

FILED
JUL 03 2007
11:50 AM
William A. Shaw
Prothonotary/Clerk of Courts
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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 156601

ATTORNEY FOR PLAINTIFF

CITIGROUP GLOBAL
MARKETS REALTY CORPORATION
500 ENTERPRISE ROAD
SUITE 150
HORSHAM, PA 19044-0969

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

NO. 2007-1054-CO

v.

CLEARFIELD COUNTY

TIMOTHY L. GUNTER
703 OLD ROUTE 322
F/K/A RR 3 BOX 154
PHILIPSBURG, PA 16866

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

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

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

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

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Pennsylvania Bar Association
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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

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DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE
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DO SO IN WRITING WITHIN THIRTY (30) DAYS OF
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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

CITIGROUP GLOBAL
MARKETS REALTY CORPORATION
500 ENTERPRISE ROAD
SUITE 150
HORSHAM, PA 19044-0969

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

TIMOTHY L. GUNTER
703 OLD ROUTE 322
F/K/A RR 3 BOX 154
PHILIPSBURG, PA 16866

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

3. On 05/23/2002 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to LONG BEACH MORTGAGE COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200210384. 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 10/01/2006 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:


Principal Balance	\$52,266.43
Interest	\$4,913.55
09/01/2006 through 07/02/2007 (Per Diem \$16.11)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$207.60
05/23/2002 to 07/02/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$59,387.58
Escrow	
Credit	\$0.00
Deficit	\$148.04
Subtotal	<u>\$148.04</u>
TOTAL	\$59,535.62

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.
8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
10. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$59,535.62, together with interest from 07/02/2007 at the rate of \$16.11 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: 
/s/Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PARCEL OF LAND IN DECATUR TOWNSHIP, CLEARFIELD COUNTY, COMMONWEALTH OF PA, AS MORE FULLY DESCRIBED IN INSTRUMENT NO. ALL THAT CERTAIN PARCEL OF LAND IN DECATUR TOWNSHIP, CLEARFIELD COUNTY, COMMONWEALTH OF PA, AS MORE FULLY DESCRIBED IN INSTRUMENT NO. 200014357 ID# 112-P11-59, BEING KNOWN AND DESIGNATED AS A METES AND BOUNDS PROPERTY.

BEING THE SAME PROPERTY CONVEYED BY FEE SIMPLE DEED FROM BANKERS TRUST COMPANY OF CALIFORNIA TRUSTEE ON BEHALF OF VENDEE MORTGAGE TRUST 1994-3. TO TIMOTHY L. GUNTER, DATED 09/19/2000 RECORDED ON 09/27/2000 IN INSTRUMENT NO. 200014357, IN CLEARFIELD COUNTY RECORDS, COMMONWEALTH OF PA.

BEING premises which are more fully described in a deed dated the 1st day of JULY, 2002, and recorded in the Office of the Recorder of Deeds of CLEARFIELD County, Pennsylvania, in Record Book 20001, Page 4357.

PARCEL NO: 703 OLD ROUTE 322

F/K/A RR 3 BOX 154

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 of 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 its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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



Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 07/02/07

Ux

FILED
MICHIGAN
JUG 15 2007
William A. Shaw
Prothonotary/Clerk of Courts

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

Citigroup Global Markets Realty Corporation
500 Enterprise Road, Suite 150
Horsham, PA 19044-0969
Plaintiff

Court of Common Pleas

Clearfield County

vs.

Civil Division

Timothy L. Gunter
703 Old Route 322
F/K/A RR 3 Box 154
Philipsburg, PA 16866
Defendant

No. 2007-1054-CD

MOTION TO DIRECT THE SHERIFF TO FILE AFFIDAVIT OF SERVICE

1. Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on July 3, 2007. A true and correct copy of the Complaint is attached hereto, made part hereof, and marked as Exhibit "A".

