

07-689-CD
Everhome Morg. S. Krouse et al

EverHome vs Sylvester Krouse et al
2007-689-CD

Date: 4/3/2008
Time: 10:31 AM
Page 1 of 2

Clearfield County Court of Common Pleas

ROA Report

Case: 2007-00689-CD

Current Judge: Fredric Joseph Ammerman

Everhome Mortgage Company vs. Sylvester J. Krouse, Deanna I. Krouse

User: LMILLER

Mortgage Foreclosures

Date	Judge
4/30/2007	New Case Filed.
	X Filing: Complaint in Mortgage Foreclosure, situated in the Township of Sandy. Paid by: Hallinan, Francis S. (attorney for Everhome Mortgage Company) Receipt number: 1918817 Dated: 04/30/2007 Amount: \$85.00 (Check) 6CC shff.
5/14/2007	X Praeclipe to Substitute Verification, filed by s/ Francis S. Hallinan, Esquire. No CC
6/29/2007	X Motion for Service Pursuant to Special Order of Court, filed by s/Daniel G. Schmieg, Esq. No CC
	X Filing: Praeclipe to Reinstate Complaint/Mortgage Foreclosure Paid by: Hallinan, Francis S. (attorney for Everhome Mortgage Company) Receipt number: 1919604 Dated: 06/29/2007 Amount: \$7.00 (Check) 1 Reinstate complaint to Atty.
	X Suggestion of Record Change Re: Correction of Defendants' Name, filed. Listed in the caption of this Action as: Sylvester J. Krouse and Deanna I. Krouse, kindly change the information on the docket to read as follows to correct this defect: Sylvester J. Krosue a/k/a Sylvester J. Krouse and Deanna I. Krouse, filed by Daniel G. Schmieg Esq. No CC.
7/16/2007	X Order, this 13th day of July, 2007, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendants by Publication 1 time in the Courier Express and Clfd. Co. Legal Journal; By first class and certified mail to 205 Freedom Road, DuBois, PA 15801 and to 119 Station St., Loyalhanna, PA 15661; and by posting the mortgaged premises. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC to Atty.
8/2/2007	X Filing: Reinstate Civil Action/Mortgage Foreclosure Paid by: Hallinan, Francis S. (attorney for Everhome Mortgage Company) Receipt number: 1920092 Dated: 08/02/2007 Amount: \$7.00 (Check) Filed by s/ Francis S. Hallinan, Esquire. 2 Compl. Reinstated to Sheriff
8/21/2007	X Affidavit of Service of Complaint by Mail Pursuant to Court Order, filed. That a true and correct copy of the Civil Action Complaint in Mortgage Foreclosure was sent to Sylvester J. Krouse a/k/a Sylvester J. Krouse and Deanna I. Krouse on August 15, 2007 in accordance with the Order of Court dated July 13, 2007, filed by s/ Francis S. Hallinan Esq. No CC.
10/3/2007	X Affidavit of Service by Publication in Accordance with Court Order, filed. In The Progress of Clearfield County on August 2, 2007 and The Clearfield County Legal Journal on August 3, 2007, filed by s/ Francis S. Hallinan Esq. No CC.
	X Sheriff Return, October 3, 2007 After diligent search I returned the within Complaint in Mortgage Foreclosure "NOT FOUND" as to Sylvester J. Krouse. October 3, 2007 After diligent search I returned the within Complaint in Mortgage Foreclosure "NOT FOUND" as to Deanna I. Krouse. May 3, 2007, Sheriff of Westmoreland County was deputized. June 1, 2007 Attempted to serve the within Complaint in Mortgage Foreclosure on Sylvester J. Krouse. June 1, 2007 Attempted to serve the within Complaint in Mortgage Foreclosure on Deanna I. Krouse. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Phelan \$71.00 Westmoreland Co costs pd by Phelan \$71.70 (1st service)

Date: 4/3/2008
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Page 2 of 2

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ROA Report

Case: 2007-00689-CD

Current Judge: Fredric Joseph Ammerman

Everhome Mortgage Company vs. Sylvester J. Krouse, Deanna I. Krouse

Mortgage Foreclosures

Date	Judge	
10/3/2007	<input checked="" type="checkbox"/> Sheriff Return, August 9, 2007 at 10:50 am Posted the within Complaint in Mortgage Foreclosure & Order at 205 Freedom Road, DuBois, PA (Sylvester J. Krouse a/k/a Sylvester J. Krouse) August 9, 2007 at 10:50 am Posted the within Complaint in Mortgage Foreclosure & Order at 205 Freedom Road, DuBois, PA (Deanna I. Krouse) So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Phelan \$53.43 (2nd service)	No Judge
10/9/2007	<input checked="" type="checkbox"/> Motion to Direct the Sheriff to File Affidavit of Service, filed by s/Michele M. Bradford, Esq. No CC	No Judge
10/10/2007	<input checked="" type="checkbox"/> Order, this 10th day of Oct., 2007, it is Ordered that the Sheriff cause a Return of service to be filed no later than 3:30 p.m. on Thursday, Oct. 11th, 2007. by The court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty. Bradford; 1CC Sheriff without memo	Fredric Joseph Ammerman
10/17/2007	<input checked="" type="checkbox"/> Certificate of Service, filed. That true and correct copies of Order granting Motion to Direct Sheriff to File Affidavit of Service were served by first class mail to Chester A. Hawkins-shff., Peter F. Smith Esq., Sylvester J. Krouse & Deanna I. Krouse, filed by s/ Michele M. Bradford Esq. No CC.	No Judge
11/30/2007	<input checked="" type="checkbox"/> Filing: Praecipe for In Rem Judgment Paid by: Hallinan, Francis S. (attorney for Everhome Mortgage Company) Receipt number: 1921663 Dated: 11/30/2007 Amount: \$20.00 (Check) One CC and Notice to Defendants Judgment is entered in favor of the Plaintiff and against Defendants in the sum of \$66,654.72. <input checked="" type="checkbox"/> Filing: Praecipe for Writ of Execution Paid by: Hallinan, Francis S. (attorney for Everhome Mortgage Company) Receipt number: 1921663 Dated: 11/30/2007 Amount: \$20.00 (Check) One CC and 6 writs to Sheriff	No Judge
2/21/2008 up to 2/26/2008	<input checked="" type="checkbox"/> Plaintiff's Motion to reassess Damages, filed by s/ Michele M. Bradford, Esquire. No CC <input checked="" type="checkbox"/> Rule, NOW, this 26th day of Feb., 2008, a Rule is entered upon the Defendants. Rule Returnable on the 8th day of April, 2008, at 9:30 a.m. Courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Bradford	No Judge
3/5/2008	<input checked="" type="checkbox"/> Affidavit pursuant to Rule 3129.1 and Return of Service Pursuant to PA.R.C.P. 405 of Notice of Sale, filed by s/ Daniel G. Schmieg Esq. No CC. <input checked="" type="checkbox"/> Certificate of Service, filed. That a true and correct copy of the Court's February 26, 2008 Rule directing the Defendants to show cause was served upon Sylvester J. Krouse and Deanna I. Krouse, on March 3, 2008 filed by s/ Michele M. Bradford Esq. NO CC.	Fredric Joseph Ammerman
		Fredric Joseph Ammerman

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

150504

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

Plaintiff

v.

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

Aug 2, 2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.
will
Deputy Prothonotary

Aug 2, 2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service
File # 150504

will
Deputy Prothonotary

FILED 6 CC Sheriff
APR 30 2007 Atty pd.
85.00
lm

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. Meholick, 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

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

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

3. On 10/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR FLAGSTAR BANK, FSB which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200416940. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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	\$59,685.43
Interest	\$2,349.16
10/01/2006 through 04/27/2007	
(Per Diem \$11.24)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$80.16
10/06/2004 to 04/27/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$64,114.75
Escrow	
Credit	\$0.00
Deficit	\$145.85
Subtotal	<u>\$145.85</u>
TOTAL	\$64,260.60

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.
11. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$64,260.60, together with interest from 04/27/2007 at the rate of \$11.24 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 PROPERTY SITUATED IN THE TOWNSHIP OF SANDY IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 02/27/2004 AND RECORDED 03/10/2004, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 200403596 AND PAGE AND.

ADDRESS: 205 FREEDOM RD.; DU BOIS, PA 15801

TAX MAP OR PARCEL ID NO.: 128-A04-122

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: 4-27-01

PHELAN HALLINAN & SCHMIEG, LLP
By Lawrence T. Phelan, Esquire, ID. No. 32227
Francis S. Hallinan Esquire, ID No. 62695
One Penn Center at Suburban Station
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

EVERHOME MORTGAGE COMPANY

Court of Common Pleas

Plaintiff

Clearfield County

vs.

No. 07-689-CD

**SLYVESTER J. KROUSE
DEANNA I. KROUSE**

Defendant(s)

PRAECIPE TO SUBSTITUTE VERIFICATION

TO THE PROTHONOTARY:

Kindly substitute the attached verification for the verification originally filed with the complaint in the instant matter.

5/7/07
Date



Francis S. Hallinan, Esquire
Attorney for Plaintiff

FILED NOCC
MAY 14 2007
Clerk

William A. Shaw
Prothonotary/Clerk of Courts

VERIFICATION

Becky North

hereby states that he/she is

AVP

of EVERHOME MORTGAGE COMPANY,

mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her 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.



Name: Becky North

DATE: 5/1/07

Title: AVP

Company: EVERHOME MORTGAGE COMPANY

Loan: 150504

VA
FILED

7/12/07
JUN 29 2007

William A. Shaw
Prothonotary/Clerk of Courts

Phelan Hallinan & Schmieg, L.L.P.
By: Daniel G. Schmieg, Esquire No. 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Everhome Mortgage Company

COURT OF COMMON PLEAS

vs.
Sylvester J. Krouse
a/k/a Sylvester J. Krouse
Deanna I. Krouse

CIVIL DIVISION

CLEARFIELD COUNTY

NO. 07-689-CD

MOTION FOR SERVICE PURSUANT TO
SPECIAL ORDER OF COURT

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, L.L.P., moves this Honorable Court for an Order directing service of the Complaint upon the above-captioned Defendants, Sylvester J. Krouse a/k/a Sylvester J. Krouse and Deanna I. Krouse, by posting a copy of the complaint to the mortgaged premises, as well as sending first class mail and certified mail to the last known address, 119 Station Street, Loyalhanna, PA 15661 and the mortgaged premises, 205 Freedom Road, DuBois, PA 15801, and in support thereof avers the following:

1. Plaintiff, by and through its counsel, initiated the above referenced Complaint if Mortgage Foreclosure Action on April 30, 2007. As indicated by the copy of said complaint attached hereto as Exhibit "A".

2. Said complaint was forwarded to the Office of the Sheriff on or about May 2,2007 for service to be completed on the Defendants, Sylvester J. Krouse a/k/a Sylvester J. Krouse and Deanna I. Krouse, at the mortgaged premises, 205 Freedom Road, DuBois, PA 15801. The Sheriff of Clearfield County also Deputized the Sheriff of Westmoreland County to serve the Defendants at 119 Station Street, Loyalhanna, PA 15661. Plaintiff was advised by the Sheriff's Office that there was no service made at either of these addresses. Plaintiff is unable to append a copy of the Return of Service as a result of a backlog in completing the Affidavit at the Sheriff's Office. Plaintiff's Affidavit of Service is attached hereto and marked as Exhibit "B".

3. 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 is attached hereto as Exhibit "C".

4. Plaintiff has reviewed its internal records and has not been contacted by the Defendant as of June 28, 2007 to bring loan current.

5. Plaintiff submits that it has made a good faith effort to locate the Defendants but has been unable to do so.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pa.R.C.P. 430 directing service of the Complaint by posting, first class mail and certified mail.

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: _____
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: June 28, 2007

FILED
APR 3 2007

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 150504

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

NO. 07-689-CD

CLEARFIELD COUNTY

ATTORNEY FILE COPY
PLEASE RETURN

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

We hereby certify the
within to be a true and
correct copy of the
original filed of record

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
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ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

NO.

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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1. Plaintiff is

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

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

3. On 10/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR FLAGSTAR BANK, FSB which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200416940. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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.
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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.

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(Per Diem \$11.24)	
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Cumulative Late Charges	\$80.16
10/06/2004 to 04/27/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$64,114.75
Escrow	
Credit	\$0.00
Deficit	\$145.85
Subtotal	<u>\$145.85</u>
TOTAL	\$64,260.60

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.
11. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$64,260.60, together with interest from 04/27/2007 at the rate of \$11.24 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 PROPERTY SITUATED IN THE TOWNSHIP OF SANDY IN THE
COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING
MORE FULLY DESCRIBED IN A DEED DATED 02/27/2004 AND RECORDED 03/10/2004,
AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN
DEED VOLUME 200403596 AND PAGE AND.

ADDRESS: 205 FREEDOM RD.; DU BOIS, PA 15801

TAX MAP OR PARCEL ID NO.: 128-A04-122

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: 4-07-01

Phelan Hallinan & Schmieg, L.L.P.
By: Daniel G. Schmieg, Esquire No. 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Everhome Mortgage Company	:	COURT OF COMMON PLEAS
	:	CIVIL DIVISION
vs.		
Slyvester J. Krouse	:	CLEARFIELD COUNTY
a/k/a Sylvester J. Krouse		
Deanna I. Krouse		
	:	NO. 07-689-CD

AFFIDAVIT OF SERVICE

Plaintiff's Counsel, Phelan Hallinan & Schmieg, LLP, does hereby swear and subscribe that it contacted the Sheriff's Office of Clearfield County on May 10, 2007 and was advised that the Sheriff was unable to complete personal service on Slyvester J. Krouse a/k/a Sylvester J. Krouse and Deanna I. Krouse at the mortgaged premises, 205 Freedom Road, DuBois, PA 15801. Plaintiff contacted the Sheriff's Office of Clearfield County on June 8, 2007 requesting status of service in Westmoreland County at the last known address, 119 Station Street, Loyalhanna, PA 15661. On June 11, 2007 and June 28, 2007, the Plaintiff, by its Counsel, called the Sheriff's Office inquiring if a Return of Service was complete. The Sheriff's Office advised the Plaintiff's Counsel that they are behind with getting the returns typed up and out the door. However, they did confirm that the Defendants, Slyvester J. Krouse a/k/a Sylvester J. Krouse and Deanna I. Krouse, were

not served at the mortgaged premises, 205 Freedom Road, DuBois, PA 15801 because it is vacant. The Sheriff's Office also indicated that service was not made at 119 Station Street, Loyalhanna, PA 15661 because the Defendants no longer reside at this address.

