

07-1981-CD

Citibank vs Gina English

FILED

DEC 04 2007

m/12:15/wm  
William A. Shaw  
Prothonotary/Clerk of Courts

1 cert to staff

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

GINA ENGLISH

Defendant

No: 2007-1981-C0

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt, 42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
436 Seventh Avenue, Suite 2718  
Pittsburgh, PA 15219  
(412) 434-7955  
FAX: 412-338-7130  
06214020 C J Pit SJS

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

Civil Action No

GINA ENGLISH

Defendant

COMPLAINT AND 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.

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.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET ST., SUITE 228  
CLEARFIELD, PA 16830  
(814) 765-2641, ext 1300-1301

## COMPLAINT

1. Plaintiff is CITIBANK (SOUTH DAKOTA) NA with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota, 57117.

2. Defendant is adult individual(s) residing at the address listed below:

GINA ENGLISH  
11 CHERRY ST  
WALLACETON, PA 16876

3. Plaintiff is a national banking association, engaged in consumer lending through the issuance of credit cards.

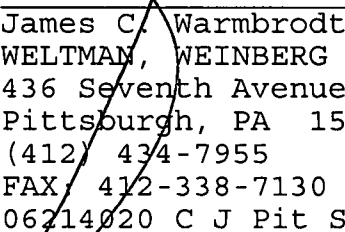
4. Pursuant to Defendant's request, Plaintiff furnished to the Defendant a credit card account (hereinafter account) bearing account number 5491130368367942 .

5. Plaintiff kept accurate running records of all debits and credits to the Account.

6. Plaintiff mailed to Defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.

7. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$10826.46 , which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , GINA ENGLISH , INDIVIDUALLY , in the amount of \$10826.46 with continuing interest thereon at the rate of 6.000% per annum from date of judgment plus costs.



---

James C. Warmbrodt, 42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
436 Seventh Avenue, Suite 2718  
Pittsburgh, PA 15219  
(412) 434-7955  
FAX: 412-338-7130  
06214020 C J Pit SJS



# AT&T Universal Card

06214020

Page 1 of 3

## AT&T Universal Platinum Card

Charter Member  
 GINA ENGLISH  
 Account 5491 1303 6836 7942  
 Calling Card + PIN  
 June 22 - July 24, 2007

**How To Reach Us**  
 Visit: [www.universalcard.com](http://www.universalcard.com)  
 Customer Service: 1-800-423-4343 or write  
 Cardmember Services, PO Box 44167  
 Jacksonville, FL 32231-4167

### Quick Reference

Minimum Payment Due..... **\$10,826.46**  
 Due Date\*..... **August 17, 2007**  
\*Payment must be received by 5:00 pm local time on the payment due date.

Amount Past Due..... **\$1,957.60**  
 Amount Over Limit..... **\$1,326.46**

Credit Line..... \$9,500.00  
 Available Credit..... \$0.00  
 Cash Advance Limit..... \$1,000.00  
 Available Cash Advance Limit..... \$0.00

Don't forget to use your AT&T Universal Platinum Card which offers you up to 30 free calling minutes good toward U.S. domestic and international calls, and 2 free directory assistance inquiries per month.

Help is available! Please call the toll-free number shown above to learn about our special payment options. Please give us the opportunity to assist you.

### Account Summary

|                          |                    |
|--------------------------|--------------------|
| Previous Balance         | 10,486.95          |
| Payments and Adjustments | 0.00               |
| MasterCard® Activity     | 339.51             |
| Total AT&T Services      | 0.00               |
| <b>New Balance</b>       | <b>\$10,826.46</b> |

**Please see enclosed privacy notice for important information.**

Note: Detailed activity starts on page 3.

EXHIBIT

A

date paid      amount paid      check #



AT&T and the AT&T globe design are trademarks of AT&T Knowledge Ventures, licensed to Citigroup Inc.

Please follow payment instructions outlined in the "Important Instructions for Making Payments" section of the statement.

