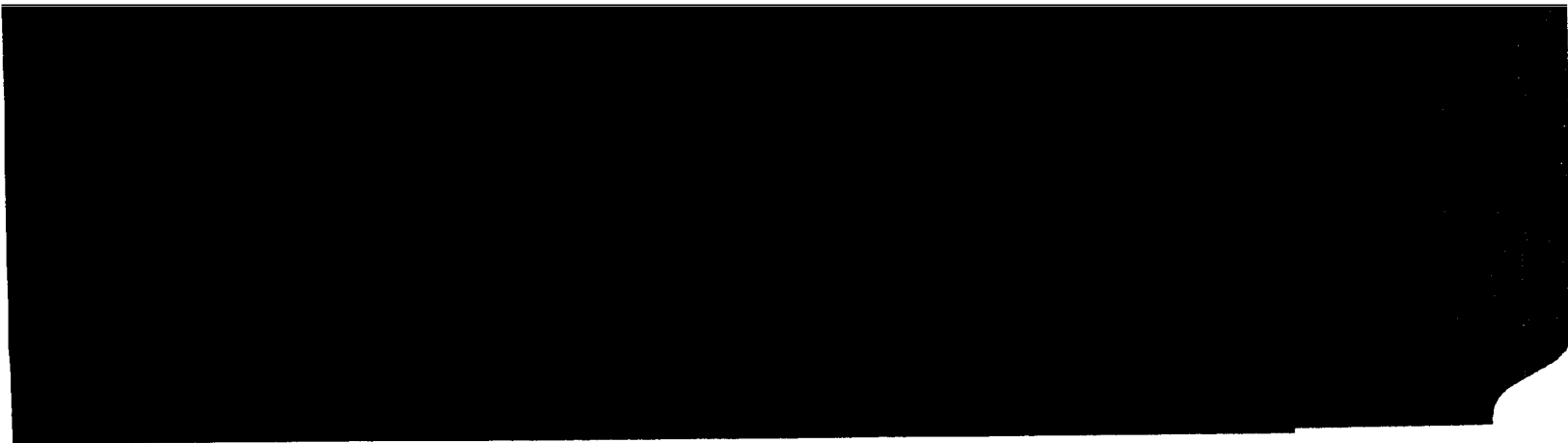


07-1360-CD

Household Fin vs Daniel Munoz



MILSTEAD & ASSOCIATES, LLC
BY: Chrisovalante P. Fliakos, Esquire
ID No. 94620
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff
File: 22.06752

**Household Finance Consumer Discount
Company
636 Grand Regency Boulevard
Brandon, FL 33510,**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

Plaintiff,

No.: 07-1360-CD

Vs.

**CIVIL ACTION
MORTGAGE FORECLOSURE**

**Daniel Munoz
8 South State Street
DuBois, PA 15801,
Defendant.**

Jan. 25, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

10-22-2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

February 21, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

FILED
MAY 11 4 44 PM
2008
William A. Shaw
Prothonotary/Clerk of Courts
Atty pd. 85.00
ICC Sheriff

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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyers Referral and Information Services
Clearfield County Bar Association
Clearfield County Courthouse
230 E. Market Street
Clearfield, NJ 16830
800-692-7375
814-765-2641 Ext. 5982

NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT

1. This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.
2. Unless you dispute the validity of this debt, or any portion thereof, within 30 days after receipt of this notice, the debt will be assumed to be valid by our offices.
3. If you notify our offices in writing within 30 days of receipt of this notice that the debt, or any portion thereof, is disputed, our offices will provide you with verification of the debt or copy of the Judgment against you, and a copy of such verification or judgment will be mailed to you by our offices.

MILSTEAD & ASSOCIATES, LLC
BY: Chrisovalante P. Fliakos, Esquire
ID No. 94620
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff

**Household Finance Consumer Discount
Company,
636 Grand Regency Boulevard
Brandon, FL 33510,**

Plaintiff,

Vs.

**Daniel Munoz
8 South State Street
DuBois, PA 15801,
Defendant.**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.:

**CIVIL ACTION
MORTGAGE FORECLOSURE**

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff, Household Finance Consumer Discount Company (the "Plaintiff"), is a Pennsylvania corporation registered to conduct business in the Commonwealth of Pennsylvania and having an office and place of business at 636 Grand Regency Boulevard, Brandon, FL 33510.

2. Defendant, Daniel Munoz, (the "Defendant"), is an adult individual and is the real owner of the premises hereinafter described.

3. Daniel Munoz, Defendant, resides at 8 South State Street, DuBois, PA 15801.

4. On June 30, 2004, in consideration of a loan in the principal amount of \$75,000.00, the Defendant executed and delivered to Decision One Mortgage Company, LLC an adjustable rate note (the "Note") with interest thereon at 9.05 percent per annum, payable as to the principal and interest in equal monthly installments of \$606.17 commencing July 30, 2004.

5. To secure the obligations under the Note, the Defendant executed and delivered to Mortgage Electronic Registration Systems, Inc., an nominee for Decision One Mortgage Company, LLC a mortgage (the "Mortgage") dated June 30, 2004, recorded on July 1, 2004 in the Department of Records in and for the County of Clearfield under Mortgage Instrument Number 200410679. Pursuant to Pa.R.C.P. 1019 (g) the mortgage is incorporated herein by reference. Plaintiff is proper party plaintiff by way of an assignment to be recorded.

6. The Mortgage secures the following real property (the "Mortgaged Premises"): 8 South State Street, DuBois, PA 15801. A legal description of the Mortgaged Premises is attached hereto as Exhibit "A" and made a part hereof.

7. The Defendant is in default of his/her obligations pursuant to the Note and Mortgage because payments of principal and interest due March 30, 2007, and monthly thereafter are due and have not been paid, whereby the whole balance of principal and all interest due thereon have become due and payable forthwith together with late charges, escrow deficit (if any) and costs of collection including title search fees and reasonable attorney's fees.

8. The following amounts are due on the Mortgage and Note:

Balance of Principal	\$74,080.71
Accrued but Unpaid Interest from 3/1/07 to 8/22/07 @ 13.05% per annum (\$26.49 per diem)	\$4,635.75
Accrued Late Charges	\$248.40
Escrow Advance	\$376.63
Title Search Fees	\$350.00
Reasonable Attorney's Fees	\$1,250.00
TOTAL as of 08/22/2007	\$80,941.49

Plus, the following amounts accrued after August 22, 2007:

Interest at the Rate of 13.05 per cent per annum (\$26.49 per diem);

Late Charges of \$41.40 per month.

9. Plaintiff has complied fully with Act No. 91 (35 P.S.'1680.401(c) of the 1983 Session of the General Assembly ("Act 91") of the Commonwealth of Pennsylvania, by mailing to the Defendant at 8 South State Street, DuBois, PA 15801 as well as to address of residences as listed in paragraph 3 of this document on June 6, 2007, the notice pursuant to § 403-C of Act 91, and the applicable time periods therein have expired.

WHEREFORE, Plaintiff demands an in rem judgment against the Defendant for foreclosure and sale of the Mortgaged Premises in the amount due as set forth in paragraph 8, namely, \$80,941.49, plus the following amounts accruing after August 22, 2007, to the date of judgment: (a) interest of \$26.49 per day, (b) late charges of \$41.40 per month, (c) plus interest at the legal rate allowed on judgments after the date of judgment, (d) additional attorney's fees (if any) hereafter incurred, (e) and costs of suit.

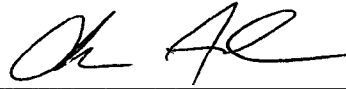
MILSTEAD & ASSOCIATES, LLC



Chrisovalante P. Fliakos, Esquire
Attorney for Plaintiff

VERIFICATION

I, Chrisovalante P. Fliakos, hereby certify that I am an Attorney for Plaintiff and am authorized to make this verification on Plaintiff's behalf. I verify that the facts and statements set forth in the forgoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. ' 4904, relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Ch Fliakos', written over a horizontal line.