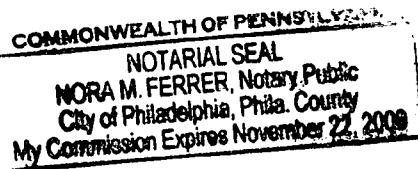
Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By:

Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Sworn to and subscribed before me on this 28th day of June 2007

Nora M. Ferrer
Notary Public



**FULL SPECTRUM LEGAL SERVICES, INC.
AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 150504

Attorney Firm: **Phelan, Hallinan & Schmieg, LLP**

Subject: Sylvester J. Krouse & Deanna I. Krouse

Current Address: 119 Station Street, Loyalhanna, PA 15661

Property Address: 205 Freedom Road, Du Bois, PA 15801

Mailing Address: 119 Station Street, Loyalhanna, PA 15661

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

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct

Sylvester J. Krouse - xxx-xx-6093

Deanna I. Krouse - xxx-xx-7805

B. EMPLOYMENT SEARCH

Sylvester J. Krouse & Deanna I. Krouse - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that Sylvester J. Krouse & Deanna I. Krouse reside(s) at: 119 Station Street, Loyalhanna, PA 15661.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which indicated that Sylvester J. Krouse & Deanna I. Krouse reside(s) at: 119 Station Street, Loyalhanna, PA 15661. On 02-28-07 our office made a telephone call to the subject's phone number (724) 537-0105 and received the following information: spoke with an unidentified female who confirmed that Sylvester J. Krouse & Deanna I. Krouse reside(s) at: 119 Station Street, Loyalhanna, PA 15661.

III. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 02-28-07 we reviewed the National Address database and found the following information: Sylvester J. Krouse & Deanna I. Krouse - 119 Station Street, Loyalhanna, PA 15661.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

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

IV. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on Sylvester J. Krouse & Deanna I. Krouse.

V. OTHER INQUIRIES

A. DEATH RECORDS

As of 02-28-07 Vital Records and all public databases have no death record on file for Sylvester J. Krouse & Deanna I. Krouse.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for Sylvester J. Krouse & Deanna I. Krouse residing at: last registered address.

VI. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

Sylvester J. Krouse - 02-12-1947

Deanna I. Krouse - 05-13-1947

* 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.

Brendan Booth

AFFIANT - Brendan Booth
Full Spectrum Legal Services, Inc.

NOTARIAL SEAL
MORA M. FERRER, Notary Public
City of Philadelphia, Phila. County
My Commission Expires November 22, 2008

Mora M. Ferrer

Sworn to and subscribed before me this 28th day of February, 2007.

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

IND

VERIFICATION

Daniel G. Schmieg, Esquire, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to make this Affidavit, and that the statements made in the foregoing MOTION FOR SERVICE PURSUANT TO SPECIAL ORDER OF COURT are true and correct to the best of his knowledge, information and belief.

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

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: _____
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: June 28, 2007

Phelan Hallinan & Schmieg, L.L.P.
By: Daniel G. Schmieg, Esquire No. 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Everhome Mortgage Company : COURT OF COMMON PLEAS
: CIVIL DIVISION
vs.
Slyvester J. Krouse : CLEARFIELD COUNTY
a/k/a Sylvester J. Krouse
Deanna I. Krouse
: NO. 07-689-CD

CERTIFICATION OF SERVICE

I, Daniel G. Schmieg, Esquire, hereby certify that a copy of the foregoing Motion for Service Pursuant to Special Order of Court, Memorandum of Law, Proposed Order and attached exhibits have been sent to the individual as indicated below by first class mail, postage prepaid, on the date listed below.

Slyvester J. Krouse a/k/a Sylvester J. Krouse and Deanna I. Krouse
205 Freedom Road
DuBois, PA 15801

119 Station Street
Loyalhanna, PA 15661

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

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: June 28, 2007

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

EVERHOME MORTGAGE COMPANY

ATTORNEY FOR PLAINTIFF

Plaintiff : COURT OF COMMON PLEAS
vs. : CIVIL DIVISION
: CLEARFIELD County
: No. 07-689-CD
Defendants :
:

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP
By: 
FRANCIS S. HALLINAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: June 28, 2007

/jmr, Svc Dept.
File# 150504

Q
FILED Atty pd. 7:00
m 12/12/07
JUN 29 2007 1 Complaint
Reinstated
William A. Shaw
Prothonotary/Clerk of Courts to Atty
JUN 29 2007

FILED

JUN 29 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
Plaintiff

vs.

SLYVESTER J. KROUSE
DEANNA I. KROUSE

Defendants

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 07-689-CD
: CLEARFIELD COUNTY
:
:
:
:

SUGGESTION OF RECORD CHANGE
RE: CORRECTION OF DEFENDANTS' NAME

TO THE PROTHONOTARY:

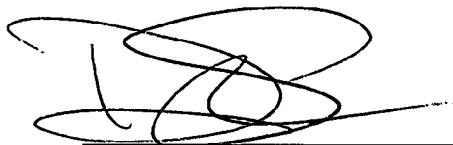
Daniel G. Schmieg, Esquire, attorney for the Plaintiff, hereby certifies that, to the best of his knowledge, information and belief that the defendants' names were erroneously listed in the caption of this Action as:

SLYVESTER J. KROUSE
DEANNA I. KROUSE

FILED
M112:5/28/07 NO CC
JUN 29 2007
LAW
William A. Shaw
Prothonotary/Clerk of Courts

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

SLYVESTER J. KROUSE
A/K/A SYLVESTER J. KROUSE
DEANNA I. KROUSE



Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: June 28, 2007

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

EVERHOME MORTGAGE COMPANY,
Plaintiff

*

*

*

NO. 07-689-CD

vs.
SLYVESTER J. KROUSE a/k/a SYLVESTER J. KROUSE
DEANNA I. KROUSE,
Defendants

*

*

*

ORDER

NOW, this 13th day of July, 2007, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendants **SLYVESTER J. KROUSE a/k/a SYLVESTER J. KROUSE and DEANNA I. KROUSE** by:

1. Publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal;
2. By first class mail to 205 Freedom Road, DuBois, PA 15801 and to last known address 119 Station Street, Loyalhanna, PA 15661;
3. By certified mail, return receipt requested to 205 Freedom Road, DuBois, PA 15801 and to last known address 119 Station Street, Loyalhanna, PA 15661;
4. By posting the mortgaged premises known in this herein action as 205 Freedom Road, DuBois, PA 15801.

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

JUL 16 2007

0/3:15 (✓)

62

William A. Shaw
Prothonotary/Clerk of Courts

3 cent to Atte

BY THE COURT


FREDRIC J. AMMERMAN
President Judge

DATE: 7-16-07

FILED

William A. Shaw
Prothonotary/Clerk of Courts

JUL 16 2007
013151

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

EVERHOME MORTGAGE COMPANY

ATTORNEY FOR PLAINTIFF

Plaintiff

: COURT OF COMMON PLEAS

vs.

: CIVIL DIVISION

SLYVESTER J. KROUSE
A/K/A SYLVESTER J. KROUSE
DEANNA I. KROUSE

: CLEARFIELD COUNTY

: No. 07-689-CD

Defendants

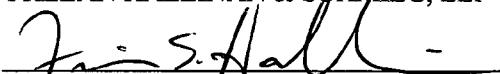
:

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP

By: 

FRANCIS S. HALLINAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: July 31, 2007

/jmr, Svc Dept.
File# 150504

FILED Atty pd. 7.00
M 112:37 6/11
AUG 02 2007 2 Comp. reinstated
to Sheriff
William A. Shaw
Prothonotary/Clerk of Courts
GK

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

Everhome Mortgage Company

Plaintiff

ATTORNEY FOR PLAINTIFF

vs.

Slyvester J. Krouse a/k/a Sylvester J. Krouse
Deanna I. Krouse

Defendants

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 07-689-CD

**AFFIDAVIT OF SERVICE OF COMPLAINT
BY MAIL PURSUANT TO COURT ORDER**

I hereby certify that a true and correct copy of the Civil Action Complaint in Mortgage Foreclosure in the above captioned matter was sent by regular and certified mail, return receipt requested, to **Slyvester J. Krouse a/k/a Sylvester J. Krouse and Deanna I. Krouse at 205 Freedom Road, DuBois, PA 15801 and 119 Station Street, Loyalhanna, PA 15661** on August 15, 2007, in accordance with the Order of Court dated **July 13, 2007**. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: August 15, 2007


FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

FILED
M 10:44 AM
AUG 21 2007
NOCC
JW

William A. Shaw
Prothonotary/Clerk of Courts

7160 3901 9845 0729 4944

TO: Deanna I. Krouse
119 Station Street
Loyalhanna, PA 15661

SENDER: jmr

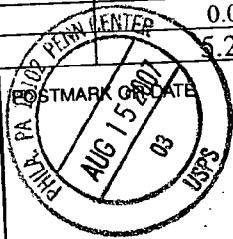
REFERENCE:

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



7160 3901 9845 0729 4913

TO: Sylvester J. Krouse
a/k/a Sylvester J. Krouse
205 Freedom Road
DuBois, PA 15801

SENDER: jmr

REFERENCE:

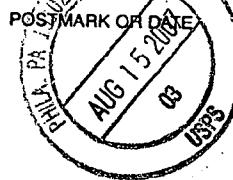
PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



7160 3901 9845 0729 4920

TO: Deanna I. Krouse
205 Freedom Road
DuBois, PA 15801

SENDER: jmr

REFERENCE:

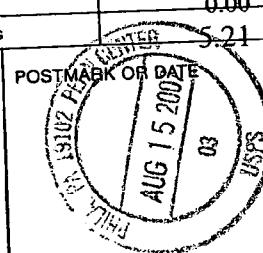
PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



7160 3901 9845 0729 4937

TO: Sylvester J. Krouse
a/k/a Sylvester J. Krouse
119 Station Street
Loyalhanna, PA 15661

SENDER:

jmr

REFERENCE:

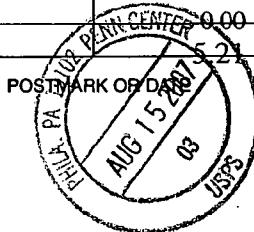
PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



FILED NO
M 10 38 61 CC
OCT 03 2007
JMR

William A. Shaw
Prothonotary/Clerk of Courts

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

Everhome Mortgage Company : Court Of Common Pleas
vs. : Civil Division
Slyvester J. Krouse a/k/a Sylvester J. Krouse : Clearfield County
Deanna I. Krouse : No. 07-689-CD

AFFIDAVIT OF SERVICE BY
PUBLICATION IN ACCORDANCE WITH COURT ORDER

I hereby certify that service of the Civil Action Complaint in Mortgage Foreclosure was made in accordance with the Court Order dated July 13, 2007 as indicated below:

By publication as provided by Pa. R.C.P. Rule 430(b)(1)
in The Progress of Clearfield County on August 2, 2007 and The Clearfield County Legal Journal on August 3, 2007. Proofs of the said publications are attached hereto.

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


Francis S. Hallinan, Esquire

Date: October 2, 2007

Jmr/ 150504
Service Dept.

NOTICE OF ACTION
IN MORTGAGE FORECLOSURE
IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-LAW
COURT OF
COMMON PLEAS
of the Veterans of Foreign
Mr. Popovitch was a
and Middle East Veteran,
referred to the Bureauan,
the Normandy Invasion
World War II and partly
He was a Navy vet
the Resettlement, Bureau
and Past Young Men's Soi
Resettlement President of the
Men's Society. Ba
Resettlement at St. Ba
past president of the loca
member of the church was a
Mr. Popovitch was a
Catholic Church, Houtzdale
St. Barbara's Polish A
He was a founder of a
Popovitch.
John L. and Mary (Gula)
Philippsburg, he was a
Born Oct. 8, 1919
Camps, Altoona H
Wednesday, Aug. 1, 2007
Popovitch Jr., 83, of Morris
MORRIS — John L. Popovitch

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 13th day of August, A.D. 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of August 2, 2007. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Chery J. Robison COMMONWEALTH OF PENNSYLVANIA
Notary Public Clearfield, Pa. Notarial Seal
My Commission Expires Chery J. Robison, Notary Public
October 31, 2007 Clearfield Boro, Clearfield County
My Commission Expires Oct. 31, 2007 Member, Pennsylvania Association Of Notaries

Gary A. Knaresboro
Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.

Sharon J. Pusey
Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Houtzdale, Clearfield County, PA
My Commission Expires, April 7, 2011

Full Spectrum Legal Services
400 Fellowship Rd Suite 220
Mt. Laurel NJ 08054

FILED

OCT 03 2007

William A. Shaw
Prothonotary/Clerk of Courts

in the Court of Common Pleas of Clearfield County, Pennsylvania, Plaintiff, Phillips Production Company, filed this Complaint against you, your heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, corporate entities in interest, averring that

AND WE ARE ATTEMPTING TO ~~COLLECT~~
A DEBT OWED TO OUR CLIENT. ANY
INFORMATION OBTAINED FROM YOU
WILL BE USED FOR THE PURPOSE OF
COLLECTING THE DEBT.

You are hereby notified that Plaintiff, BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2004-7, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Clearfield County, Pennsylvania, docketed to No. 2007-302-CD, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 23781 Shawville Frenchville Hwy., Frenchville, PA 16836, whereupon your property will be sold by the Sheriff of Clearfield County.

You have been sued in court. If you wish to defend against the claims set forth in the following notice, you must take action within twenty (20) days after the 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 claim in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.
PENNSYLVANIA BAR ASSOC., P.O. Box 186, Harrisburg, PA 17108. 800-692-7375.

KEYSTONE LEGAL SERVICES, 211½ E. Locust St., Clearfield, PA 16830. 814-765-9646.

Joseph A. Goldbeck, Jr., Attorney for Plaintiff, Goldbeck, McCafferty & McKeever, PC, Suite 5000, Mellon Independence Center, 701 Market Street, Philadelphia, PA 19106-1532. 215-825-6411

William J. Mansfield, Inc., Legal Advertising Agency, The Woods, Suite 1209, 998 Old Eagle School Road, Wayne, PA 19087-1805.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 4 Services

Sheriff Docket # **102744**

EVERHOME MORTGAGE COMPANY

Case # **07-689-CD**

vs.

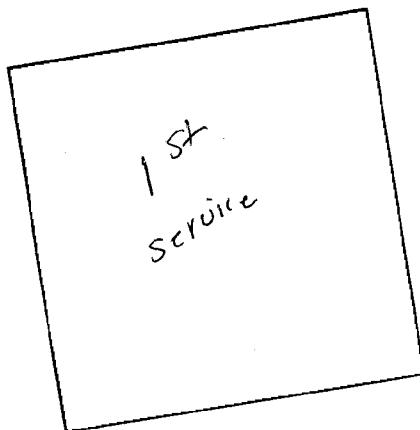
SLYVESTER J. KROUSE AND DEANNA I. KROUSE

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW October 03, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO SYLVESTER J. KROUSE, DEFENDANT. 205 FREEDOM ROAD, DUBOIS, PA. "EMPTY".

SERVED BY: /



FILED
03 20 07
OCT 03 2007
W.A.S.
William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 4 Services

Sheriff Docket # **102744**

EVERHOME MORTGAGE COMPANY

Case # **07-689-CD**

vs.

SLYVESTER J. KROUSE AND DEANNA I. KROUSE

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW October 03, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO DEANNA I. KROUSE, DEFENDANT. 205 FREEDOM ROAD, DUBOIS, PA. "EMPTY".

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102744
NO: 07-689-CD
SERVICE # 3 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: EVERHOME MORTGAGE COMPANY
vs.
DEFENDANT: SLYVESTER J. KROUSE AND DEANNA I. KROUSE

SHERIFF RETURN

NOW, May 03, 2007, SHERIFF OF WESTMORELAND COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON
SLYVESTER J. KROUSE.

