

08-511-CD
Capital One vs Jessica Anderson

135237

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CAPITAL ONE BANK
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

CIVIL ACTION

No. 08-511-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

vs.

Filed on Behalf of:

JESSICA M ANDERSON CAPITAL ONE BANK
(Defendant) Plaintiff/Defendant

14852 Penwells Valley Hwy

(Street Address)

Penfield, PA 15849

(City, State ZIP)

David J. Apcthaker, Esquire

(Filed by)

2417 Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

(Signature)

FILED

Att'y pd. \$5.00
MAR 20 2008
ICC Att'y

William A. Shaw
Prothonotary/Clerk of Courts

ICC Sheriff

Our File No.: 135237
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

CAPITAL ONE BANK) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
JESSICA M ANDERSON)
14852 BENNETTS VALLEY HWY)
PENFIELD, PA 15849-2928)
Defendant.)

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 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.

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

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker, Esq.

Attorney I.D.# 38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

CAPITAL ONE BANK

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

Plaintiff,

vs.

JESSICA M ANDERSON

14852 BENNETTS VALLEY HWY

PENFIELD, PA 15849-2928

Defendant.

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

) NO.:

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**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff, CAPITAL ONE BANK, is a company with its principal place of business located at c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.

2. Defendant is JESSICA M ANDERSON, an adult individual residing at 14852 BENNETTS VALLEY HWY PENFIELD, PA 15849-2928.

3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".

4. Defendant received and accepted the goods and/or services described in Exhibit "A".

5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.

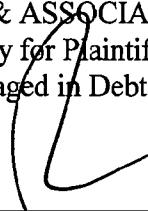
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".

7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$1,274.71.

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

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$1,274.71 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

BY: 
David J. Apothaker

Dated: 2/29/2008

Our File No.: 135237

VERIFICATION

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

Frank P. Kelly

DATE:

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

JESSICA M ANDERSON
14852 BENNETTS VALLEY HWY
PENFIELD, PA 15849-2928

STATEMENT OF ACCOUNT

Debtor's Name: JESSICA M ANDERSON

Account Number: 4940652283259961

Balance Due: \$1,274.71

Our File No.: 135237

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103926
NO: 08-511-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK
VS.
DEFENDANT: JESSICA M. ANDERSON

SHERIFF RETURN

NOW, April 01, 2008 AT 9:38 AM SERVED THE WITHIN COMPLAINT ON JESSICA M. ANDERSON DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CARL ANDERSON, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

FILED
04/09/2008
JUL 11 2008
WM
William A. Shaw
Prothonotary/Clerk of Courts

| PURPOSE | VENDOR | CHECK # | AMOUNT |
|-----------------|-----------|---------|--------|
| SURCHARGE | APOTHAKER | 79466 | 10.00 |
| SHERIFF HAWKINS | APOTHAKER | 79466 | 35.16 |

Sworn to Before Me This

____ Day of _____ 2008

So Answers,

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

Our File No.: 135237
APOTHAKER & ASSOCIATES, P.C.
BY: Kimberly F. Scian, Esquire
Attorney I.D.# 55140
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

FILED *10*

FEB 19 2009

m/4-cc ✓
William A. Shaw
Prothonotary/Clerk of Courts

CAPITAL ONE BANK

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY

Plaintiff,

)

vs.

)

JESSICA M ANDERSON

) NO. 08-511-CD

Defendant.

)

)

PRAECIPE TO DISMISS WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly dismiss this action without prejudice.

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

By: *[Signature]* *[Signature]*
Kimberly F. Scian, Esquire

Dated: February 13, 2009