

Capital One vs Cindy Demko  
2007-739-CD

07-739-CD  
Capital One vs Cindy Demko

89127

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46<sup>th</sup>

## NOTICE OF APPEAL

FROM

## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

07-739-CD

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.		
Capital One Bank		46-3-04		
ADDRESS OF APPELLANT		CITY	STATE	ZIP CODE
2417 Welsh RD ste. 21 #520		Phila	PA	19114
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)		
4-23-07	Capital One Bank	vs.	Cindy Demko	
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT			
TA 20 CV-0000028-07				
LT 20				

This block will be signed ONLY when this notation is required under Pa. R.C.P.K.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Claimant (See Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

*Signature of Prothonotary or Deputy*

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

*(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).*

## PRAECIPE: To Prothonotary

Enter rule upon \_\_\_\_\_, appellee(s), to file a complaint in this appeal

*Name of appellee(s)*

(Common Pleas No. \_\_\_\_\_) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

*Signature of appellant or his attorney or agent*

## RULE: To \_\_\_\_\_

*Name of appellee(s)*

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGEMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: \_\_\_\_\_, 20\_\_\_\_\_

*Signature of Prothonotary or Deputy*

**FILED** Atty pd. 85.00  
*m/2/00* Cop. es to:  
 MAY 1 2000 Atty Apothake  
 William A. Shaw vs. Hawkins  
 Prothonotary/Clerk of Courts  
 Def.

---

## PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

*(This proof of service MUST BE FILED WITHIN FIVE (5) DAYS filing the notice of appeal. Check applicable boxes)*

### COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_;ss

**AFFIDAVIT:** I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No.\_\_\_\_\_, upon the District Justice designated therein on (date of service) \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_. \_\_\_\_\_

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

My commission expired on \_\_\_\_\_, 20 \_\_\_\_\_. \_\_\_\_\_

89127

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46<sup>th</sup>

## NOTICE OF APPEAL

FROM

## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

07-739-CD

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT Capital One Bank		MAG. DIST. NO. OR NAME OF D.J. 46-3-04		
ADDRESS OF APPELLANT 2417 Welsh RD ste. 21 #520		CITY Phila	STATE PA	ZIP CODE 19114
DATE OF JUDGMENT 4-23-07	IN THE CASE OF (Plaintiff) Capital One Bank	vs. (Defendant) Cindy Demko		
CLAIM NO. TA 20 CV-0000028-07 LT 20		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT 		

This block will be signed ONLY when this notation is required under Pa. R.C.P.K.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

*Signature of Prothonotary or Deputy*

*If appellant was Claimant (See Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.*

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

*(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).*

## PRAECIPE: To Prothonotary

Enter rule upon \_\_\_\_\_, appellee(s), to file a complaint in this appeal

*Name of appellee(s)*

(Common Pleas No. \_\_\_\_\_) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

*Signature of appellant or his attorney or agent*

## RULE: To \_\_\_\_\_

*Name of appellee(s)*

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGEMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: \_\_\_\_\_, 20 \_\_\_\_\_

*Signature of Prothonotary or Deputy*

---

**PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT**

*(This proof of service MUST BE FILED WITHIN FIVE (5) DAYS filing the notice of appeal. Check applicable boxes)*

**COMMONWEALTH OF PENNSYLVANIA**

COUNTY OF \_\_\_\_\_;ss

**AFFIDAVIT:** I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No.\_\_\_\_\_, upon the District Justice designated therein on (date of service) \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_. \_\_\_\_\_

*Signature of affiant**Signature of official before whom affidavit was made**Title of official*

My commission expired on \_\_\_\_\_, 20 \_\_\_\_\_. \_\_\_\_\_

89127

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-04**

MDJ Name: Hon.

