

2007-1098-CD
Target Nat vs Lucinda Cummings

07-1098-CD
Target Nat'l Bank vs Lucinda Cummings

GREGG L. MORRIS, ESQ.
PATENAUADE & FELIX, A.P.C.
213 E. MAIN STREET
CARNEGIE, PA 15106
(412) 429-7675
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PA ID#69006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK)
Plaintiff,) NO. 07-1098-CD
)
v.)
)
LUCINDA J CUMMINGS ,)
Defendant(s).)
)

COMPLAINT IN CIVIL ACTION

Filed on behalf of:
TARGET NATIONAL BANK,
Plaintiff

Counsel of Record for This Party:

Gregg L. Morris, Esquire
Pa I.D. #69006

Patenaude & Felix, A.P.C.
213 East Main Street
Carnegie, PA 15106
(412) 429-7675

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m/11:50am 1CCSHFF
JUL 13 2007
JS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK,)
Plaintiff,) NO.
v.)
LUCINDA J CUMMINGS ,)
Defendant.)

NOTICE TO DEFEND

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.**

**David S. Meholic
Court Administration
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK,)
Plaintiff) NO.
v.)
LUCINDA J CUMMINGS ,)
Defendant.)

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, TARGET NATIONAL BANK, by and through its attorney, GREGG L. MORRIS, ESQUIRE and the law offices of PATENAUME & FELIX, A.P.C. and files the following **Complaint in Civil Action**, and in support thereof aver as follows:

1. Plaintiff, TARGET NATIONAL BANK, is a corporation and for the purpose of this litigation, maintaining a place of business c/o Patenaude and Felix, A.P.C., 213 East Main Street, Carnegie, Pennsylvania 15106.
2. Defendant is LUCINDA J CUMMINGS , an adult individual, believed to currently reside at 387 JASMINE LN , MORRISDALE, PA 168587204.
3. Heretofore, the Defendant opened a TARGET NATIONAL BANK account with Plaintiff being Account No. 4352375022303731 , for the purchase of goods and services.
4. The Defendant has made or authorized a number of purchases and as of 05/30/07, Defendant owes \$3,916.63 on said account plus interest.

5. Plaintiff maintains accurate books of account recording all credits and debits for this account.

6. The Defendant has received monthly billing statements from Plaintiff setting forth the nature and amount of all charges made by Defendant, and the transactions between Plaintiff and Defendant give rise to an account stated, upon which Plaintiff has relied.

7. The Defendant made payments, but has refused to pay, and now refuses to pay the balance due and owing on the aforesaid account in the sum of \$3,916.63, plus interest and costs.

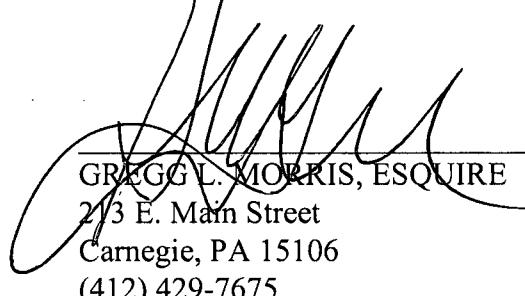
8. By failing to object or dispute to the statements including the statement attached hereto as Plaintiff's Exhibit "A", Defendant has assented to and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

9. Despite repeated demands, Defendant has failed to make the required installment payments when due and therefore the full amount of the account is now due and payable.

WHEREFORE, Plaintiff demands Judgment in its favor, and against Defendant, in the amount of \$3,916.63, plus legal interest from the date of breach, with continuing interest at the legal rate thereon from the date of Judgment plus costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

Patenaude & Felix, A.P.C.



