

07-1853-CD
Capital One vs Gladys Wilson

105674

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CAPITAL ONE BANK
(Plaintiff)

CIVIL ACTION

c/o 2417 Welsh Road Suite 21 #520
(Street Address)

No. 07-1853-CD

Phila., PA 19114
(City, State ZIP)

Type of Case: Civil Complaint

Type of Pleading:

VS.

Filed on Behalf of:

GLADYS A WILSON
(Defendant)

CAPITAL ONE BANK
(Plaintiff/Defendant)

601 HARRY ST.
(Street Address)

HOUTZDALE PA 16651
(City, State ZIP)

David J. Apothaker, Esquire

(Filed by)

2417 Welsh Road Suite 21 #520 Phila., PA 19114

(Address)

215-634-8920

(Phone)

(Signature)

FILED

NOV 13 2007

Any pd. 85.00

ICC Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

Attorneys for Plaintiff

Defendant.

)

7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$4,519.66.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$4,519.66. The Plaintiff requests that the Court award Plaintiff its attorney's fees and costs to the extent permitted by applicable law.

APOTHAKE & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: _____

David J. Apothaker

Dated: 11/1/2007

Our File No.: 105674

VERIFICATION

Randy Peltz, hereby states that I am Agent for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Randy Peltz

DATE:

CAPITAL ONE BANK
c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

GLADYS A WILSON
601 HARRY ST
HOUTZDALE, PA 16651

STATEMENT OF ACCOUNT

Debtor's Name:	GLADYS A WILSON
Account Number:	5291071635690397
Balance Due:	\$4,519.66

Our File No.: 105674

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103434
NO: 07-1853-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK
vs.
DEFENDANT: GLADYS A. WILSON

FILED
FEB 28 2008
07:30 PM
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, December 12, 2007 AT 11:05 AM SERVED THE WITHIN COMPLAINT ON GLADYS A. WILSON DEFENDANT AT 601 HARRY ST., HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GLADYS A. WILSON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	64575	10.00
SHERIFF HAWKINS	APOTHAKE	64575	35.46

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,


Chester A. Hawkins
Sheriff

Our File No.: 105674
BY: David J. Apothaker, Esquire, Esq.
APOTHAKER & ASSOCIATES, P.C.
Attorney I.D.# 38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff

FILED

AUG 11 2008

William A. Shaw
Prothonotary/Clerk of Courts

1 CEM to ATT
(610)

CAPITAL ONE BANK	)	COURT OF COMMON PLEAS OF
C/O David J. Apothaker, Esq.	)	CLEARFIELD COUNTY
2417 Welsh Rd., Ste. 520 #21)	
Philadelphia, PA 19114	)	NO.: 07-1853-CD
Plaintiff,)	
vs.	)	Civil Action
GLADYS A WILSON)	
601 HARRY ST)	
HOUTZDALE, PA 16651)	
Defendant.)	

PRAECIPE TO SUBSTITUTE PARTY PLAINTIFF AS PER Pa RULE 2352 (a)

TO THE PROTHONOTARY:

Kindly substitute as Party Plaintiff, Capital One Bank (USA), N.A., in this action.

The right to substitution is based upon the following facts: Capital One Bank (USA), N.A., is the successor, who by operation of law, has succeeded to the interest of, CAPITAL ONE BANK. Defendant's rights will not be prejudiced by this change.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff

By:

David J. Apothaker

Dated: August 6, 2008

Our File No.: 105674
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

5
FILED *Atty paid 20.00*
m 1:16 p.m. GL 1CC + Statement to Atty
FEB 20 2009 *1CC + Notice De F.*
William A. Shaw
Prothonotary/Clerk of Courts

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
	)	NO.: 07-1853-CD
GLADYS A WILSON)	
	)	Civil Action
Defendant.)	
)	

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, CAPITAL ONE BANK (USA), N.A., and against Defendant, GLADYS A WILSON, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on December 12, 2007 by the CLEARFIELD Sheriff's Department. Copies of the proofs of service are attached hereto as Exhibit "A".

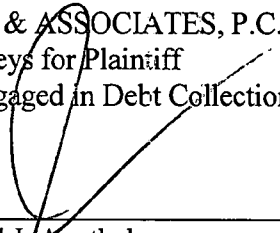
I certify, a copy of the Notice of Intention To Take Default was mailed on March 10, 2008, and also attached hereto.

Assess damages in the amount of:

(a)	Balance:	\$4,519.66
(b)	Interest from November 01, 2007	\$199.63
(c)	Costs	\$379.46
TOTAL		\$5,098.75

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By:



David J. Apothaker

Dated: 2/10/2009

**OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS**

TO: GLADYS A WILSON
601 HARRY ST
HOUTZDALE, PA 16651

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
	)	NO.: 07-1853-CD
GLADYS A WILSON)	
)	
Defendant.	)	Civil Action

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

- ☒ JUDGMENT BY DEFAULT
- ☐ JUDGMENT IN REPLEVIN
- ☐ JUDGMENT BY CONFESSION
- ☐ JUDGMENT FOR POSSESSION
- ☐ JUDGMENT ON AWARD OF ARBITRATORS
- ☐ JUDGMENT ON VERDICT
- ☐ JUDGMENT ON COURT FINDINGS
- ☐ JUDGMENT ON WRIT OF REVIVAL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apothaker, Esq. at this telephone number: 215-634-8920

Our File No.: 105674
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
	)	NO.: 07-1853-CD
GLADYS A WILSON)	
	)	Civil Action
Defendant.)	
)	

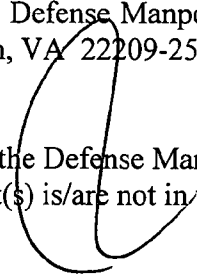
AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 601 HARRY ST HOUTZDALE, PA 16651.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavelly-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.



David J. Apothaker
Attorney for Plaintiff

The above signed understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Department of Defense Manpower Data Center

FEB-10-2009 08:59:56



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
WILSON	GLADYS A	Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

Our File No.: 105674
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff

CAPITAL ONE BANK	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
)	
	)	NO. 07-1853-CD
GLADYS A WILSON)	
601 HARRY ST)	
HOUTZDALE, PA 16651)	
Defendant.)	
)	

**NOTICE OF INTENTION
TO TAKE DEFAULT**

TO: GLADYS A WILSON

DATE OF NOTICE: March 10, 2008

IMPORTANT NOTICE

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice as set forth above, a judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

/s/ David J. Apothaker
DAVID J. APOTHAKE, ESQUIRE
A Law Firm Engaged in Debt Collection
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff
Attorney ID #38423

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103434
NO: 07-1853-CD
SERVICE # 1 OF 1
COMPLAINT

COPY

PLAINTIFF: CAPITAL ONE BANK
vs.
DEFENDANT: GLADYS A. WILSON

SHERIFF RETURN

NOW, December 12, 2007 AT 11:05 AM SERVED THE WITHIN COMPLAINT ON GLADYS A. WILSON DEFENDANT AT 601 HARRY ST., HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GLADYS A. WILSON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	64575	10.00
SHERIFF HAWKINS	APOTHAKE	64575	35.46

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Capital One Bank
Capital One Bank (USA), N.A.
Plaintiff(s)

No.: 2007-01853-CD

Real Debt: \$5,098.75

Atty's Comm: \$

Costs: \$

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 20, 2009

Expires: February 20, 2014

Vs.

Gladys A. Wilson
Defendant(s)

Certified from the record this 20th day of February, 2009.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

COPY