05491130368367942999999999995919

Your Account Number

5491 1303 6836 7942

Please Enter Amount of Payment Enclosed

Payment Due Date  
AUG 17 2007

Your Total Balance  
\$10826.46

Minimum Amount Due  
\$10826.46

\$

4155 MC 32 A 1 AR7051796

GINA ENGLISH  
 PO BOX 143  
 WALLACETON PA 16876-0143

AT&T UNIVERSAL CARD  
 PO BOX 183065  
 COLUMBUS, OH 43218-3065

GINA ENGLISH  
Account 5491 1303 6836 7942  
June 22 - July 24, 2007

# AT&T Universal Card

Page 2 of 3

**In the return envelope, please:**

- 1 Make your check payable to AT&T Universal Card.**
- 2 Enclose your check or money order.** Include your account number and name on the front of your check or money order. Please, no cash or foreign currency.
- 3 Enclose your payment coupon.** Do not staple or tape it to your payment. Insert the payment coupon so that the entire AT&T Universal Card address appears through the window of your remittance envelope.

## AT&T UNIVERSAL MASTERCARD ACTIVITY

Purchases..... 300.51  
Cash Advances and Checks..... 0.00  
Fees..... 39.00  
Total MasterCard Activity..... **\$339.51**

### PURCHASES

Total MasterCard Purchases..... **\$300.51**

#### Standard Purch

| Trans                | Post  | Description                     | Amount          |
|----------------------|-------|---------------------------------|-----------------|
|                      | 07/24 | PURCHASES*FINANCE CHARGE*PERIOD | 246.17          |
| Total Standard Purch |       |                                 | <b>\$246.17</b> |

#### Balance Transfer - Charged To Offer 6

| Trans                                       | Post  | Description                     | Amount         |
|---|-------|---------------------------------|----------------|
|   | 07/24 | PURCHASES*FINANCE CHARGE*PERIOD | 54.34          |
| Total Balance Transfer - Charged To Offer 6 |       |                                 | <b>\$54.34</b> |

### CASH ADVANCES

Cash Advance Limit..... \$1,000.00\* \*This represents a portion of your total credit line.

### FINANCE CHARGE INFORMATION

|                      | Nominal<br>APR | Periodic<br>Rate | Days in<br>Billing<br>Period | x  | Balance<br>Subject to<br>Finance Charge | =          | Periodic<br>FINANCE<br>CHARGE | +               | Transaction<br>Fee/FINANCE<br>CHARGE | ANNUAL<br>PERCENTAGE<br>RATE |
|----------------------|----------------|------------------|------------------------------|----|---|------------|-------------------------------|-----------------|--------------------------------------|------------------------------|
| <b>PURCHASES</b>     |                |                  |                              |    |   |            |                               |                 |                                      |                              |
| Standard Purch       | 32.240%        | .08833%(D)       | x                            | 32 | x                                       | \$8,709.17 | =                             | \$246.17        | +                                    | 32.240%                      |
| Offer 6              | 32.240%        | .08833%(D)       | x                            | 32 | x                                       | \$1,922.64 | =                             | \$54.34         | +                                    | 32.240%                      |
| <b>CASH ADVANCES</b> |                |                  |                              |    |   |            |                               |                 |                                      |                              |
| Standard Adv         | 32.240%        | .08833%(D)       | x                            | 32 | x                                       | \$0.00     | =                             | \$0.00          | +                                    | 32.240%                      |
| Total FINANCE CHARGE |                |                  |                              |    |   |            | =                             | <b>\$300.51</b> |                                      |                              |

### FEES

#### Standard Purch

| Trans      | Post  | Description                     | Amount         |
|------------|-------|---------------------------------|----------------|
|            | 07/24 | LATE FEE - JUN PAYMENT PAST DUE | 39.00          |
| Total Fees |       |                                 | <b>\$39.00</b> |

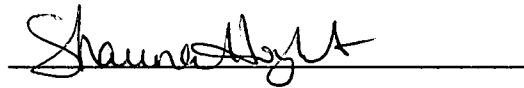
### AT&T SERVICES SUMMARY

AT&T Universal Calling Card Calls..... \$0.00



## Verification

I, Shauna Houghton, am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff CITIBANK (SOUTH DAKOTA) N.A. retained to perform services including but not primarily limited to collecting delinquent debt. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc., (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.

A handwritten signature in cursive script, appearing to read 'Shauna Houghton', is written over a horizontal line.