NOW, June 01, 2007 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON
SLYVESTER J. KROUSE, DEFENDANT. THE RETURN OF WESTMORELAND COUNTY IS HERETO ATTACHED AND
MADE PART OF THIS RETURN MARKED "NOT FOUND".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102744
NO: 07-689-CD
SERVICE # 4 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: EVERHOME MORTGAGE COMPANY
VS.
DEFENDANT: SLYVESTER J. KROUSE AND DEANNA I. KROUSE

SHERIFF RETURN

NOW, May 03, 2007, SHERIFF OF WESTMORELAND COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DEANNA I. KROUSE.

NOW, June 01, 2007 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DEANNA I. KROUSE, DEFENDANT. THE RETURN OF WESTMORELAND COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102744
NO: 07-689-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: EVERHOME MORTGAGE COMPANY
vs.
DEFENDANT: SLYVESTER J. KROUSE AND DEANNA I. KROUSE

SHERIFF RETURN

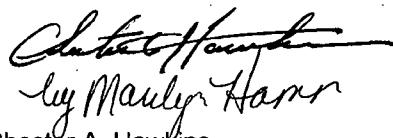
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	593311	40.00
SHERIFF HAWKINS	PHELAN	593311	31.00
WESTMORELAND CO.	PHELAN	593333	71.70

Sworn to Before Me This

____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

Date 5-14-07 ADV \$ 135.00

CHRIS SCHERER, SHERIFF OF WESTMORELAND COUNTY

2 NORTH MAIN STREET

GREENSBURG, PA 15601

(724) 830-3457 Fax (724) 830-3660

1 of 2
SCAN

#150504

SCAN

PG DC

LAST DAY TO SERVE: 5-30-07

PLAINTIFF: EVERHOME MORTGAGE COMPANY, ...

VS.

DEFT(S): SYLVESTER J. & DEANNA I. KROUSE

SERVE: DEANNA I. KROUSE
(DEFT(S)/GARNISHEE)

ADDRESS: 119 STATION STREET
LOYALHANNA, PA 15661

INDICATE TYPE OF SERVICE

PERSON IN CHARGE
 CERTIFIED MAIL

PERSONAL ONLY
 SEIZE/STORE

DEPUTIZE
 OTHER

POST

SHERIFF'S OFFICE USE ONLY

I hereby CERTIFY and RETURN that on the _____ day of _____ 20____, at _____ o'clock A.M./P.M.
Address Above/Address Below, County of Westmoreland Pennsylvania I have served in the manner Described below:

- Defendant(s) personally served _____
 Adult in charge of Defendant's residence at time of service (name & relationship) _____
 Manager/other person authorized to accept _____
 Agent or person in charge of Defendant(s) office or usual place of business _____
 Other _____
 Property Posted _____

Defendant Not Found because: Moved Unknown No Answer Vacant Other New Tenant

Attempts made by leaving Sheriff's Card No response _____

Certified Mail _____ 1st Class Mail _____ Ordinary Mail/Certificate of Mailing _____

ATTEMPTS 5-16-07 1050/52307 4410 510 / / /

DEPUTY'S REMARKS: 10

DEPUTY'S SIGNATURE:

Advanced monies received	West'd Sheriff's Costs	Deputized Cty Costs	TOTAL COSTS RECORDED
\$ 135.00	\$ 71.70	\$	\$ 71.70

Refund	Additional Amt Owed
\$ 63.30	\$

NOW: 20 I, SHERIFF OF WESTMORELAND COUNTY, PA do hereby deputized the
Sheriff of _____ County to execute this Writ and make return thereof according to law.

Deputized Cty Ck # _____ Advance Amt \$ _____

Deputized Notary Ck \$ _____ **SHERIFF**

AFFIRMED and subscribed to before COMMONWEALTH OF PENNSYLVANIA
1st day of June 2007 Notarial Seal
Rosemary Spangler, Notary Public
City of Greensburg, Westmoreland County
My Commission Expires Dec. 19/2009

Deputized Sheriff

Date 5-29-07

Rosemary Spangler Notary Public/Prothonotary Member, Pennsylvania Association of Sheriffs of Sheriff (Westmoreland Co)
Prothonotary (White Copy) Attorney (Canary Copy) Sheriff (Pink Copy)

Date

Date 5-4-07 + DV \$ 135.00

CHRIS SCHERER, SHERIFF OF WESTMORELAND COUNTY

2 NORTH MAIN STREET

GREENSBURG, PA 15601

(724) 830-3457 Fax (724) 830-3660

SCAN

SCAN

#150504

2 of 2

PG DC

LAST DAY TO SERVE: 5-30-07

PLAINTIFF: EVERHOME MORTGAGE COMPANY
VS.

DEFT(S): SYLVESTER J. & DEANNA I. KROUSE

SERVE: SYLVESTER J. KROUSE
(DEFT(S)/GARNISHEE)

ADDRESS: 119 STATION STREET
LOYALHANNA, PA 15661

INDICATE TYPE OF SERVICE

PERSON IN CHARGE
 CERTIFIED MAIL

PERSONAL ONLY
 SEIZE/STORE

DEPUTIZE
 OTHER

POST

SHERIFF'S OFFICE USE ONLY

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Address Above/Address Below, County of Westmoreland Pennsylvania I have served in the manner Described below:

- Defendant(s) personally served _____
 Adult in charge of Defendant's residence at time of service (name & relationship) _____
 Manager/other person authorized to accept _____
 Agent or person in charge of Defendant(s) office or usual place of business _____
 Other _____
 Property Posted _____

Defendant Not Found because Moved Unknown No Answer Vacant Other *dw penn*

- Attempts made by leaving Sheriff's Card No response _____
 Certified Mail 1st Class Mail Ordinary Mail/Certificate of Mailing _____

ATTEMPTS *5-16-07 105P/ 5-23-07 441P S/0* / /

DEPUTY'S REMARKS:

DEPUTY'S SIGNATURE:

Advanced monies received \$	West'd Sheriff's Costs \$	Deputized Cty Costs \$	TOTAL COSTS RECORDED \$

Refund \$	Additional Amt Owed \$

NOW: 20 I, SHERIFF OF WESTMORELAND COUNTY, PA do hereby deputized the
Sheriff of _____ County to execute this Writ and make return thereof according to law.

Deputized Cty Ck # _____ Advance Amt \$ _____

Deputized Notary Ck \$ _____

SHERIFF

AFFIRMED and subscribed to before me this _____ Notarial Seal

20 Rosemary Spangler, Notary Public
City of Greensburg, Westmoreland County
My Commission Expires Dec. 19, 2009

Deputized Sheriff

Date

5-29-07 80

Rosemary Spangler
Notary Public/Prothonotary
Prothonotary (White Copy)

Attorney (Canary Copy)

Signature of Sheriff (Westmoreland Co)
Sheriff (Pink Copy)

Date



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office
Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 102744

TERM & NO. 07-689-CD

EVERHOME MORTGAGE COMPANY

COMPLAINT IN MORTGAGE FORECLOSURE

VS.

SYLVESTER J. KROUSE AND DEANNA I. KROUSE

SERVE BY: 05/30/07

HEARING:

MAKE REFUND PAYABLE TO PHELAN HALLINAN & SSCHMIEG, ESQ.

SERVE: DEANNA I. KROUSE

ADDRESS: 119 STATION ST., LOYALHANNA, PA 15661

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF WESTMORELAND COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, May 03, 2007.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office
Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 102744

TERM & NO. 07-689-CD

EVERHOME MORTGAGE COMPANY

COMPLAINT IN MORTGAGE FORECLOSURE

VS.

SLYVESTER J. KROUSE AND DEANNA I. KROUSE

SERVE BY: 05/30/07

HEARING:

MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG, ESQ.

SERVE: SLYVESTER J. KROUSE

ADDRESS: 119 STATION ST., LOYALHANNA, PA 15661

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF WESTMORELAND COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, May 03, 2007.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

150504

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

Plaintiff
v.

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-689-CD

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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

We hereby certify this
within to be a true and
correct copy of the
original filed of record

APR 30 2007

Attest.

William L. Brown
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.

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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 2 nd 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

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

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

3. On 10/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR FLAGSTAR BANK, FSB which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200416940. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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	\$59,685.43
Interest	\$2,349.16
10/01/2006 through 04/27/2007	
(Per Diem \$11.24)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$80.16
10/06/2004 to 04/27/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$64,114.75
Escrow	
Credit	\$0.00
Deficit	\$145.85
Subtotal	<u>\$145.85</u>
TOTAL	\$64,260.60

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.
11. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$64,260.60, together with interest from 04/27/2007 at the rate of \$11.24 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 PROPERTY SITUATED IN THE TOWNSHIP OF SANDY IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 02/27/2004 AND RECORDED 03/10/2004, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 200403596 AND PAGE AND.

ADDRESS: 205 FREEDOM RD.; DU BOIS, PA 15801

TAX MAP OR PARCEL ID NO.: 128-A04-122

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: 4-07-01

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
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PHILADELPHIA, PA 19103
(215) 563-7000

150504

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

NO. 07-689-CD

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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

APR 30 2007

Attest.

William J. Prothonotary
Prothonotary
Clerk of Court

WE HEREBY CERTIFY THAT
WITHIN 10 DAYS OF THIS DAY,
CORRECT COPY OF THE
ORIGINAL FILED OF THIS COURT

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Pennsylvania Bar Association
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800-692-7375

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Clearfield County Courthouse
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814-765-2641 x 5982

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JACKSONVILLE, FL 32256

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

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

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

3. On 10/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR FLAGSTAR BANK, FSB which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200416940. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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	\$59,685.43
Interest	\$2,349.16
10/01/2006 through 04/27/2007	
(Per Diem \$11.24)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$80.16
10/06/2004 to 04/27/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$64,114.75
Escrow	
Credit	\$0.00
Deficit	\$145.85
Subtotal	<u>\$145.85</u>
TOTAL	\$64,260.60

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.
11. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$64,260.60, together with interest from 04/27/2007 at the rate of \$11.24 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 PROPERTY SITUATED IN THE TOWNSHIP OF SANDY IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 02/27/2004 AND RECORDED 03/10/2004, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 200403596 AND PAGE AND.

ADDRESS: 205 FREEDOM RD.; DU BOIS, PA 15801

TAX MAP OR PARCEL ID NO.: 128-A04-122

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: 4-07-01

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

150504

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

NO. 07-689-CD

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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

within to be a true &
correct copy of the
original filed of record

Attest,

William R.
Prothonotary/
Clerk of Court

NOTICE

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814-765-2641 x 5982

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PLAINTIFF WILL OBTAIN AND PROVIDE
DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
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CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
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1. Plaintiff is

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8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
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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.

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By:  /s/ Francis S. Hallinan

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DANIEL G. SCHMIEG, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

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TAX MAP OR PARCEL ID NO.: 128-A04-122

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Francis S. Hallinan

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 4-27-01

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(215) 563-7000

150504

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

Plaintiff
v.

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-689-CD

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Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

I hereby certify this to be a true
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APR 30 2007

Attest,

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DATE: 4-27-01

COPY

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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

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

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

3. On 10/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR FLAGSTAR BANK, FSB which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200416940. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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	\$59,685.43
Interest	\$2,349.16
10/01/2006 through 04/27/2007	
(Per Diem \$11.24)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$80.16
10/06/2004 to 04/27/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$64,114.75
Escrow	
Credit	\$0.00
Deficit	\$145.85
Subtotal	<u>\$145.85</u>
TOTAL	\$64,260.60

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.
11. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$64,260.60, together with interest from 04/27/2007 at the rate of \$11.24 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 PROPERTY SITUATED IN THE TOWNSHIP OF SANDY IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 02/27/2004 AND RECORDED 03/10/2004, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 200403596 AND PAGE AND.

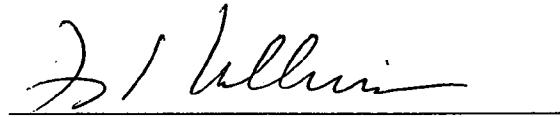
ADDRESS: 205 FREEDOM RD.; DU BOIS, PA 15801

TAX MAP OR PARCEL ID NO.: 128-A04-122

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: 4-27-01

COPY

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

150504

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

Plaintiff

v.

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-689-CD

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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

APR 30 2007

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

1400 - 1400-000000000000
within to be a true and
correct copy of the
original filed on 10/10/07

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.

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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
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PHELAN HALLINAN & SCHMIEG, LLP

By: _____


/s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

DANIEL G. SCHMIEG, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

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ADDRESS: 205 FREEDOM RD.; DU BOIS, PA 15801

TAX MAP OR PARCEL ID NO.: 128-A04-122

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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: 4-27-01

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103068
NO: 07-689-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

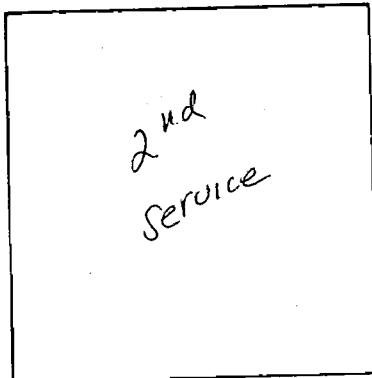
PLAINTIFF: EVERHOME MORTGAGE COMPANY

vs.

DEFENDANT: SLYVESTER J. KROUSE & DEANNA I. KROUSE

SHERIFF RETURN

NOW, August 09, 2007 AT 10:50 AM POSTED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & ORDER AT 205 FREEDOM ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA. (SLYVESTER J. KROUSE aka SYLVESTER J. KROUSE)
SERVED BY: COUDRIET / NEVLING



FILED
03:20 LM
OCT 03 2007
WS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103068
NO: 07-689-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: EVERHOME MORTGAGE COMPANY
vs.
DEFENDANT: SLYVESTER J. KROUSE & DEANNA I. KROUSE

SHERIFF RETURN

NOW, August 09, 2007 AT 10:50 AM POSTED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & ORDER AT 205 FREEDOM ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA. (DEANNA I. KROUSE)

SERVED BY: COUDRIET / NEVLING

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103068
NO: 07-689-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: EVERHOME MORTGAGE COMPANY

vs.

DEFENDANT: SLYVESTER J. KROUSE & DEANNA I. KROUSE

SHERIFF RETURN

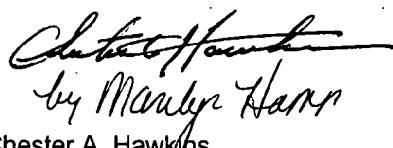
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	616636	20.00
SHERIFF HAWKINS	PHELAN	616636	33.43

Sworn to Before Me This

So Answers,

Day of 2007


by Marilyn Harris
Chester A. Hawkins
Sheriff

CM
FILED NOCC
OCT 11 04 2007
OCT 09 2007

Bad
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

By: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Everhome Mortgage Company
8120 Nations Way, Building 100
Jacksonville, FL 32256
Plaintiff

Court of Common Pleas

vs.
Sylvester J. Krouse a/k/a Sylvester J. Krouse
Deanna I. Krouse
119 Station Street
Loyalhanna, PA 15661
Defendants

Clearfield County

Civil Division

No. 07-689-CD

MOTION TO DIRECT THE SHERIFF TO FILE AFFIDAVIT OF SERVICE

1. Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on 04/30/07. A true and correct copy of the Complaint is attached hereto, made part hereof, and marked as Exhibit "A".