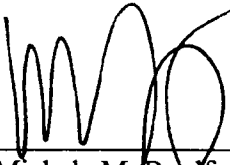
2. The Sheriff of Clearfield County was requested to serve the Complaint upon the Defendant.

3. On July 26, 2007, the Sheriff's Office verbally advised counsel for Plaintiff that Timothy L. Gunter was personally served with the Complaint on July 12, 2007.

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 service of the Complaint with the Prothonotary within seven days.

8/3/07
Date



Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

1617 John F. Kennedy Boulevard, Suite 1400

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Citigroup Global Markets Realty Corporation

500 Enterprise Road, Suite 150

Horsham, PA 19044-0969

Plaintiff

vs.

Timothy L. Gunter

703 Old Route 322

F/K/A RR 3 Box 154

Philipsburg, PA 16866

Defendant

ATTORNEY FOR PLAINTIFF

Court of Common Pleas

Clearfield County

Civil Division

No. 2007-1054-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 July 3, 2007. The Sheriff of Clearfield County was requested to serve the Complaint upon the Defendant. On July 26, 2007, the Sheriff's Office verbally advised counsel for Plaintiff that Timothy Gunter was personally served on July 12, 2007.

On August 2, 2007, Plaintiff sent the Defendant a ten day letter notifying him of its intention to file a default judgment. To date, the Clearfield County Sheriff's Office has not filed the affidavit of service, which was made on July 12, 2007. Plaintiff is unable to enter judgment and praecipe for a writ of execution until the Sheriff's Office files the affidavit of service of the Complaint with the Prothonotary.

Interest accrues at the rate of \$16.11 per day on this mortgage account. Additionally, the 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 Service.

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. . . .

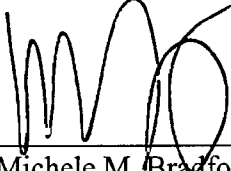
The Plaintiff does not have the ability to use a private process server to serve foreclosure complaints in Clearfield County. The Plaintiff must rely on the Sheriff to do so. In addition, the Sheriff has a duty to file his return of service "forthwith". In the instant case, the Sheriff's Office has not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

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Michele M. Bradford, Esquire
Attorney for Plaintiff

EXHIBIT A

FILED

JUL 03 2007

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COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

NO. 2007-1054-CO

V.

CLEARFIELD COUNTY

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Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

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

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MARKETS REALTY CORPORATION
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SUITE 150
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PHILIPSBURG, PA 16866

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3. On 05/23/2002 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to LONG BEACH MORTGAGE COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200210384. 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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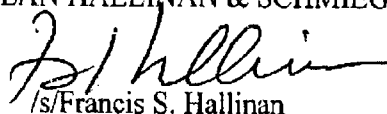
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9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
10. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$59,535.62, together with interest from 07/02/2007 at the rate of \$16.11 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: 
/s/Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PARCEL OF LAND IN DECATUR TOWNSHIP, CLEARFIELD COUNTY, COMMONWEALTH OF PA, AS MORE FULLY DESCRIBED IN INSTRUMENT NO. ALL THAT CERTAIN PARCEL OF LAND IN DECATUR TOWNSHIP, CLEARFIELD COUNTY, COMMONWEALTH OF PA, AS MORE FULLY DESCRIBED IN INSTRUMENT NO. 200014357 ID# 112-P11-59, BEING KNOWN AND DESIGNATED AS A METES AND BOUNDS PROPERTY.

BEING THE SAME PROPERTY CONVEYED BY FEE SIMPLE DEED FROM BANKERS TRUST COMPANY OF CALIFORNIA TRUSTEE ON BEHALF OF VENDEE MORTGAGE TRUST 1994-3. TO TIMOTHY L. GUNTER, DATED 09/19/2000 RECORDED ON 09/27/2000 IN INSTRUMENT NO. 200014357, IN CLEARFIELD COUNTY RECORDS, COMMONWEALTH OF PA.

