

08-139-CB  
Capital One vs Ann E English

Prothonotary/Clerk of Courts

William A. Shadur

APR 23 1998 1CC Shadur

03/20/98  
FILED  
April 23, 1998

44y pd. \$95.00

06385090 C N Pit ABR  
FAX: 412-338-7130  
(412) 434-7955  
Pittsburgh, PA 15219  
436 Seventh Avenue, Suite 1400  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
James C. Warmbrodt, 42524

COUNSEL OF RECORD OF  
THIS PARTY:

FILED ON BEHALF OF  
Plaintiff

Defendant

ANN E ENGLISH

COMPLAINT IN CIVIL ACTION

VS.

NO: 08-739-CJ

Plaintiff

CAPITAL ONE BANK (USA), NA

CIVIL DIVISION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

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.

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 within the court appearance. You are warned that if you fail to do so the case may go forward 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.

## COMPLAINT AND NOTICE TO DEFEND

### Defendant

ANNE ENGLISH

• 58

## Plaintiffs

CAPITAL ONE BANK (USA), NA

CIVIL ACTION NO.

CIVIL DIVISION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMPLAINT

1. Plaintiff, CAPITAL ONE BANK (USA), NA is a corporation with offices at 15000 CAPITAL ONE DRIVE RICHMOND , VA 23238 .

2. Defendant is adult individual(s) residing at the address listed below:

ANN E ENGLISH  
649 WOODLAND BIGLER HWY  
WOODLAND, PA 16881

3. Defendant applied for and received a credit card bearing the account number XXXXXXXXXXXXXXXXX2513 .

4. Defendant made use of said credit card and has a current balance due of \$1199.54 , as of March 20, 2008 .

5. Defendant is in default by failing to make monthly payments when due. As such, the entire balance is immediately due and payable to Plaintiff.

6. Plaintiff is entitled to the addition of interest at the rate of 29.200% per annum on the unpaid balance from March 20, 2008 . A copy of Plaintiff's STATEMENT OF ACCOUNT is attached hereto, marked as Exhibit "1" and made a part hereof.

7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance due to Plaintiff.

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , ANN E ENGLISH , INDIVIDUALLY , in the amount of \$1199.54 with continuing interest thereon at the rate of 29.200% per annum from March 20, 2008 plus costs.

  
James C. Warmbrodt, 42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
436 Seventh Avenue, Suite 1400  
Pittsburgh, PA 15219  
(412) 434-7955  
FAX: 412-338-7130  
06385090 C N Pit ABR

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.

Previous Balance \$735.37	Payments & Credits -\$0.00	FINANCE CHARGE \$20.97	Transactions +\$88.00	New Balance \$844.34	Minimum Payment \$344.34	Due Date Nov 05, 2006
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PLEASE PAY AT LEAST THIS AMOUNT

Sep 05, 2006 — Oct 10, 2006 Page 1 of 1

<b>MasterCard Platinum Account</b> 5178-0524-7029-2513	
<b>Your Account Information</b>	
TOTAL CREDIT LINE	
TOTAL AVAILABLE CREDIT	
CREDIT LINE FOR CASH	
AVAILABLE CREDIT FOR CASH	

**Finance Charges** (Please see reverse for important information)  
 Balance rate Periodic Corresponding FINANCE  
 applied to rate APR CHARGE  
 Purchases \$747.98 0.08011% P 29.26% \$20.97  
 Cash \$0.00 0.08011% P 29.26%  
**ANNUAL PERCENTAGE RATE** applied this period. 29.24%

You were assessed a past due fee because your minimum payment was not received by the due date. To avoid this fee in the future, we recommend that you allow at least 7 business days for your minimum payment to reach Capital One

At Your Service 1-800-803-3837  
 To call Customer Relations or to report a lost or stolen card

Send payments to:  
 Capital One Bank P O Box 70884 Charlotte, NC 28272-4984

Send inquiries to:  
 CapitalOne P O Box 30285 Salt Lake City, UT 84130-0285

## EXHIBIT

6055 506 1 7 5 051010 PAGE 1 OF 1 COLOR231B  
 PLEASE RETURN PORTION BELOW WITH PAYMENT 01BC6056

PLEASE RETURN PORTION BELOW WITH PAYMENT

PAGE 1 OF 1 COLOR231B

01BC6056

0 5178052470292513 05 0844340308000344344

CapitalOne Account Number: 5178-0524-7029-2513

What's in your wallet? Account Number: 5178-0524-7029-2513  
 New Balance Minimum Payment Due Date  
 \$844.34 \$344.34 Nov 05, 2006  
 PLEASE PAY AT LEAST THIS AMOUNT