Name: Chrisovalante P. Fliakos, Esquire
Title: Attorney

EXHIBIT A

All that certain piece or parcel of land situate in the City of DuBois, County of Clearfield and Commonwealth of Pennsylvania, being bounded and described as follows, to wit:

Beginning at an iron pin on the westerly right of way of State Street, said iron pin also being at the southeast corner of Lot No. 7 in the John Reed Estate Subdivision, the plot which was filed June 15, 1984, in the Office of the Clearfield County Recorder;

Thence along the westerly right of way of said State Street, South 27 deg. 25 min. West, 53 feet to an iron pipe at the northeast corner of lands now or formerly of Terry and Theresa Hilliard;

Thence along the northerly line now or formerly of Hilliard, North 62 deg. 35 min. West, 84 feet to an iron pin at the southeasterly corner of Lot No. 5 of the John Reed Estate Subdivision;

Thence along the easterly line of said Lot No. 5, North 27 deg. 29 min. East, 53.0 feet to an iron pin at the southwesterly corner of Lot No. 6 of the John Reed Estate Subdivision;

Thence along the southerly lines of Lot No. 6 and Lot No. 7 of the John Reed Estate Subdivision, South 62 deg. 35 min. East, 84.0 feet to an iron pin on the westerly right of way of State Street and the place of beginning.

Together with the perpetual use of a non-exclusive right of way, 10 feet in width, for vehicular and pedestrian traffic, extending from East Long Avenue in a southerly direction over parts of Lot Nos. 2 and 3, a distance of 118 feet and thence in an easterly direction over Lots 3, 4 and 5, a distance of 130 feet, more or less to the subject premises conveyed herein.

Together with and under and subject to a sanitary sewer easement 17 feet in width along the northerly line of the premises herein conveyed, to accommodate an existing 8-inch sewer line for the use of said premises and for the purposes of maintenance, repair, replacement and removal of the same, with the right of ingress, egress and regress to and from the sanitary sewer easement for said premises.

Tax ID: 7.1-002-000-00323

Title to said premises is vested in Daniel Munoz, married individual

Being the same premises which Stephen D. Welsh, single, by Deed dated 06/23/2004 and recorded 07/01/2004 in Clearfield County in Instrument No. 200410678, granted and conveyed unto Daniel Munoz, married individual, in fee.

MILSTEAD & ASSOCIATES, LLC
BY: Chrisovalante P. Fliakos, Esquire
ID No. 94620
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff
File No. 22.06752

**Household Finance Consumer Discount
Company,**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

Plaintiff,

Vs.

No.: 07-1360-CD

Daniel Munoz,


**Praecipe to Reinstate Complaint in
Mortgage Foreclosure**

Defendant.

TO THE PROTHONOTARY:

Kindly reinstate the Complaint in Mortgage Foreclosure for the above captioned matter.

MILSTEAD & ASSOCIATES, LLC


Chrisovalante P. Fliakos, Esquire
Attorney ID No. 94620

FILED

OCT 22 2007

William A. Shaw
Prothonotary/Clerk of Courts

pd \$700 Atty
m/2.10.07 ICC + 1 reinstated
Complaint to
Atty
1 reinstated
Complaint to
Shff

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

HOUSEHOLD FINANCE CONSUMER
DISCOUNT COMPANY,

Plaintiff,

v.

DANIEL MUNOZ,

Defendant.

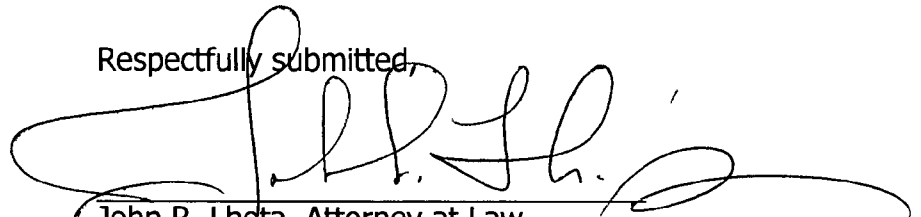
No. 07-1360-CD

ENTRY OF APPEARANCE

TO: William A. Shaw, Prothonotary:

Please enter my appearance on behalf of Household Finance Consumer Discount 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: December 12, 2007

FILED 1cc
01/3/2008
DEC 13 2007

William A. Shaw
Prothonotary/Clerk of Courts

JOHN R. LHOTA, P.C.
ATTORNEY AT LAW
110 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

MILSTEAD & ASSOCIATES, L.L.C.

BY: **Chrisovalante P. Fliakos, Esquire**

Attorney ID# 94620

Woodland Falls Corporate Park

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

ATTORNEY FOR PLAINTIFF

Our file No. 22.06752

Household Finance Consumer Discount
Company

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

Plaintiff,

Vs.

Daniel Munoz

Case No.: 07-1360-CD

Defendant.

FILED 5cc
07/3:26 PM Atty
DEC 13 2007 Chota
William A. Shaw
Prothonotary/Clerk of Courts

**MOTION TO COMPEL SHERIFF TO RETURN ANY AND ALL SERVICE
FORMS TO THE PROTHONOTARY**

TO THE HONORABLE JUDGE OF SAID COURT:

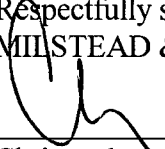
AND NOW, comes Plaintiff, Household Finance Consumer Discount Company, by its attorney Chrisovalante P. Fliakos, Esquire and moves this Honorable Court for an Order to Compel the Sheriff to Return any and all Service Forms to the Prothonotary's Office to be filed for this case and avers in support thereof:

1. Plaintiff filed a Complaint against the Defendants on or about August 23, 2007.
2. Plaintiff was advised by the Sheriff's Department via telephone that the Defendants were not served with the Complaint in Mortgage Foreclosure at any of the addresses given.
3. In an attempt to continue with the proceedings, Counsel for Plaintiff needs to file a Motion for Alternate Service on said Defendant in order to complete service.

4. The Sheriff's refusal to return the Service Forms to the Prothonotary's Office for filing has greatly prejudiced the Plaintiff to continue with their Mortgage Foreclosure Action.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order to Compel the Sheriff to return any and all Service Forms to the Prothonotary's Office for filing in this case within ten (10) days from the date of the Order.

Respectfully submitted,
MILSTEAD & ASSOCIATES, LLC



Chrisovalante P. Fliakos, Esquire
Attorney ID No.: 94620

JOHN R. LHOTA, P.C.
ATTORNEY AT LAW
110 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

MILSTEAD & ASSOCIATES, L.L.C.
BY: **Chrisovalante P. Fliakos, Esquire**

Attorney ID# 94620

Woodland Falls Corporate Park

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

ATTORNEY FOR PLAINTIFF

Our file No. 22.06752

Household Finance Consumer Discount
Company

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

Plaintiff,

Vs.

Daniel Munoz

Case No.: 07-1360-CD

Defendant.

CERTIFICATE OF SERVICE

I, Chrisovalante P. Fliakos, Esquire, counsel for Plaintiff, Household Finance Consumer

Discount Company Trustee, hereby certify that a copy of the foregoing Motion to Compel the

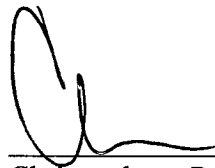
Sheriff to Return Any and All Service Forms to the Prothonotary's Office for filing was served

on the following persons by first class mail, postage pre-paid, on the 6th day of December, 2007:

Daniel Munoz
8 South State Street
DuBois, PA 15801

Daniel Munoz
13 West Weber Street
DuBois, PA 15801

Sheriff of Clearfield County
230 E. Market Street
Clearfield, PA 16830



Chrisovalante P. Fliakos, Esquire
Attorney ID No. 94620

{00207676}

FILED 2cc
0/3:26/07
DEC 13 2007
Atty Lhota
William A. Shaw
Prothonotary/Clerk of Courts
(60)

JOHN R. LHOTA, P.C.
ATTORNEY AT LAW
110 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

1st
service

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **103122**

HOUSEHOLD FINANCE CONSUMER DISCOUNT COMPANY

Case # 07-1360-CD

vs.

