILL, SC 29715
7		COMMONWEALTH OF PA BUREAU OF INDIVIDUAL TAX INHERITANCE TAX DIVISION ATTN: JOHN MURPHY 6TH FL. STRAWBERRY SQUARE DEPT. 280601 HARRISBURG, PA 17128
8		DEPT. OF PUBLIC WELFARE TPL CASUALTY UNIT ESTATE RECOVERY PROGRAM P.O. BOX 8486 WILLOW OAK BLDG. HARRISBURG, PA 17105
9		INTERNAL REVENUE SERVICE FEDERATED INVESTORS TOWER 13TH FLOOR, SUITE 1300 1001 LIBERTY AVENUE PITTSBURGH, PA 15222
		Re: PAUL A. KOLESAR, JR. 149431 TEAM 4
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 domesti maximum indemnity payable for the reconstruction of document reconstruction insurance is \$50,000 per piec occurrence. The maximum indemnity payable on Exp indemnity payable is \$25,000 for registered mail, sent Manual R900,S913 and S921 for limitations of covera



PHELAN HALLINAN & SCHMIEG, LLP
BY: FRANCIS S. HALLINAN, ESQUIRE
Identification No. 62695
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

HSBC Bank USA as trustee in trust of Citigroup
Mortgage Loan Trust Inc. Asset backed pass
Through Certificates series 2003-HE4

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Paul A. Kolesar, Jr., a/k/a Paul A. Kolesar, Jr.
Kristine J. Kolesar, a/k/a Kristine J. Kolesar, Jr.
Defendant(s)

: No. 2007-407-CD

PRAECIPE

TO THE PROTHONOTARY:

____ Please mark the above referenced case Discontinued and Ended without
prejudice.

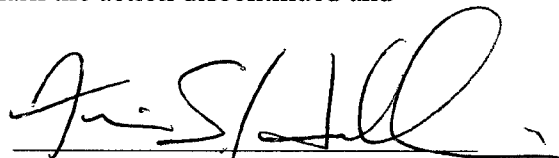
____ Please mark the above referenced case Settled, Discontinued and Ended.

____ Please mark Judgments satisfied and the Action settled, discontinued and
ended.

X Please Vacate the judgment entered and mark the action discontinued and
ended without prejudice.

____ Please withdraw the complaint and mark the action discontinued and
ended without prejudice.

Date: 1/4/08



Francis S. Hallinan, Esquire
Attorney for Plaintiff

PHS # 149431

FILED NO
JAN 14 2008
William A. Shaw
Prothonotary/Clerk of Courts
Cert. of Disc.
to Atty
(6K)

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

HSBC Bank of USA
Citigroup Mortgage Loan Trust Inc.

Vs.

No. 2007-00407-CD

Paul A. Kolesar Jr.
Kristine J. Kolesar

CERTIFICATE OF DISCONTINUATION

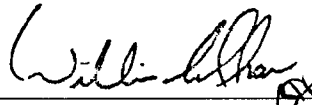
Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on January 14, 2008, marked:

Discontinued and Ended without Prejudice

Record costs in the sum of \$132.00 have been paid in full by Francis S. Hallinan, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 14th day of January A.D. 2008.



William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20635
NO: 07-407-CD

PLAINTIFF: HSBC BANK USA AS TRUSTEE IN TRUST OF CITIGROUP MORTGAGE LOAN TRUST INC. ASSET
BACKED PASS THROUGH CERTIFICATES SERIES 2003-HE4

vs.

DEFENDANT: PAUL A. KOLESAR, JR AND KRISTINE J. KOLESAR

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 7/27/2007

LEVY TAKEN 8/22/2007 @ 9:36 AM

POSTED 8/22/2007 @ 9:36 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 2/11/2008

DATE DEED FILED **NOT SOLD**

01912601
5

DETAILS

8/22/2007 @ 9:36 AM SERVED PAUL A. KOLESAR, JR.

SERVED PAUL A. KOLESAR, JR., DEFENDANT, AT HIS RESIDENCE 710 BIRCH STREET, WINBURNE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO KRISTINE KOLESAR, 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.