Please print address or phone number changes below using blue or black ink

Address

Home Phone Alternate Phone

Email address

@

Amount Enclosed

Capital One Bank  
 P.O. Box 70884  
 Charlotte, NC 28272-0684  
 1-800-803-3837

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

VERIFICATION

CAPITAL ONE BANK (USA), N.A., successor-in-interest to Capital One Bank

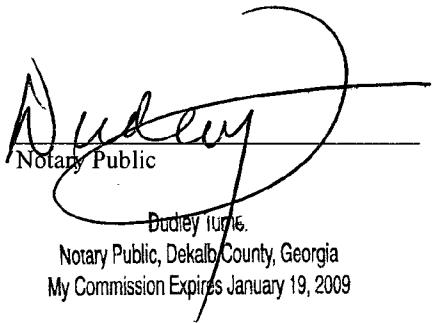
vs

ENGLISH, ANN E

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 (USA), N.A., successor-in-interest to 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



\_\_\_\_\_  
Dudley June  
Notary Public  
Dudley June,  
Notary Public, Dekalb County, Georgia  
My Commission Expires January 19, 2009

5178052470292513  
A049  
WELTMAN, WEINBERG & REIS CO., L.P.A.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104079  
NO: 08-739-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) NA  
vs.  
DEFENDANT: ANN E. ENGLISH

**SHERIFF RETURN**

NOW, May 07, 2008 AT 11:50 AM SERVED THE WITHIN COMPLAINT ON ANN E. ENGLISH DEFENDANT AT 649 WOODLAND BIGLER HWY., WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ANN E. ENGLISH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

**FILED**

01321781  
AUG 04 2008  
LSM

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	3361721	10.00
SHERIFF HAWKINS	WELTMAN	3361721	23.05

Sworn to Before Me This

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

So Answers,

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

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

CAPITAL ONE BANK (USA), NA

Plaintiff No. 08-739-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

ANN E 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.  
1400 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#06385090  
Judgment Amount \$ 1,311.48

THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

FILED *Atty pd-20.00*  
*m/11/05/08* *OCT 06 2008* *ICCA Notice to*  
*Def.*

*S* William A. Shaw  
Prothonotary/Clerk of Courts *Statement to Atty*

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

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No. 08-739-CD

ANN E ENGLISH

Defendant

**PRAECIPE FOR DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, ANN E ENGLISH above named, in the default of an Answer, in the amount of \$1,311.48 computed as follows:

Amount claimed in Complaint	\$1,199.54
Interest from March 20, 2008 to September 16, 2008 at the legal interest rate of 29.20% per annum	\$111.94
<b>TOTAL</b>	<b>\$1,311.48</b>

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

William T. Molczan, Esquire

PA I.D. #47437

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#06385090

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 1400 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219

And that the last known address of the Defendant is: 649 WOODLAND BIGLER HWY, WOODLAND, PA 16881

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

*COPIED*

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No. 08-739-CD

ANN E 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 10/16/08

Assumpsit Judgment in the amount  
of \$1,311.48 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-Pros  
 Confession  
 Default  
 Verdict  
 Arbitration  
 Award

Prothonotary

By: William L. Ober  
PROTHONOTARY (OR DEPUTY)

ANN E ENGLISH  
649 WOODLAND BIGLER HWY  
WOODLAND, PA 16881

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 1400 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219  
1-888-434-0085

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

CAPITAL ONE BANK (USA), NA

Case no: 08-739-CD

Plaintiff  
vs.  
NON-MILITARY AFFIDAVIT

ANN E 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.

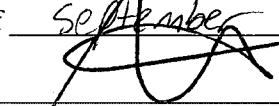
Affiant further states that based upon investigation it is the affiant's belief that the Defendant, ANN E ENGLISH is not in the military service.

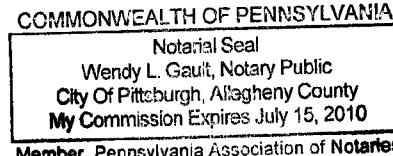
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, ANN E ENGLISH is not in the military service.

Further Affiant sayeth naught.

  
AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 23<sup>rd</sup> day  
of September, 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

SEP-16-2008 12:48:55



Military Status Report  
 Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
ENGLISH	ANN E		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

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

CAPITAL ONE BANK (USA), NA

Plaintiff

Case # 08-739-CD

ANN E ENGLISH

Defendant(s)

IMPORTANT NOTICE

TO: ANN E ENGLISH  
649 WOODLAND BIGLER HWY  
WOODLAND, PA 16881

Date of Notice: 09/05/08  
WWR#: 06385090

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 COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

Capital One Bank (USA), NA  
Plaintiff(s)

No.: 2008-00739-CD

Real Debt: \$1,311.48

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Ann E. English  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: October 6, 2008

Expires: October 6, 2013

Certified from the record this 6th day of October, 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