DANIEL MUNOZ

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW December 17, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO DANIEL MUNOZ, DEFENDANT. 8 SOUTH STATE ST., DUBOIS, PA. "VACANT".

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	36103	10.00
SHERIFF HAWKINS	MILSTEAD	36103	32.43

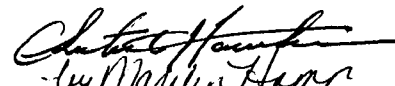
FILED
09:37:30
DEC 17 2007

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before me This

_____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

MILSTEAD & ASSOCIATES, LLC
BY: Chrisovalante P. Fliakos, Esquire
ID No. 94620
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff
File: 22.06752

**Household Finance Consumer Discount
Company**
636 Grand Regency Boulevard
Brandon, FL 33510,

Plaintiff,

Vs.

Daniel Munoz
8 South State Street
DuBois, PA 15801,
Defendant.

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

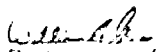
No.: 07-1360-CD

CIVIL ACTION
MORTGAGE FORECLOSURE

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

AUG 23 2007

Attest.


Prottonotary/
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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyers Referral and Information Services
Clearfield County Bar Association
Clearfield County Courthouse
230 E. Market Street
Clearfield, NJ 16830
800-692-7375
814-765-2641 Ext. 5982

NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT

1. This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.
2. Unless you dispute the validity of this debt, or any portion thereof, within 30 days after receipt of this notice, the debt will be assumed to be valid by our offices.
3. If you notify our offices in writing within 30 days of receipt of this notice that the debt, or any portion thereof, is disputed, our offices will provide you with verification of the debt or copy of the Judgment against you, and a copy of such verification or judgment will be mailed to you by our offices.

MILSTEAD & ASSOCIATES, LLC
BY:Chrisovalante P. Fliakos, Esquire
ID No. 94620
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff

**Household Finance Consumer Discount
Company,
636 Grand Regency Boulevard
Brandon, FL 33510,**

Plaintiff,

Vs.

**Daniel Munoz
8 South State Street
DuBois, PA 15801,**

Defendant.

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.:

**CIVIL ACTION
MORTGAGE FORECLOSURE**

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff, Household Finance Consumer Discount Company (the "Plaintiff"), is a Pennsylvania corporation registered to conduct business in the Commonwealth of Pennsylvania and having an office and place of business at 636 Grand Regency Boulevard, Brandon, FL 33510.

2. Defendant, Daniel Munoz, (the "Defendant"), is an adult individual and is the real owner of the premises hereinafter described.

3. Daniel Munoz, Defendant, resides at 8 South State Street, DuBois, PA 15801.

4. On June 30, 2004, in consideration of a loan in the principal amount of \$75,000.00, the Defendant executed and delivered to Decision One Mortgage Company, LLC an adjustable rate note (the "Note") with interest thereon at 9.05 percent per annum, payable as to the principal and interest in equal monthly installments of \$606.17 commencing July 30, 2004.

5. To secure the obligations under the Note, the Defendant executed and delivered to Mortgage Electronic Registration Systems, Inc., an nominee for Decision One Mortgage Company, LLC a mortgage (the "Mortgage") dated June 30, 2004, recorded on July 1, 2004 in the Department of Records in and for the County of Clearfield under Mortgage Instrument Number 200410679. Pursuant to Pa.R.C.P. 1019 (g) the mortgage is incorporated herein by reference. Plaintiff is proper party plaintiff by way of an assignment to be recorded.

6. The Mortgage secures the following real property (the "Mortgaged Premises"): 8 South State Street, DuBois, PA 15801. A legal description of the Mortgaged Premises is attached hereto as Exhibit "A" and made a part hereof.

7. The Defendant is in default of his/her obligations pursuant to the Note and Mortgage because payments of principal and interest due March 30, 2007, and monthly thereafter are due and have not been paid, whereby the whole balance of principal and all interest due thereon have become due and payable forthwith together with late charges, escrow deficit (if any) and costs of collection including title search fees and reasonable attorney's fees.

8. The following amounts are due on the Mortgage and Note:

Balance of Principal	\$74,080.71
Accrued but Unpaid Interest from 3/1/07 to 8/22/07 @ 13.05% per annum (\$26.49 per diem)	\$4,635.75
Accrued Late Charges	\$248.40
Escrow Advance	\$376.63
Title Search Fees	\$350.00
Reasonable Attorney's Fees	\$1,250.00
TOTAL as of 08/22/2007	\$80,941.49

Plus, the following amounts accrued after August 22, 2007:

Interest at the Rate of 13.05 per cent per annum (\$26.49 per diem);

Late Charges of \$41.40 per month.

9. Plaintiff has complied fully with Act No. 91 (35 P.S.'1680.401(c) of the 1983 Session of the General Assembly ("Act 91") of the Commonwealth of Pennsylvania, by mailing to the Defendant at 8 South State Street, DuBois, PA 15801 as well as to address of residences as listed in paragraph 3 of this document on June 6, 2007, the notice pursuant to § 403-C of Act 91, and the applicable time periods therein have expired.

WHEREFORE, Plaintiff demands an in rem judgment against the Defendant for foreclosure and sale of the Mortgaged Premises in the amount due as set forth in paragraph 8, namely, \$80,941.49, plus the following amounts accruing after August 22, 2007, to the date of judgment: (a) interest of \$26.49 per day, (b) late charges of \$41.40 per month, (c) plus interest at the legal rate allowed on judgments after the date of judgment, (d) additional attorney's fees (if any) hereafter incurred, (e) and costs of suit.

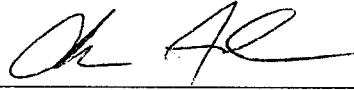
MILSTEAD & ASSOCIATES, LLC



Chrisovalante P. Fliakos, Esquire
Attorney for Plaintiff

VERIFICATION

I, Chrisovalante P. Fliakos, hereby certify that I am an Attorney for Plaintiff and am authorized to make this verification on Plaintiff's behalf. I verify that the facts and statements set forth in the forgoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. ' 4904, relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Ch Fliakos', written over a horizontal line.

Name: Chrisovalante P. Fliakos, Esquire
Title: Attorney

EXHIBIT A

All that certain piece or parcel of land situate in the City of DuBois, County of Clearfield and Commonwealth of Pennsylvania, being bounded and described as follows, to wit:

Beginning at an iron pin on the westerly right of way of State Street, said iron pin also being at the southeast corner of Lot No. 7 in the John Reed Estate Subdivision, the plot which was filed June 15, 1984, in the Office of the Clearfield County Recorder;

Thence along the westerly right of way of said State Street, South 27 deg. 25 min. West, 53 feet to an iron pipe at the northeast corner of lands now or formerly of Terry and Theresa Hilliard;

Thence along the northerly line now or formerly of Hilliard, North 62 deg. 35 min. West, 84 feet to an iron pin at the southeasterly corner of Lot No. 5 of the John Reed Estate Subdivision;

Thence along the easterly line of said Lot No. 5, North 27 deg. 29 min. East, 53.0 feet to an iron pin at the southwesterly corner of Lot No. 6 of the John Reed Estate Subdivision;

Thence along the southerly lines of Lot No. 6 and Lot No. 7 of the John Reed Estate Subdivision, South 62 deg. 35 min. East, 84.0 feet to an iron pin on the westerly right of way of State Street and the place of beginning.

Together with the perpetual use of a non-exclusive right of way, 10 feet in width, for vehicular and pedestrian traffic, extending from East Long Avenue in a southerly direction over parts of Lot Nos. 2 and 3, a distance of 118 feet and thence in an easterly direction over Lots 3, 4 and 5, a distance of 130 feet, more or less to the subject premises conveyed herein.

