

08-120-CD

Wells Fargo vs Stephen Walker

Phelan, Hallinan & Schmieg, LLP  
By: Francis S. Hallinan, Esquire  
Identification No. 62695  
One Penn Center A Suburban Station  
Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Attorney for Plaintiff

Wells Fargo Bank, NA  
3476 Stateview Blvd.  
Fort Mill, SC 29715

: Court of Common Pleas

v.

: Civil Division

Stephen A. Walker  
Or Occupants  
600 Curtin Street  
Osceola Mills, PA 16666

: Clearfield County

: Term

: No. 08-120-CD

**CIVIL ACTION - EJECTMENT**

**\*\*This firm is a debt collector attempting to collect a debt and any information obtained will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.\*\***

**NOTICE**

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 (20) days after this complaint and notice are served, by entering a written appearance personally or by 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 and 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.**

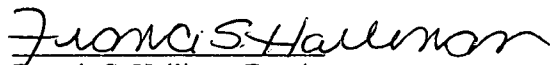
CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

PHS #: 168306

**FILED**  
JAN 25 2008  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty pd. 95.00  
ICC Atty  
ICC Sheriff

1. Plaintiff is **Wells Fargo Bank, NA.**
2. Defendant is **Stephen A. Walker Or Occupants.**
3. Plaintiff is equitable owner of premises located at **600 Curtin Street, Osceola Mills, PA 16666**, a legal description of which is attached.
4. Plaintiff became the owner of said premises as a result of the foreclosure and judicial sale by the Sheriff of Clearfield County, on December 7, 2007 as evidenced by the Sheriff's deed recorded January 11, 2008 in the Office of the Recorder of Clearfield County in Instrument Number 200800459.
5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The defendant is occupying the said premises without right and so far as the plaintiff is informed, without claim of title.
6. Plaintiff has demanded possession of the said premises from the said defendant who has refused to deliver up possession of same.

WHEREFORE, plaintiff seeks to recover possession of said premises.

  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

### DESCRIPTION

ALL that certain messuage or tenement and lot of ground situate in the Borough of Osceola, County of Clearfield and State of Pennsylvania, marked and numbered on plan thereof said Borough as Lot No. 313, on the Northwesterly corner of Curtin and Elizabeth Streets, continuing in front of said Curtin Street Fifty (50) feet and extending in length or depth One Hundred Fifty (150) feet. Bounded Northerly by Mays Alley; Southerly by said Curt in Street; Easterly by said Elizabeth Street and Westerly by Lot No. 314.

BEING the same premises which became vested in the Grantors herein by deed dated the 1st day January, 1997, recorded in Clearfield County Deed Book Volume 1384, at Page 107.

PARCEL IDENTIFICATION NO: 013-382-00010      Control #: 016008104

Premises:      600 Curtin Street, Osceola Mills, PA 16666  
                 Borough of Osceola  
                 Clearfield County  
                 Pennsylvania

TITLE TO SAID PREMISES IS VESTED IN Stephen A. Walker and Kathy L. Walker, his wife, as tenants by the entireties, by Deed from David B. Wagner and Christine R. Wagner, his wife, dated 11/05/1997, recorded 11/12/1997, in Deed Book 1886, page 551.

### VERIFICATION

Francis S. Hallinan hereby states that he is the attorney for the Plaintiff in this eviction action and is authorized to make this verification. The statements made in the foregoing Civil Action - Ejectment are correct to the best of my knowledge, information, and belief. I was the attorney for the Plaintiff or Plaintiff's predecessor in interest in the underlying foreclosure action. I am with the law firm on the writ of execution, and my law firm or an agent of my firm purchased the property on behalf of the Plaintiff by bidding on the property at the sheriff's sale. I am making this verification rather than a representative of the Plaintiff because I have personal knowledge of the purchase of this property at sheriff's sale.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

1/24/08  
Date

Francis S. Hallinan  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

**PHELAN HALLINAN & SCHMIEG, LLP**  
By: Lawrence T. Phelan, Esquire I.D. No. 32227  
Francis S. Hallinan, Esquire I.D. No. 62695  
One Penn Center at Suburban Station  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

**Wells Fargo Bank, N.A.**  
3476 Stateview Blvd  
Fort Mill, SC 29715

Plaintiff

vs.

Court of Common Pleas  
Clearfield County  
No. 08-120-CD

Stephen A. Walker

Defendant(s)

**FILED** *ICC + Cert of*  
*m/12:15 pm Disc Issued*  
**MAR 17 2008** *to Atty Hallinan*  
William A. Shaw  
Prothonotary/Clerk of Courts

**PRAECIPE TO WITHDRAW COMPLAINT, WITHOUT PREJUDICE,**  
**AND DISCONTINUE AND END**

TO THE PROTHONOTARY:

Kindly withdraw the complaint filed in the instant matter, without prejudice, and mark this case discontinued and ended, upon payment of your costs only.

3/12/08  
Date

Francis Hallinan

Lawrence T. Phelan, Esquire  
Francis S. Hallinan, Esquire  
Daniel G. Schmieg, Esquire  
Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Wells Fargo Bank, NA

Vs.

No. 2008-00120-CD

Stephen A. Walker  
Occupants

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on March 17, 2008, marked:

Withdraw Complaint, without prejudice and discontinued and ended

Record costs in the sum of \$95.00 have been paid in full by Francis S. Hallinan Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 17th day of March A.D. 2008.



William A. Shaw lm  
William A. Shaw, Prothonotary

# In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **103677**

WELLS FARGO BANK, NA

Case # 08-120-CD

vs.

STEPHEN A. WALKER

TYPE OF SERVICE COMPLAINT IN EJECTMENT

## SHERIFF RETURNS

NOW May 16, 2008 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN EJECTMENT "NOT FOUND" AS TO STEPHEN A. WALKER OR OCCUPANTS, DEFENDANT. 600 CURTIN ST., OSCEOLA MILLS, PA."APPEARS VACANT".

SERVED BY: /

### Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PHELAN	661993	10.00
SHERIFF HAWKINS	PHELAN	661993	74.60

**FILED**

03:20 PM  
MAY 16 2008

(S)

William A. Shaw

Sworn to Before me This

So Answers, Prothonotary/Clerk of Courts

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

*Chester A. Hawkins*  
*by Marilyn Hamr*  
Chester A. Hawkins  
Sheriff



I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

JAN 25 2008

Attest.

*William L. Brown*  
Prothonotary/  
Clerk of Courts

Phelan, Hallinan & Schmieg, LLP  
By: Francis S. Hallinan, Esquire  
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: No. 08-120-CD

Osceola Mills, PA 16666

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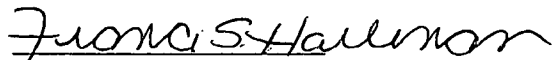
CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
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FILED BY CLERK OF COURT  
JAN 25 2008  
CLEARFIELD COUNTY  
CLEARFIELD, PA  
RECEIVED  
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