

08-657-CD
Capital One vs C. Lingenfelter

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

CAPITAL ONE BANK

Plaintiff No. 2008-657-CD

vs. COMPLAINT IN CIVIL ACTION

COURTNEY LINGENFELTER

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

JAMES C. WARMBRODT
PA I.D. 42524
WELTMAN, WEINBERG & REIS CO.
1400 KOPPERS BLDG.
436 7TH AVE.
PITTSBURGH, PA 15219
(412) 434-7955

WWR#06376718

FILED
M 11:42 a.m. 6/2
APR 10 2008
W.M. Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No.

COURTNEY LINGENFELTER

Defendant

COMPLAINT IN CIVIL ACTION 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

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

COMPLAINT

1. Plaintiff is a corporation with offices in 15000 CAPITAL ONE DRIVE RICHMOND, VA 23238.
2. Defendant is an adult individual residing at 303 E PARK AVE DU BOIS, PA 15801.
3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number XXXXXXXXXXXXXXX2999.
4. Defendant made use of said credit card and has currently a balance due and owing to Plaintiff, as of FEBRUARY 20, 2008, in the amount of \$1168.48. A true and correct copy of Plaintiff's Statement of Account is attached hereto, marked as Exhibit "1" and made a part hereof.
5. Defendant is in default of the terms of the cardholder Agreement having not made monthly payments to Plaintiff thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the Cardholder Agreement between the parties provides that Plaintiff is entitled to the addition of finance charges at the rate of 25.900% per annum on the unpaid balance.
7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the principal balance, finance charges or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, COURTNEY LINGENFELTER individually, in the amount of \$1168.48 with continuing finance charges thereon at the rate of 25.900% per annum from FEBRUARY 20, 2008 plus costs.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED
SHALL BE USED FOR THAT PURPOSE.

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


JAMES C. WARMBRODT
PA I.D. 42524
WELTMAN, WEINBERG & REIS CO.
1400 KOPPERS BLDG.
436 7TH AVE.
PITTSBURGH, PA 15219
(412) 434-7955

WWR#:06376718

CapitalOne*

PLATINUM VISA ACCOUNT
4862-3625-4660-2999

AUG 04 - SEP 03, 2005
Page 1 of 1

Account Summary

Previous Balance	\$768.11
Payments, Credits and Adjustments	\$4.00
Transactions	\$29.00
Finance Charges	\$17.08
New Balance	\$814.19
Minimum Amount Due	\$814.19
Payment Due Date	October 03, 2006

Total Credit Line

Total Available Credit	\$400
Credit Line for Cash	\$400
Available Credit for Cash	\$400

At your service

To call Customer Relations or to report a lost or stolen card:
1-800-903-3637

Send payments to:
Attn: Remittance Processing

Send inquiries to:
Capital One,
P.O. Box 31285
SLC, UT 84130-0285

Important Account Information

Beginning October 1st, 2006, based on your account activity you may be assessed more than two late, overlimit, or returned check fees that occur during any billing period.

16687S

Finance Charges				
	Balance Rate	Periodic Rate	Compounding APR	FINANCIAL CHARGE
PURCHASES	Applied to			
CASH	\$768.19	.079999%	25.99%	\$17.08

*Please see reverse side for important information
prior to mailing address and/or e-mail changes below using blue or black ink.*

ANNUAL PERCENTAGE RATE applied this period

25.99%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

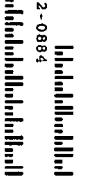
EXHIBIT

CapitalOne

0000000 0 4862362546602999 03 0814190030000814194

Please print mailing address and/or e-mail changes below using blue or black ink.

New Balance	\$814.19
Minimum Amount Due	\$814.19
Payment Due Date	October 03, 2006
Total enclosed	\$ <input type="text"/>
Account Number:	4862-3625-4660-2999

Capital One Bank
P.O. Box 70884
Charlotte, NC 28272-0884


016687


#9024610880542245# MAIL ID NUMBER
COURTNEY LINGENFELTER
PO BOX 160
DU BOIS PA 15801-0160

VERIFICATION

CAPITAL ONE BANK

vs

LINGENFELTER, COURTNEY

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that he/she is, TRACY TAYLOR, Authorized Agent, of CAPITAL ONE BANK, Plaintiff Herein, that he/she is duly authorized to make this Declaration, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.



TRACY TAYLOR



Notary Public

4862362546602999
A049
WELTMAN, WEINBERG & REIS CO., L.P.A.

ANNEKA MARSON
NOTARY PUBLIC
CHALICE COUNTY, GEORGIA
MY COMMISSION EXPIRES OCT. 29, 2011

FILED

APR 10 2008

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

104021

CAPITAL ONE BANK

Case # 08-657-CD

vs.

COURTNEY LINGENFELTER

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW July 23, 2008 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO COURTNEY LINGENFELTER, DEFENDANT. MOVED TO: 1519 ZION RD., BELLEFONTE, PA..