**Shauna Houghton**

**GINA ENGLISH  
5491130368367942  
WWR#06214020**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103509  
NO: 07-1981-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) NA  
vs.  
DEFENDANT: GINA ENGLISH

SHERIFF RETURN

NOW, December 31, 2007 AT 1:00 PM SERVED THE WITHIN COMPLAINT ON GINA ENGLISH DEFENDANT AT 911 CENTER - 911 LEONARD ST, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GINA ENGLISH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED

012:55:01  
APR 14 2008  
(LH)

William A. Shaw  
Prothonotary/Clerk of Courts

| PURPOSE         | VENDOR  | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE       | WELTMAN | 3121718 | 10.00  |
| SHERIFF HAWKINS | WELTMAN | 3121718 | 28.70  |

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2008

\_\_\_\_\_

So Answers,

*Chester A. Hawkins*  
*by Marilyn Harris*

Chester A. Hawkins  
Sheriff

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

No. 2007-1981-CD

vs.

PRAECIPE FOR DEFAULT JUDGMENT

GINA ENGLISH

Defendant

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

WILLIAM T. MOLCZAN, ESQUIRE  
PA I.D.#47437  
Weltman, Weinberg & Reis Co., L.P.A.  
2718 Koppers Bldg.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#06214020  
Judgment Amount \$ 10826.46

**THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

**FILED** <sup>(60)</sup>  
m12.16.07  
APR 16 2008  
Att'y pd. \$20.00  
ICC - Notice to Def.  
Statement to Att'y  
William A. Shaw  
Prothonotary/Clerk of Courts

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

3-10-08

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

Civil Action No. 2007-1981-CD

GINA ENGLISH

Defendant

NOTICE OF JUDGMENT OR ORDER

TO:     ☐ Plaintiff  
          ☒ Defendant  
          ☐ Garnishee

You are hereby notified that the following  
Order or Judgment was entered against you  
on 4/16/08

(xx)     Assumpsit Judgment in the amount  
          of \$10826.46 plus costs.

( )     Trespass Judgment in the amount  
          of \$\_\_\_\_\_ plus costs.

( )     If not satisfied within sixty (60)  
days, your motor vehicle operator's license and/or registration  
will be suspended by the Department of Transportation, Bureau  
of Traffic Safety, Harrisburg, PA.

(xx)     Entry of Judgment of  
          ☐ Court Order  
          ☐ Non-Pros  
          ☐ Confession  
          ☒ Default  
          ☐ Verdict  
          ☐ Arbitration  
          Award

Prothonotary

By:   
PROTHONOTARY (OR DEPUTY)

GINA ENGLISH  
11 CHERRY ST  
WALLACETON, PA 16876

Plaintiff's address is:  
c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219  
1-888-434-0085

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

Civil Action No. 2007-1981-CD

GINA ENGLISH

Defendant

**PRAECIPE FOR DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, GINA ENGLISH above named, in the default of an Answer, in the amount of \$10826.46 computed as follows:


Amount claimed in Complaint \$10826.46

Interest from date of judgment  
at the legal interest rate of 6% per annum

TOTAL \$10826.46

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By:   
WILLIAM T. MOLCZAN, ESQUIRE  
PA I.D.#47437

Weltman, Weinberg & Reis Co., L.P.A.  
2718 Koppers Bldg.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#06214020

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219

And that the last known address of the Defendant is: 11 CHERRY STREET, WALLACETON, PA 16876

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

Case # 2007-1981-CD

GINA ENGLISH

Defendant(s)

IMPORTANT NOTICE

TO: GINA ENGLISH  
11 CHERRY ST  
WALLACETON, PA 16876

Date of Notice: 03/19/08  
WWR#: 06214020

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 DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE FOLLOWING OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINSTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET ST., SUITE 228  
CLEARFIELD, PA 16830  
(814) 765-2641, ext. 1300-1301

BY: Patrick Thomas Woodman  
PATRICK THOMAS WOODMAN  
PA I.D. #34507  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
1400 KOPPERS BLDG, 436 7TH AVE.  
PITTSBURGH, PA 15219

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

CITIBANK (SOUTH DAKOTA) NA

Case no: 2007-1981-CD

Plaintiff

**NON-MILITARY AFFIDAVIT**

vs.

GINA ENGLISH

Defendant

The undersigned, who first being duly sworn, according to law, deposes and states as follows:


That he/she is the duly authorized agent of the Plaintiff in the within matter.

Affiant further states that the within Affidavit is made pursuant to and in accordance with the Servicemembers' Civil Relief Act (SCRA), 50 U.S.C. App. § 521.

