

08-897-CD
Capital One vs Shelly Caine

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

CAPITAL ONE BANK (USA), NA

Plaintiff

No: 2008-897-CD

vs.

COMPLAINT IN CIVIL ACTION

SHELLY A CAINE

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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
06523951 C N Pit ABR

FILED
MAY 14 2008
ATTY PAID 95.00
1cc 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.
SHELLY A CAINE
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:

SHELLY A CAINE
189 COOK RD
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number XXXXXXXXXXXXXXXX1576 .

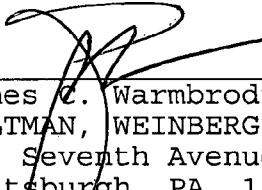
4. Defendant made use of said credit card and has a current balance due of \$1386.33 , as of April 09, 2008 .

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 25.900% per annum on the unpaid balance from April 09, 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 , SHELLY A CAINE , INDIVIDUALLY , in the amount of \$1386.33 with continuing interest thereon at the rate of 25.900% per annum from April 09, 2008 plus costs.


James A. Warmbrodt, 42524
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436 Seventh Avenue, Suite 1400
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(412) 434-7955
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06523951 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 \$1,087.41	Payments & Credits \$0.00	FINANCE CHARGE \$23.42	Transactions \$35.00	New Balance \$1,145.83	Minimum Payment \$345.83	Due Date Jan 07, 2007
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Nov 08, 2006 — Dec 07, 2006 **Page 1 of 1**

MasterCard® Platinum Account
5291-0716-0406-1516

Your Account Information

TOTAL CREDIT LINE	\$800.00
TOTAL AVAILABLE CREDIT	\$800.00
CREDIT LINE FOR CASH	\$0.00
AVAILABLE CREDIT FOR CASH	\$0.00

Finance Charges (Please see reverse for important information)

Balance rate	Periodic	Corresponding FINANCE CHARGE
applied to	rate	APR
Purchases	\$1.03892	0.07096%
Cash	\$60.91	0.07096%
ANNUAL PERCENTAGE RATE applied this period. 25.80%		

At Your Service 1-800-355-0707
To call Customer Relations or to report a lost or stolen card

 **Send payments to:**
Capital One Bank P.O. Box 70864 Charlotte, NC 28272-4984

 **Send inquiries to:**
Capital One P.O. Box 30285 Salt Lake City, UT 84130-0285

Important Notice: Under the terms we previously disclosed to you, your account is now eligible for an increase in Annual Percentage Rates (APRs) effective immediately. However, Capital One has elected not to raise your APRs at this time. Please be advised that if you fail to keep your account in good standing, Capital One reserves the right to raise your APRs in the future.

PLEASE PAY AT LEAST THIS AMOUNT

Payments, Credits & Adjustments

Transactions	1 07 DEC	PAST DUE FEE	\$35.00

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 061207 PAGE 1 OF 1 PLEASE RETURN PORTION BELOW WITH PAYMENT
01BC5056

0 5291071604001576 07 1145830020000345834

Capital One what's in your wallet?

New Balance \$1,145.83	Minimum Payment \$345.83	Due Date Jan 07, 2007
----------------------------------	------------------------------------	---------------------------------

PLEASE PAY AT LEAST THIS AMOUNT

Account Number: **5291-0716-0400-1576**

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

Address:

Home Phone _____

Alternate Phone _____

E-mail address _____ @ _____

Amount Enclosed _____

#90342-58509705# MAIL ID NUMBER
SHELLY A CAIN
169 COX RD
DU BOIS, PA 15801-3603
[REDACTED]

Capital One Bank [REDACTED]
P.O. Box 70864 [REDACTED]
Charlotte, NC 28272-0864
[REDACTED]

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

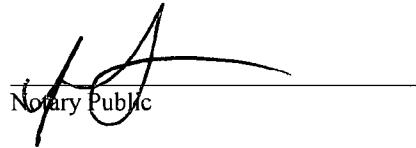
vs

CAINE, SHELLY A

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

5291071604001576

A049

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-897-CD

CAPITAL ONE BANK (USA) NA

VS

SHELLY A. CAINE

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/13/2008 HEARING: PAGE: 104170

DEFENDANT: SHELLY A. CAINE
ADDRESS: 189 COOK RD
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 06-03-08 (MOVED.) _____

FILED

013:35pm
JUN 16 2008

William A. Shaw
Prothonotary/Clerk of Courts

LM

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON SHELLY A. CAINE, DEFENDANT

BY HANDING TO _____ / _____

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

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR SHELLY A. CAINE

AT (ADDRESS) _____

This 16th DAY OF
NOW JUNE 2008 AT 10:00 AM PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO SHELLY A. CAINE

REASON UNABLE TO LOCATE MOVED NO-FORWARDING

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Nevling
Deputy Signature

Jerome M. Nevling
Print Deputy Name

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

CAPITAL ONE BANK (USA), NA

Plaintiff

No: 2008-897-CD

vs.