2. As the Sheriff was unable to serve the Defendants personally, Plaintiff filed a Motion for Service Pursuant to Special Order of Court, which the Honorable Frederic J. Ammerman granted July 13, 2007 directing Service of the Complaint by publication, first class and certified mail, and posting at the mortgaged premises. A true and correct copy of the Order is attached hereto, made part hereof, and marked as Exhibit "B".

3. The Sheriff of Clearfield County was requested to post the Complaint at the premises pursuant to the court Order.

4. On 09/13/07, the Sheriff's office verbally advised counsel for Plaintiff that the Complaint was posted at the premises on 08/09/07.

5. On August 15, 2007, Plaintiff filed an Affidavit of service of the Complaint by first class and certified mail.

6. On October 2, 2007, Plaintiff filed an Affidavit of publication on August 3, 2007 in accordance with court Order.

7. On 09/13/07, Plaintiff sent the Defendants a ten day letter notifying them of its intention to file a default judgment.

8. To date, the Clearfield County Sheriff's office has not filed the Affidavit of posting, which was made on 08/09/07.

9. Plaintiff is unable to enter judgment and praecipe for a writ of execution until the Sheriff's office files the Affidavit of posting of the Complaint with the Prothonotary.

10. Interest accrues at the rate of \$11.24 per day on this mortgage account. Additionally, Plaintiff continues to advance funds for real estate taxes and hazard insurance at its own expense.

11. The Plaintiff is greatly prejudiced by the delay in the filing of the Sheriff's Affidavit of posting.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order directing the Sheriff of Clearfield County to file the Affidavit of posting of the Complaint with the Prothonotary within seven days.

10/8/07
Date



Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

By: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Everhome Mortgage Company
8120 Nations Way, Building 100
Jacksonville, FL 32256

Plaintiff

Court of Common Pleas

vs.
Sylvester J. Krouse a/k/a Slyvester J. Krouse
Deanna I. Krouse
119 Station Street
Loyalhanna, PA 15661
Defendants

Clearfield County

Civil Division

No. 07-689-CD

**BRIEF IN SUPPORT OF MOTION TO DIRECT THE SHERIFF TO FILE
AFFIDAVIT OF SERVICE**

I. PROCEDURAL HISTORY

Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on 04/30/07. A true and correct copy of the Complaint is attached hereto, made part hereof, and marked as Exhibit "A". As the Sheriff was unable to serve the Defendants personally, Plaintiff filed a Motion for Service Pursuant to Special Order of Court, which the Honorable Frederic J. Ammerman granted July 13, 2007 directing Service of the Complaint by publication, first class and certified mail, and posting at the mortgaged premises. A true and correct copy of the Order

is attached hereto, made part hereof, and marked as Exhibit "B". The Sheriff of Clearfield County was requested to post the Complaint at the premises pursuant to the court Order. On 09/13/07, the Sheriff's office verbally advised counsel for Plaintiff that the Complaint was posted at the premises on 08/09/07. On August 15, 2007, Plaintiff filed an Affidavit of service of the Complaint by first class and certified mail. On October 2, 2007, Plaintiff filed an Affidavit of publication on August 3, 2007 in accordance with court Order. On 09/13/07, Plaintiff sent the Defendants a ten day letter notifying them of its intention to file a default judgment. To date, the Clearfield County Sheriff's office has not filed the Affidavit of posting, which was made on 08/09/07. Plaintiff is unable to enter judgment and praecipe for a writ of execution until the Sheriff's office files the Affidavit of posting of the Complaint with the Prothonotary. Interest accrues at the rate of \$11.24 per day on this mortgage account. Additionally, Plaintiff continues to advance funds for real estate taxes and hazard insurance at its own expense. The Plaintiff is greatly prejudiced by the delay in the filing of the Sheriff's Affidavit of posting.

II. LEGAL ANALYSIS

Pennsylvania Rule of Civil Procedure 400(a) requires that original process within the Commonwealth be made only by the Sheriff. Pa.R.C.P. 405(a) provides as follows:

When service of the original process has been made,
the sheriff or other person making service shall make a
return of service forthwith. . . .

The Plaintiff does not have the ability to use a private process server to serve foreclosure complaints in Clearfield County. The Plaintiff must rely on the Sheriff to do so. In addition, the Sheriff has a duty to file his return of service "forthwith". In the instant case, the Sheriff's Office has not complied with that obligation.

Plaintiff is without an adequate remedy at law and will suffer irreparable harm unless the requested relief is granted. This Court has plenary power to administer equity according to well-

settled principals of equity jurisprudence in cases under its jurisdiction. Cheval v. City of Philadelphia, 176 A. 779, 116 Pa. Super. 101 (1935). Moreover, it is well settled that Courts will lean to a liberal exercise of the equity power conferred upon them instead of encouraging technical niceties in the modes of procedure and forms of pleading. Gunnet v. Trout, 380 Pa. 504, 112 A.2d 333 (1955). This is certainly a case where the exercise of this Court's equity powers is appropriate and necessary.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order directing the Sheriff of Clearfield County to file the Affidavit of posting of the Complaint with the Prothonotary within seven days.

10/8/07
Date



Michele M. Bradford, Esquire
Attorney for Plaintiff

EXHIBIT A

8/2/07
Reinstated/Reissued to ~~STANIS~~ Attorney
for service.

8/2/07
Reinstated/Reissued to ~~STANIS~~ Attorney
for service.

6/29/07
Reinstated/Reissued to ~~STANIS~~ Attorney
for service.

6/29/07
Reinstated/Reissued to ~~STANIS~~ Attorney
for service.

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
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PHILADELPHIA, PA 19103
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150504

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

Plaintiff

v.

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

ATTORNEY FILE COPY
PLEASE RETURN

We hereby certify the
within to be a true and
correct copy of the
original filed of record

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
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150504

ATTORNEY FOR PLAINTIFF

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BUILDING 100
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Plaintiff
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COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO.

CLEARFIELD COUNTY

CIVIL ACTION - LAW
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Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, 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

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

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

3. On 10/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR FLAGSTAR BANK, FSB which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200416940. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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	\$59,685.43
Interest	\$2,349.16
10/01/2006 through 04/27/2007	
(Per Diem \$11.24)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$80.16
10/06/2004 to 04/27/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$64,114.75
Escrow	
Credit	\$0.00
Deficit	\$145.85
Subtotal	<u>\$145.85</u>
TOTAL	\$64,260.60

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.

LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE TOWNSHIP OF SANDY IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 02/27/2004 AND RECORDED 03/10/2004, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 200403596 AND PAGE AND.

ADDRESS: 205 FREEDOM RD.; DU BOIS, PA 15801

TAX MAP OR PARCEL ID NO.: 128-A04-122

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: 4-27-01

EXHIBIT B

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

EVERHOME MORTGAGE COMPANY,
Plaintiff

vs.

SLYVESTER J. KROUSE a/k/a SYLVESTER J. KROUSE
DEANNA I. KROUSE,

Defendants

*
*
*
*

NO. 07-689-CD

O R D E R

NOW, this 13th day of July, 2007, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendants **SLYVESTER J. KROUSE a/k/a SYLVESTER J. KROUSE and DEANNA I. KROUSE** by:

1. Publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal;
2. By first class mail to 205 Freedom Road, DuBois, PA 15801 and to last known address 119 Station Street, Loyalhanna, PA 15661;
3. By certified mail, return receipt requested to 205 Freedom Road, DuBois, PA 15801 and to last known address 119 Station Street, Loyalhanna, PA 15661;
4. By posting the mortgaged premises known in this herein action as 205 Freedom Road, DuBois, PA 15801.

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.

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

JUL 10 2007

BY THE COURT,
/S/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

Attest.

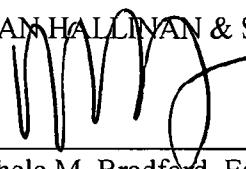
William J. Ammerman
Prothonotary/
Clerk of Courts

VERIFICATION

Michele M. Bradford, Esquire hereby states that she is the attorney for the Plaintiff in this action, that she is authorized to make this Verification, and that the statements made in the foregoing Motion to Direct Sheriff to file Affidavit of Service and Brief in support thereof 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.

10/8/07
Date

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
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Everhome Mortgage Company :
8120 Nations Way, Building 100 :
Jacksonville, FL 32256 :
Plaintiff :
vs. :
Defendants :
:

Court of Common Pleas

Clearfield County

Civil Division

No. 07-689-CD

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Direct Sheriff to File
Affidavit of Service and Brief in Support thereof were served upon the following interested
parties via first class mail on the date indicated below:

Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, PA 16830

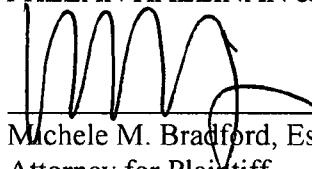
Peter F. Smith, Esquire
30 South 2nd Street
PO Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Sylvester J. Krouse
Deanna I. Krouse
205 Freedom Road
DuBois, PA 15801

Sylvester J. Krouse
Deanna I. Krouse
119 Station Street
Loyalhanna, PA 15661

10/8/07
Date

PHELAN HALLINAN & SCHMIEG, LLP


Michele M. Bradford, Esquire
Attorney for Plaintiff

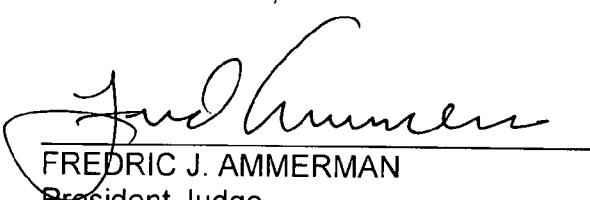
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

EVERGREEN MORTGAGE COMPANY, *
Plaintiff *
vs. * NO. 07-689-CD
SYLVESTER J. KROUSE a/k/a *
SYLVESTER J. KROUSE, *
DEANNA I. KROUSE, *
Defendants *

ORDER

NOW, this 10th day of October, 2007, the Court noting the difficulties caused relative no Sheriff's Return having yet been filed with the Prothonotary, and in consideration of Pa. R.C.P. 405 (a) and the Plaintiff's Motion to Direct the Sheriff to File Affidavit of Service, it is the ORDER of this Court that the Sheriff cause a Return of Service to be filed with the Prothonotary by no later than 3:30 p.m. on Thursday, October 11th, 2007. The Prothonotary shall notify the Court as to the filing of the return.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED 2CC
01/04/2007 Atty Bradford
OCT 10 2007

William A. Shaw 100 Sheriff
Prothonotary/Clerk of Courts without memo
6K

FILED

OCT 10 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10/10/07

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:

FILED
m11106/07/07
OCT 17 2007
W

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire
Attorney ID No. 69849
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Everhome Mortgage Company	:	Court of Common Pleas
8120 Nations Way, Building 100	:	
Jacksonville, FL 32256	:	
Plaintiff	:	Clearfield County
vs.	:	
Sylvester J. Krouse a/k/a Slyvester J. Krouse	:	Civil Division
Deanna I. Krouse	:	
119 Station Street	:	No. 07-689-CD
Loyalhanna, PA 15661	:	
Defendants	:	

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Order granting Motion to Direct Sheriff to File Affidavit of Service were served upon the following interested parties via first class mail on the date indicated below:

Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

Peter F. Smith, Esquire
30 S. 2nd Street,
PO Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Sylvester J. Krouse
Deanna I. Krouse
205 Freedom Road
DuBois, PA 15801

Sylvester J. Krouse
Deanna I. Krouse
119 Station Street
Loyalhanna, PA 15661

10/15/07
Date

PHELAN HALINNAN & SCHMIEG, LLP



Michele M. Bradford, Esquire
Attorney for Plaintiff

**EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY BUILDING 100**

JACKSONVILLE, FL 32256

Attorney for Plaintiff

Plaintiff,

SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

Defendant(s).

**CLEARFIELD COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 07-689-CD

FILED Atty pd. 20-00
M 12/01/01 NOV 3 0 2001 ICCS notice
to def.

✓ William A. Shaw
Prothonotary/Clerk of Courts *Statement to
Att'y*

PRAECLP 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 SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE and DEANNA L. KROUSE, 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	\$ 64,260.60
Interest - 04/28/07 - 11/26/07	\$ 2,394.12
TOTAL	\$ 66,654.72

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. 1

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

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 11/30/07

PRO PROTHY

150504

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

EVERHOME MORTGAGE COMPANY

Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

SLYVESTER J. KROUSE A/K/A SYLVESTER J.
KROUSE
DEANNA I. KROUSE

: CLEARFIELD COUNTY

: NO. 07-689-CD

Defendants

TO: **SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE**
119 STATION STREET
LOYALHANNA, PA 15661

FILE COPY

DATE OF NOTICE: SEPTEMBER 13, 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

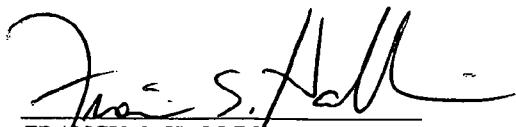
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

EVERHOME MORTGAGE COMPANY
Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

SLYVESTER J. KROUSE A/K/A SYLVESTER J.
KROUSE
DEANNA I. KROUSE

: CLEARFIELD COUNTY

Defendants

: NO. 07-689-CD

TO: SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE
205 FREEDOM ROAD
DUBOIS, PA 15801

FILE COPY

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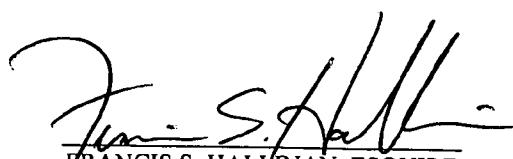
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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
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HARRISBURG, PA 17108
800-692-7375


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

EVERHOME MORTGAGE COMPANY
Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

SLYVESTER J. KROUSE A/K/A SYLVESTER J.
KROUSE
DEANNA I. KROUSE

: CLEARFIELD COUNTY

Defendants

: NO. 07-689-CD

FILE COPY

TO: DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

DATE OF NOTICE: SEPTEMBER 13, 2007

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CLEARFIELD COUNTY
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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

EVERHOME MORTGAGE COMPANY
Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

SLYVESTER J. KROUSE A/K/A SYLVESTER J.
KROUSE
DEANNA I. KROUSE

: CLEARFIELD COUNTY

Defendants

: NO. 07-689-CD

TO: DEANNA I. KROUSE
205 FREEDOM ROAD
DUBOIS, PA 15801

FILE COPY

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:
CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
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(814) 765-2641 x 5982

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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

EVERHOME MORTGAGE COMPANY

8120 NATIONS WAY BUILDING 100

JACKSONVILLE, FL 32256

Plaintiff,

v.

SLYVESTER J. KROUSE A/K/A

SYLVESTER J. KROUSE

DEANNA I. KROUSE

119 STATION STREET

LOYALHANNA, PA 15661

Defendant(s).

:

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-689-CD

:

:

:

VERIFICATION OF NON-MILITARY SERVICE

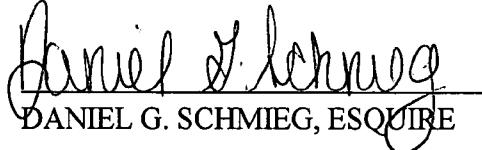
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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 **SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE** is over 18 years of age and resides at **119 STATION STREET, LOYALHANNA, PA 15661**.