**JAMES L. HAWKINS**  
Address: **251 SPRING ST  
PO BOX 362  
HOUTZDALE, PA**Telephone: **(814) 378-7160****16651-0362****NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**CAPITAL ONE BANK  
2417 WELSH ROAD  
SUITE 21 #520  
PHILADELPHIA, PA 19114**

NAME and ADDRESS

DEFENDANT:

**DEMKO, CINDY  
2437 GINTER/MORANN  
GINTER, PA 16651**

VS

NAME and ADDRESS

APR 26 2007

By

Docket No.: **CV-0000028-07**Date Filed: **2/20/07****C/O DAVID APOTHAKER, ESQ  
2417 WELSH ROAD  
SUITE 21 #520  
PHILADELPHIA, PA 19114****THIS IS TO NOTIFY YOU THAT:****FOR DEFENDANT**(Date of Judgment) **4/23/07**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) <b>DEMKO, CINDY</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Amount of Judgment</td> <td style="width: 70%;">\$ <b>.00</b></td> </tr> <tr> <td>Judgment Costs</td> <td>\$ <b>.00</b></td> </tr> <tr> <td>Interest on Judgment</td> <td>\$ <b>.00</b></td> </tr> <tr> <td>Attorney Fees</td> <td>\$ <b>.00</b></td> </tr> <tr> <td><b>Total</b></td> <td>\$ <b>.00</b></td> </tr> <tr> <td>Post Judgment Credits</td> <td>\$ _____</td> </tr> <tr> <td>Post Judgment Costs</td> <td>\$ _____</td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>Certified Judgment Total</b> \$ _____</td> </tr> </table>	Amount of Judgment	\$ <b>.00</b>	Judgment Costs	\$ <b>.00</b>	Interest on Judgment	\$ <b>.00</b>	Attorney Fees	\$ <b>.00</b>	<b>Total</b>	\$ <b>.00</b>	Post Judgment Credits	\$ _____	Post Judgment Costs	\$ _____	<b>Certified Judgment Total</b> \$ _____	
Amount of Judgment		\$ <b>.00</b>															
Judgment Costs	\$ <b>.00</b>																
Interest on Judgment	\$ <b>.00</b>																
Attorney Fees	\$ <b>.00</b>																
<b>Total</b>	\$ <b>.00</b>																
Post Judgment Credits	\$ _____																
Post Judgment Costs	\$ _____																
<b>Certified Judgment Total</b> \$ _____																	
<input checked="" type="checkbox"/> Judgment was entered against: (Name) <b>CAPITAL ONE BANK</b> in the amount of \$ <b>.00</b>																	
<input type="checkbox"/> Defendants are jointly and severally liable.	Amount of Judgment																
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Judgment Costs																
<input type="checkbox"/> This case dismissed without prejudice.	Interest on Judgment																
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Attorney Fees																
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	<b>Total</b>																
	Post Judgment Credits																
	Post Judgment Costs																

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

4-23-07 Date James L. Hawkins, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-06

DATE PRINTED: **4/23/07 11:11:00 AM**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-04**

MDJ Name: Hon.

**JAMES L. HAWKINS**  
Address: **251 SPRING ST**  
**PO BOX 362**  
**HOUTZDALE, PA**

Telephone: **(814) 378-7160**

**16651-0362**

**JAMES L. HAWKINS**  
**251 SPRING ST**  
**PO BOX 362**  
**HOUTZDALE, PA 16651-0362**

THIS IS TO NOTIFY YOU THAT:

**FOR DEFENDANT**

Judgment: \_\_\_\_\_ (Date of Judgment) **4/23/07**

Judgment was entered for: (Name) **DEMKO, CINDY**

Judgment was entered against: (Name) **CAPITAL ONE BANK**  
in the amount of \$ **.00**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time \_\_\_\_\_

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>.00</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ _____	

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**CAPITAL ONE BANK** NAME and ADDRESS

**2417 WELSH ROAD**  
**SUITE 21 #520**  
**PHILADELPHIA, PA 19114**

VS.  
DEFENDANT:  
**DEMKO, CINDY**  
**2437 GINTER/MORANN**  
**GINTER, PA 16651**

NAME and ADDRESS

Docket No.: **CV-0000028-07**  
Date Filed: **2/20/07**



**07-739-CD**

**4-23-07** Date *James L. Hawkins*, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

**5-11-07** Date *James L. Hawkins*, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL



APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker, Esq.