Affiant further states that based upon investigation it is the affiant's belief that the Defendant, GINA ENGLISH is not in the military service.

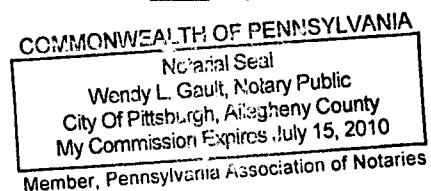
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, GINA ENGLISH is not in the military service.

Further Affiant sayeth naught.

  
AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 4th day  
of April 2008.

  
NOTARY PUBLIC



This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

Department of Defense Manpower Data Center

APR-11-2008 11:01:35



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

| ◀ Last Name | First/Middle | Begin Date   | Active Duty Status | Service/Agency |
|-------------|--------------|--|--------------------|----------------|
| ENGLISH     | GINA         | 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. Snavelly-Dixon*

Mary M. Snavelly-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



by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

*Report ID: NHKYAZZZX*

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

Citibank (South Dakota) N.A.  
Plaintiff(s)

No.: 2007-01981-CD

Real Debt: \$10,826.46

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Gina English  
Defendant(s)


Entry: \$20.00

Instrument: Default Judgment

Date of Entry: April 16, 2008

Expires: April 16, 2013

Certified from the record this 16th day of April, 2008.

  
\_\_\_\_\_  
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

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

GINA ENGLISH

Defendant

No. 2007-1981-CD

PRAECIPE FOR WRIT OF EXECUTION  
(LEVY ONLY)

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

William T. Molczan, Esquire  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

VWR#06214020

FILED  
MAY 06 2008  
William A. Shaw  
Prothonotary/Clerk of Courts  
Att'y pd. \$20.00  
4CC & 6 wnts  
to Sheriff  
GL

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

vs.

Civil Action No. 2007-1981-CD

GINA ENGLISH

Defendant

**PRAECIPE FOR WRIT OF EXECUTION**

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of Clearfield County:
2. against Gina English, Defendant

|                                      |                              |                 |
|--------------------------------------|------------------------------|-----------------|
| 3. Judgment Amount                   | \$                           | 10826.46        |
| Less payments of                     | \$                           | 61.30           |
| Interest                             | \$                           | 21.36           |
| Costs                                | \$                           | 205.00          |
| <b>SUBTOTAL:</b>                     | <b>\$</b>                    | <b>10786.52</b> |
| Costs (to be added by Prothonotary): | <b>Prothonotary costs \$</b> | <u>125.00</u>   |

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 

William T. Molczan, Esquire  
PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#06214020

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CITIBANK (SOUTH DAKOTA) NA  
Plaintiff

No. 2007-1981-CD

vs.

GINA ENGLISH

Defendant

**WRIT OF EXECUTION**  
**NOTICE**

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

The law provides that certain property cannot be taken and sold by the Sheriff to satisfy your debts. SUCH PROPERTY IS SAID TO BE EXEMPT. No matter what you may owe, there is a DEBTOR'S EXEMPTION established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below is a summary of some of the major exemptions. You may have other exemptions or other rights. If you have an exemption, you should do the following promptly:

- (1) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. BOX 186  
HARRISBURG, PA 17108  
TELEPHONE NO.: 1-800-692-7375

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CITIBANK (SOUTH DAKOTA) NA  
Plaintiff

No. 2007-1981-CD

vs.

GINA ENGLISH

Defendant

**WRIT OF EXECUTION**  
**NOTICE**

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

The law provides that certain property cannot be taken and sold by the Sheriff to satisfy your debts. SUCH PROPERTY IS SAID TO BE EXEMPT. No matter what you may owe, there is a DEBTOR'S EXEMPTION established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below is a summary of some of the major exemptions. You may have other exemptions or other rights. If you have an exemption, you should do the following promptly:

- (1) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. BOX 186  
HARRISBURG, PA 17108  
TELEPHONE NO.: 1-800-692-7375

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

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

(1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON,

(a) I desire that my statutory \$300.00 exemption be:

☐ (1) set aside in kind (specify property, to be set aside in kind:

\_\_\_\_\_

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

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

\_\_\_\_\_

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:

(a) my \$300.00 statutory exemption: ☐ in cash ☐ in kind  
(specify property): \_\_\_\_\_

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

(c) Other (specify amount & basis for exemption): \_\_\_\_\_

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

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

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

**THIS CLAIM TO BE FILED WITH:**

Office of the Sheriff of Clearfield County  
1 N. Second Street, Suite 116, Clearfield County Courthouse  
Clearfield, Pennsylvania 16830  
Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

CO

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

CITIBANK (SOUTH DAKOTA) NA  
Plaintiff

vs.