(c) that defendant **DEANNA I. KROUSE** is over 18 years of age, and resides at **119 STATION STREET, LOYALHANNA, PA 15661**.

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

FILED

NOV 30 2007

William A. Stata
Prothonotary/Clerk of Courts

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

EVERHOME MORTGAGE COMPANY :
8120 NATIONS WAY BUILDING 100 :
JACKSONVILLE, FL 32256 :

Plaintiff, : CLEARFIELD COUNTY
v. : COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 07-689-CD

SLYVESTER J. KROUSE A/K/A :
SYLVESTER J. KROUSE :
DEANNA I. KROUSE :
119 STATION STREET :
LOYALHANNA, PA 15661 :

Defendant(s). :
:

OPY

Notice is given that a Judgment in the above captioned matter has been entered against you
on November 30, 2007.

BY Willie L. Chapman DEPUTY
BPA

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

Everhome Mortgage Company
Plaintiff(s)

No.: 2007-00689-CD

Real Debt: \$66,654.72

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Slyvester J. Krouse
Deanna I. Krouse
Defendant(s)

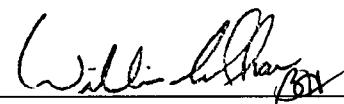
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 30, 2007

Expires: November 30, 2012

Certified from the record this 30th day of November, 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

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

EVERHOME MORTGAGE
COMPANY

vs.

SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE

DEANNA L. KROUSE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-689-CD Term 20.....

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due

Interest from 11/27/07 - to Sale

Per diem \$10.96

Add'l Costs

Writ Total

Prothonotary costs

\$.66,654.72
139.00

§

\$ 3,812.08

Attorney for the Plaintiff(s)

Note: Please attach description of Property.

150504

FILED Atty pd 20.00
M/2/18/04
NOV 30 2007 1 CC & 6 Wnts

W/prop. desc.
William A. Shaw
Prothonotary/Clerk of Courts to Sheriff

No. 07-689-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

EVERHOME MORTGAGE COMPANY

vs.

SYLVESTER J. KROUSE A/K/A SYLVESTER J.
KROUSE
DEANNA I. KROUSE

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed: /



Deanna I. Krouse
Attorney for Plaintiff(s)

Address: SYLVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661
119 STATION STREET
LOYALHANNA, PA 15661

LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWNSHIP OF SANDY, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT AT THE SOUTHEAST CORNER OF LAND NOW OR FORMERLY OF CHARLES ALESSI, ET US.; THENCE NORTH 46 DEGREES 15 MINUTES EAST 102.77 FEET TO A POINT; THENCE SOUTH 36 DEGREES 25 MINUTES EAST 176.25 FEET TO A POINT; THENCE SOUTH 53 DEGREES 35 MINUTES WEST 101.93 FEET TO A POINT; THENCE NORTH 36 DEGREES 25 MINUTES WEST 163.12 FEET TO THE POINT OF BEGINNING.

BEING the same property which SAMUEL A. KING, BY BEVERLY A. KING, HIS AGENT, AND BEVERLY A. KING and SAMUEL A. KING AND BEVERLY A. KING, HUSBAND AND WIFE, deed dated 02/27/2004 and recorded 03/10/2004 in the Recorder's Office of CLEARFIELD County, Pennsylvania in Deed Book Instrument number 200403596 granted and conveyed to DEANNA KROUSE AND SYLVESTER KROUSE, HUSBAND AND WIFE.

TITLE TO SAID PREMISES IS VESTED IN Deanna Krouse and Sylvester J. Krouse, husband and wife, by Deed from Samuel A. King, by his attorney-in-fact, Beverly A. King and Beverly A. King, dated 10/06/2004, recorded 10/18/2004, in Deed Mortgage Inst# 200416939.

Premises being: 205 FREEDOM ROAD
DU BOIS, PA 15801

Tax Parcel No. 128-AO4-122

FILED

NOV 30 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

EVERHOME MORTGAGE COMPANY

8120 NATIONS WAY BUILDING 100

JACKSONVILLE, FL 32256

Plaintiff,

v.

**CLEARFIELD COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 07-689-CD

SLYVESTER J. KROUSE A/K/A

SYLVESTER J. KROUSE

DEANNA I. KROUSE

119 STATION STREET

LOYALHANNA, PA 15661

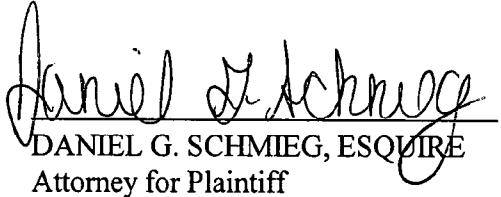
Defendant(s).

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

EVERHOME MORTGAGE COMPANY	:	
8120 NATIONS WAY BUILDING 100	:	
JACKSONVILLE, FL 32256	:	CLEARFIELD COUNTY
Plaintiff,	:	COURT OF COMMON PLEAS
v.	:	CIVIL DIVISION
SLYVESTER J. KROUSE A/K/A	:	NO. 07-689-CD
SYLVESTER J. KROUSE	:	
DEANNA I. KROUSE	:	
119 STATION STREET	:	
LOYALHANNA, PA 15661	:	
Defendant(s).	:	

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

EVERHOME MORTGAGE COMPANY, 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 **205 FREEDOM ROAD, DU BOIS, PA 15801**.

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

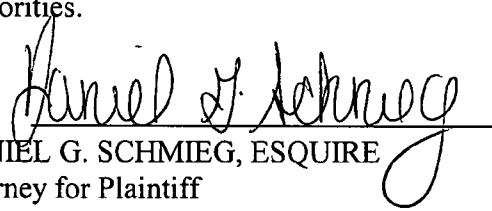
NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE	119 STATION STREET LOYALHANNA, PA 15661
	119 STATION STREET LOYALHANNA, PA 15661
DEANNA I. KROUSE	

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.

NOVEMBER 26, 2007
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

EVERHOME MORTGAGE COMPANY	:	
8120 NATIONS WAY BUILDING 100	:	
JACKSONVILLE, FL 32256	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff,	:	
v.	:	CIVIL DIVISION
	:	
SLYVESTER J. KROUSE A/K/A SYLVESTER	:	NO. 07-689-CD
J. KROUSE	:	
DEANNA I. KROUSE	:	
119 STATION STREET	:	
LOYALHANNA, PA 15661	:	
	:	
Defendant(s).	:	

AFFIDAVIT PURSUANT TO RULE 3129

EVERHOME MORTGAGE COMPANY, 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 **205 FREEDOM ROAD, DU BOIS, PA 15801**.

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.)
None	

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

205 FREEDOM ROAD
DU BOIS, PA 15801

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

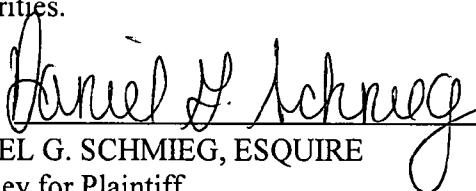
13TH Floor, Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222

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. '4904 relating to unsworn falsification to authorities.

NOVEMBER 26, 2007
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

EVERHOME MORTGAGE
COMPANY.

vs.

SLYVESTER I. KROUSE A/K/A
SYLVESTER I. KROUSE
DEANNA I. KROUSE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-689-CD Term 20
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

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: 205 FREEDOM ROAD, DU BOIS, PA 15801
(See Legal Description attached)

Amount Due

Interest from 11/27/07 - to Sale
Per diem \$10.96

Add'l Costs
Writ Total

\$.66,654.72
Prothonotary costs 139.00
\$ _____.

\$ 3,812.08

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

Dated 11/30/07
(SEAL)

150504

No. 07-689-CD Term 20 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
EVERHOME MORTGAGE COMPANY

vs.

SLYVESTER J. KROUSE A/K/A SYLVESTER J.
KROUSE
DEANNA I. KROUSE

WRIT OF EXECUTION
(Mortgage Foreclosure)

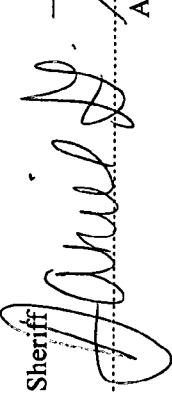
Costs

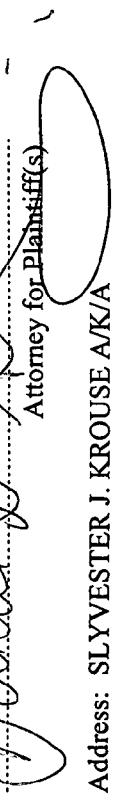
Real Debt \$ 66,654.72

Int. from 11/27/07
To Date of Sale (\$10.96 per diem)

Costs

Prothy Pd. 139.00

Sheriff 

Attorney for Plaintiff(s) 

Address: SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE DEANNA I. KROUSE
119 STATION STREET 119 STATION STREET
LOYALHANNA, PA 15661 LOYALHANNA, PA 15661

LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWNSHIP OF SANDY, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT AT THE SOUTHEAST CORNER OF LAND NOW OR FORMERLY OF CHARLES ALESSI, ET US.; THENCE NORTH 46 DEGREES 15 MINUTES EAST 102.77 FEET TO A POINT; THENCE SOUTH 36 DEGREES 25 MINUTES EAST 176.25 FEET TO A POINT; THENCE SOUTH 53 DEGREES 35 MINUTES WEST 101.93 FEET TO A POINT; THENCE NORTH 36 DEGREES 25 MINUTES WEST 163.12 FEET TO THE POINT OF BEGINNING.

BEING the same property which SAMUEL A. KING, BY BEVERLY A. KING, HIS AGENT, AND BEVERLY A. KING and SAMUEL A. KING AND BEVERLY A. KING, HUSBAND AND WIFE, deed dated 02/27/2004 and recorded 03/10/2004 in the Recorder's Office of CLEARFIELD County, Pennsylvania in Deed Book Instrument number 200403596 granted and conveyed to DEANNA KROUSE AND SYLVESTER KROUSE, HUSBAND AND WIFE.

TITLE TO SAID PREMISES IS VESTED IN Deanna Krouse and Sylvester J. Krouse, husband and wife, by Deed from Samuel A. King, by his attorney-in-fact, Beverly A. King and Beverly A. King, dated 10/06/2004, recorded 10/18/2004, in Deed Mortgage Inst# 200416939.

Premises being: 205 FREEDOM ROAD
DU BOIS, PA 15801

Tax Parcel No. 128-AO4-122

108

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

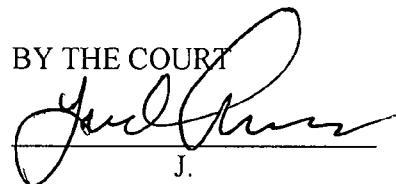
EVERHOME MORTGAGE COMPANY : Court of Common Pleas
Plaintiff :
vs. : Civil Division
: CLEARFIELD County
SLYVESTER J. KROUSE :
DEANNA I. KROUSE : No. 07-689-CD
: Defendants

RULE

AND NOW, this 26 day of Feb. 2008, 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 8th day of April 2008, at 9:30 in the Clearfield County Courthouse, Clearfield, Pennsylvania. Ct. room # 1

BY THE COURT



150504

FILED
6/4/00 10:00 AM
FEB 26 2008 Atty Bradford
Atty Bradford
William A. Shaw
Prothonotary/Clerk of Courts
CR

8

FILED

FEB 26 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 2/26/08

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:

FILED acc
04/08/2008 Atty Lhota
APR 08 2008 (will serve)

William A. Shaw
Prothonotary/Clerk of Courts

6K

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

EVERHOME MORTGAGE COMPANY : Court of Common Pleas
Plaintiff :
vs. : Civil Division
: CLEARFIELD County
SLYVESTER J. KROUSE :
DEANNA I. KROUSE : No. 07-689-CD
: Defendants

ORDER

AND NOW, this 8 day of April, 2008 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	\$59,685.43
Interest Through March 7, 2008	\$5,864.62
Per Diem \$11.24	
Late Charges	\$300.60
Legal fees	\$1,450.00
Cost of Suit and Title	\$1,953.58
Sheriff's Sale Costs	\$0.00
Property Inspections	\$0.00
Appraisal/Brokers Price Opinion	\$0.00
Mortgage Insurance Premium /	
Private Mortgage Insurance	\$72.18
Non Sufficient Funds Charge	\$0.00

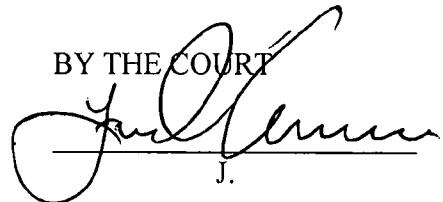
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	<u>\$3,635.07</u>

TOTAL	\$72,961.48
--------------	-------------

Plus interest from March 7, 2008 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

A handwritten signature in black ink, appearing to read "John J. [initials]". The signature is fluid and cursive, with a horizontal line underneath it.

150504

FILED
m/j/m/r
FEB 21 2008
GP

William A. Shaw
Prothonotary/Clerk of Courts

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

EVERHOME MORTGAGE COMPANY	:	Court of Common Pleas
Plaintiff	:	Civil Division
vs.	:	CLEARFIELD County
SLYVESTER J. KROUSE	:	No. 07-689-CD
DEANNA I. KROUSE	:	
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 April 30, 2007, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".
2. Judgment was entered on November 30, 2007 in the amount of \$66,654.72. 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. The Property is listed for Sheriff's Sale on March 7, 2008.

5. 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	\$59,685.43
Interest Through March 7, 2008	\$5,864.62
Per Diem \$11.24	
Late Charges	\$300.60
Legal fees	\$1,450.00
Cost of Suit and Title	\$1,953.58
Sheriff's Sale Costs	\$0.00
Property Inspections	\$0.00
Appraisal/Brokers Price Opinion	\$0.00
Mortgage Insurance Premium /	\$72.18
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	\$3,635.07
<hr/>	
TOTAL	\$72,961.48

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

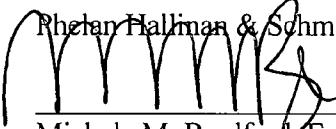
7. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendants.

8. 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: 2/19/08

By:

 Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

Exhibit “A”

FILED
APR 30 2007

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 150504

ATTORNEY FOR PLAINTIFF

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

NO. 07-689-CD

CLEARFIELD COUNTY

ATTORNEY FILE COPY
PLEASE RETURN

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

We hereby certify 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. Meholick, 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

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

SLYVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

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

3. On 10/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR FLAGSTAR BANK, FSB which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200416940. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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	\$59,685.43
Interest 10/01/2006 through 04/27/2007 (Per Diem \$11.24)	\$2,349.16
Attorney's Fees	\$1,250.00
Cumulative Late Charges 10/06/2004 to 04/27/2007	\$80.16
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$64,114.75
Escrow	
Credit	\$0.00
Deficit	\$145.85
Subtotal	<u>\$145.85</u>
TOTAL	\$64,260.60

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.
11. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$64,260.60, together with interest from 04/27/2007 at the rate of \$11.24 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 PROPERTY SITUATED IN THE TOWNSHIP OF SANDY IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 02/27/2004 AND RECORDED 03/10/2004, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 200403596 AND PAGE AND.