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

---

CAPITAL ONE BANK  
c/o Apothaker & Associates, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114

Plaintiff,

vs.

CINDY DEMKO  
2437 GINTER MORANN  
GINTER, PA 16651

Defendant.

) COURT OF COMMON PLEAS  
) CLEARFIELD COUNTY  
)  
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**CIVIL ACTION COMPLAINT  
FIRST COUNT**

1. Plaintiff, CAPITAL ONE BANK, is a company with its principal place of business located at c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.

2. Defendant is CINDY DEMKO, an adult individual residing at 2437 GINTER MORANN GINTER, PA 16651.

3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".

4. Defendant received and accepted the goods and/or services described in Exhibit "A".

5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.

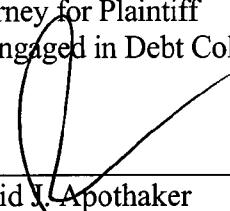
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".

7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$2,505.03 from September 03, 2003.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$2,505.03 plus costs, and reasonable attorney's fees.

APOTHAKER & ASSOCIATES, P.C.  
Attorney for Plaintiff  
A Law Firm Engaged in Debt Collection

BY:   
David J. Apothaker

Dated: May 25, 2007

Our File No.: 89127

**VERIFICATION**

\_\_\_\_\_Randy Paling\_\_\_\_\_, hereby states that I am \_\_\_\_\_Agent\_\_\_\_\_ for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_\_\_\_\_

DATE:

CAPITAL ONE BANK  
c/o Apothaker & Associates, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114

CINDY DEMKO  
2437 GINTER MORANN  
GINTER, PA 16651

STATEMENT OF ACCOUNT

Debtor's Name: CINDY DEMKO  
Account Number: 4388642198842505  
Date of Debt: September 03, 2003  
Balance Due: \$2,505.03

Our File No.: 89127

EXHIBIT "A"

APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff

---

CAPITAL ONE BANK

) COURT OF COMMON PLEAS  
) CLEARFIELD COUNTY

)

Plaintiff,

)

vs.

CINDY DEMKO

) NO.: 07-739-CD

)

)

)

)

Defendant.

)

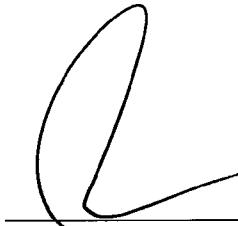
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CERTIFICATION OF SERVICE

I, David J. Apothaker, Esquire, attorney for Plaintiff, certify that on May 25, 2007, I mailed a copy of the Complaint by Regular mail to

CINDY DEMKO  
2437 GINTER MORANN  
GINTER, PA 16651



---

David J. Apothaker, Esq.  
Attorney for Plaintiff

Date: May 25, 2007

Our File No.: 89127

Our File No.: 89127  
APOTHAKER & ASSOCIATES, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff  
David J. Apothaker, Esquire  
Attorney ID #38423

CAPITAL ONE BANK	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
	)	)
Plaintiff,	)	)
vs.	)	)
	)	)
CINDY DEMKO	)	NO.: 07-739-CD
	)	)
Defendant.	)	Civil Action
	)	)

**PRAECIPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, CAPITAL ONE BANK and against Defendant, CINDY DEMKO, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on May 25, 2007 by our office by regular mail. Copies of the proofs of service are attached hereto as Exhibit "A".

I certify, a copy of the Notice of Intention To Take Default was mailed on August 15, 2007, and also attached hereto.

