

08-850-CD  
Capital One vs Joan C. Danver

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

CAPITAL ONE BANK (USA), NA

Plaintiff No: 08-850-CJ  
vs. COMPLAINT IN CIVIL ACTION

JOAN C DANVER

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt, 42524

WELTMAN, WE

436 Seventh Avenue, Suite  
Pittsburgh, PA 15219  
(412) 434-7955  
FAX: 412-338-7130  
06385079 C N Pit ABR

FILED *Atty pd.*  
MAY 11 2004 *\$95.00*  
MAY 07 2004  
1 CC Sheriff  
William A. Shaw  
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK (USA), NA

Plaintiff  
vs. Civil Action No

JOAN C DANVER

Defendant

COMPLAINT 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.

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

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:

JOAN C DANVER  
6605 ROCKTON MTN. HWY  
ROCKTON, PA 15856

3. Defendant applied for and received a credit card bearing the account number XXXXXXXXXXXXXXX6335 .

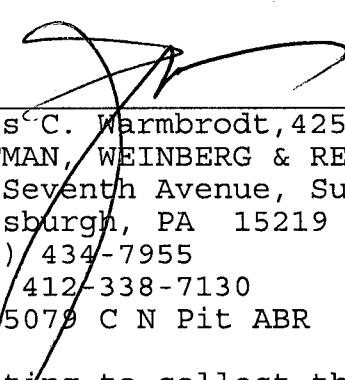
4. Defendant made use of said credit card and has a current balance due of \$1737.73 , as of April 08, 2008 .

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 April 08, 2008 . A copy of Plaintiff's STATEMENT 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 , JOAN C DANVER , INDIVIDUALLY , in the amount of \$1737.73 with continuing interest thereon at the rate of 29.200% per annum from April 08, 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  
06385070 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	Payments & Credits	FINANCE CHARGE	Transactions	New Balance	Minimum Payment	Due Date
\$1,147.66	-\$0.00	+\$28.87	+\$35.00	= \$1,211.53	(\$461.53)	Nov 11, 2006

Sep 12, 2006 — Oct 12, 2006 Page 1 of 1

MasterCard Platinum Account  
5178-0525-0592-5355

Your Account Information

TOTAL CREDIT LINE	\$750.00
TOTAL AVAILABLE CREDIT	\$90.00
CREDIT LINE FOR CASH	\$750.00
AVAILABLE CREDIT FOR CASH	\$0.00

**Finance Charges** (Please see reverse for important information)

Balance rate applied to	Periodic Corresponding FINANCE CHARGE APR
Purchases \$1,162.68	0.0801% P 29.24%
Cash \$0.00	0.0801% P 29.24%
ANNUAL PERCENTAGE RATE applied this period. 28.24%	

At Your Service 1-800-903-3837

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

Send payments to:  
Capital One Bank P.O. Box 70884 Charlotte, NC 28272-0884

?

**Payments, Credits & Adjustments**

Transactions	12 OCT	PAST DUE FEE	\$35.00
--------------	--------	--------------	---------

PLEASE PAY AT LEAST THIS AMOUNT

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

**EXHIBIT**

6056 506 1 7 11 061012 PAGE 1 OF 1 COLR233B  
PLEASE RETURN PORTION BELOW WITH PAYMENT  
01BC6056

0 5178052505826335 11 121153005000461536

**CapitalOne** what's in your wallet?

New Balance	Minimum Payment	Due Date
\$1,211.53	(\$461.53)	Nov 11, 2006

PLEASE PAY AT LEAST THIS AMOUNT

Amount Enclosed

Account Number: 5178-0525-0582-6335

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

Home Phone \_\_\_\_\_  
Alternate Phone \_\_\_\_\_  
E-mail address \_\_\_\_\_ @ \_\_\_\_\_

#00286002574510# MAIL ID NUMBER  
JOAN C DAVIER  
PO Box 24  
ROCKTON, PA 15856-0024

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

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

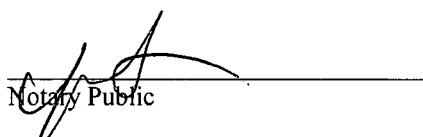
vs

DANVER, JOAN C

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



\_\_\_\_\_  
Notary Public

JAMELA SINGLETARY  
NOTARY PUBLIC  
GEORGIA, DEKALB COUNTY  
MY COMMISSION EXPIRES NOV 4, 2011

5178052505826335  
A049  
WELTMAN, WEINBERG & REIS CO., L.P.A.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-850-CD

CAPITAL ONE BANK (USA), NA  
vs  
JOAN C. DANVER

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/06/2008 HEARING: PAGE: 104142

DEFENDANT: JOAN C. DANVER  
ADDRESS: 6605 ROCKTON MTN. HWY.  
ROCKTON, PA 15856

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 5-22-08-NH left NOTICE

WCE 5-23-08 SHERIFF'S RETURN

FILED

MAY 28 2008  
0/8:70 AM  
William A. Shaw  
Prothonotary/Clerk of Courts

NOW, this 27<sup>th</sup> day of May AT 2:15 AM / PM SERVED THE WITHIN

COMPLAINT ON JOAN C. DANVER, DEFENDANT

BY HANDING TO JOAN C. DANVER, Defendant.