Together with and under and subject to a sanitary sewer easement 17 feet in width along the northerly line of the premises herein conveyed, to accommodate an existing 8-inch sewer line for the use of said premises and for the purposes of maintenance, repair, replacement and removal of the same, with the right of ingress, egress and regress to and from the sanitary sewer easement for said premises.

Tax ID: 7.1-002-000-00323

Title to said premises is vested in Daniel Munoz, married individual

Being the same premises which Stephen D. Welsh, single, by Deed dated 06/23/2004 and recorded 07/01/2004 in Clearfield County in Instrument No. 200410678, granted and conveyed unto Daniel Munoz, married individual, in fee.

2nd
service

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **103339**

HOUSEHOLD FINANCE CONSUMER DISCOUNT COMPANY

Case # 07-1360-CD

vs.

DANIEL MUNOZ

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW December 17, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO DANIEL MUNOZ, DEFENDANT. NEW TENANTS @ 13 W. WEBER AVE., DUBOIS, PA..

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	37769	10.00
SHERIFF HAWKINS	MILSTEAD	37769	41.86


FILED
219:37/80
DEC 17 2007
(initials)

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before me This

_____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

MILSTEAD & ASSOCIATES, LLC
BY: Chrisovalante P. Fliakos, Esquire
ID No. 94620
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff
File: 22.06752

Household Finance Consumer Discount
Company
636 Grand Regency Boulevard
Brandon, FL 33510,

~~COURT OF COMMON PLEAS~~
CLEARFIELD COUNTY

Plaintiff,

Vs.

No.: 07-1360-CD

Daniel Munoz
8 South State Street
DuBois, PA 15801,
Defendant.

CIVIL ACTION
MORTGAGE FORECLOSURE

10-22-2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

FILED
AUG 23 2007

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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyers Referral and Information Services
Clearfield County Bar Association
Clearfield County Courthouse
230 E. Market Street
Clearfield, NJ 16830
800-692-7375
814-765-2641 Ext. 5982

NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT

1. This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.
2. Unless you dispute the validity of this debt, or any portion thereof, within 30 days after receipt of this notice, the debt will be assumed to be valid by our offices.
3. If you notify our offices in writing within 30 days of receipt of this notice that the debt, or any portion thereof, is disputed, our offices will provide you with verification of the debt or copy of the Judgment against you, and a copy of such verification or judgment will be mailed to you by our offices.

MILSTEAD & ASSOCIATES, LLC
BY: Chrisovalante P. Fliakos, Esquire
ID No. 94620
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff

Household Finance Consumer Discount
Company,
636 Grand Regency Boulevard
Brandon, FL 33510,

Plaintiff,

Vs.

Daniel Munoz
8 South State Street
DuBois, PA 15801,
Defendant.

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

No.:

CIVIL ACTION
MORTGAGE FORECLOSURE

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff, Household Finance Consumer Discount Company (the "Plaintiff"), is a Pennsylvania corporation registered to conduct business in the Commonwealth of Pennsylvania and having an office and place of business at 636 Grand Regency Boulevard, Brandon, FL 33510.

2. Defendant, Daniel Munoz, (the "Defendant"), is an adult individual and is the real owner of the premises hereinafter described.

3. Daniel Munoz, Defendant, resides at 8 South State Street, DuBois, PA 15801.

4. On June 30, 2004, in consideration of a loan in the principal amount of \$75,000.00, the Defendant executed and delivered to Decision One Mortgage Company, LLC an adjustable rate note (the "Note") with interest thereon at 9.05 percent per annum, payable as to the principal and interest in equal monthly installments of \$606.17 commencing July 30, 2004.

5. To secure the obligations under the Note, the Defendant executed and delivered to Mortgage Electronic Registration Systems, Inc., an nominee for Decision One Mortgage Company, LLC a mortgage (the "Mortgage") dated June 30, 2004, recorded on July 1, 2004 in the Department of Records in and for the County of Clearfield under Mortgage Instrument Number 200410679. Pursuant to Pa.R.C.P. 1019 (g) the mortgage is incorporated herein by reference. Plaintiff is proper party plaintiff by way of an assignment to be recorded.

6. The Mortgage secures the following real property (the "Mortgaged Premises"): 8 South State Street, DuBois, PA 15801. A legal description of the Mortgaged Premises is attached hereto as Exhibit "A" and made a part hereof.

7. The Defendant is in default of his/her obligations pursuant to the Note and Mortgage because payments of principal and interest due March 30, 2007, and monthly thereafter are due and have not been paid, whereby the whole balance of principal and all interest due thereon have become due and payable forthwith together with late charges, escrow deficit (if any) and costs of collection including title search fees and reasonable attorney's fees.

8. The following amounts are due on the Mortgage and Note:

Balance of Principal	\$74,080.71
Accrued but Unpaid Interest from 3/1/07 to 8/22/07 @ 13.05% per annum (\$26.49 per diem)	\$4,635.75
Accrued Late Charges	\$248.40
Escrow Advance	\$376.63
Title Search Fees	\$350.00
Reasonable Attorney's Fees	\$1,250.00
TOTAL as of 08/22/2007	\$80,941.49

Plus, the following amounts accrued after August 22, 2007:

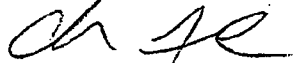
Interest at the Rate of 13.05 per cent per annum (\$26.49 per diem);

Late Charges of \$41.40 per month.

9. Plaintiff has complied fully with Act No. 91 (35 P.S.'1680.401(c) of the 1983 Session of the General Assembly ("Act 91") of the Commonwealth of Pennsylvania, by mailing to the Defendant at 8 South State Street, DuBois, PA 15801 as well as to address of residences as listed in paragraph 3 of this document on June 6, 2007, the notice pursuant to § 403-C of Act 91, and the applicable time periods therein have expired.

WHEREFORE, Plaintiff demands an in rem judgment against the Defendant for foreclosure and sale of the Mortgaged Premises in the amount due as set forth in paragraph 8, namely, \$80,941.49, plus the following amounts accruing after August 22, 2007, to the date of judgment: (a) interest of \$26.49 per day, (b) late charges of \$41.40 per month, (c) plus interest at the legal rate allowed on judgments after the date of judgment, (d) additional attorney's fees (if any) hereafter incurred, (e) and costs of suit.

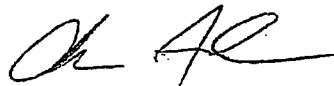
MILSTEAD & ASSOCIATES, LLC



Chrisovalante P. Fliakos, Esquire
Attorney for Plaintiff

VERIFICATION

I, Chrisovalante P. Fliakos, hereby certify that I am an Attorney for Plaintiff and am authorized to make this verification on Plaintiff's behalf. I verify that the facts and statements set forth in the forgoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. ' 4904, relating to unsworn falsification to authorities.



Name: Chrisovalante P. Fliakos, Esquire
Title: Attorney

EXHIBIT A

All that certain piece or parcel of land situate in the City of DuBois, County of Clearfield and Commonwealth of Pennsylvania, being bounded and described as follows, to wit:

Beginning at an iron pin on the westerly right of way of State Street, said iron pin also being at the southeast corner of Lot No. 7 in the John Reed Estate Subdivision, the plot which was filed June 15, 1984, in the Office of the Clearfield County Recorder;

Thence along the westerly right of way of said State Street, South 27 deg. 25 min. West, 53 feet to an iron pipe at the northeast corner of lands now or formerly of Terry and Theresa Hilliard;

Thence along the northerly line now or formerly of Hilliard, North 62 deg. 35 min. West, 84 feet to an iron pin at the southeasterly corner of Lot No. 5 of the John Reed Estate Subdivision;

Thence along the easterly line of said Lot No. 5, North 27 deg. 29 min. East, 53.0 feet to an iron pin at the southwesterly corner of Lot No. 6 of the John Reed Estate Subdivision;

Thence along the southerly lines of Lot No. 6 and Lot No. 7 of the John Reed Estate Subdivision, South 62 deg. 35 min. East, 84.0 feet to an iron pin on the westerly right of way of State Street and the place of beginning.

