

07-575-CD

S&T Bank vs Gary Cathcart

S&T Bank vs Gary Cathcart
2007-575-CD

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

S & T BANK,

CIVIL ACTION - LAW

2007- 575-C

Plaintiff,

Number of 2007, C. D.

vs.

Type of Case: Civil Division

GARY D. CATHCART,

Type of Pleading: Complaint

Defendant.

Filed on Behalf of: Plaintiff

Counsel of Record for this Party:
John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

APR 13 2007

04/12:10/07
William A. Shaw
Prothonotary/Clerk of Courts
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S & T BANK,

Plaintiff,

vs.

GARY D. CATHCART,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law
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*
* Number of 2007, C. D.

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 other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

David S. Meholic
Court Administrator
Clearfield County Court House
Clearfield, PA 16830
(814) 765-2641

S & T BANK,

Plaintiff,

vs.

GARY D. CATHCART,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law

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* Number of 1998, C. D.

COMPLAINT

S & T BANK, Plaintiff, files this Complaint against GARY D. CATHCART, Defendant, upon the cause of action, the following of which is a clear and concise statement:

1. S & T Bank, Plaintiff, is a banking institution, organized and existing under the laws of the Commonwealth of Pennsylvania, with offices situate in the Borough of Brockway, Jefferson County, Pennsylvania.
2. Gary D. Cathcart, Defendant, is an individual of full age and *sui juris* and resides in Jefferson County, Pennsylvania, having a post office address of 215 Grant Street, Sykesville, Pennsylvania 15865-1313.
3. On November 20, 2002, as evidenced by a Promissory Note, the Defendant borrowed the sum of Sixty-seven Thousand Seven Hundred Eighty and 77/100 Dollars (\$67,780.77) from S & T Bank.

4. The Defendant has defaulted on this instrument by failing to make the required monthly payments thereon.

5. As a result of the default as outlined above, the following amounts are due and payable:

(a) Balance	\$60,816.80
(b) Interest as of 3/21/07	2,589.83
(c) Late Charges	251.40
(d) S & T Bank - Fees	276.00
(e) Attorney's Fees	<u>900.00</u>
Total	\$64,834.03

6. After repeated demands, the Defendant still neglects and refuses to pay the sum owing S & T Bank, Plaintiff.

7. The Defendant applied for assistance under the Pennsylvania Homeowners' Emergency Assistance Act, Act 1983-91, but said Defendant's application was denied on December 28, 2006.

WHEREFORE, Plaintiff demands judgment against the Defendant in the sum of Sixty-four Thousand Eight Hundred Thirty-four and 03/100 Dollars (\$64,834.03) plus interest and court costs.

DENNISON, DENNISON & HARPER
By _____
John C. Dennison, II
Attorneys for Plaintiff

I verify that I am the Assistant Vice President of S & T Bank, a banking institution organized and doing business under the laws of the Commonwealth of Pennsylvania, the within Plaintiff; I make this Affidavit on its behalf being authorized to do so; I verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa. C. S. Section 4904, relating to unsworn falsification to authorities.

Carolyn M. Fridley
Carolyn M. Fridley

Dated: April 6, 2007

William A. Shaw
Prothonotary/Clerk of Courts

APR 13 2007

FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102682
NO: 07-575-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: S&T BANK
VS.
DEFENDANT: GARY D. CATHCART

SHERIFF RETURN

NOW, April 19, 2007, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON GARY D. CATHCART.

NOW, May 08, 2007 AT 3:15 PM SERVED THE WITHIN COMPLAINT ON GARY D. CATHCART, DEFENDANT. THE RETURN OF JEFFERSON COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

FILED No cc.
0/3/13 cm
SEP 26 2007


William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102682
NO: 07-575-CD
SERVICES 1
COMPLAINT

PLAINTIFF: S&T BANK
vs.
DEFENDANT: GARY D. CATHCART

SHERIFF RETURN

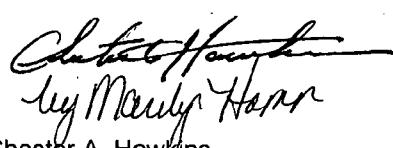
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	DENNISON	21259	10.00
SHERIFF HAWKINS	DENNISON	21259	21.00
JEFFERSON CO.	DENNISON		52.98

Sworn to Before Me This

____ Day of _____ 2007

So Answers,



by *Chester A. Hawkins*
by Marilynn Hearn

Chester A. Hawkins
Sheriff

No. 07-575 C.D.

Personally appeared before me, Harry Dunkle, Deputy for Thomas A. Demko, Sheriff of Jefferson County, Pennsylvania, who according to law deposes and says that on May 8, 2007 at 3:15 o'clock P.M. served the Notice and Complaint upon GARY D. CATHCART, Defendant, at the address of 1055 East Main Street, Borough of Reynoldsville, County of Jefferson, State of Pennsylvania, by handing to the defendant personally, a true copy of the Notice and Complaint and by making known to him the contents thereof.

Advance Costs Received:	\$125.00	
My Costs:	50.98	Paid
Prothy:	2.00	
Total Costs:	52.98	
REFUNDED:	\$ 72.02	

Sworn and subscribed

to before me this

16th

day of

May 2007

By

Thomas A. Demko

My Commission Expires the
1st Monday, January 2010

So Answers,

Harry Dunkle

Deputy

Thomas A. Demko
Sheriff

JEFFERSON COUNTY, PENNSYLVANIA

Case No. 07-10000
Plaintiff vs. Defendant

FILED

SEP 26 2007

William A. Shaw
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

S & T BANK,

CIVIL ACTION - LAW

Plaintiff,

Number 575 of 2007, C. D.

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GARY D. CATHCART,

Type of Pleading: Praecep to Discontinue
an Action

Defendants.

Filed on Behalf of: Plaintiff

Counsel of Record for this Party:
John C. Dennison, II

Supreme Court Number: 29408

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293 Main Street

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(814) 849-8316

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William A. Shaw
Prothonotary/Clerk of Courts

S & T BANK,

Plaintiff,

VS.

GARY D. CATHCART,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law
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* Number 575 - 2007 C. D.

PRAECIPE TO DISCONTINUE AN ACTION

TO THE PROTHONOTARY:

You are hereby directed to mark the above captioned action "discontinued and ended."

DENNISON, DENNISON & HARPER

By

John C. Dennison, II
Attorneys for Plaintiff

FIL
MAR 2 1971

William C. Gandy
Prothonotary