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED Sheriffs office - 1 North 2<sup>nd</sup> St Clearfield Pa. 16830

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT FOR JOAN C. DANVER

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO JOAN C. DANVER

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_  
DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Nerkus  
Deputy Signature

Jerome M. Nerkus  
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104142  
NO: 08-850-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA), NA  
vs.  
DEFENDANT: JOAN C. DANVER

FILED

01/31/08  
AUG 20 2008

William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF RETURN**

**RETURN COSTS**

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	3388045	10.00
SHERIFF HAWKINS	WELTMAN	3388045	32.13

Sworn to Before Me This

So Answers,

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



Chester A. Hawkins  
Sheriff

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

CAPITAL ONE BANK (USA) ,NA

Plaintiff No. 08-850-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

JOAN C DANVER

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 Bldg.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#06385079  
Judgment Amount \$ 1857.08

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  
*12/13/08*  
DEC 01 2008 ICC & Notice  
S to Def. *GD*  
William A. Shaw  
Prothonotary/Clerk of Courts Statement to

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

CAPITAL ONE BANK (USA) ,NA

Plaintiff

vs.

Civil Action No. 08-850-CD

JOAN C DANVER

Defendant

**PRAECIPE FOR DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, JOAN C DANVER above named, in the default of an Answer, in the amount of \$1857.08 computed as follows:

Amount claimed in Complaint	\$1737.73
Interest from April 08, 2008 to November 10, 2008 at the legal interest rate of 29.2% per annum	\$119.35
<b>TOTAL</b>	<b>\$1857.08</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 Bldg.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955  
WWR#06385079

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219  
And that the last known address of the Defendant is: 6605 Rockton Mtn. Hwy, Rockton, PA 15856

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

CAPITAL ONE BANK (USA), NA

Plaintiff

Case # 08-850-CD

JOAN C DANVER

Defendant(s)

IMPORTANT NOTICE

TO: JOAN C DANVER  
6605 ROCKTON MTN. HWY  
ROCKTON, PA 15856

Date of Notice: 09/23/08  
WWR#: 06385079

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 COMMON PLEAS COURT OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CAPITAL ONE BANK (USA), NA

Case no: 08-850-CD

Plaintiff  
vs.  
NON-MILITARY AFFIDAVIT

JOAN C DANVER

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, JOAN C DANVER is not in the military service.

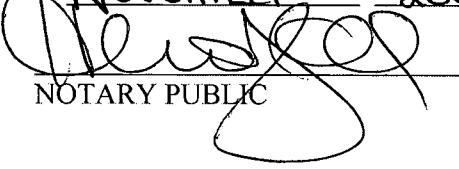
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, JOAN C DANVER is not in the military service.

Further Affiant sayeth naught.

  
AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 13 day

of November 2008

  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Heidi J. Kelly, Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Nov. 4, 2009

Member, Pennsylvania Association of Notaries

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

NOV-13-2008 12:54:37



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
DANVER	JOAN C		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 by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID: **GIUHUNCNJP**

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

COPY

CAPITAL ONE BANK (USA) ,NA

Plaintiff

vs.

Civil Action No. 08-850-CD

JOAN C DANVER

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 12/11/08

Assumpsit Judgment in the amount  
of \$1857.08 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:

Weltman  
PROTHONOTARY (OR DEPUTY)

JOAN C DANVER  
6605 ROCKTON MTN. HWY  
ROCKTON, PA 15856

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219  
1-888-434-0085

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

CCopy

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

No.: 2008-00850-CD

Real Debt: \$1,857.08

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Joan C. Danver  
Defendant(s)

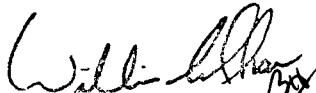
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: December 1, 2008

Expires: December 1, 2013

Certified from the record this 1st day of December, 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

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

CAPITAL ONE BANK (USA) N.A.

Plaintiff No. 08-850-CD

vs. PRAEICE FOR SATISFACTION OF  
JOAN C DANVER JUDGMENT

Defendant FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

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

WWR#6385079

pd \$7.00 Atty.  
S FILED 1cc & 1 Cert  
m 1:45pm of scot issued  
MAY 01 2009  
to Atty  
LM William A. Shaw Warmbrodt  
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK (USA) N.A.

Plaintiff

vs.

Civil Action No. 08-850-CD

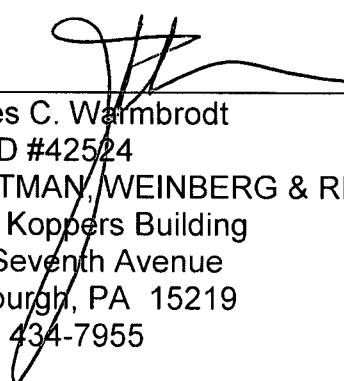
JOAN C DANVER

Defendant

**PRAECIPE FOR SATISFACTION OF JUDGMENT**

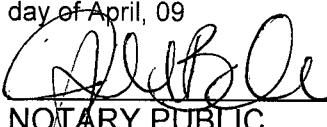
At the request of the undersigned attorneys for the Plaintiff, you are directed to satisfy the above-captioned Judgment.

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

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

WWR #6385079

Sworn to and subscribed  
before me this 18<sup>TH</sup>  
day of April, 09

  
\_\_\_\_\_  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Jennifer M. Borowski, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Feb. 22, 2012

Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

*COPY*

**CERTIFICATE OF SATISFACTION OF JUDGMENT**

No.: 2008-00850-CD

Capital One Bank (USA), NA

Debt: \$1857.08

Vs.

Atty's Comm.:

Joan C. Danver

Interest From:

Cost: \$7.00

NOW, Friday, May 01, 2009 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 1st day of May, A.D. 2009.

*Willie L. Shan* lm  
\_\_\_\_\_  
Prothonotary