COMPLAINT IN CIVIL ACTION

SHELLY A CAINE

Defendant

FILED ON BEHALF OF
Plaintiff

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THIS PARTY:

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436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
06523951 C N Pit ABR

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

MAY 14 2008

Attest.

William L. Caine
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

SHELLY A CAINE

Defendant

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Nov 08, 2006 — Dec 07, 2006 Page 1 of 1

MasterCard Platinum Account
5291-0716-040-4576

Your Account Information

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TOTAL AVAILABLE CREDIT	\$800.00
CREDIT LINE FOR CASH	\$0.00
AVAILABLE CREDIT FOR CASH	\$0.00

Finance Charges (Please see reverse for important information)

Balance rate	Periodic	Corresponding FINANCE CHARGE		
applied to	rate	APR		
Purchases	0.03892	0.07096%	25.90%	\$22.12
Cash	\$60.91	0.07096%	25.90%	\$1.30
ANNUAL PERCENTAGE RATE applied this period. 25.90%				

At Your Service 1-800-955-7070
To call Customer Relations or to report a lost or stolen card

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Send payments to.

Capital One Bank P.O. Box 70884 Charlotte, NC 28272-3884

Send inquiries to.

Capital One Bank P.O. Box 30285 Salt Lake City, UT 84130-0285



6056 506 1 7 7 061207 PAGE 1 OF 1 PLEASE RETURN PORTION BELOW WITH PAYMENT
01BC6056

CapitalOne what's in your wallet?

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PLEASE PAY AT LEAST THIS AMOUNT

Amount Enclosed

0 5291071604001576 07 1145830020000345834

Account Number: 5291-0716-0400-1576

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

Home Phone _____

Alternate Phone _____

E-mail address: _____ @ _____

#903425-58-509705# MAIL ID NUMBER
SHELLY A CAIN
167 COOK RD
DU BOIS, PA 15801-5603

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

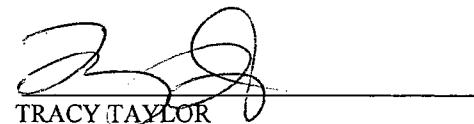
VERIFICATION

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

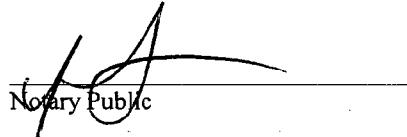
vs

CAINE, SHELLY A

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

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

5291071604001576
A049
WELTMAN, WEINBERG & REIS CO., L.P.A.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104170
NO: 08-897-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) NA
vs.
DEFENDANT: SHELLY A. CAINE

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	3390559	10.00
SHERIFF HAWKINS	WELTMAN	3390559	33.19

FILED

*0/30/08
SEP 19 2008*

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008

Chester A. Hawkins

Chester A. Hawkins
Sheriff

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

CAPITAL ONE BANK (USA),NA

Plaintiff

No. 2008-897-CD

vs.

PRAECLPICE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

SHELLY A CAINE

Defendant(s)

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#6523951 CFR

FILED 104 & 1 cert of
m 1:46 pm disc issued
JUL 22 2009 to Atty Warmbrodt
William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK (USA),NA

Plaintiff

vs.

Civil Action No. 2008-897-CD

SHELLY A CAINE

Defendant(s)

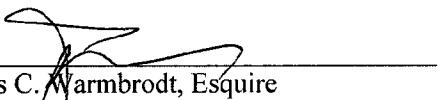
PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF Clearfield COUNTY:

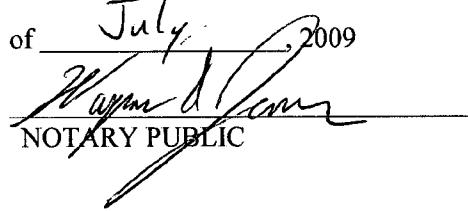
SIR:

Kindly settle, discontinue and end without prejudice to refile the above-captioned matter upon the records of the Court and mark the costs paid.

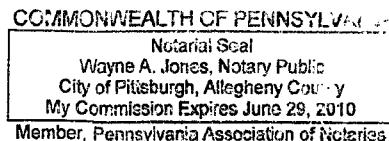
WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
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

SWORN TO AND SUBSCRIBED

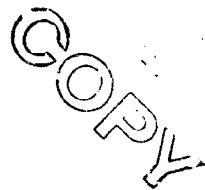
before me this 9th day
of July, 2009


NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION



Capital One Bank (USA), NA

Vs.
Shelly A. Caine

No. 2008-00897-CD

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 July 22, 2009, 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 22nd day of July A.D. 2009.



William A. Shaw, Prothonotary