

08-405-CD

Deutsche Bank vs Candy Lease

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
COMMONWEALTH OF PENNSYLVANIA

CIVIL ACTION – LAW

DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE
PLAINTIFF

VS

CANDY A. LEASE A/K/A
CANDY A. LECKER
DEFENDANT

CERTIFICATE OF LOCATION

207 NORTH THIRD STREET
DU BOIS, PA 15801

City of DuBois

TAX ID#: 007-3-024-000-08021

CIVIL Division
Case Number:

08-405-CD

Type of Pleading

Complaint in
Mortgage Foreclosure

Code and Classification:

Filed on Behalf Of:
Plaintiff

Counsel of Record:

Daniel J. Mancini, Esquire
Attorney at Law
201 A Fairview Drive
Monaca, PA 15061
(724) 728-4233


By: DANIEL J. MANCINI, ESQ.
PA I.D. No. 39353

FILED Atty/PL
M/2/11/04 95.00
MAR 07 2004
S/C Atty
William A. Shaw
Prothonotary/Clerk of Courts
ICE Sheriff

Daniel Mancini & Associates
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IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY PENNSYLVANIA

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VS

CANDY A. LEASE A/K/A
CANDY A. LECKER
DEFENDANT

CIVIL ACTION – LAW
CASE NO
MORTGAGE FORECLOSURE

CIVIL ACTION – LAW
COMPLAINT IN MORTGAGE FORECLOSURE
NOTICE

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.

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 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.**

Lawyer Referral Service
Pennsylvania Lawyer Referral Service
(800) 692-7375

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DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE
PLAINTIFF

VS

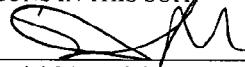
CANDY A. LEASE A/K/A
CANDY A. LECKER
DEFENDANT

CIVIL ACTION – LAW
CASE NO
MORTGAGE FORECLOSURE

IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 ET SEQ. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.



Daniel J. Mancini, Esq.

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IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE
PLAINTIFF

VS

CIVIL ACTION – LAW
CASE NO
MORTGAGE FORECLOSURE

CANDY A. LEASE A/K/A
CANDY A. LECKER
DEFENDANT

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff is: DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE, whose address is c/o Mancini & Associates, 201 A Fairview Drive, Monaca, PA 15061.
2. Defendant is CANDY A. LEASE A/K/A CANDY A. LECKER, whose last known address is 207 NORTH THIRD STREET, DU BOIS, PA 15801. CANDY A. LEASE A/K/A CANDY A. LECKER is the mortgagors and the recorded owner of the mortgaged property hereinafter described.
3. On or about, March 16, 2005, CANDY A. LEASE A/K/A CANDY A. LECKER borrowed \$ 61,000.00 and in the enforcement of said debt executed and delivered a mortgage upon the premises hereinafter described to the lender MERS SOLELY AS A NOMINEE FOR MERITAGE MORTGAGE CORPORATION, this mortgage is recorded in the Office of the Recorder of Deeds of Clearfield County in Instrument # 200503653. This mortgage is incorporated herein by reference in accordance with Pa. R.C.P. 1019 (g). Your plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE is now the current owner of said mortgage, and the assignment evidencing this ownership will be sent for recording at a later date.
4. The land subject to the Mortgage is 207 NORTH THIRD STREET, DU BOIS, PA 15801, and is more particularly described in Exhibit "A", which is attached hereof and part of this Complaint.
5. The Mortgage is in default because monthly payments of principal and interest upon said mortgage due December 1, 2007, and each month thereafter are due and unpaid, and by the terms of said Mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.

Unpaid Principal Balance	\$	58,887.29
Delinquent Balance, including Interest at \$20.57 per diem From 11/1/07 to 02/25/08 (based on contract rate of 12.75%)	\$	2,122.71
Rec. Corp. Adv.	\$	000.00
Escrow Advance	\$	000.00
Accrued Late Charges	\$	32.59
Bad CK Fees	\$	00.00
Attorney's Fee	\$	<u>2,944.36</u>
Total	\$	63,986.95

** Together with interest at the per diem rate noted above after December 1, 2007 and other charges and costs to date of Sheriff's Sale. The Attorney's Fees set forth above are in conformity with the Mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the sale, reasonable attorney's fees will be charged in accordance with the reduction provisions of Act 6, if applicable, or that are actually incurred by Plaintiff.

6. No judgment has been entered upon said Mortgage in any jurisdiction.
7. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 or 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant on DECEMBER 4, 2007, via certified and regular mail, in accordance with the requirements of those acts.
8. Defendant is not a member of the Armed Forces of the United States of America, nor engaged in any way which would bring them within the Soldiers and Sailors Relief Act of 1940, as amended.
9. The Defendant has either failed to meet the time limitations as set forth under the Combined Act 6/91 Notice or have been determined by the Pennsylvania Housing Finance Agency not to qualify for Mortgage Assistance.