SERVED BY: /

FILED
0/3:00 cm
JUL 23 2008
(1)

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT	
SURCHARGE	WELTMAN	8672135	10.00	William A. Shaw Prothonotary/Clerk of Courts
SHERIFF HAWKINS	WELTMAN	8672135	33.19	

Sworn to Before me This

____ Day of _____ 2008

So Answers,


Chester A. Hawkins
Sheriff

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

CAPITAL ONE BANK

Plaintiff No. 2008-657-CD

vs. COMPLAINT IN CIVIL ACTION

COURTNEY LINGENFELTER

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

JAMES C. WARMBRODT
PA I.D. 42524
WELTMAN, WEINBERG & REIS CO.
1400 KOPPERS BLDG.
436 7TH AVE.
PITTSBURGH, PA 15219
(412) 434-7955

WWR#06376718

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

APR 10 2008

Attest.

William Lehman
Prothonotary/
Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No.

COURTNEY LINGENFELTER

Defendant

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

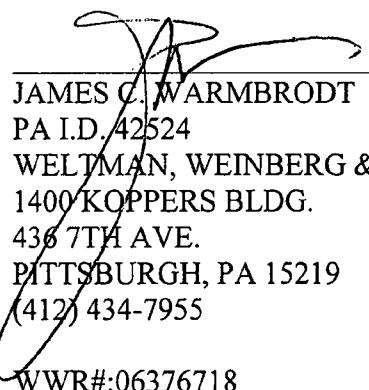
COMPLAINT

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


JAMES C. WARMBRODT
PA I.D. 42524
WELTMAN, WEINBERG & REIS CO.
1400 KOPPERS BLDG.
436 7TH AVE.
PITTSBURGH, PA 15219
(412) 434-7955

WWR#:06376718

CapitalOne

PLATINUM VISA ACCOUNT
4862-3625-4660-2999

Account Summary

Payments, Credits and Adjustments

Previous Balance	\$768.11
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Transactions	
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Payment Due Date	October 03, 2006
Total Credit Line	\$400
Total Available Credit	\$400
Credit Line for Cash	\$0.00
Available Credit for Cash	\$0.00

At your service

To call Customer Relations or to report a lost or stolen card:

1-800-903-3637

Send inquiries to:

Sand permanent to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 70884
Charlotte, NC 28272-0884

Capital One
P.O. Box 30285
SIC, UT 84130-0285

Beginning October 1st, 2006, based on your account activity
you may be assessed more than two late, overlimit, or returned
check fees that occur during any billing period.

Important Account Information

165875

Please see reverse side for important information			
Finance Charges	Balance rate with APR	Periodic Charges	CHARGE
		25.90%	\$15.00
PURCHASES	376.34	.07096%	25.90%
CASH	4862.3625-4660-2999	.07096%	4.00

ANNUAL PERCENTAGE RATE applied this period

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne

0000000 0 4862362546602999 03 0814190030000814194

Please print mailing address and/or email address below using blue or black ink.

Street	State	Zip
City	State	Zip
Home Phone	Alt Home Phone	Cell
Email Address		

Total enclosed

Account Number:

165875

#9024610880542245# MAIL ID NUMBER

COURTNEY LINGERFELTER

Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

VERIFICATION

CAPITAL ONE BANK

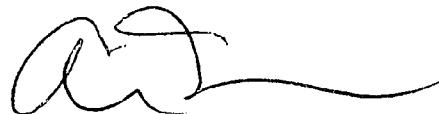
vs

LINGENFELTER, COURTNEY

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that he/she is, TRACY TAYLOR, Authorized Agent, of CAPITAL ONE BANK, Plaintiff Herein, that he/she is duly authorized to make this Declaration, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.



TRACY TAYLOR



AT

Notary Public

4862362546602999

A049

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

ARYONNE MARION
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
IN COMMISSION EXPIRES OCT. 28, 2011

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

CAPITAL ONE BANK (USA),NA

Plaintiff No. : 2008-657-CD

vs. PRAECIPE TO SETTLE, DISCONTINUE
COURTNEY LINGENFELTER AND END WITHOUT PREJUDICE TO REFILE

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

JAMES C. WARMBRODT, Esquire
PA I.D. #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#6376718

FILED 11/22/08
DEC 05 2008
William A. Shaw
Prothonotary/Clerk of Courts
ccal Cert.
of Disc to
Atty
GW

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

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No. : 2008-657-CD

COURTNEY LINGENFELTER

Defendant

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Settle, Discontinue and End the above-captioned matter upon the records of the Court without prejudice to refile and mark the costs paid.

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

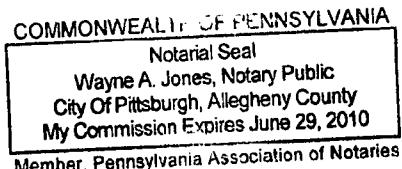
By: 
Attorney for Plaintiff
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#6376718

SWORN TO AND SUBSCRIBED

before me this 24 day

of November, 2008


NOTARY PUBLIC



FILED

DEC 05 2011

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Capital One Bank (USA), NA

vs. **No. 2008-00657-CD**
Courtney Lingenfelter

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 December 5, 2008, marked:

Settled, Discontinued and Ended without Prejudice to Refile

Record costs in the sum of \$95.00 have been paid in full by James C. Warmbrodt, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 5th day of December A.D. 2008.



William A. Shaw, Prothonotary