ADDRESS: 205 FREEDOM RD.; DU BOIS, PA 15801

TAX MAP OR PARCEL ID NO.: 128-A04-122

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: 4-27-01

Exhibit “B”

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

EVERHOME MORTGAGE COMPANY
8120 NATIONS WAY BUILDING 100
JACKSONVILLE, FL 32256

v.

SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

Defendant(s).

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

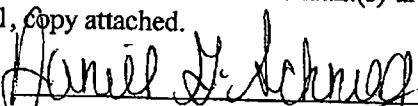
TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE and DEANNA I. KROUSE, 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
Interest - 04/28/07 - 11/26/07
TOTAL

ATTORNEY FILE COPY
PLEASE RETURN
\$ 64,260.60
\$ 2,394.12
\$ 66,654.72

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: 11/30/07

150504

PRO PROPERTY


FILED
COURT
NOV 30 2007

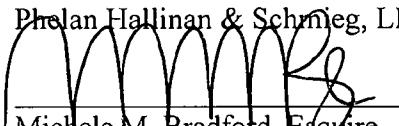
William A. Shaw
Prothonotary/Clerk of Courts

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: 2/19/08

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 ATTORNEY FOR PLAINTIFF
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

EVERHOME MORTGAGE COMPANY	:	Court of Common Pleas
Plaintiff	:	Civil Division
vs.	:	CLEARFIELD County
SLYVESTER J. KROUSE	:	No. 07-689-CD
DEANNA I. KROUSE	:	
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.

SLYVESTER J. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

SLYVESTER J. KROUSE
DEANNA I. KROUSE
205 FREEDOM ROAD
DU BOIS, PA 15801

DATE: 2/19/08

By:

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

SALE DATE: MAY 2, 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

EVERHOME MORTGAGE COMPANY

No.: 07-689-CD

vs.

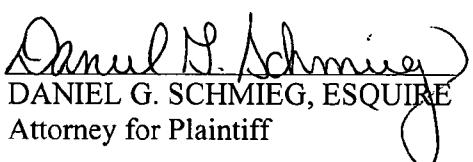
SLYVESTER J. KROUSE
A/K/A SYLVESTER J. KROUSE
DEANNA I. KROUSE

**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

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:

205 FREEDOM ROAD, DU BOIS, PA 15801.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given 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 attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. 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: March 4, 2008

150504

FILED *no cc*
MAR 6 14 2008
MAR 05 2008
LM
William A. Shaw
Prothonotary/Clerk of Courts

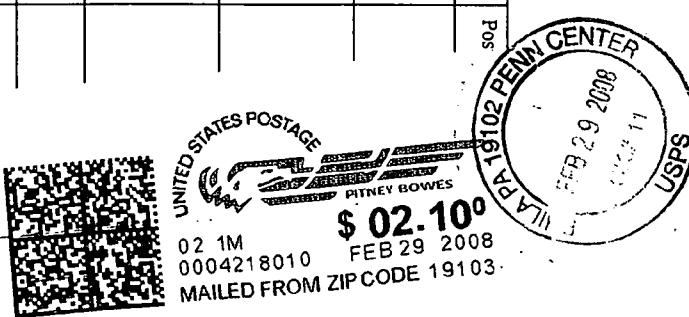
**Name and
Address
of Sender**

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



CQS
PHELAN 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		Post
1		TENANT/OCCUPANT 205 FREEDOM ROAD DU BOIS, PA 15801		
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				
8				
9				
10				
11				
12	<i>LLD</i>	Re: SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE TEAM 4 150504		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per Name of Receiving Employee)	 <p>STATES POSTAGE PAID PITNEY BOWES</p> <p>\$ 02.10⁰⁰ 02 1M 0004218010 FEB 29 2008 MAILED FROM ZIP CODE 19103</p>



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

EVERHOME MORTGAGE COMPANY

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: CLEARFIELD County

SLYVESTER J. KROUSE
DEANNA I. KROUSE

: No. 07-689-CD

Defendants

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Court's February 26, 2008 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.

SLYVESTER J. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

SLYVESTER J. KROUSE
DEANNA I. KROUSE
205 FREEDOM ROAD
DU BOIS, PA 15801

DATE: 3/3/08

By:

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

FILED NO. *3/11/2008*
MAR 05 2008
WAS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

EVERHOME MORTGAGE COMPANY)
Plaintiff,)
v.) No. 07-689-CD
SYLVESTER J. KROUSE)
DEANNA I. KROUSE,)
Defendants.)

ENTRY OF APPEARANCE

TO: William A. Shaw, Prothonotary:

Please enter my appearance on behalf of Everhome Mortgage Company, plaintiff
in the above-captioned matter.

Respectfully submitted,



John R. Lhota, Attorney at Law
John R. Lhota, P.C.
110 North Second Street
Clearfield, PA 16830
(814) 765-9611
Pa. I. D. No. 22492

Dated: April 8, 2008

FILED 2cc
03/14/08 APR 09 2008 Atty Lhota
CJ

William A. Shaw
Prothonotary/Clerk of Courts

FILED

APR 09 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

EVERHOME MORTGAGE COMPANY
Plaintiff,

vs.

SYLVESTER J. KROUSE
DEANNA I. KROUSE
Defendants.

*
*
*
* NO. 07-689-CD

*
*
*
* Type of Pleading:
* CERTIFICATE OF SERVICE

*
* Filed on Behalf of: Plaintiff
* EVERHOME MORTGAGE COMPANY

*
*
*
*
* Counsel of Record for this party:

*
* John R. Lhota, Attorney at Law
* JOHN R. LHOTA, P.C.
* 110 North Second Street
* Clearfield, PA 16830
* (814) 765-9611
* Pa. I.D. No. 22492

FILED *sec*
04/14/08 Atty Lhota
APR 09 2008

WP
William A. Shaw
Prothonotary/Clerk of Courts

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

EVERHOME MORTGAGE COMPANY
Plaintiff,

vs.

SYLVESTER J. KROUSE
DEANNA I. KROUSE
Defendants.

*
*
*
* NO. 07-689-CD

*
*
*
* Type of Pleading:
* CERTIFICATE OF SERVICE

*
* Filed on Behalf of: Plaintiff
* EVERHOME MORTGAGE COMPANY

*
*
*
*
* Counsel of Record for this party:

*
* John R. Lhota, Attorney at Law
* JOHN R. LHOTA, P.C.
* 110 North Second Street
* Clearfield, PA 16830
* (814) 765-9611
* Pa. I.D. No. 22492

FILED *sec*
04/14/08 Atty Lhota
APR 09 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

EVERHOME MORTGAGE COMPANY *
Plaintiff, *
*
vs. * NO. 07-689-CD
*
SYLVESTER J. KROUSE *
DEANNA I. KROUSE *
Defendants. *

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the Court's April 8, 2008 Order granting Plaintiff's motion to reassess damages in the above-captioned matter upon the following individuals on the date indicated below.

Sylvester J. Krouse
119 Station Street
Loyalhanna, PA 15661

Sylvester J. Krouse
Deanna I. Krouse
205 Freedom Road
DuBois, PA 15801

JOHN R. LHOTA, P.C.

John R. Lhota, Attorney at Law,
110 North Second Street
Clearfield, PA 16830
(814) 765-9611
Pa. I.D. No. 22492

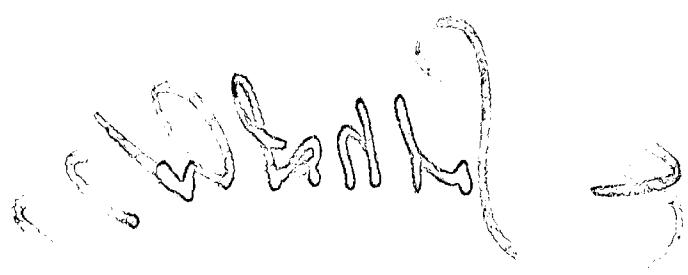
Dated: April 8, 2008

C:\clients\MISC\PHELAN.KROUSECOS.wpd

FILED

APR 09 2008

William A. Shaw
Prothonotary/Clerk of Courts

A handwritten signature in black ink, appearing to read "William A. Shaw", is positioned below the printed text. The signature is fluid and cursive, with a large, stylized 'W' at the beginning.

A POINT; THENCE SOUTH 36 DEGREES 25 MINUTES EAST 176.25 FEET TO A POINT; THENCE SOUTH 53 DEGREES 35 MINUTES WEST 101.93 FEET TO A POINT; THENCE NORTH 36 DEGREES 25 MINUTES WEST 163.12 FEET TO THE POINT OF BEGINNING.

BEING the same property which SAMUEL A. KING, BY BEVERLY A. KING, HIS AGENT, AND BEVERLY A. KING and SAMUEL A. KING AND BEVERLY A. KING, HUSBAND AND WIFE, deed dated 02/27/2004 and recorded 03/10/2004 in the Recorder's Office of CLEARFIELD County, Pennsylvania in Deed Book Instrument number 200403596 granted and conveyed to DEANNA KROUSE AND SYLVESTER KROUSE, HUSBAND AND WIFE.

TITLE TO SAID PREMISES IS VESTED IN Deanna Krouse and Slyvester J. Krouse, husband and wife, by Deed from Samuel A. King, by his attorney-in-fact, Beverly A. King and Beverly A. King, dated 10/06/2004, recorded 10/18/2004, in Deed Mortgage Inst# 200416939.

Being Premises
205 FREEDOM ROAD,
DUBOIS, PA 15801
Improvements consist of
residential property
Sold as the property of SLYV-
STER J. KROUSE, A/K/A SLYVE-
STER J. KROUSE and DEANNA I.
KROUSE.

CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on JUNE 2, 2008, distribution will be made in accordance with the schedule unless exceptions are filed within ten days thereto.

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

Clean MVR, home on weekends. If interested, please call Morrisdale 814-343-4755.

WELDERS NEEDED.
Apply within, Freedom Outdoor Furnace, Route 453, Olanta. 236-3920.

Personal Service

LAWN MOWING. \$27.00 for average size lawn, includes trimming. Sign up before April 15th and get 20% discount on Spring cleanup. Fully insured. Free estimates within 24 hours. Call SODBUSTERS, Woodland 857-7182.

Business Service

SEWER TAPS: \$11 per foot. T.J. Backhoe Service, Ted Jones, Osceola Mills 339-6302; 762-6781.

Property Improvements

A & S ROOFING. Siding and windows. Call Clearfield 765-0999.

AZTEC™ CONTRACTING. Commercial and residential. Windows, siding, soffit, fascia, decks, roofs/rubber roofs. Remodeling, kitchen and bath. Fully insured. Clearfield 765-7898, 553-3247.

NOTICE OF ACTION IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA CIVIL ACTION-LAW NO. 07-689-CD EVERHOME MORTGAGE COMPANY *		vs. SLYVESTER J. KROUSE, A/K/A SYLVESTER J. KROUSE DEANNAI. KROUSE NOTICE TO: SLYVESTER J. KROUSE, A/K/A SYLVESTER J. KROUSE DEANNAI. KROUSE "NOTICE OF SHERIFF'S SALE OF REAL PROPERTY"	TAKE NOTICE that the real estate located at 205 FREEDOM ROAD, DUBOIS, PA 15801 is scheduled to be sold at Sheriff's Sale on Friday, MAY 2, 2008 at 10:00 A.M., CLEARFIELD County Courthouse, 1 North 2nd Street, Ste. 116, Clearfield, PA 16830, to enforce the court judgment of \$66,654.72, obtained by EVER- HOME MORTGAGE COMPANY (the mortgagor). ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE, LY- ING AND BEING IN THE TOWNSH- IP OF SANDY, CLEARFIELD COUNTY, PENNSYLVANIA BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT AT THE SOUTHEAST CORNER OF LAND NOW OR FORMERLY OF CHARLES ALESSI, ET AL; HENCE NORTH 46 DEGREES 15 MINUTES EAST 102.77 FEET TO
---	--	---	---

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA

SS:

COUNTY OF CLEARFIELD

On this 13th day of March, A.D. 20 08,
before me, the subscriber, a Notary Public in and for said County and
State, personally appeared Margaret E. Krebs, who being duly sworn
according to law, deposes and says that she is the President of The
Progressive Publishing Company, Inc., and Associate Publisher of The
Progress, a daily newspaper published at Clearfield, in the County of
Clearfield and State of Pennsylvania, and established April 5, 1913, and
that the annexed is a true copy of a notice or advertisement published in
said publication in

the regular issues of March 7, 2008.
And that the affiant is not interested in the subject matter of the notice or
advertising, and that all of the allegations of this statement as to the time,
place, and character of publication are true.

Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Cheny J. Robison Notary Public
Clearfield, Pa. Notarial Seal
My Commission Expires
October 31, 2011

Member, Pennsylvania Association of Notaries

My Commission Expires Oct. 31, 2011

number 200403596 granted and conveyed to DEANNA KROUSE AND SYLVESTER KROUSE, HUSBAND AND WIFE.

TITLE TO SAID PREMISES IS VESTED IN Deanna Krouse and Sylvester J. Krouse, husband and wife, by Deed from Samuel A. King, by his attorney-in-fact, Beverly A. King and Beverly A. King, dated 10/06/2004, recorded 10/18/2004, in Deed Mortgage Inst# 200416939.

Being Premises 205 FREEDOM ROAD, DUBOIS, PA 15801
Improvements consist of residential property.

Sold as the property of SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE and DEANNA I. KROUSE.

CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on JUNE 2, 2008, distribution will be made in accordance with the schedule unless exceptions are filed within ten days thereto.

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

Full Spectrum Legal Services, Inc., 400 Fellowship Road, Suite 220, Mt. Laurel, NJ 08054.

Road, Clearfield, PA 16830. The Company was formed to do construction and remodeling work, and to otherwise engage in all other types of lawful business.

GATES & SEAMAN, Attorneys at Law,
Two North Front Street, P.O. Box 846,
Clearfield, PA 16830.

**NOTICE OF
ACTION IN MORTGAGE FORECLOSURE
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW
NO. 07-689-CD**

EVERHOME MORTGAGE COMPANY
vs. SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE and DEANNA I.
KROUSE.

NOTICE
TO: SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE and DEANNA I.
KROUSE.

**"NOTICE OF
SHERIFF'S SALE OF REAL PROPERTY"**
TAKE NOTICE that the real estate located at 205 FREEDOM ROAD, DUBOIS, PA 15801 is scheduled to be sold at Sheriff's Sale on Friday, MAY 2, 2008 at 10:00 A.M., at FARMFIELD County Courthouse 1 North

NOTICE OF
ACTION IN MORTGAGE FORECLOSURE
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW
NO. 07-689-CD

EVERHOME MORTGAGE COMPANY
vs. SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE and DEANNA I.
KROUSE.

NOTICE
TO: SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE and DEANNA I.
KROUSE.

"NOTICE OF
SHERIFF'S SALE OF REAL PROPERTY"
TAKE NOTICE that the real estate
located at 205 FREEDOM ROAD, DUBOIS,
PA 15801 is scheduled to be sold at Sheriff's
Sale on Friday, MAY 2, 2008 at 10:00 A.M.,
CLEARFIELD County Courthouse, 1 North
2nd Street, Ste. 116, Clearfield, PA 16830,
to enforce the court judgment of \$66,654.72,
obtained by EVERHOME MORTGAGE
COMPANY (the mortgagee).