WHEREFORE, Plaintiff demands judgment in mortgage foreclosure 'IN REM' for the aforementioned total amount due together with interest at the rate of 12.75% (\$20.57 per diem), together with other charges and costs including escrow advances incidental thereto to the date of Sheriff's Sale and for foreclosure and sale of the property within described.



Daniel J. Mancini, Esq.
Attorney Bar: PA 39353

EXHIBIT A
CANDY A. LEASE
Tax Id # 007-3-024-000-08021
City of DuBois

BEGINNING at an iron pipe at corner of Third Street and a sixteen foot alley; thence along Third Street 80 feet to an iron pipe on line of other lands now or formerly of Nester Anderson; thence by a parallel with the Northern boundary line of Sherman Avenue, 100 feet to an iron pipe; thence still along line of other lands now or formerly of Nester Anderson and on a line parallel with the Western boundary of Third Street, 80 feet to the said sixteen foot alley; thence along line of said sixteen foot alley, 100 feet to Third Street, the place of beginning.

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DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE
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MORTGAGE FORECLOSURE

CANDY A. LEASE A/K/A
CANDY A. LECKER
DEFENDANT

VERIFICATION

Daniel J. Mancini, Esq., hereby states that he is the attorney for Plaintiff in this matter, that He is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities. Further, counsel submits that Plaintiff is outside the court's jurisdiction and verification cannot be obtained with the time allowed for filing the pleading. It is counsel's intention to substitute a verification from Plaintiff.

Dated this 25th Day of February, 2008



Daniel J. Mancini, Esq.
Attorney Bar: Pa 39353

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COMMONWEALTH OF PENNSYLVANIA

CIVIL ACTION – LAW

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COMPANY AS TRUSTEE
PLAINTIFF

VS

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DEFENDANT

CERTIFICATE OF LOCATION

207 NORTH THIRD STREET
DU BOIS, PA 15801

City of DuBois

TAX ID#: 007-3-024-000-08021

CIVIL Division
Case Number: 08-405-CD

Type of Pleading

Praecipe to Settle and
Discontinue Case in
Mortgage Foreclosure

Code and Classification:

Filed on Behalf Of:
Plaintiff

Counsel of Record:

Daniel J. Mancini, Esquire
Attorney at Law
201 A Fairview Drive
Monaca, PA 15061
(724) 728-4233

By: DANIEL J. MANCINI, ESQ.
PA I.D. No. 39353

FILED 1cc & 1 cert of
m/11/374m disc issued to
MAY 07 2008 Atty Mancini

William A. Shaw
Prothonotary/Clerk of Courts

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MORTGAGE FORECLOSURE

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DEFENDANT

**PRAECIPE AND POWER OF ATTORNEY TO DISCONTINUE AND SETTLE
FORECLOSURE WITH RIGHT TO REFILE**

TO THE PROTHONOTARY OF SAID COURT:

You are hereby authorized, empowered, and directed to enter, as indicated, the following on the records thereof:

A 1. --X-- the within suit is Settled, Discontinued, Ended WITHOUT Prejudice and costs paid and Plaintiff reserves right to file another foreclosure action should Defendant fail with its obligations to Plaintiff.

Date: May 5, 2008

WITNESS {if signer is other than a registered attorney}:


Signature of authorizing party

Daniel J. Mancini, Esq.


(Attorney or Notary)

Type or print name of above signer

COST PAYMENT VERIFICATION

I UNDERSTAND THAT THE ABOVE ACTION CANNOT BE FILED AND DOCKETED UNTIL ALL COSTS HAVE BEEN PAID, INCLUDING SHERIFF'S COSTS: AND HEREBY VERIFY ALL COSTS HAVE BEEN PAID. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF 18 Pa.C.S.A. 4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES



Signature

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Deutsche Bank National Trust Company

Vs. No. 2008-00405-CD
Candy A. Lease a/k/a Candy A. Lecker

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 May 7, 2008, marked:

Discontinued and Settled with right to Refile

Record costs in the sum of \$95.00 have been paid in full by Daniel J. Mancini Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 7th day of May A.D. 2008.



cm

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103855
NO: 08-405-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE
vs.
DEFENDANT: CANDY A. LEASE a/k/a CANDY A. LECKER

SHERIFF RETURN

NOW, March 28, 2008 AT 2:39 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON CANDY A. LEASE aka CANDY A. LECKER DEFENDANT AT 207 NORTH THIRD ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CANDY A. LEASE, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

FILED
013-0005-N
JUN 30 2008
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MANCINI	3716	10.00
SHERIFF HAWKINS	MANCINI	3716	37.19

Sworn to Before Me This

____ Day of _____ 2008

So Answers,

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