BEING premises which are more fully described in a deed dated the 1st day of JULY, 2002, and recorded in the Office of the Recorder of Deeds of CLEARFIELD County, Pennsylvania, in Record Book 20001, Page 4357.

PARCEL NO: 703 OLD ROUTE 322

F/K/A RR 3 BOX 154

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 of 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 its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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



Francis S. Hallinan, Esquire
Attorney for Plaintiff

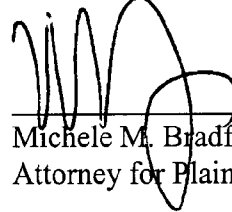
DATE: 07/02/07

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.

8/3/07
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

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

Citigroup Global Markets Realty Corporation

500 Enterprise Road, Suite 150

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Plaintiff

vs.

Timothy L. Gunter

703 Old Route 322

F/K/A RR 3 Box 154

Philipsburg, PA 16866

Defendant

ATTORNEY FOR PLAINTIFF

Court of Common Pleas

Clearfield County

Civil Division

No. 2007-1054-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:

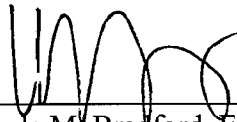
Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

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

Timothy L. Gunter
703 Old Route 322
F/K/A RR 3 Box 154
Philipsburg, PA 16866

8/3/07
Date

PHELAN HALLINAN & SCHMIEG, LLP



Michele M. Bradford, Esquire
Attorney for Plaintiff

LA

FILED
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AUG 07 2007
ICC
Aug
Cin

William A. Shaw
Prothonotary/Clerk of Courts
ICC Sheriff
(without name)

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

Citigroup Global Markets Realty Corporation
500 Enterprise Road, Suite 150
Horsham, PA 19044-0969
Plaintiff

Civil Division

vs.

Timothy L. Gunter
703 Old Route 322
F/K/A RR 3 Box 154
Philipsburg, PA 16866
Defendant

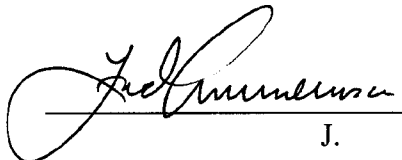
No. 2007-1054-CD

ORDER

AND NOW, this 7th day of August, 2007, upon consideration of Plaintiff's Motion to Direct Sheriff to File Affidavit of Service, and any response thereto, it is hereby:

ORDERED and DECREED that the Sheriff of Clearfield County is hereby directed to complete and file an Affidavit of Service of the foreclosure Complaint within seven days of the date of this Order.

BY THE COURT:


J.

11-11-07

AUG 07 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE 8/7/07

X 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 Circumstances:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102970
NO: 07-1054-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CITIGROUP GLOBAL MARKETS REALTY CORPORATION
vs.
DEFENDANT: TIMOTHY L. GUNTER

SHERIFF RETURN

NOW, July 12, 2007 AT 12:20 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TIMOTHY L. GUNTER DEFENDANT AT Meeting Place: KYLERTOWN TRUCKSTOPS, KYLERTOWN, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TIMOTHY L. GUNTER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

07/12/07
AUG 08 2007
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PHELAN	609399	10.00
SHERIFF HAWKINS	PHELAN	609399	48.07

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,

Chester A. Hawkins
by Mandy Hamr
Chester A. Hawkins
Sheriff

mtd 24 Aug

William A. Shaw
Prothonotary/Clerk of Courts

Plaintiff

(OK)

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Citigroup Global Markets Realty Corporation

Vs.

No. 2007-01054-CD

Timothy L. Gunter

CERTIFICATE OF DISCONTINUATION

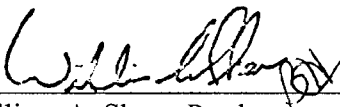
Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on August 17, 2007, marked:

Discontinued and Ended without Prejudice

Record costs in the sum of \$85.00 have been paid in full by Francis S. Hallinan, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 17th day of August A.D. 2007.



William A. Shaw, Prothonotary