Civil Action No. 2007-1981-CD

GINA ENGLISH  
Defendant

**WRIT OF EXECUTION**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: GINA ENGLISH\_Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of N/A, as garnishee, N/A and to notify the garnishee that:
  - a. An attachment has been issued;
  - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
  - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
    - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or
    - ii. That total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above sated

Amount due .....\$ 10786.52

Costs to be added..... \$ \_\_\_\_\_

**Prothonotary costs** 125.00

Prothonotary

5/6/08

*William L. H. [Signature]*

If Social Security or Supplemental Income Funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20776  
NO: 07-1981-CD

PLAINTIFF: CITIBANK (SOUTH DAKOTA) NA  
vs.  
DEFENDANT: GINA ENGLISH  
  
Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 5/6/2008

LEVY TAKEN 7/7/2008 @ 9:00 AM

POSTED 7/30/2008 @ 10:48 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 10/23/2008

**FILED**  
9/21/2008  
OCT 23 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

7/10/2008 @ 11:56 AM SERVED GINA ENGLISH

SERVED GINA ENGLISH, DEFENDANT, AT HER PLACE OF EMPLOYMENT 750 LEONARD STREET, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO GINA ENGLISH

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION.

7/30/2008 @ 10:49 AM SERVED GINA ENGLISH

SERVED GINA ENGLISH, DEFENDANT, AT HER RESIDENCE 11 CHERRY STREET, WALLACETON, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO GINA ENGLISH

A NOTICE OF SALE AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF

@ SERVED

NOW, SEPTEMBER 25, 2008 RECEIVED A FAX LETTER TO GENERALLY CONTINUE THE SHERIFF SALE SCHEDULED SEPTEMBER 26, 2008, UNTIL FURTHER NOTICE FROM THE ATTORNEY'S OFFICE.

@ SERVED

NOW, OCTOBER 2, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CANCEL THE SHERIFF LEVY DUE TO BANKRUPTCY FILING.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20776  
NO: 07-1981-CD

PLAINTIFF: CITIBANK (SOUTH DAKOTA) NA  
vs.  
DEFENDANT: GINA ENGLISH

Execution PERSONAL PROPERTY

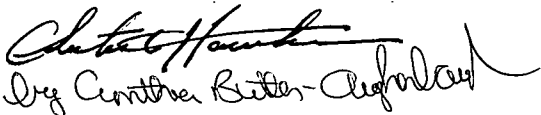
SHERIFF RETURN

---

SHERIFF HAWKINS \$98.88

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

  
Chester A. Hawkins  
Sheriff

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

CITIBANK (SOUTH DAKOTA) NA  
Plaintiff

vs.

Civil Action No. 2007-1981-CD

GINA ENGLISH  
Defendant

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: GINA ENGLISH, Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of N/A, as garnishee, N/A and to notify the garnishee that:
  - a. An attachment has been issued;
  - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
  - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
    - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or
    - ii. That total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above sated

Amount due ..... \$ 10786.52

Costs to be added..... \$

**Prothonotary costs** 125.00

Prothonotary

5/6/08

*William A. Hunsberger*  
BA

If Social Security or Supplemental Income Funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

Received this writ this 6<sup>th</sup> day  
of May A.D. 2008  
At 3:00 A.M.  
Sheriff *Charles A. Hunsberger*  
*Cynthia K. Kiser*

**PERSONAL PROPERTY SALE  
SCHEDULE OF DISTRIBUTION**

NAME GINA ENGLISH

NO. 07-1981-CD

NOW, October 23, 2008, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Gina English to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