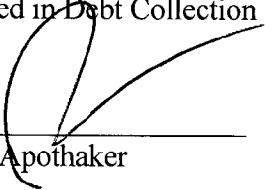
**FILED** 1000 Notice  
M 112:50 AM to def clo  
OCT 26 2007 Mid Penn  
Legal Services  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty pd. 20.00  
Statement to  
Atty Apothaker

Assess damages in the amount of:

(a) Balance:	\$2,505.03
(b) Interest from February 06, 2007	\$100.33
TOTAL	\$2,605.36

APOTHAKER & ASSOCIATES, P.C.  
Attorneys for Plaintiff  
A Law Firm Engaged in Debt Collection

By:

  
\_\_\_\_\_  
David J. Apothaker

Dated: 10/9/2007

APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff

CAPITAL ONE BANK	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,	)	
vs.	)	
	)	
	)	NO.: 07-739-CD
CINDY DEMKO	)	
	)	Civil Action
Defendant.	)	
	)	

**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :  
:

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 2437 GINTER MORANN GINTER, PA 16651.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

\_\_\_\_\_  
David J. Apothaker  
Attorney for Plaintiff

The above signed understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Department of Defense Manpower Data Center

OCT-09-2007 07:27:14



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
DEMKO	CINDY		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

A handwritten signature in black ink that reads "Mary M. Snavely-Dixon".

---

Mary M. Snavely-Dixon, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person ( e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

Our File No.: 89127  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff

---

CAPITAL ONE BANK	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,	)	
vs.	)	
	)	
	)	NO. 07-739-CD
CINDY DEMKO	)	
2437 GINTER MORANN	)	
GINTER, PA 16651	)	
Defendant.	)	
	)	

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**NOTICE OF INTENTION  
TO TAKE DEFAULT**

TO: CINDY DEMKO  
C/O MIDLAND PENN LEGAL SERVICES  
211 EAST LOCUST STREET  
CLEARFIELD, PA 16830

DATE OF NOTICE: August 15, 2007

**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 (10) days from the date of this notice as set forth above, a judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD COUNTY BAR ASSOCIATION  
Lawyer Referral and Information Service  
814-765-2641

1  
S

---

DAVID J. APOTHAKER, ESQUIRE  
A Law Firm Engaged in Debt Collection  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff  
Attorney ID #38423

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorney for Plaintiff

---

CAPITAL ONE BANK

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

Plaintiff,

)

vs.

)

CINDY DEMKO

) NO.: 07-739-CD

)

)

)

)

Defendant.

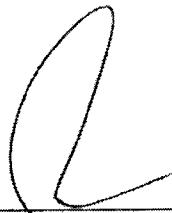
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#### CERTIFICATION OF SERVICE

I, David J. Apothaker, Esquire, attorney for Plaintiff, certify that on May 25, 2007, I mailed a copy of the Complaint by Regular mail to

CINDY DEMKO  
2437 GINTER MORANN  
GINTER, PA 16651



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David J. Apothaker, Esq.  
Attorney for Plaintiff

Date: May 25, 2007

Our File No.: 89127

**OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS**

OPY

TO: CINDY DEMKO  
C/O MIDLAND PENN LEGAL SERVICES  
211 EAST LOCUST STREET  
CLEARFIELD, PA 16830

CAPITAL ONE BANK ) COURT OF COMMON PLEAS OF  
vs. Plaintiff, ) CLEARFIELD COUNTY  
CINDY DEMKO ) NO.: 07-739-CD  
Defendant. ) Civil Action

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## NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

## XX JUDGMENT BY DEFAULT

## JUDGMENT IN REPLEVIN

## JUDGMENT BY CONFESSION

## JUDGMENT FOR POSSESSION

## JUDGMENT ON AWARD OF ARBITRAT

## JUDGMENT ON VERDICT

## JUDGMENT ON COURT FINDINGS

## JUDGMENT ON WRIT OF REVIVAL

CONCERNING THIS NOTICE. PLEASE CALL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apotheker, Esq. at this telephone number: 215-634-8920

Wimberly 10/26/07

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

COPY

Capital One Bank  
Plaintiff(s)

No.: 2007-00739-CD

Real Debt: \$2,605.36

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Cindy Demko  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: October 26, 2007

Expires: October 26, 2012

Certified from the record this 26th day of October, 2007.



William A. Shaw, Prothonotary

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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