Together with the perpetual use of a non-exclusive right of way, 10 feet in width, for vehicular and pedestrian traffic, extending from East Long Avenue in a southerly direction over parts of Lot Nos. 2 and 3, a distance of 118 feet and thence in an easterly direction over Lots 3, 4 and 5, a distance of 130 feet, more or less to the subject premises conveyed herein.

Together with and under and subject to a sanitary sewer easement 17 feet in width along the northerly line of the premises herein conveyed, to accommodate an existing 8-inch sewer line for the use of said premises and for the purposes of maintenance, repair, replacement and removal of the same, with the right of ingress, egress and regress to and from the sanitary sewer easement for said premises.

Tax ID: 7.1-002-000-00323

Title to said premises is vested in Daniel Munoz, married individual

Being the same premises which Stephen D. Welsh, single, by Deed dated 06/23/2004 and recorded 07/01/2004 in Clearfield County in Instrument No. 200410678, granted and conveyed unto Daniel Munoz, married individual, in fee.

MILSTEAD & ASSOCIATES, L.L.C.
BY: **Chrisovalante P. Fliakos, Esquire**
Attorney ID# 94620
Woodland Falls Corporate Park
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400
ATTORNEY FOR PLAINTIFF

Our file No. 22.06752

Household Finance Consumer Discount
Company

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

Plaintiff,

Vs.

Daniel Munoz

Case No.: 07-1360-CD

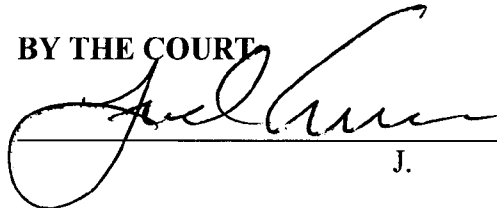
Defendant.

ORDER

This matter being opened to the Court by Chrisovalante P. Fliakos, Esquire, attorney for Plaintiff, Household Finance Consumer Discount Company, upon a Motion to Compel Sheriff to Return Service Forms to the Prothonotary for filing, and the Court having reviewed and considered the pleading submitted in connection with this matter and good cause shown:

IT IS on this 14 day of December, 2007 ORDERED that the Motion to Compel Sheriff's Department to Return Service Forms to the Prothonotary for filing is GRANTED and IT IS FURTHER ORDERED that the Sheriff shall return any and all Service Forms in regards to this case to the Prothonotary's Office to be filed within ten (10) days from the date of this Order.

BY THE COURT


J.

FILED

DEC 14 2007

William A. Shaw
Prothonotary/Clerk of Courts

ICC Sheriff
(without memo)

GP

{00207676}

JOHN R. LHOTA, P.C.
ATTORNEY AT LAW
110 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

LA

3cc
Any choice

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

HOUSEHOLD FINANCE CONSUMER
DISCOUNT COMPANY,
Plaintiff,

vs.

DANIEL MUNOZ,
Defendant.

*
*
*
*
*
*
*
*
*

No. 07-1360-CD

CERTIFICATE OF SERVICE

I, John R. Lhota, Attorney at Law, of John R. Lhota, P.C., whose address is 110 North Second Street, Clearfield, Pennsylvania 16830, certify that I am, and at all times hereinafter mentioned, was more than 18 years of age and that on the 26th day of December, 2007, I served a certified copy of the Order dated December 14, 2007 issued in the above-captioned matter by hand delivery upon:

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

and by United States first class mail upon the following on December 31, 2007:

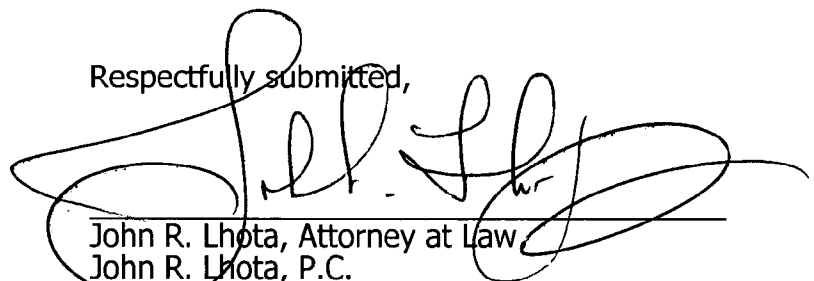
Mr. Daniel Munoz
8 South State Street
DuBois, PA 15801

Mr. Daniel Munoz
13 West Weber Street
DuBois, PA 15801

I certify under penalty of perjury that the foregoing is true and correct.

Executed on December 31, 2007

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; Pennsylvania

MILSTEAD & ASSOCIATES, L.L.C.

BY: **Heidi R. Spivak, Esquire**

Attorney ID# 74770

Woodland Falls Corporate Park

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

ATTORNEY FOR PLAINTIFF

FILED 1CC
01/10/55/01 Atty
JAN 25 2008 Spivak
William A. Shaw
Prothonotary/Clerk of Courts

Our file No. 22.06752

Household Finance Consumer Discount
Company.,

Plaintiff,

vs.

Daniel Munoz,

Defendants.

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

NO. 07-1360-CD

**MOTION FOR ALTERNATIVE SERVICE PURSUANT TO
PENNSYLVANIA R.C.P. 430**

TO THE HONORABLE JUDGE OF SAID COURT:

AND NOW, comes plaintiff, Household Finance Consumer Discount Company., by its attorney Heidi R. Spivak, Esquire and moves this Honorable Court for an Order permitting Alternative Service upon the Defendant, Daniel Munoz, by posting and tacking a copy of the Complaint in Mortgage Foreclosure upon the property known as 8 South State Street, Du Bois, PA 15801 and by certified and regular mail to Defendant's last known address pursuant to Pennsylvania Rule of Civil Procedure 430 and avers in support thereof:

1. Plaintiff filed suit against the Defendant, Daniel Munoz (the "Defendant") in Mortgage Foreclosure on or about August 23, 2007.
2. Plaintiff, Household Finance Consumer Discount Company., ("Plaintiff") is the mortgagee by way of an assignment to be recorded.
3. Plaintiff has made several attempts to effectuate service of the Complaint in Mortgage Foreclosure upon the Defendant, Daniel Munoz. Personal service was attempted on

{00032521}

the Defendant at 8 South State Street, Du Bois, PA 15801 by the Sheriff. The Sheriff has advised that the property is vacant. A true and correct copy of the Return of Service is attached hereto as Exhibit "A".

4. Plaintiff has made several attempts to effectuate service of the Complaint in Mortgage Foreclosure upon the Defendant, Daniel Munoz. Personal service was attempted on the Defendant at 13 West Weber Street, Du Bois, PA 15801 by the Sheriff. The Sheriff has advised that this address is occupied by tenants and the Defendant does not reside there. A true and correct copy of the Return of Service is attached hereto as Exhibit "B".

5. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. A copy of the Affidavit of Reasonable Investigation is attached to the Affidavit as Exhibit "C" and made a part hereof. Said investigation provides no new address information for the Defendant.

6. On August 29, 2007, the support staff of Milstead and Associates sent a request to the Postmaster of Clearfield, PA 16830, requesting any information on the whereabouts of the Defendant. The postal was returned stating that the Defendant moved and left no forwarding address.. A copy of this postal return is attached to the Affidavit as Exhibit "D" and made a part hereof.

7. Plaintiff has attempted to ascertain the present address of the Defendant, but has been unable to do so.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order permitting service upon said Defendant, Daniel Munoz, by posting and tacking a copy of the

Complaint in Mortgage Foreclosure on the property known as 8 South State Street, Du Bois, PA 15801 and by certified and regular mail, return receipt requested to the mortgaged premises and 13 West Weber Avenue, Du Bois, PA 15801.

Respectfully submitted,
MILSTEAD & ASSOCIATES, LLC

A handwritten signature in black ink, appearing to read "David A. Milstead", is written over a horizontal line.

Esquire

Attorney ID No.: 74770

MILSTEAD & ASSOCIATES, L.L.C.