|                            |                |
|----------------------------|----------------|
| RDR                        | 9.00           |
| SERVICE                    | 9.00           |
| MILEAGE                    | 10.10          |
| LEVY                       | 20.00          |
| MILEAGE                    | 10.10          |
| POSTING                    | 9.00           |
| HANDBILLS                  |                |
| COMMISSION                 | 0.00           |
| POSTAGE                    | 1.68           |
| HANDBILLS                  | 10.00          |
| DISTRIBUTION               |                |
| ADVERTISING                |                |
| ADD'L SERVICE              |                |
| ADD'L POSTING              |                |
| ADD'L MILEAGE              |                |
| ADD'L LEVY                 |                |
| BID/ SETTLEMENT AMOUNT     |                |
| RETURNS/DEPUTIZE           |                |
| COPIES                     | 15.00          |
| BILLING/PHONE/FAX          | 5.00           |
| CONTINUED SALES            |                |
| MISCELLANEOUS              |                |
| <b>TOTAL SHERIFF COSTS</b> | <b>\$98.88</b> |

|                 |           |
|-----------------|-----------|
| DEBT-AMOUNT DUE | 10,786.52 |
| INTEREST @ %    | 0.00      |
| FROM TO         |           |

|                                |                    |
|--------------------------------|--------------------|
| PROTH SATISFACTION             |                    |
| LATE CHARGES AND FEES          |                    |
| COST OF SUIT-TO BE ADDED       |                    |
| FORECLOSURE FEES               |                    |
| ATTORNEY COMMISSION            |                    |
| REFUND OF ADVANCE              |                    |
| REFUND OF SURCHARGE            | 20.00              |
| SATISFACTION FEE               |                    |
| ESCROW DEFICIENCY              |                    |
| PROPERTY INSPECTIONS           |                    |
| INTEREST                       |                    |
| MISCELLANEOUS                  |                    |
| <b>TOTAL DEBT AND INTEREST</b> | <b>\$11,030.40</b> |

**COSTS:**

|                   |      |
|-------------------|------|
| ADVERTISING       | 0.00 |
| TAXES - COLLECTOR |      |
| TAXES - TAX CLAIM |      |
| DUE               |      |
| LIEN SEARCH       |      |
| ACKNOWLEDGEMENT   |      |

|                     |        |
|---------------------|--------|
| SHERIFF COSTS       | 98.88  |
| LEGAL JOURNAL COSTS | 0.00   |
| PROTHONOTARY        | 125.00 |
| MORTGAGE SEARCH     |        |
| MUNICIPAL LIEN      |        |

|                    |                 |
|--------------------|-----------------|
| <b>TOTAL COSTS</b> | <b>\$223.88</b> |
|--------------------|-----------------|

|                    |                    |
|--------------------|--------------------|
| <b>TOTAL COSTS</b> | <b>\$11,030.40</b> |
|--------------------|--------------------|

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

**WELTMAN, WEINBERG & REIS CO., L.P.A.**

ATTORNEYS AT LAW  
2718 Koppers Bldg., 436 7<sup>th</sup> Ave.  
Pittsburgh, PA 15219  
Main Phone: 412 434-7955  
Fax Number: 412 434-7959  
www.weltman.com

**Fax Transmittal**

Date: 9/25/08 No. of Pages: 1  
To: CINDY. Fax Number: 814 765 5915  
From: Sam Direct Line: 412 338 7132

**Comments**

Caption: CITIBANK (SOUTH DAKOTA) NA Docket Number: 2007-1981 CD WWR Number: 06214020

Please GENERALLY CONTINUE the sheriffs sale scheduled for 9/26/08 on the above matter until further notice from our office. If you should have any questions or concerns please contact me. Thanks.



Cincinnati, OH • Cleveland, OH • Columbus, OH • Detroit, MI • Mount Holly, NJ • Philadelphia, PA

**CONFIDENTIALITY NOTICE**

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# WELTMAN, WEINBERG & REIS Co., L.P.A.

ATTORNEYS AT LAW  
2718 Koppers Bldg., 436 7<sup>th</sup> Ave.  
Pittsburgh, PA 15219  
Main Phone: 412 434-7955  
Fax Number: 412 434-7959  
www.weltman.com

## Fax Transmittal

Date: 10/2/2008 No. of Pages: 1  
To: Cleatfield County Sheriff Fax Number: 814 765 5915  
From: Samantha Shields Direct Line: 412 338 7132

### Comments

Caption: Citibank (South Dakota) NA vs Gina English Docket Number: 2007-1981-CD WWR Number: 06214020

Please cancel/ close out the levy on this docket as the Defendant has claimed bankruptcy. Please us any returns and  
refunds do to us as soon as possible. Should you have any questions or concerns, please do not hesitate to contact  
me. Thank you for your immediate attention to this matter.



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