

07-1527-CD

Capital One Bank vs R. Ingham

FILED

SEP 17 2007

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William A. Shaw
Prothonotary/Clerk of Courts
1 cent to SHFG

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CAPITAL ONE BANK

Plaintiff

v.

RONALD F INGHAM

Defendant(s)

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NO. 2007-1527-C0

**COMPLAINT IN CIVIL
ACTION**

Filed on behalf of:
CAPITAL ONE 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CAPITAL ONE BANK

Plaintiff

v.

RONALD F INGHAM

Defendant(s)

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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 an 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.

Usted ha sido demandado en corte. Si usted desea defenderse de las demandas que se presentan mas adelante en las siguientes paginas, debe tomar accion dentro de los proximos veinte (20) dias despues de la notificacion de esta Demanda y Aviso radicando personalmente o por medio de un abogado una comparecencia escrita y radicando en la Corte por escrito sus defensas de, y objeciones a, las demandas presentadas aqui en contra suya. Se le advierte de que si usted fall de tomar accion como se describe anteriormente, el caso pude proceder sin usted y un fallo por cualquier suma de dinero reclamada en la demanda o cualquier reclamacion o remedio solicitado por el demandante puede ser dictado en contra suya por la Corte sin mas aviso adicional. Usted puede perder dinero o propiedad au otros derechos importantes para usted.

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

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, LLAME O VAYA A LA SIGUENTE OFICINA. ESTA OFICINA PUEDE PROVEERLE INFORMACION A CERCA DE COMO CONSEGUIR UN ABOGADO

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.

SI USTED NO PUEDE PAGAR POR LOS SERVICIOS DE UN ABOGADO, ES POSSIBLE QUE ESTA OFICINA LE PUEDA PROVEER INFORMACION SOBRE AGENCIAS QUE OFREZCAN SERVICIOS LEGALES SIN CARGO O BAJO COSO A PERSONAS QUE CALIFICAN.

CLEARFIELD COUNTY COURTHOUSE
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
230 EAST MARKET STREET
CLEARFIELD, PA 16830
814-765-2641

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
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Plaintiff

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COMPLAINT IN CIVIL ACTION

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

1. Plaintiff, CAPITAL ONE 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 St Carnegie, Pennsylvania 15106.
2. Defendant is RONALD F INGHAM, an adult individual, believed to currently reside at 15 NAVAJO TRL DU BOIS, PA 15801-8860.
3. Heretofore, the Defendant(s) opened a account with Plaintiff being Account No. 4862362144221572, for the purchase of good and services.
4. The Defendant(s) has/have made or authorized a number of purchases and as of January 22, 2007, Defendant(s) owes \$1,133.82 on said account plus interest.
5. Plaintiff maintains accurate books of account recording all credits and debits for this account.

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

7. The Defendant(s) made payments, but have/has refused to pay, and now refuses to pay the balance due and owing on the aforesaid account in the sum of \$1,133.82, 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(s) have/has assented to and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

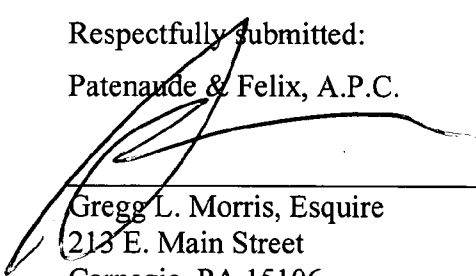
9. Despite repeated demands, Defendant(s) have/has failed to make the required installment payments when due and therefore the full amount of the account is now due and payable.

WHEREFORE, Plaintiff demands Judgment in its favor, and against Defendant(s), in the amount of \$1,133.82, 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.

Date: _____



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


7.2.2077
PS

STATE OF GEORGIA

COUNTY OF GWINNETT

Personally appeared before me MAISHA DAVIS, who being duly sworn, made oath that he/she is an authorized agent of CAPITAL ONE BANK, and that he/she is authorized to make this affidavit, and to the best of his/her knowledge and belief, INGHAM, RONALD F is/are justly indebted to CAPITAL ONE BANK in the sum of \$1475.88 Dollars as of 01/06/2007 with 27.74% interest from said date, and reasonable attorney fees, and that the annexed account which is made part hereof is a true and correct statement of said indebtedness. To the best of my knowledge, none of the above named defendant(s) is/are active duty in the military service of the United States or any of its allies as defined in the Soldiers and Sailor's Relief Act of 1940 with amendments.

Given under my hand this 23rd day of January, 2007.



Affiant

Taken, subscribed and sworn to before me,

Cortney T. Cherry

Notary Public in and for the City/County and State aforesaid, in my City/County aforesaid this 23rd day of January, 2007.

CORTNEY T. CHERRY


Notary Public

NOTARY PUBLIC FOR THE STATE OF GEORGIA
COMMISSION EXPIRES OCTOBER 15, 2007

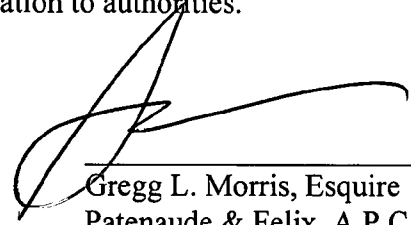
My commission expires on

A144
PATENAUDE & FELIX, A.P.C
4862362144221572

VERIFICATION

The undersigned is an authorized agent of the Plaintiff and verifies that the facts and statements made herein are true and correct based upon my knowledge, information and belief. Counsel has signed the verification as a matter of time and convenience. The verification of the party can be provided if requested. The statements are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Date: _____

A handwritten signature in black ink, appearing to read 'Gregg L. Morris', is written over a horizontal line.