GREGG L. MORRIS, ESQUIRE
2/3 E. Main Street
Carnegie, PA 15106
(412) 429-7675

In _____ Court

_____ Judicial (Circuit/District)

Original Creditor Name: TARGET NATIONAL BANK

Debtor Name: CUMMINGS, LUCINDA J

Co-Debtor Name:

Account Number: 4352375022303731

AFFIDAVIT OF ACCOUNT

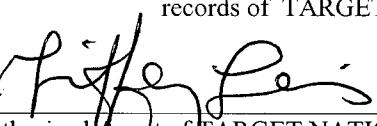
STATE OF MINNESOTA
COUNTY OF HENNEPIN

ss:

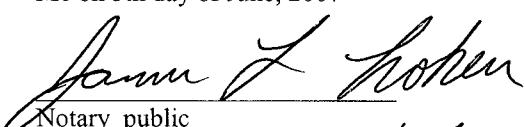
The undersigned, TIFFANY LEWIS states that:

1. I am a representative of TARGET NATIONAL BANK and am authorized to Verify current balances due and owing to TARGET NATIONAL BANK on credit card accounts.
2. As of the date of this affidavit I have reviewed the records of the above listed person and account, and that the amount due and owing to TARGET NATIONAL BANK on this account, over and above all known legal set offs is \$3916.63.
3. That reasonable inquiry has been made to determine if the defendant is in the military service of the United States of America, and to the best of my knowledge that defendant is not in such military service and is therefore not entitled to the rights and privileges provided under the Soldiers and Sailors Civil Relief Act of 1940, as amended.

That the above information is true to the best of my knowledge, information and belief, and based upon the books and business records of TARGET NATIONAL BANK.


Authorized Agent of TARGET NATIONAL BANK

Subscribed and sworn to before
Me on 5th day of June, 2007

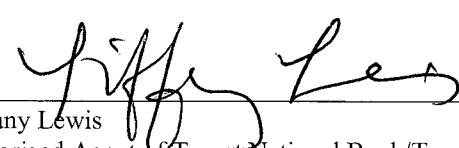

Notary public

My commission expires: 1/31/08

4352375022303731
A144 PATENAUDA & FELIX, A.P.C.



The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that she is, Tiffany Lewis, Assistant Secretary, of Target National Bank, Plaintiff Herein, that she is duly authorized to make this Declaration, and hat the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of her knowledge, information and belief.



Tiffany Lewis
Authorized Agent of Target National Bank/Target Visa

4352375022303731
A144
PATENAUX & FELIX, A.P.C

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102994
NO: 07-1098-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: TARGET NATIONAL BANK
vs.
DEFENDANT: LUCINDA J. CUMMINGS

FILED

0/3.00

DEC 05 2007

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, July 26, 2007 AT 9:48 AM SERVED THE WITHIN COMPLAINT ON LUCINDA J. CUMMINGS DEFENDANT AT 387 JASMINE LN, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LUCINDA J. CUMMINGS, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PATENAUME	14718	10.00
SHERIFF HAWKINS	PATENAUME	14718	30.61

Sworn to Before Me This

So Answers,

____ Day of _____ 2007


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK

Plaintiff) NO. 07-1098-CD

v.

LUCINDA J CUMMINGS

Defendant(s)

**PRAECIPE TO
DISCONTINUE WITHOUT
PREJUDICE**

Filed on behalf of:
TARGET NATIONAL BANK

Counsel of Record for This Party:

Gregg L. Morris, Esquire
Pa I.D. #69006

Patenaude & Felix, A.P.C.
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

FILED NO CC
m/d/2010
APR 29 2010
S
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
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TARGET NATIONAL BANK)
Plaintiff) NO. 07-1098-CD
v.)
LUCINDA J CUMMINGS)
Defendant(s))

PRAEICE TO DISCONTINUE WITHOUT PREJUDICE

TO: Prothonotary

Please discontinue the matter captioned above without prejudice upon payment of costs only.

Thank you.

Respectfully submitted:
Patenaude & Felix, A.P.C.

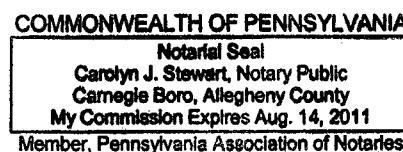
Date: April 27, 2010

Gregg L. Morris, Esquire
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

Sworn to and subscribed before me this

27 day of April, 2010.

Notary Public



I, GREGG MORRIS, attorney for Plaintiff, TARGET NATIONAL BANK , hereby certify that a true and correct copy of foregoing document was served this date by ordinary mail upon the following:

LUCINDA J CUMMINGS
387 JASMINE LN
MORRISDALE PA 16858-7204

Date: April 27, 2010



Gregg L. Morris, Esquire
Paterno & Felix, A.P.C.
213 E. Main Street
Carnegie, PA 15106
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