BY: **Heidi R. Spivak, Esquire**

Attorney ID# 74770

Woodland Falls Corporate Park

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

ATTORNEY FOR PLAINTIFF

Our file No. 22.06752

Household Finance Consumer Discount
Company.,

Plaintiff,

vs.

Daniel Munoz,

Defendants.

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

NO. 07-1360-CD

**AFFIDAVIT IN SUPPORT OF
MOTION FOR ALTERNATIVE SERVICE**

STATE OF NEW JERSEY

:

SS

COUNTY OF CAMDEN

:

I, Heidi R. Spivak, Esquire, being duly sworn according to law, hereby depose and say that the facts set forth in the foregoing Motion for Alternative Service are true and correct to the best of my knowledge, information and belief.

1. Plaintiff filed suit against the Defendant, Daniel Munoz (the "Defendant") in Mortgage Foreclosure on or about August 23, 2007.

2. Plaintiff, Household Finance Consumer Discount Company., ("Plaintiff") is the mortgagee by way of an assignment to be recorded.

3. Plaintiff has made several attempts to effectuate service of the Complaint in Mortgage Foreclosure upon the Defendant, Daniel Munoz. Personal service was attempted on the Defendant at 8 South State Street, Du Bois, PA 15801 by the Sheriff. The Sheriff has advised that the property is vacant. A true and correct copy of the Return of Service is attached hereto as

{00032521}

Exhibit "A".

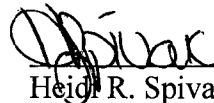
4. Plaintiff has made several attempts to effectuate service of the Complaint in Mortgage Foreclosure upon the Defendant, Daniel Munoz. Personal service was attempted on the Defendant at 13 West Weber Street, Du Bois, PA 15801 by the Sheriff. The Sheriff has advised that this address is occupied by tenants and the Defendant does not reside there. A true and correct copy of the Return of Service is attached hereto as Exhibit "B".

5. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. A copy of the Affidavit of Reasonable Investigation is attached to the Affidavit as Exhibit "C" and made a part hereof. Said investigation provides no new address information for the Defendant.

6. On August 29, 2007, the support staff of Milstead and Associates sent a request to the Postmaster of Clearfield, PA 16830, requesting any information on the whereabouts of the Defendant. The postal was returned stating that the Defendant moved and left no forwarding address.. A copy of this postal return is attached to the Affidavit as Exhibit "D" and made a part hereof.

7. Plaintiff has attempted to ascertain the present address of the Defendant, but has been unable to do so.

Milstead & Associates, LLC



Heidi R. Spivak, Esquire
Attorney ID No.: 74770

MILSTEAD & ASSOCIATES, L.L.C.

BY: **Heidi R. Spivak, Esquire**

Attorney ID# 74770

Woodland Falls Corporate Park

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

ATTORNEY FOR PLAINTIFF

Our file No. 22.06752

Household Finance Consumer Discount
Company.,

Plaintiff,

vs.

Daniel Munoz,

Defendants.

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

NO. 07-1360-CD

**MEMORANDUM OF LAW IN SUPPORT OF
MOTION FOR ALTERNATIVE SERVICE**

I. INTRODUCTION

This matter comes before the Court upon the motion of Plaintiff, Household Finance Consumer Discount Company., for an order permitting substituted service of the Complaint in Mortgage Foreclosure pursuant to Pa. R.C.Pro. 430(a) upon the Defendant, Daniel Munoz.

II. FACTS

Plaintiff filed suit against the Defendant, Daniel Munoz (the “Defendant”) in Mortgage Foreclosure on or about August 23, 2007.

Plaintiff, Household Finance Consumer Discount Company., (“Plaintiff”) is the mortgagee by way of an assignment to be recorded.

Plaintiff has made several attempts to effectuate service of the Complaint in Mortgage Foreclosure upon the Defendant, Daniel Munoz. Personal service was attempted on the Defendant at 8 South State Street, Du Bois, PA 15801 by the Sheriff. The Sheriff has advised that the property is vacant. A true and correct copy of the Return of Service is attached hereto as

{00032521}

Exhibit "A".

Plaintiff has made several attempts to effectuate service of the Complaint in Mortgage Foreclosure upon the Defendant, Daniel Munoz. Personal service was attempted on the Defendant at 13 West Weber Street, Du Bois, PA 15801 by the Sheriff. The Sheriff has advised that this address is occupied by tenants and the Defendant does not reside there. A true and correct copy of the Return of Service is attached hereto as Exhibit "B".

Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. A copy of the Affidavit of Reasonable Investigation is attached to the Affidavit as Exhibit "C" and made a part hereof. Said investigation provides no new address information for the Defendant.

On August 29, 2007, the support staff of Milstead and Associates sent a request to the Postmaster of Clearfield, PA 16830, requesting any information on the whereabouts of the Defendant. The postal was returned stating that the Defendant moved and left no forwarding address. A copy of this postal return is attached to the Affidavit as Exhibit "D" and made a part hereof.

Plaintiff has attempted to ascertain the present address of the Defendant, but has been unable to do so.

III LEGAL ARGUMENT

According to Pa. R.C.Pro. 430(a), a plaintiff may petition the court to provide an alternative method of service if the plaintiff cannot effectuate service upon the Defendant. The rule requires the affidavit presented in support of the motion for alternative service to state "the nature and extent of the investigation which has been made to determine the whereabouts of the Defendants and the reasons why service cannot be made." Pa.R.C.Pro. 430(a). The purpose of {00032521}

this procedure is to provide proof that a good faith effort has been made to effect service under normal methods.

Rule 430 provides in pertinent part:

If service cannot be made under the applicable rule the plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the Defendants and the reasons why service cannot be made.

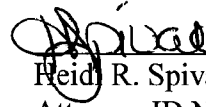
Pa.R.Civ.P. 430(a). It is well settled that, pursuant to Pa.R.Civ.P. 430(a), a method of substituted service which is reasonable calculated to give actual notice depending upon “what is reasonable under the circumstances, considering the interest at stake and the burden of providing notice” is acceptable. Romeo v. Looks, 369 Pa. Super. 608, 616 (1987).

The instant matter is a mortgage foreclosure action. Clearly, service upon the Defendant by posting the mortgaged premises, sending certified and regular mail to the Defendant’s last known address is reasonably calculated to provide notice to the Defendant in light of the efforts already made by the Plaintiff to effectuate personal service. Plaintiff has attached an affidavit to its Motion which sets forth the nature and extent of the investigation which has been made to determine the whereabouts of the Defendant. The Motion and the affidavit illustrate that Plaintiff has made a good faith effort to effectuate service under normal methods. Substituted service in the instant matter is appropriate under Pa.R.Civ.P. 430(a).

IV CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Complaint

in Mortgage Foreclosure by certified and regular mail to the Defendant's last known address and by posting of the mortgaged premises.

A handwritten signature in black ink, appearing to read "Heidi R. Spivak", is written over a horizontal line.

Heidi R. Spivak, Esquire
Attorney ID No.: 74770

MILSTEAD & ASSOCIATES, L.L.C.

BY: **Heidi R. Spivak, Esquire**

Attorney ID# 74770

Woodland Falls Corporate Park

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

ATTORNEY FOR PLAINTIFF

Our file No. 22.06752

Household Finance Consumer Discount
Company.,

Plaintiff,

vs.

Daniel Munoz,

Defendants.

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

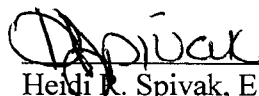
NO. 07-1360-CD

CERTIFICATE OF SERVICE

I, Chrisovalante P. Fliakos, Esquire, counsel for Plaintiff, Household Finance Consumer Discount Company, hereby certify that a copy of the foregoing Motion for Service Pursuant to Special Order of Court was served on the following persons by first class mail, postage pre-paid, on the 23rd day of January, 2008:

Daniel Munoz
8 South State Street
Du Bois, PA 15801

Daniel Munoz
13 West Weber Avenue
Du Bois, PA 15801



Heidi R. Spivak, Esquire
Attorney ID No. 74770

Exhibit A

{00032521}

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

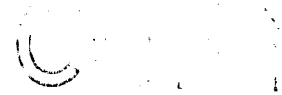
Sheriff Docket # **103122**

HOUSEHOLD FINANCE CONSUMER DISCOUNT COMPANY

Case # 07-1360-CD

vs.

