

07-1981-CD
Citibank vs Gina English

FILED

DEC 04 2007 *PL*

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

1 cent to Staff

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

CITIBANK (SOUTH DAKOTA) NA

Plaintiff

No: 2007-1981-CV

vs.

COMPLAINT IN CIVIL ACTION

GINA ENGLISH

Defendant

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.

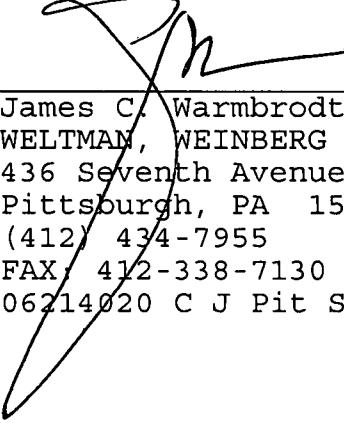
4. Pursuant to Defendant's request, Plaintiff furnished to the Defendant a credit card account (hereinafter account) bearing account number 5491130368367942 .

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 Platinum Card

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

AT&T Universal Card

06214020

Page 1 of 3

How To Reach Us

Visit: 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

Account Summary

Previous Balance	10,486.95
Payments and Adjustments	0.00
MasterCard® Activity	339.51
Total AT&T Services	0.00
New Balance	\$10,826.46

Note: Detailed activity starts on page 3.

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.

Please see enclosed privacy notice for important information.

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.

054911303683679429999999999919

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.**

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

AT&T Universal Card

Page 3 of 3

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			\$246.17

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			\$54.34

CASH ADVANCES

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

FINANCE CHARGE INFORMATION

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

FEES

Standard Purch

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

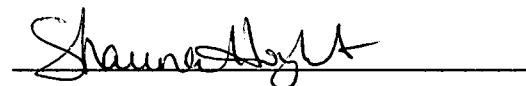
AT&T SERVICES SUMMARY

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

Verification

Shauna Houghton

I, _____, 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.



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
02:55 PM
APR 14 2008
CS
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:

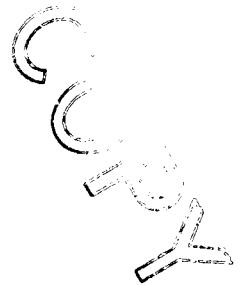
WILLIAM T. MOLCZAN, ESQUIRE
PA I.D.#47437
Weltman, Weinberg & Reis Co., L.P.A.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

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.

6P
FILED Atty pd.
M 12 16 2008 \$ 20.00
APR 16 2008 ICC Notice to Def.
William A. Shaw
Prothonotary/Clerk of Courts Statement to Atty

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

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

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.

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
Award

Prothonotary

By: William H. Hargan

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 7th 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:

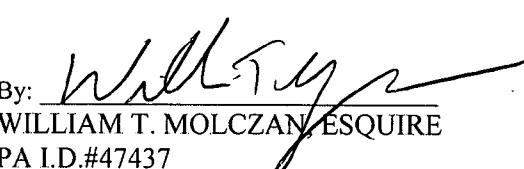
Amount claimed in Complaint	\$10826.46
-----------------------------	------------

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 7th 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 ADMINISTRATOR
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
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.

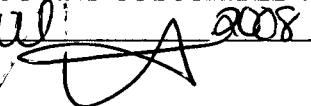
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, GINA ENGLISH is not in the military service.

Further Affiant sayeth naught.

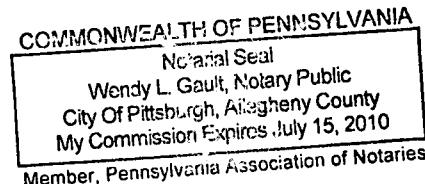


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 7th 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. 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

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 No. 2007-1981-CD

vs. PRAECIPE FOR WRIT OF EXECUTION
(LEVY ONLY)

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 Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#06214020

FILED
MAY 06 2008
4CC & 6 Wnts
to Sheriff
Atty pd. \$20.00
William A. Shaw
Prothonotary/Clerk of Courts
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 Cleafield County:
2. against Gina English, Defendant

3. Judgment Amount	\$	10826.46
Less payments of	\$	61.30
Interest	\$	21.36
Costs	\$	205.00
SUBTOTAL:	\$	10786.52

Costs (to be added by Prothonotary): **Prothonotary costs** \$ 125.00

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

By: William T. Molczan
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

vs.

No. 2007-1981-CD

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
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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

Willie L. Shan
PA

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

07-1981-CD
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,


by Courtney Bitter-Anderson
Chester A. Hawkins
Sheriff

Received this writ this 6 th day
of May A.D. 2008
At 3:00 A.M. 12 M.

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);

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 - 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.
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Amount due \$ 10786.52

Costs to be added..... \$ _____
Prothonotary costs 125.00

Prothonotary

5/6/08

Willie L. Shar

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.

**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	DEBT-AMOUNT DUE	10,786.52
SERVICE	9.00	INTEREST @ %	0.00
MILEAGE	10.10	FROM TO	
LEVY	20.00		
MILEAGE	10.10	PROTH SATISFACTION	
POSTING	9.00	LATE CHARGES AND FEES	
HANDBILLS		COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	1.68	ATTORNEY COMMISSION	
HANDBILLS	10.00	REFUND OF ADVANCE	
DISTRIBUTION		REFUND OF SURCHARGE	20.00
ADVERTISING		SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
ADD'L POSTING		PROPERTY INSPECTIONS	
ADD'L MILEAGE		INTEREST	
ADD'L LEVY		MISCELLANEOUS	
BID/ SETTLEMENT AMOUNT		TOTAL DEBT AND INTEREST	\$11,030.40
RETURNS/DEPUTIZE		COSTS:	
COPIES	15.00	ADVERTISING	0.00
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$98.88	LIEN SEARCH	
		ACKNOWLEDGEMENT	
		SHERIFF COSTS	98.88
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	125.00
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	\$223.88
		TOTAL COSTS	\$11,030.40

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 7th 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

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

ATTORNEYS AT LAW
2718 Koppers Bldg., 436 7th 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: Cleafield 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.

W.W.R.

~~CONFIDENTIALITY NOTICE~~

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TOTAL P.01