ALL THAT CERTAIN PIECE OR
PARCEL OF LAND SITUATE, LYING AND
BEING IN THE TOWNSHIP OF SANDY,
CLEARFIELD COUNTY, PENNSYLVANIA,
BOUNDED AND DESCRIBED AS
FOLLOWS, TO WIT:

BEGINNING AT A POINT AT THE
SOUTHEAST CORNER OF LAND NOW OR
FORMERLY OF CHARLES ALESSI, ET
US.; THENCE NORTH 46 DEGREES 15
MINUTES EAST 102.77 FEET TO A POINT;
THENCE SOUTH 36 DEGREES 25
MINUTES EAST 176.25 FEET TO A POINT;
THENCE SOUTH 53 DEGREES 35
MINUTES WEST 101.93 FEET TO A
POINT; THENCE NORTH 36 DEGREES 25
MINUTES WEST 163.12 FEET TO THE
POINT OF BEGINNING.

BEING the same property which
SAMUEL A. KING, BY BEVERLY A KING,
HIS AGENT, AND BEVERLY A. KING and
SAMUEL A. KING AND BEVERLY A. KING,
HUSBAND AND WIFE, deed dated
02/27/2004 and recorded 03/10/2004 in the
Recorder's Office of CLEARFIELD County,
Pennsylvania in Deed Book Instrument

Mortgage Inst# 200416939.
Being Premises 205 FREEDOM ROAD,
DUBOIS, PA 15801

Improvements consist of residential property.

Sold as the property of SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE and DEANNA I. KROUSE.

CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on JUNE 2, 2008, distribution will be made in accordance with the schedule unless exceptions are filed within ten days thereto.

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

Full Spectrum Legal Services, Inc., 400 Fellowship Road, Suite 220, Mt. Laurel, NJ 08054.

NOTICE OF
ACTION IN MORTGAGE FORECLOSURE
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW
NO 06-1859-CD

Wells Fargo Bank, N.A. as Trustee for Option One Mortgage Loan Trust 2000-1 Asset-Backed Certificates, Series 2000-1, 6501 Irvine Center Drive, Irvine, CA 92618-2118, Plaintiff vs. Matthew H. Wicker and Brenda L. Wicker, Mortgagor, Mariam Street, Route 253, Ramey, PA 16671, Defendants.

NOTICE OF SALE OF REAL PROPERTY
TO: Matthew H. Wicker AND Brenda L. Wicker, Mortgagor, Mariam Street, Route 253, Ramey, PA 16671.

Your house (real estate) at Mariam Street, Route 253, Ramey, PA 16671 is scheduled to be sold at the Sheriff's Sale on May 2, 2008, in the Clearfield County Courthouse, 1 North Second Street, Suite 116, Clearfield, PA 16830, to enforce the court judgment of \$26,554.14, obtained by Plaintiff above (the mortgagee) against you.

PROOF OF PUBLICATION

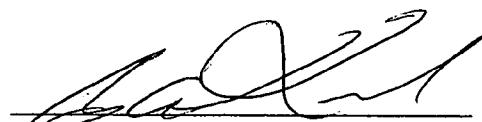
STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

:

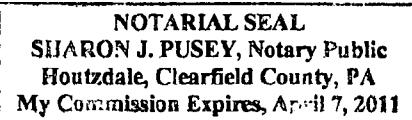
On this 14th day of March AD 2008, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of March 14, 2008, Vol. 20, No. 11. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.

Sharon J. Pusey
Notary Public
My Commission Expires



FULL SPECTRUM LEGAL SERVICES INC
400 FELLOWSHIP ROAD SUITE 220
MT LAUREL NJ 08054

FILED

APR 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20697
NO: 07-689-CD

PLAINTIFF: EVERHOME MORTGAGE COMPANY

vs.

DEFENDANT: SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE AND DEANNA I. KROUSE

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 11/30/2007

LEVY TAKEN 12/21/2007 @ 12:40 PM

POSTED 12/21/2007 @ 12:40 PM

SALE HELD 5/2/2008

SOLD TO FANNIE MAE

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 7/1/2008

DATE DEED FILED 7/1/2008

PROPERTY ADDRESS 205 FREEDOM ROAD DUBOIS , PA 15801

FILED

07150821
JUL 01 2008

William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

SEE ATTACHED SHEET(S) OF SERVICES

SHERIFF HAWKINS \$296.03

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2008

Chester A. Hawkins
by Cynthia Bitter-Chepherd
Chester A. Hawkins
Sheriff

EVERHOME MORTGAGE COMPANY

VS

SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE AND DEANNA I. KROUSE

1 2/1/2008 @ 1:51 PM SERVED SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE

WESTMORELAND COUNTY UNABLE TO SERVE SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE, DEFENDANT, THE PROPERTY AT 119 STATION STREET WAS VACANT.

2 2/1/2008 @ 1:51 PM SERVED DEANNA I. KROUSE

WESTMORELAND COUNTY UNABLE TO SERVE DEANNA I. KROUSE, DEFENDANT, THE PROPERTY AT 119 STATION STREET WAS VACANT.

3 3/10/2008 @ SERVED SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE

SERVED SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE, DEFENDANT, AT 205 FREEDOM ROAD, DUBOIS, PENNSYLVANIA BY REG & CERT MAIL PER COURT ORDER. CERT #70060810000145074326. CERT RETURNED 3/19/08 A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

4 3/10/2008 @ SERVED DEANNA I. KROUSE

SERVED DEANNA I. KROUSE, DEFENDANT, AT 205 FREEDOM ROAD, DUBOIS, PENNSYLVANIA BY REG & CERT MAIL PER COURT ORDER . CERT #70060810000145074333. CERT MAIL RETURNED 3/19/08 & REG MAIL RETD 3/14/08.

5 3/10/2008 @ SERVED SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE

SERVED SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE, DEFENDANT, BY REG & CERT MAIL PER COURT ORDER AT 119 STATION STREET, LOYALHANNA, PENNSYLVANIA . CERT #70060810000145074319. CERT & REG A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

6 3/10/2008 @ SERVED DEANNA I. KROUSE

SERVED DEANNA I. KROUSE, DEFENDANT BY REG & CERT MAIL PER COURT ORDER TO 119 STATION STREET, LOYALHANNA, PENNSYLVANIA CERT #70060810000145074357

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

@ SERVED

NOW, FEBRUARY 21, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR MARCH 7, 2008 TO MAY 2, 2008.

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

EVERHOME MORTGAGE
COMPANY

vs.

SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE
DEANNA J. KROUSE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-689-CD Term 20
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

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: 205 FREEDOM ROAD, DU BOIS, PA 15801
(See Legal Description attached)

Amount Due	
Interest from 11/27/07 - to Sale	\$ 66,654.72
Per diem \$10.96	139.00
Add'l Costs	\$ _____
Writ Total	\$ 3,812.08

Will H. Hause
(Clerk) Office of the Prothonotary Support, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 11/30/07
(SEAL)

150504

Received this writ this 30th day
of November A.D. 2007
At 3:00 A.M./P.M.

Chester A. Hawkins
Sheriff by Amitha Butter Aphenbach

No. 07-689-CD..... Term 20A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

EVERHOME MORTGAGE COMPANY

vs.

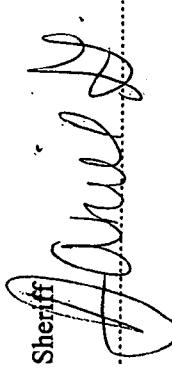
SLYVESTER J. KROUSE A/K/A SYLVESTER J.
KROUSE
DEANNA I. KROUSE

WRIT OF EXECUTION
(Mortgage Foreclosure)

	Costs
Real Debt	\$ 66,654.72

Int. from 11/27/07 -
To Date of Sale (\$10.96 per diem)

	Costs
Prothy Pd.	<u>139.00</u>

Sheriff


Attorney for Plaintiff(s)

Address: SLYVESTER J. KROUSE A/K/A
DEANNA I. KROUSE
SYLVESTER J. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661
119 STATION STREET
LOYALHANNA, PA 15661

LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWNSHIP OF SANDY, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT AT THE SOUTHEAST CORNER OF LAND NOW OR FORMERLY OF CHARLES ALESSI, ET US.; THENCE NORTH 46 DEGREES 15 MINUTES EAST 102.77 FEET TO A POINT; THENCE SOUTH 36 DEGREES 25 MINUTES EAST 176.25 FEET TO A POINT; THENCE SOUTH 53 DEGREES 35 MINUTES WEST 101.93 FEET TO A POINT; THENCE NORTH 36 DEGREES 25 MINUTES WEST 163.12 FEET TO THE POINT OF BEGINNING.

BEING the same property which SAMUEL A. KING, BY BEVERLY A KING, HIS AGENT, AND BEVERLY A. KING and SAMUEL A. KING AND BEVERLY A. KING, HUSBAND AND WIFE, deed dated 02/27/2004 and recorded 03/10/2004 in the Recorder's Office of CLEARFIELD County, Pennsylvania in Deed Book Instrument number 200403596 granted and conveyed to DEANNA KROUSE AND SYLVESTER KROUSE, HUSBAND AND WIFE.

TITLE TO SAID PREMISES IS VESTED IN Deanna Krouse and Sylvester J. Krouse, husband and wife, by Deed from Samuel A. King, by his attorney-in-fact, Beverly A. King and Beverly A. King, dated 10/06/2004, recorded 10/18/2004, in Deed Mortgage Inst# 200416939.

Premises being: 205 FREEDOM ROAD
DU BOIS, PA 15801

Tax Parcel No. 128-AO4-122

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE

NO. 07-689-CD

NOW, July 01, 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 May 02, 2008, I exposed the within described real estate of Sylvester J. Krouse A/K/A Sylvester J. Krouse And Deanna I. Krouse to public venue or outcry at which time and place I sold the same to FANNIE MAE he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR SERVICE	15.00
MILEAGE	
LEVY	15.00
MILEAGE	18.43
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	29.17
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	15.00
ADD'L MILEAGE	18.43
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	5.00
BILLING/PHONE/FAX	10.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$296.03

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$29.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	66,654.72
INTEREST @ 10.9600 %	1,720.72
FROM 11/27/2007 TO 05/02/2008	
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	\$68,415.44
COSTS:	
ADVERTISING	1,418.94
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.50
SHERIFF COSTS	296.03
LEGAL JOURNAL COSTS	162.00
PROTHONOTARY	139.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$2,190.47

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

MOL

Date: 01/28/08
ADV# 13500



CHESTER A. HAWKINS
SHERIFF

SCAN

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

1 of 2
OFFICE (814) 765-2641 EXT. 5915

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

SCAN

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20697

TERM & NO. 07-689-CD

EVERHOME MORTGAGE COMPANY

VS.

SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE AND DEANNA I. KROUSE

DOCUMENTS TO BE SERVED:

NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

SERVE BY: ASAP

Please continue to
serve. Sale date can
be continued.

Attn: Daniel G. Schmieg

MAKE REFUND PAYABLE TO Attny's Office
RETURN TO BE SENT TO THIS OFFICE

2-1-08 151P
Debt moved. Property vacated
S10

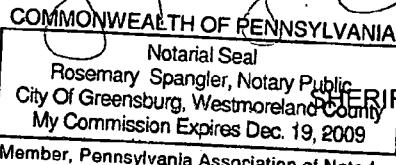
SERVE: SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE

ADDRESS: 119 STATION STREET
LOYALHANNA, PA 15661

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF WESTMORELAND COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Thursday, January 24, 2008.

Sworn to and Subscribed Before me this
14th Day of February, 2008.

Rosemary Spangler
Notary..



RESPECTFULLY,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

Chris Scherer
Westm Co 2-4-08 et

Costs 60.62 refund 75.38

Member, Pennsylvania Association of Notaries

MOZ

Date: 01/28/08
ADV # 135th



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office
Clearfield County

2 of 2
OFFICE (814) 765-2641 EXT. 5900

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

SCAN

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20697

TERM & NO. 07-689-CD

EVERHOME MORTGAGE COMPANY

VS.

SYLVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE AND DEANNA I. KROUSE

DOCUMENTS TO BE SERVED:
NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

SERVE BY: ASAP

Please continue to
serve. Sale date
can be continued.

Attny: Daniel G. Schmitz

MAKE REFUND PAYABLE TO Attny's office
RETURN TO BE SENT TO THIS OFFICE

SERVE: DEANNA I. KROUSE

2-1-08 151P

ADDRESS: 119 STATION STREET
LOYALHANNA, PA 15661

DEFT MOVEA, property VACANT

\$10

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF WESTMORELAND COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Thursday, January 24, 2008

Sworn to and Subscribed Before me this
14th Day of February, 2008.

Rosemary Spangler
Notary COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Rosemary Spangler, Notary Public
City Of Greensburg, Westmoreland County
My Commission Expires Dec. 19, 2009

Member, Pennsylvania Association of Notaries

RESPECTFULLY,

Chris Scherer
Westm Co 2-4-08 08

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

EVERHOME MORTGAGE COMPANY,
Plaintiff

vs.

SLYVESTER J. KROUSE a/k/a SYLVESTER J. KROUSE
DEANNA I. KROUSE,
Defendants

COPY
No. 07-689-CD

O R D E R

NOW, this 13th day of July, 2007, the Plaintiff is granted leave to serve the
Complaint in Mortgage Foreclosure upon the Defendants **SLYVESTER J. KROUSE**
a/k/a SYLVESTER J. KROUSE and DEANNA I. KROUSE by:

1. Publication one time in The Courier Express (DuBois) and the
Clearfield County Legal Journal;
2. By first class mail to 205 Freedom Road, DuBois, PA 15801 and to
last known address 119 Station Street, Loyalhanna, PA 15661;
3. By certified mail, return receipt requested to 205 Freedom Road,
DuBois, PA 15801 and to last known address 119 Station Street,
Loyalhanna, PA 15661;
4. By posting the mortgaged premises known in this herein action as
205 Freedom Road, DuBois, PA 15801.

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.

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

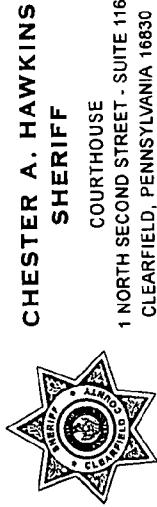
BY THE COURT,
/S/ Fredric J Ammerman

JUL 16 2007

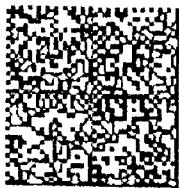
FREDRIC J. AMMERMAN
President Judge

Attest.