DANIEL MUNOZ



TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW December 17, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO DANIEL MUNOZ, DEFENDANT. 8 SOUTH STATE ST., DUBOIS, PA. "VACANT".

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	36103	10.00
SHERIFF HAWKINS	MILSTEAD	36103	32.43

Sworn to Before me This

_____ Day of _____ 2007

So Answers,

Chester A. Hawkins
Sheriff

EXHIBIT “B”

{00032521}

22
106752
HC

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **103339**

HOUSEHOLD FINANCE CONSUMER DISCOUNT COMPANY

Case # 07-1360-CD

vs.

DANIEL MUNOZ

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW December 17, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO DANIEL MUNOZ, DEFENDANT. NEW TENANTS @ 13 W. WEBER AVE., DUBOIS, PA..

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	37769	10.00
SHERIFF HAWKINS	MILSTEAD	37769	41.86

Sworn to Before me This

_____ Day of _____ 2007

So Answers,



Chester A. Hawkins
Sheriff

EXHIBIT “C”

{00032521}

**Confidential
Investigative
Services, Inc.**

Plaintiff: Household Finance Consumer Discount Company

County: Clearfield

vs.

Term #: 07-1360-CD

Defendant: Daniel Munoz

Locate: Daniel Munoz

Address given: 8 South State Street, DuBois, PA 15801

**ATTENTION: Lisa Thomas
Michael Milstead, LLC
Woodland Falls Corporate Park
220 Lake Drive, East
#301
Cherry Hill, NJ 08002
File #: 22.06752**

AFFIDAVIT OF GOOD FAITH INVESTIGATION

LAST KNOWN ADDRESS

- 1) 8 South State Street, Du Bois, PA 15801
- 2) 13 West Weber Avenue, Du Bois, PA 15801

INQUIRY OF CREDIT BUREAU

The Credit Bureau reports the subject's most current address as 8 S. State Street, DuBois, PA 15801.

INQUIRY OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

The Pennsylvania Department of Transportation – Division of Motor Vehicles reports driver's license number 22762368 is issued to Daniel Mark Munoz at 13 West Weber Ave., Du Bois, PA 15801.

INQUIRY OF U.S. POST OFFICE (FOIA)

Requests have been forwarded to the Du Bois Post Office. The responses will be forwarded immediately upon receipt.

SEARCH OF LOCAL TELEPHONE DIRECTORIES & PHONE COMPANY OPERATOR CONTACT

The telephone company operator reports (814) 372-2314 issued in the subject's name on Olive Avenue in Du Bois, PA.

CONTACTS

- 1) No neighbors on S. State Street could be reached to confirm the subject's residency.
- 1) Contact was not able to be made at (814) 372-2314 (obtained from the subject's credit header) and the telephone company operator) as no answer was received.
- 2) No neighbors on W. Weber Avenue could be reached to confirm the subject's residency.
- 2) Contact was not able to be made at (814) 372-0952 (obtained from the subject's credit header) as notification was received that the number has been disconnected.

I CERTIFY UNDER PENALTY OF PERJURY, THAT THE FOREGOING IS TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

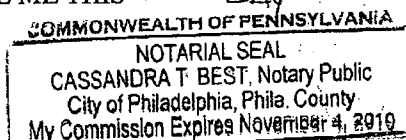
AFFIANT:

[Signature]
DIANE COWAN, CLI

235 South 13th Street
Philadelphia, PA 19107
(215) 546-7400
(800) 503-7400
Fax (215) 985-0169

SWORN & SUBSCRIBED BEFORE ME THIS 14th Day
OF September, 2007

[Signature]
NOTARY PUBLIC



Inquiry Information:

Date of Inquiry: 08/29/2007
UserID: DIANE

Subject Information: Name: munoz, daniel
SSN: 160-66-0968
Current Address: 8 state ST S
dubois, PA 15801

Report Results

* ADDRESS DISCREPANCY - NO SUBSTANTIAL DIFFERENCE OCCURRED *

* 229 EQUIFAX INFORMATION SERVICES LLC, P O BOX 740241,
, ATLANTA, GA, 30374-0241, 800/685-1111

*MUNOZ, DANIEL, M SINCE 09/06/92 FAD 07/09/07 FN-298
8, S STATE, ST, DU BOIS, PA, 15801, TAPE RPTD 08/04
TELEPHONE NUMBER (814) 372-2314 06/07
13, W WEBER, AVE, DU BOIS, PA, 15801, TAPE RPTD 11/00
TELEPHONE NUMBER (814) 372-0952 SPEC 10/04
31, MAHONING, MNR, PUNXSUTAWNEY, PA, 15767, TAPE RPTD 01/99
BDS-01/21/1972, SSS-160-66-0968, SSN MAT -
01 ES-, PENN PALLET
02 EF-NIGHT SHIFT MGR, MAC PAPERS&

END OF REPORT EQUIFAX AND AFFILIATES - 08/29/07

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
BUREAU OF DRIVER LICENSING
BASIC DRIVER INFORMATION
SEP 04 2007

DRIVER: DANIEL MARK MUNOZ
13 WEST WEBER AVE
DU BOIS, PA 15801

DRIVER LICENSE NO : 22762365
DATE OF BIRTH : JAN 21 1972
SEX : MALE
RECORD TYPE : REG LICENSE

DRIVER LICENSE (DL)

LICENSE CLASS : C
LICENSE ISSUE DATE: JAN 23 2004
LICENSE EXPIRES : JAN 22 2008
ORIG ISSUE DATE : SEP 06 1988
MED RESTRICTIONS : NONE
LEARNER PERMITS :
LICENSE STATUS :

COMMERCIAL DRIVER LICENSE (CDL)

CDL LICENSE CLASS :
CDL LICENSE ISSUED :
CDL LICENSE EXPIRES:
CDL ENDORSEMENTS : NONE
CDL RESTRICTIONS : NONE
CDL LEARNER PERMITS:
CDL LICENSE STATUS :

SB ENDORSEMENT :

PROBATIONARY LICENSE (PL)

PL LICENSE CLASS :
PL LICENSE ORIG ISS:
PL LICENSE ISSUED :
PL LICENSE EXPIRES :
PL LICENSE STATUS :

OCCUPATIONAL LIMITED LICENSE (OLL)

OLL LICENSE CLASS :
OLL LICENSE ISSUED :
OLL LICENSE EXPIRES:
OLL LICENSE STATUS :

*** END OF RECORD ***

BERTRAM, M J

8 S State St
Du Bois, PA 15801-1606
(814) 371-1799

MCDERMOTT, MATT

10 S State St
Du Bois, PA 15801-1606
(814) 375-0581

DELARME, MATTHEW E

10 S State St
Du Bois, PA 15801-1606
(814) 372-4535

BURROW, DAVID

12 S State St
Du Bois, PA 15801-1606
(814) 372-2090

No. 8- Bertram, M J- no answer

No. 10 – McDermott, Matt – no answer

No. 10 – Delarme, Matthew E – answer machine

No. 12 – No answer

SANDY, FRANK E

11 W Weber Ave
Du Bois, PA 15801-2022
(814) 371-8896

ROBBINS, JOHN R

15 W Weber Ave
Du Bois, PA 15801-2022
(814) 371-4285

DEPELLO, MICHAEL

15 W Weber Ave
Du Bois, PA 15801-2022
(814) 371-2543

No. 11 – no answer

No. 15 – Robbins, John R – answer machine

No. 15 – Depello, Michael – busy signal

CLARK, CRAIG A

12 W Weber Ave
Du Bois, PA 15801-2023
(814) 371-5939

CAVALIER, PAUL G

14 W Weber Ave
Du Bois, PA 15801-2023
(814) 371-2726

No. 12 – a busy signal

No. 14 – answer machine

Made an attempt to contact the subject at (814)372- 2314 (from credit header), however I received no answer.