8/22/2007 @ 9:36 AM SERVED KRISTINE J. KOLESAR

SERVED KRISTINE J. KOLESAR, DEFENDANT, AT HER RESIDENCE 710 BIRCH STREET, WINBURNE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO KRISTINE J. KOLESAR

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, NOVEMBER 1, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR NOVEMBER 2, 2007 TO DECEMBER 7, 2007.

@ SERVED

NOW, DECEMBER 6, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR DECEMBER 7, 2007 TO JANUARY 4, 2008.

@ SERVED

NOW, DECEMBER 28, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SALE SCHEDULED FOR JANUARY 4, 2008. THE SUM OF \$17,207.31 WAS RECEIVED TO CURE THE DEFAULT.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20635
NO: 07-407-CD

PLAINTIFF: HSBC BANK USA AS TRUSTEE IN TRUST OF CITIGROUP MORTGAGE LOAN TRUST INC. ASSET
BACKED PASS THROUGH CERTIFICATES SERIES 2003-HE4

VS.

DEFENDANT: PAUL A. KOLESAR, JR AND KRISTINE J. KOLESAR


Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$595.33

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

HSBC.BANK.USA.AS.TRUSTEE
IN.TRUST.OF.CITIGROUP
MORTGAGE.LOAN.TRUST.INC.
ASSET.BACKED.PASS.THROUGH
CERTIFICATES.SERIES.2003-HE4

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 2007-407-CD. Term 20 05
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

PAUL A. KOLESAR, JR.

KRISTINE J. KOLESAR

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: BOX 338 A/K/A 701 BIRCH STREET, WINBURNE, PA 16879
(See Legal Description attached)

Amount Due

\$51,014.55

Interest from JULY 25, 2007 to Sale
per diem \$8.39

\$-----

Total

\$----- Prothonotary costs
125.00

Add'l Costs

\$ 6,027.50

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

Dated 7/27/07
(SEAL)

149431

Received this writ this 27th day
of July A.D. 2007
At 3:00 A.M./P.M.

Charles A. Hamberis
Sheriff by Cynthia Butler-Aufenberg

No. 2007-407-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

HSBC BANK USA AS TRUSTEE IN TRUST OF
CITIGROUP MORTGAGE LOAN TRUST INC.
ASSET BACKED PASS THROUGH CERTIFICATES
SERIES 2003-HE4

vs.

PAUL A. KOLESAR, JR.
KRISTINE J. KOLESAR

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$51,014.55

Int. from JULY 25, 2007

To Date of Sale (\$8.39 per diem)

Costs

Prothy Pd.

125.00

Sheriff

Daniel J. Schuch
Attorney for Plaintiff(s)

Address: PAUL A. KOLESAR, JR. KRISTINE J. KOLESAR
 BOX 338 A/K/A 710 BIRCH STREET BOX 338 A/K/A 710 BIRCH
STREET

WINBURNE, PA 16879 WINBURNE, PA 16879

DESCRIPTION

ALL that certain lot or piece of land situate in the Township of Cooper, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake in right of way line of Township Road No-T-720 and the Northeast corner of Lot No. 43, the property of Hilma Lundquist; thence along said Lot No. 43, North Eighty-five degrees Forty-Nine minutes West (N 85 degrees 49 minutes W) a distance of One hundred twenty-five (125) feet to a stake; thence still by the lands of Hilma Lundquist Lot No. 105, from which this is a port, North Five degrees Fifty-three minutes East (N 5 degrees 53 minutes E) a distance of One hundred (100) feet to a stake; thence still by the same lands of Hilma Lundquist, South Eighty-five degrees Forty-nine minutes East (S 85 degrees 49 minutes E) a distance of one hundred twenty-five (125) feet to a stake in right of way line of Township Road, No-T-720; thence along said right of way line of South five degrees Fifty-three minutes West (S 5 degrees 53 minutes W) a distance of one hundred (100) feet to a stake and the place of beginning. This piece of land containing .0287 acres, as shown on plan and map prepared by Bernard Lucas Associates.

UNDER AND SUBJECT to all exceptions, reservations, restrictions, conditions, easements, rights and rights of way as contained in prior deeds and instruments of record.