William L. Gear
Prothonotary/
Clerk of Courts



CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830



016H16505405
\$00.580
03/10/2008
Mailed From 16830
US POSTAGE

Hasler

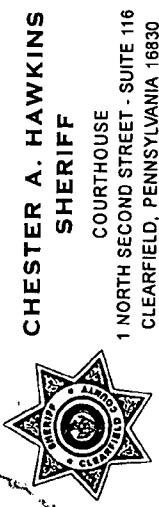
RECEIVED

MAR 18 2008

SLYVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE

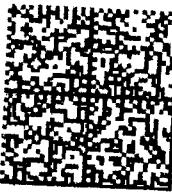
119 STAT
LOYALHA
FORWARD TIME 1:307C 2:50 03/13/08
KROUSE
PO BOX 173
ROBINSON PA 15949-0173
RETURN TO SENDER

1683002472



CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

016H16505405
\$00.580
03/10/2008
Mailed From 16830
US POSTAGE



Hasler

RECEIVED

MAR 18 2008

DEANNA I. KRCUSE
119 STATION STREET
LOYALHANNA, PA 15661

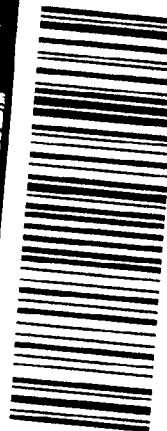
FORWARD TIME 1:152 NFE 1:307C OO 03/13/08
KROUSE
PO BOX 173
ROBINSON PA 15949-0173

RETURN TO SENDER

15661149702 - 113886061472
[REDACTED]

CHESTER A. HAWKINS
SHERIFF

COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830



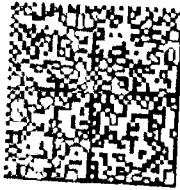
7006 0810 0001 4507 4357

RECEIVED

MAR 8 2008

DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

216-H16505405
Hasler
\$ 05.380
J 3 15 2008
Mailed From 16830
US POSTAGE



FORWARD X 152 NSE 1 307C 25 03/13/08
KROUSE
PO BOX 173
ROBINSON PA 15949-0173

RETURN TO SENDER

1683002472

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

CERTIFIED MAIL RECEIPT	
Postage	\$ 58
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Address/Segment Required)	
Total Postage & Fees	\$ 5.38

Send To
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661
Street, Apt. No.:
or PO Box No.:
City, State, ZIP/4:

PS Form 3800, June 2002
See Reverse for Instructions

CERTIFIED MAIL

10 THE RECIPIENT'S ADDRESS, PRINTED, BLOCK LETTERS

OR THE RECIPIENT'S ADDRESS, PRINTED, BLOCK LETTERS

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

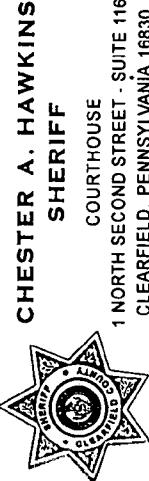
1. Article Addressed to:

DEANNA L. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661

COMPLETE THIS SECTION ON DELIVERY CARD		
A. Signature X		
<input type="checkbox"/> Agent <input type="checkbox"/> Addressee		
B. Received by (Printed Name) C. Date of Delivery		
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <i>8007 4357</i>		
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2. Article Number (Transfer from service label) 7006 0810 0001 4507 4357		
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-N-1540		

PS
8007 4357

CERTIFIED MAIL™

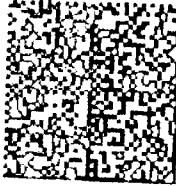


CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830



7006 0810 0001 4507 4319

016H16505405
Hasler \$ 05.380
03-19-2008
Mailed From 16830
US POSTAGE



RECEIVED

MAR 18 2008

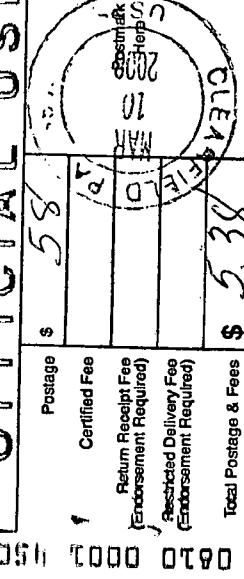
SYLVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE
119 STATION STREET
LOYALH/

FORWARD TIME EXP 1307C 25 03/13/08
KROUSE
PO BOX 173
ROBINSON PA 15949-0173

RETURN TO SENDER

1566145702-13589062472

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 5.80
Certified Fee	\$ 0.00
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 5.80



Send To
Street, Apt. No.,
or PO Box No.
City, State, Zip
SYLVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE
119 STATION STREET
LOYALHANNA, PA 15949

PS Form 3800, June 2002
See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

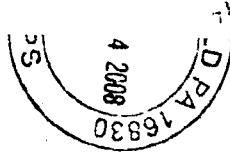
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

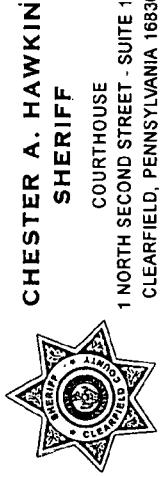
1. Article Addressed to:

SYLVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE
119 STATION STREET
LOYALHANNA, PA 15801

COMPLETE THIS SECTION ON DELIVERY

COMPLETE THIS SECTION ON DELIVERY		
A. Signature		
<input checked="" type="checkbox"/> X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee		
B. Received by (Printed Name)		
C. Date of Delivery		
D. Is delivery address different from item 1?		
If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No		
3. Service Types		
<input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee)		
<input type="checkbox"/> Yes		
2. Article Number <i>(Transfer from service label)</i>	7006 0810 0001 4507 4319	102595-02-M-1540
PS Form 3811, February 2004		Domestic Return Receipt





CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830



016416505495
00.580
03/10/2008
Mailed From 16830
US POSTAGE

DEANNA I. KROUSE
205 FREEDOM ROAD
DUBOIS, PA 15801

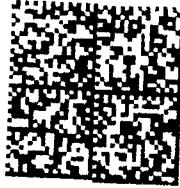
NIXIE 165 DE 1 00 03/13/08
NOT RETURN TO SENDER
NOT DELIVERABLE TO FORWARD
BC: 16830247201 *1843-01059-10-39
1620143247-03 168302472



CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

016116505405
\$00.580
03/10/2008
Mailed From 16830
US POSTAGE

Hasler



SYLVESTER J. KROUSE A/K/A
SYLVESTER J. KROUSE
205 FREEPORT, ILLINOIS
DUBOIS, F. J. NIXIE

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 16890247201 *1843-06991-10-40

卷之三

CERTIFIED MAIL™

CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830



016H16505405
\$ 05.380
03-10-2008
Mailed From: 16830
US POSTAGE

Hastler



7006 0810 0001 4507 4326

(Handwritten Signature)

RECEIVED
MAR 19 2008
SYLVESTER J. KROUSE
SYLVESTER J. KROUSE
205 FREEDOM ROAD
DUBOIS, PA 15801

RECEIVED

MAR 19 2008

(Handwritten Signature)
RECEIVED
TO SENDER
UNCLAIMED

15801069991

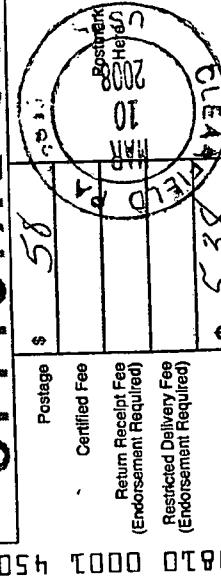
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OFFICIAL USE

Postage	\$ 58
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.38

9256 4507 4326 0810 0001 7006



Sent To: SYLVESTER J. KROUSE A/K/A
Street, Apt. No.: SYLVESTER J. KROUSE
or P.O. Box No.: 205 FREEDOM ROAD
City, State, Zip: PA 15801
See Reverse for Instructions

PS Form 3800, June 2002

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SYLVESTER J. KROUSE AIKA
SYLVESTER J. KROUSE
205 FREEDOM ROAD
DUBOIS, PA 15801

COMPLETE THIS SECTION ON DELIVERY**A. Signature****X** Agent Addressee**B. Received by (Printed Name)****C. Date of Delivery**

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7006 0810 0001 4507 4326

PS Form 3811, February 2004 Domestic Return Receipt

10255-02-W-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DEANNA T. KROUSE
205 FREEDOM ROAD
DUBOIS, PA 15801

COMPLETE THIS SECTION ON DELIVERY

A. Signature	
<input checked="" type="checkbox"/> X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type	
<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)	7006 0810 0001 4507 4333
PS Form 3811, February 2004	Domestic Return Receipt
102595-02-N-1540	

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) 563-5534

Stephen Ames, Ext.1244
Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

February 21, 2008

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

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: EVERHOME MORTGAGE COMPANY v.
SLYVESTER J. KROUSE and DEANNA I. KROUSE
205 FREEDOM ROAD DU BOIS, PA 15801
Court No. 07-689-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is
scheduled for March 7, 2008 due to the following: Service Of Nos.

The Property is to be relisted for the May 2, 2008 Sheriff's Sale.

Thank you for your correspondence in this matters.

Very Truly Yours,
MICHELLE GRAGO for
Phelan Hallinan & Schmieg, LLP

Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Attorney I.D. No.: 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

EVERHOME MORTGAGE COMPANY

Plaintiff,

v.

SLYVESTER J. KROUSE
A/K/A **SYLVESTER J. KROUSE**
DEANNA I. KROUSE

Defendant(s).

: **CLEARFIELD COUNTY**
: **COURT OF COMMON PLEAS**
: **CIVIL DIVISION**

: **NO. 07-689-CD**

FILED
M 10:43 AM
APR 24 2008
NO CC
S
William A. Shaw
Prothonotary/Clerk of Courts

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

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **SLYVESTER J. KROUSE A/K/A SYLVESTER J. KROUSE & DEANNA I. KROUSE** on **MARCH 8, 2008 & MARCH 10, 2008** at **205 FREEDOM ROAD, DU BOIS, PA 15801 & 119 STATION STREET, LOYALHANNA, PA 15661** in accordance with the Order of Court dated **JULY 13, 2007**. The property was posted on **MARCH 12, 2008**. Publication was advertised in **THE PROGRESS** on **MARCH 7, 2008** & in **CLEARFIELD COUNTY LEGAL JOURNAL** on **MARCH 14, 2008**.

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

PHELAN HALLINAN & SCHMIEG, LLP
By: 
DANIEL G. SCHMIEG, ESQUIRE

Dated: April 23, 2008

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

EVERHOME MORTGAGE COMPANY,
Plaintiff

vs.
SLYVESTER J. KROUSE a/k/a SYLVESTER J. KROUSE
DEANNA I. KROUSE,
Defendants

*
*
*
*

NO. 07-689-CD

O R D E R

NOW, this 13th day of July, 2007, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendants **SLYVESTER J. KROUSE a/k/a SYLVESTER J. KROUSE and DEANNA I. KROUSE** by:

1. Publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal;
2. By first class mail to 205 Freedom Road, DuBois, PA 15801 and to last known address 119 Station Street, Loyalhanna, PA 15661;
3. By certified mail, return receipt requested to 205 Freedom Road, DuBois, PA 15801 and to last known address 119 Station Street, Loyalhanna, PA 15661;
4. By posting the mortgaged premises known in this herein action as 205 Freedom Road, DuBois, PA 15801.

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.

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

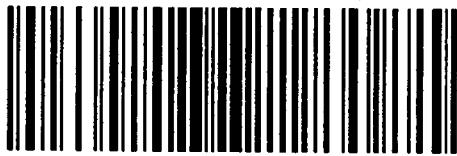
BY THE COURT,
/S/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

JUL 16 2007

Attest.

William L. Ammerman
Prothonotary
Clerk of Courts



7178 2417 6099 0001 7256

4 / PAW
SLYVESTER J. KROUSE
205 FREEDOM ROAD
DU BOIS, PA 15801-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)

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Track & Confirm

Search Results

Label/Receipt Number: 7178 2417 6099 0001 7256
Detailed Results:

- Arrival at Unit, March 15, 2008, 11:22 am, PHILADELPHIA, PA 19104
- Moved, Left no Address, March 08, 2008, 10:18 am, DU BOIS, PA
- Electronic Shipping Info Received, March 05, 2008

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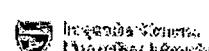
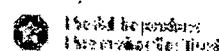
Verify who signed for your item by email. [**Go >**](#)

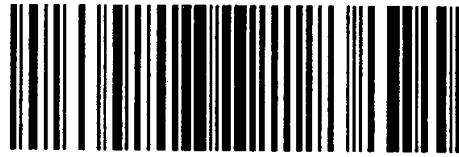
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FOIA





7178 2417 6099 0001 7263

4 / PAW
SLYVESTER J. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)

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Track & Confirm

Search Results

Label/Receipt Number: **7178 2417 6099 0001 7263**

Detailed Results:

- Arrival at Unit, March 10, 2008, 1:27 pm, PHILADELPHIA, PA 19104
- Electronic Shipping Info Received, March 05, 2008

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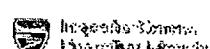
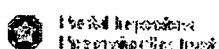
Return Receipt (Electronic)

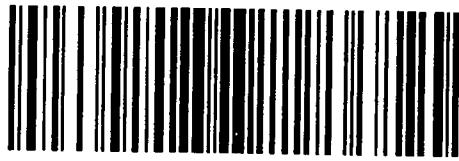
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7178 2417 6099 0001 7270

4 / PAW
DEANNA I. KROUSE
205 FREEDOM ROAD
DU BOIS, PA 15801-0000

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-- fold here (6x9)

--fold here (regular)

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Track & Confirm

Search Results

Label/Receipt Number: 7178 2417 6099 0001 7270
Detailed Results:

- Arrival at Unit, March 15, 2008, 11:22 am, PHILADELPHIA, PA 19104
- Moved, Left no Address, March 08, 2008, 10:18 am, DU BOIS, PA
- Electronic Shipping Info Received, March 05, 2008

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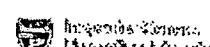
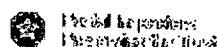
Return Receipt (Electronic)

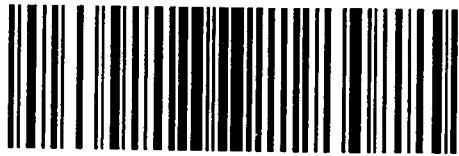
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4 / PAW
DEANNA I. KROUSE
119 STATION STREET
LOYALHANNA, PA 15661-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)

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Search Results

Label/Receipt Number: 7178 2417 6099 0001 7287
Detailed Results:

- Arrival at Unit, March 10, 2008, 1:27 pm, PHILADELPHIA, PA 19104
- Electronic Shipping Info Received, March 05, 2008

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Enter Label/Receipt Number.

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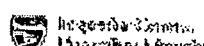
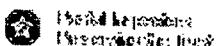
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AFFIDAVIT OF SERVICE

PLAINTIFF EVERHOME MORTGAGE COMPANY

DEFENDANT(S) SLYVESTER J. KROUSE
A/K/A SYLVESTER J. KROUSE
DEANNA I. KROUSE

CLEARFIELD County
No. 07-689-CD
Our File #: 150504

Type of Action
- Notice of Sheriff's Sale

Please post premises with Notice of Sheriff's Sale per court order

SERVE AT: 205 FREEDOM ROAD
DU BOIS, PA 15801

Sale Date: MAY 2, 2008

Served and made known to SLYVESTER & DEANNA KROUSE, Defendant, on the 12th day of MARCH,
2008 at 1:10, o'clock p.m., at 205 Freedom Rd, Du Bois, PA 15801

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: Posting

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ 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 13th day
of MARCH, 2008

Notary: Marilyn A. Campbell By: D.M. Ellis
NOT SERVED

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