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

PATENAUDE & FELIX, A.P.C.

A PROFESSIONAL LAW CORPORATION

INDICATED

[X] PLEASE REPLY TO OFFICE

[] 4545 MURPHY CANYON RD., 3RD FL
SAN DIEGO, CALIFORNIA 92123
TEL (858) 244-7600 (800) 832-7675
FAX (858) 836-0318

[X] 213 EAST MAIN STREET
CARNEGIE, PENNSYLVANIA 15106
TEL (412) 429-7675 (866) 772-7675
FAX (412) 429-7679

[] 1771 EAST FLAMINGO RD., STE. 112A
LAS VEGAS, NEVADA 89119
TEL (702) 952-2032 (800) 867-3092
FAX (702) 992-6286

July 26, 2007

PROTHONOTARY
230 EAST MARKET STREET
CLEARFIELD PA 16830

Re.: CAPITAL ONE BANK v. RONALD F INGHAM
Our File No.: 762.7077

To Whom it May Concern:

Enclosed you will find a Complaint in Civil Action for filing along with a check in the amount of \$85.00 which represents the filing fee. Please file the original and kindly return time stamped copies of the extra cover sheet(s) to my office in the enclosed envelope. Your cooperation in doing so is greatly appreciated.

NO ENVELOPE ?
-WJ

____ Upon filing, please forward the Complaint to the Sheriff along with the Sheriff's Instructions and check in the amount of \$100.00 for service upon the above named Defendant(s).

Please contact me if you have any questions or require additional information.

Sincerely yours,


GREGG MORRIS, ESQUIRE

Enclosure

THIS COMMUNICATION IS FROM A DEBT COLLECTOR

SEP 17 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CAPITAL ONE BANK

Plaintiff

v.

RONALD F INGHAM

Defendant(s)

NO. 2007-1527-C0

**COMPLAINT IN CIVIL
ACTION**

Filed on behalf of:
CAPITAL ONE 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

Date: 9/17/2007
Time: 01:45 PM

Clearfield County Court of Common Pleas
Receipt

NO. 1920698
Page 1 of 1

Received of: Patenaude & Felix \$ 85.00

Eighty-Five and 00/100 Dollars

Case: 2007-01527-CD	Plaintiff: Capital One Bank vs. Ronald F.	Amount
Civil Complaint		85.00
Total:		85.00

Check: 15386

Payment Method: Check
Amount Tendered:
Change Returned:
Clerk: BILLSHAW

85.00
0.00

William A. Shaw, Prothonotary/Clerk of Cou
By: _____
Deputy Clerk

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103207
NO: 07-1527-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK
vs.
DEFENDANT: RONALD F. INGHAM

SHERIFF RETURN

NOW, October 01, 2007 AT 2:05 PM SERVED THE WITHIN COMPLAINT ON RONALD F. INGHAM DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RONALD F. INGHAM, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HAWKINS /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PATENAUDE	15445	10.00
SHERIFF HAWKINS	PATENAUDE	15445	37.84

FILED

01/31/08

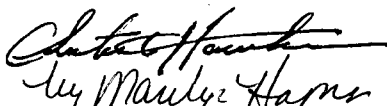
JAN 31 2008

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008
-2007

So Answers,


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CAPITAL ONE BANK

Plaintiff

v.

RONALD F INGHAM

Defendant(s)

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NO. 07-1527-CD

**PRAECIPE TO
DISCONTINUE WITH
PREJUDICE**

Filed on behalf of:
CAPITAL ONE 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
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OCT 03 2008 issued to Art
Morris

S
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CAPITAL ONE BANK

Plaintiff

v.

RONALD F INGHAM

Defendant(s)

NO. 07-1527-CD

PRAECIPE TO DISCONTINUE WITH PREJUDICE

TO: Prothonotary

Please discontinue the matter captioned above with prejudice. Thank you.

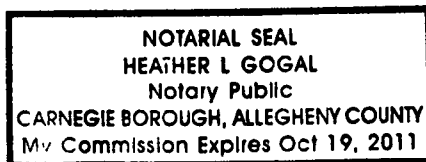
Respectfully submitted:
Patenaude & Felix, A.P.C.

Date: September 29, 2008

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

Sworn to and subscribed before me this
30th day of Sept., 2008.

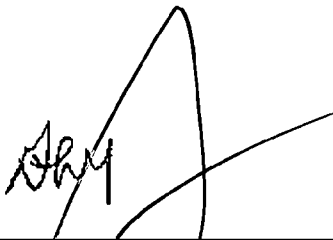
Heather L Gogal
Notary Public



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

Ronald F Ingham
15 Navajo Trl
Du Bois PA 15801-8860

Date: September 20, 2008



Gregg L. Morris, Esquire
Paternaudo & Felix, A.P.C.
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Capital One Bank (U.S.A.), N.A.

Vs.

No. 2007-01527-CD

Ronald F. Ingham

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 October 3, 2008, marked:

Discontinued with prejudice

Record costs in the sum of \$85.00 have been paid in full by Patenaude & Felix A.P.C..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 3rd day of October A.D. 2008.



LM

William A. Shaw, Prothonotary