BEING the same premises which became vested in William L Houser and Joan L. Houser, as Tenants by the Entirety by Deed dated July 17, 1970 and recorded in Clearfield County Deed Book 563, page 318. William I. Houser subsequently died thus vesting title in Joan L. Houser as Surviving Spouse.

Being Parcel # 110-0-509-000-187.1

Premises: P.O. Box 338, a/k/a 710 Birch Street, Winburne, PA 16879
Copper Township, Clearfield County
Pennsylvania

TITLE TO SAID PREMISES IS VESTED IN the Estate of Joan L. Houser, Deceased by reason of the following:

BEING THE SAME premises which Joan L. Houser and Paul A. Kolesar, Jr. and Kristine J. Kolesar, as Joint Tenants with the Right of Survivorship, by Deed from Joan L. Houser, dated 3-12-96, recorded 3-22-96 in Deed Book 1745, page 178.

AND THE SAID Joan L. Houser being so seized thereof, departed this life on 1-9-04, intestate, leaving to survive the following heir(s) at law:

Donna J. Lippert - Addr: 1518 Pine Top Road, Woodland, PA 16881
William W. Houser - Addr: 50 Bedford Street, Grassflat, PA 16839
Kristine J. Kolesar - Addr: P.O. Box 338, 710 Birch St., Winburne, PA 16879

AND Letters of Administration on the Estate of Joan L. Houser aforesaid were duly granted unto Donna J. Lippert by the Register of Wills of Clearfield County, Pennsylvania on 1-16-04 at Estate Docket # 17-2004-0036.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME PAUL A. KOLESAR, JR.

NO. 07-407-CD

NOW, February 09, 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 Paul A. Kolesar, Jr And Kristine J. Kolesar 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 \$17,207.31 and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	19.40
LEVY	15.00
MILEAGE	19.40
POSTING	15.00
CSDS	10.00
COMMISSION	344.15
POSTAGE	7.38
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	17,207.31
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	40.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$595.33

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	51,014.55
INTEREST @ 8.3900	0.00
FROM TO	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$51,054.55

COSTS:

ADVERTISING	559.06
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	200.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	595.33
LEGAL JOURNAL COSTS	180.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	80.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,739.39

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

November 1, 2007

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

ATTENTION: CINDY (814) 765-5915

**Re: HSBC BANK USA AS TRUSTEE IN TRUST OF CITIGROUP
MORTGAGE LOAN TRUST INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4 v. PAUL A. KOLESAR, JR. and KRISTINE
J. KOLESAR**

No. 2007-407-CD

BOX 338 A/K/A 701 BIRCH STREET, WINBURNE, PA 16879

Dear Cindy:

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

The property is to be relisted for the **DECEMBER 7, 2007** Sheriff's Sale.

Very truly yours,
CQS
Christine Schoffler

CC: **PAUL A. KOLESAR, JR.**
KRISTINE J. KOLESAR

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

December 6, 2007

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

ATTENTION: CINDY (814) 765-5915

Re: **HSBC BANK USA AS TRUSTEE IN TRUST OF CITIGROUP
MORTGAGE LOAN TRUST INC. ASSET BACKED PASS THROUGH
CERTIFICATES SERIES 2003-HE4 v. PAUL A. KOLESAR, JR. AND
KRISTINE J. KOLESAR
No. 2007-407-CD
BOX 338 A/K/A 701 BIRCH STREET, WINBURNE, PA 16879**

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which
is scheduled for DECEMBER 7, 2007.

The property is to be relisted for the JANUARY 4, 2008 Sheriff's Sale.

Very truly yours,

Christine Schoffler

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

December 28, 2007

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

ATTENTION: CINDY (814) 765-5915

**Re: HSBC BANK USA AS TRUSTEE IN TRUST OF CITIGROUP MORTGAGE LOAN TRUST
INC. ASSET BACKED PASS THROUGH CERTIFICATES SERIES 2003-HE4
v. PAUL A. KOLESAR, JR. and KRISTINE J. KOLESAR
BOX 338 A/K/A 701 BIRCH STREET, WINBURNE, PA 16879
No. 2007-407-CD
PHS # 149431**

Dear Cindy:

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

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

The sum of **\$17,207.31** was received in consideration for the stay.

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