Made an attempt to contact the subject at (814)372- 0952 (from credit header), however I received notification advising the number has been disconnected.

The telephone company operator reports (814)372- 2314 issued in the subject's name on Olive Avenue, Dubois, PA.

Exhibit "D"

Milstead & Associates, LLC

Attorneys at Law

Woodland Falls Corporate Park
220 Lake Drive East, Suite 301
Cherry Hill, New Jersey 08002

Tel (856) 482-1400 Fax (856) 482-9190

Michael J. Milstead, Esq.
michael@milsteadlaw.com

Pina S. Wertzberger, Esq. PA & NJ
pwertzberger@milsteadlaw.com

Lisa Ann Thomas, Foreclosure Administrator
lthomas@milsteadlaw.com

Philadelphia Address:
235 South 13th Street
Philadelphia, PA 19107

Please Reply To: NJ Office
Our File No.: 22.067521

Postmaster
DuBois, PA 15801

August 29, 2007
Request for Change of Address or Boxholder
Information Needed for Service of Legal Process

Please furnish the new address or the name and street address (if a boxholder) for the following:

Name: **Daniel Munoz**

Address: **8 South State Street, DuBois, PA 15801**

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address as required for boxholder information.

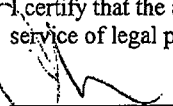
The Following information is provided in accordance with 39 CFR 265.6(d) (6) (ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d) (1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester: **Attorney**
2. Statue or regulation that empowers me to serve process: **N/A**
3. The names of all known parties to the litigation: **Household Finance Discount Company vs. Daniel Munoz**
4. The court in which the case has been or will be heard: **Clearfield**
5. The docket or other identifying number if one has been issued: **07-1360-CD**
6. The capacity in which this individual is to be served: **Defendant**

WARNING

THE SUBMISSION OF FALSE INFORMATION EITHER (1) TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.


Chrisovalante P. Fliakos, Esquire

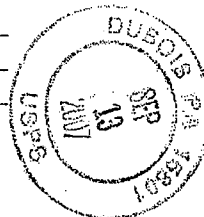
Woodland Falls Corporate Park
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002

FOR POST OFFICE USE ONLY

- ☐ No change of address order on file.
☐ Not known at address given.
☒ Moved, left no forwarding address.
☐ No such address.

NEW ADDRESS or BOXHOLDER'S
NAME and STREET ADDRESS

POSTMARK



{00188169}

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

HOUSEHOLD FINANCE CONSUMER DISCOUNT CO., *
Plaintiff *

vs. *

DANIEL MUNOZ *

Defendant

NO. 07-1360-CD

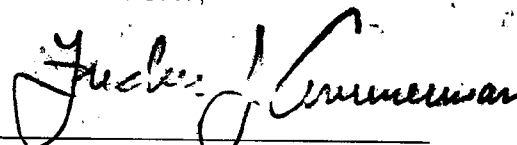
ORDER

NOW, this 25th day of January, 2008, the Plaintiff is granted leave to serve the
Complaint in Mortgage Foreclosure upon the Defendant **DANIEL MUNOZ** by:

1. Publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal;
2. By first class mail to 8 South State Street, DuBois, PA 15801 and the last known address of 13 West Weber Avenue, DuBois, PA 15801;
3. By certified mail, return receipt requested, to 8 South State Street, DuBois, PA 15801 and the last known address of 13 West Weber Avenue, DuBois, PA 15801; and
4. By posting the mortgaged premises known in this herein action as 8 South State Street, 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.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED 3CC
01/10/36/ST
JAN 28 2008 Amy Spivak

William A. Shaw
Prothonotary/Clerk of Courts

MILSTEAD & ASSOCIATES, LLC
BY: Heidi R. Spivak, Esquire
ID No. 74770
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff
File No. 22.06752

**Household Finance Consumer Discount
Company,**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

Plaintiff,

Vs.

No.: 07-1360-CD

Daniel Munoz,

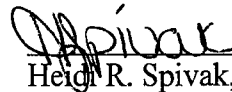
**Praeipce to Reinstate Complaint in
Mortgage Foreclosure**

Defendant.

TO THE PROTHONOTARY:

Kindly reinstate the Complaint in Mortgage Foreclosure for the above captioned matter.

MILSTEAD & ASSOCIATES, LLC



Heidi R. Spivak, Esquire
Attorney ID No. 74770

FILED
m 11:43 AM
JAN 20 2008
Atty pd. 7.00
1 Compl. Reinstated
to Atty
1 Compl. Reinstated
to Sheriff
GK
William A. Shaw
Prothonotary/Clerk of Courts

MILSTEAD & ASSOCIATES, LLC
BY: Heidi R. Spivak, Esquire
ID No. 74770
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff
File No. 22.06752

**Household Finance Consumer Discount
Company,**

Plaintiff,

Vs.

Daniel Munoz,

Defendant.

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.: 07-1360-CD

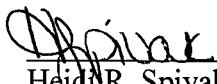
Entry of Appearance

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of the Plaintiff, **Household Finance Consumer Discount Company**, in the above captioned matter.

MILSTEAD & ASSOCIATES, LLC



Heidi R. Spivak, Esquire
Attorney ID No. 74770

FILED NO CC
m 11:37
JAN 25 2008 (6K)

William A. Shaw
Prothonotary/Clerk of Courts

MILSTEAD & ASSOCIATES, LLC
BY: Heidi R. Spivak, Esquire
ID No. 74770
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff
File No. 22.06752

**Household Finance Consumer Discount
Company,**

Plaintiff,

Vs.

Daniel Munoz,

Defendant.

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

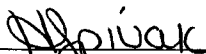
No.: 07-1360-CD

**Praecipe to Reinstate Complaint in
Mortgage Foreclosure**

TO THE PROTHONOTARY:

Kindly reinstate the Complaint in Mortgage Foreclosure for the above captioned matter.

MILSTEAD & ASSOCIATES, LLC


Heidi R. Spivak, Esquire
Attorney ID No. 74770

FILED Atty pd. 7.00
MTB:51/61
FEB 21 2008
(LW) Compl. Reinstated
William A. Shaw to Sheriff
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103681
NO: 07-1360-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE & PRAECIPE

PLAINTIFF: HOUSEHOLD FINANCE CONSUMER DISCOUNT COMPANY
vs.
DEFENDANT: DANIEL MUNOZ

SHERIFF RETURN

NOW, February 19, 2008 AT 11:25 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & PRAECIPE ON DANIEL MUNOZ DEFENDANT AT RESIDENCE 118 OLIVE AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO AMY MUNOZ, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE & PRAECIPE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET


FILED
9/2:34/01
MAY 21 2008
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	41145	10.00
SHERIFF HAWKINS	MILSTEAD	41145	66.57

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103797
NO: 07-1360-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE & ORDER

PLAINTIFF: HOUSEHOLD FINANCE CONSUMER DISCOUNT CO.
vs.
DEFENDANT: DANIEL MUNOZ

SHERIFF RETURN

NOW, February 29, 2008 AT 11:02 AM POSTED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & ORDER FOR DANIEL MUNOZ AT 8 SOUTH STATE ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: NEVLING /

FILED
0/3:40^{LM}
JUN 17 2008
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103797
NO: 07-1360-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: HOUSEHOLD FINANCE CONSUMER DISCOUNT CO.
vs.
DEFENDANT: DANIEL MUNOZ

SHERIFF RETURN

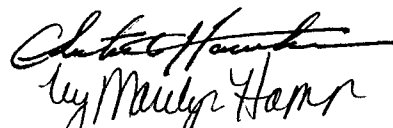
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	42010	10.00
SHERIFF HAWKINS	MILSTEAD	42010	28.60

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff