

07-1637-CD
R. Sabbato vs R. Johnston al

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

ROBERT E. SABBATO, JR.,
Plaintiff

vs.

ROBERT E. JOHNSTON and
CHERYL A. JOHNSTON,
husband and wife,
Defendants

* * * * *

* No. 2007-1637 -CD

FILED

OCT 09 2007

0 / 11:50 (m)

William A. Shaw
Prothonotary/Clerk of Courts

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Notes

CIVIL ACTION - COMPLAINT IN CONFESSION OF JUDGMENT

Plaintiff, ROBERT E. SABBATO, JR., by his attorney, DAVID S. AMMERMAN, files this
Complaint in Confession of Judgment for Money:

1. Robert E. Sabbato, Jr., is an adult individual whose address is Old Route 322, P.O. Box 121, Mifflintown, Pennsylvania 17059 (hereinafter referred to as "Plaintiff").

2. Robert E. Johnston and Cheryl A. Johnston are husband and wife are individuals residing within the Commonwealth of Pennsylvania whose address is P.O. Box 8, Shawville, Pennsylvania 16873 (hereinafter referred to as "Defendants")

3. On August 16, 2007 Defendants executed a Promissory Note in favor of Plaintiff in the original principal amount of \$3,081.32, which Note authorized the confession of judgment against the Defendants. The original Note is attached hereto marked Exhibit "A" and incorporated by reference as if fully set forth herein.

4. The Note has not been released, transferred or assigned.

5. Judgment has not been entered against the Defendant on the Note in any jurisdiction.

6. The Note authorizes the entry of judgment without default or the occurrence of any condition precedent.

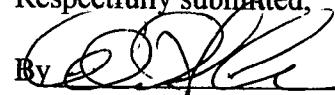
7. An itemization of the amount due, including interest and attorneys' fees as authorized by the Note is as follows:

Principal	<u>\$3,081.32</u>
Interest to <u>10/9/2007</u>	<u>\$ 43.90</u>
Attorneys' fees (<u>10%</u>)	<u>\$ 500.00</u>
TOTAL	<u>\$3,625.22</u>

WHEREFORE, the Plaintiff, as authorized by the Warrant of Attorney contained in the Note, demands judgment against the Defendants in the total sum of \$3,625.22, with interest on the principal sum of (\$3,081.32) from October 9, 2007 at the rate of ten (10%) percent per annum, and brings said instrument to Court to recover said sum.

Respectfully submitted,

By



David S. Ammerman, Esquire
Attorney for Plaintiff

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

ROBERT E. SABBATO, JR.,
Plaintiff

vs.

ROBERT E. JOHNSTON and
CHERYL A. JOHNSTON,
husband and wife,
Defendants

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No. 2007- -CD

CONFESSSION OF JUDGMENT

Pursuant to the Warrant of Attorney contained in the aforementioned Promissory Note, the original or copy of which is attached to the Complaint filed in this action, I appear for the Defendants and confess judgment in favor of Plaintiff and against the Defendants as follows:

Principal	<u>\$3,081.32</u>
Interest to <u>10/9/2007</u>	<u>\$ 43.90</u>
Attorneys' fees (<u>10%</u>)	<u>\$ 500.00</u>
TOTAL	<u>\$3,625.22</u>

with interest from October 9, 2007 on the principal sum (\$3,081.32) at the rate of ten (10%) percent per annum.

Respectfully submitted,

Dated: October 9, 2007

By 
David S. Ammerman, Esquire
PA I.D. #06801
Attorney for Defendants
Robert E. & Cheryl A. Johnston

AFFIDAVIT OF NON-MILITARY SERVICE

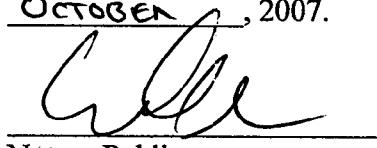
COMMONWEALTH OF PENNSYLVANIA :
:SS
COUNTY OF CLEARFIELD :

Before me, the undersigned authority, a Notary Public, in and for said County and State, personally appeared DAVID S. AMMERMAN, attorney for and authorized representative of Plaintiff who, being duly sworn according to law, deposes and says that the Defendants, Robert E. Johnston and Cheryl A. Johnston, are not in the military service of the United States of America to the best of his knowledge, information and belief.



David S. Ammerman, Esquire
Attorney for Plaintiff

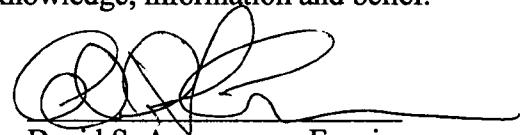
SWORN to and SUBSCRIBED
before me this 9th day of
OCTOBER, 2007.



Notary Public

VERIFICATION

DAVID S. AMMERMAN, ESQUIRE, attorney for and duly authorized representative of the Plaintiff, Robert E. Sabbato, Jr., deposes and says subject to the penalties of 18 Pa. C.S.A. Section 4909 relating to unsworn falsification to authorities that the facts set forth in the foregoing Complaint in Confession of Judgment are true and correct to the best of his knowledge, information and belief.



David S. Ammerman, Esquire
Attorney for Plaintiff

PROMISSORY NOTE

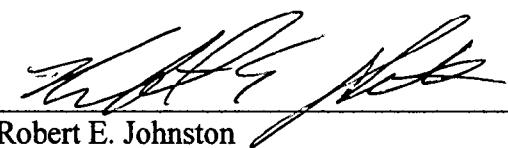
AMOUNT: \$3,081.32

DATE: August 16, 2007

ONE DAY AFTER THIS DATE, THE UNDERSIGNED, **ROBERT E. JOHNSTON AND CHERYL A. JOHNSTON, OF P.O. BOX 8, SHAWVILLE, PENNSYLVANIA 16873**, JOINTLY AND SEVERALLY, DO PROMISE TO PAY TO THE ORDER OF **ROBERT E. SABBATO, JR, OF MIFFLINTOWN, PENNSYLVANIA**, WITHOUT OFFSET, FOR VALUE RECEIVED, THE SUM OF **\$3,081.32** TOGETHER WITH INTEREST AT THE RATE OF TEN (10%) PERCENT PER ANNUM ON THE UNPAID BALANCE.

MAKERS IRREVOCABLY AUTHORIZE AND EMPOWER THE PROTHONOTARY, ANY ATTORNEY OR ANY CLERK OF ANY COURT OF RECORD, WITH OR WITHOUT DEFAULT, TO APPEAR FOR AND **CONFESS JUDGMENT** AGAINST MAKERS FOR SUCH SUMS AS ARE DUE AND/OR MAY BECOME DUE UNDER THIS NOTE, WITH COSTS OF SUIT, WITHOUT STAY OF EXECUTION AND WITH TEN PERCENT (10%) OF THE AMOUNT OF SUCH JUDGMENT, BUT NOT LESS THAN FIVE HUNDRED DOLLARS (\$500.00) ADDED FOR ATTORNEYS' COLLECTION FEES. TO THE EXTENT PERMITTED BY LAW, MAKERS RELEASE ALL ERRORS IN SUCH PROCEEDINGS. IF A COPY OF THIS NOTE, VERIFIED BY OR ON BEHALF OF THE HOLDER SHALL HAVE BEEN FILED IN SUCH ACTION, IT SHALL NOT BE NECESSARY TO FILE THE ORIGINAL NOTE AS A WARRANT OF ATTORNEY. THE AUTHORITY AND POWER TO APPEAR FOR AND **CONFESS JUDGMENT** AGAINST MAKERS SHALL NOT BE EXHAUSTED BY THE INITIAL EXERCISE THEREOF AND MAY BE EXERCISED AS OFTEN AS THE HOLDER SHALL FIND IT NECESSARY AND DESIRABLE AND THIS NOTE SHALL BE A SUFFICIENT WARRANT THEREFORE.

WITH INTENT TO BE LEGALLY BOUND, the undersigned do hereby execute the within instrument as of the day and year first above written.



Robert E. Johnston



Cheryl A. Johnston

EXHIBIT "A"

FILED

OCT 09 2007

William A. Shaw
Prothonotary/Clerk of Courts

ROBERT E. SABBATO, JR.,
Plaintiff

vs.

ROBERT E. JOHNSTON AND
CHERLY A. JOHNSTON, h&w,
Defendants

COMPLAINT IN CONFESSION
OF JUDGMENT

DAVID S. AMMERMAN
Attorney at Law
310 EAST CHERRY STREET
CLEARFIELD, PA 16830

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

Leave over margin

DAVID S. AMMERMAN
Attorney at Law
310 EAST CHERRY STREET CLEARFIELD, PA 16830

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NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Robert E. Sabbato Jr.

Vs.

No. 2007-01637-CD

Robert E. Johnston and
Cheryl A. Johnston, husband and wife

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered
against you in the amount of \$\$3,625.22 on October 9, 2007.

William A. Shaw
Prothonotary

William A. Shaw

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

ROBERT E. SABBATO, JR.

Plaintiff

: No. 2007-1637-CD

vs.

: Type of Case: Civil

ROBERT E. JOHNSTON and CHERYL

A. JOHNSTON, husband and wife,

Defendant

: Type of Filing: Praeclipe for Satisfaction
of Judgment

: Counsel of Record for Plaintiff:

: David S. Ammerman, Esquire
310 East Cherry Street
Clearfield PA 16830
(814) 765-1701

SEARCHED *PA \$7.00 Att'y*
FILED *1CC 101*
01/11/2013 *of set issued*
ATT'D *to Att'y*
jm *Wood*
William A. Shaw
Prothonotary Clerk of Courts

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

ROBERT E. SABBATO, JR.,
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vs.

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Defendants

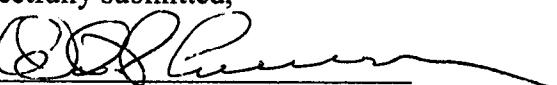
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* No. 2007- 1637 -CD
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PRAECIPE FOR SATISFACTION OF JUDGMENT

TO: WILLIAM A. SHAW, PROTHONOTARY

Please mark the judgment entered against the above Defendants satisfied.

Respectfully submitted,

By 

David S. Ammerman, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2007-01637-CD

Robert E. Sabbato Jr.

Debt: \$3,625.22

Vs.

Atty's Comm.:

Robert E. Johnston
Cheryl A. Johnston

Interest From:

Cost: \$7.00

NOW, Thursday, April 09, 2009, directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 9th day of April, A.D 2009.



Prothonotary