

07-1275-CD
CACH LLC vs Stephen Patterson al

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA
CIVIL ACTION - Law

CACH, LLC
Plaintiff
VS.
STEPHEN PATTERSON
Defendant

M&T BANK
CLEARFIELD BANK AND TRUST
Garnishee

NO. 2006-2940

07-1275CD

Writ of Execution

NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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.

Court Administrator's Office
Centre County Courthouse
Bellefonte, PA 16823
(814)355-6727

FILED
M 1:47 PM
AUG 09 2007
William A. Shaw
Prothonotary/Clerk of Courts
Atty pd. 20.00

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA

) 2006-2940

COUNTY OF CENTRE

)

TO THE SHERIFF OF CENTRE COUNTY:

To satisfy the judgment, interest and costs against STEPHEN PATTERSON

, defendant;

(1) You are directed to levy upon the property of the defendant and to sell the defendant's interest therein;

(2) You are also directed to attach the property of the defendant not levied upon in the possession of M&T BANK, CLEARFIELD BANK AND TRUST, as Garnishee,
(Name of Garnishee)

(Specifically describe property)

and to notify garnishee(s) that

(a) an attachment has been issued;

(b) except as provided in paragraph (c) the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;

(c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution

(i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or

(ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

T. and E. \$95.00pd
Prothonotary 10.00pd
Praecepse writ 23.00pd
Sheriff 79.50pd

Amount Due:.....\$ 19,308.16
Late Charges.....\$ _____
Attorney's Commission.....\$ _____
Taxes.....\$ _____
Interest\$ 869.65
COSTS TO BE ADDED
SUB-TOTAL.....\$ 20,177.81

Debra C. Israel

(Name of Prothonotary)

Seal of the Court

JULY 25, 2007

(Date)

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300 statutory exemptions
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

WILLIAM T. MOLCZAN, ESQ.
2718 KOPPERS BUILDING
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PITTSBURGH, PA 15219
(412)434-7955

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NO. 2006-2940

STEPHEN PATTERSON
Defendant

M&T BANK
CLEARFIELD BANK AND TRUST
Garnishee

Writ of Execution

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

(i) set aside in kind (specify property to be set aside in kind): _____

_____;

(ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption): _____

_____.

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300 statutory exemption: in cash; in kind (specify property): _____

_____.

(b) Social Security benefits on deposit in the amount of \$ _____;

(c) other (specify amount and basis of exemption): _____

_____.

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at

(Address)

(Telephone Number)

I verify the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S §4904 relating to unsworn falsification to authorities.

Date: _____

(Defendant)

**THIS CLAIM TO BE FILED WITH THE
OFFICE OF THE SHERIFF OF CENTRE COUNTY:**

213 EAST HIGH STREET
BELLEFONTE, PA 16823
(814)355-6803