

08-946-CD
Citibank vs Ryan Horchen

Burton Neil & Associates, P.C.
By: Neil Sarker, Esquire ID. NO. 203465
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A. : IN THE COURT OF COMMON PLEAS
701 East 60th Street N
Sioux Falls, SD 57117

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

RYAN M HORCHEN : NO. 08-946-CD
429 1st Street, Du Bois PA 15801-3011
Defendant : CIVIL ACTION - LAW

Complaint - 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 (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 claim 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. 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.

LAWYER REFERENCE AND INFORMATION SERVICE

David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

C-13666

FILED *Att. pd.*
m/10:41/6/07 *\$95.00*
MAY 21 2008
1CC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.
By: Neil Sarker, Esquire ID. NO. 203465
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A. : IN THE COURT OF COMMON PLEAS
701 East 60th Street N
Sioux Falls, SD 57117

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO.

RYAN M HORCHEN
429 1st Street, Du Bois PA 15801-3011

Defendant : CIVIL ACTION - LAW

Complaint

1. Plaintiff is Citibank (South Dakota), N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.

2. Defendant is Ryan M Horchen, who resides at 429 1st Street, DuBois, Clearfield County, Pennsylvania.

3. Plaintiff is a national banking association, engaged in various types of banking business including consumer lending through the issuance of credit cards.

4. Plaintiff furnished consumer credit to the defendant by means of a(n) credit card with account number 1710362241335151 hereinafter referred to as the credit card account.

5. Plaintiff kept accurate running records of all debits and credits to the account.

6. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.

7. Before plaintiff mailed Exhibit A, defendant had for many months made payments on account of the billing statement or retained the statement without payment.

8. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$2,404.97 which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, plaintiff demands judgment against defendant for the sum of \$2,404.97, and the costs of this action.

Burton Neil & Associates, P.C.

By: 

Neil Sarker, Esquire
Attorney for Plaintiff

The law firm of Burton Neil & Associates, P.C. is a debt collector.

Sears Card®

Call us at 1-800-917-7700

Go to www.searscard.com

Write to us at PO Box 6924 The Lakes, NY 88901-6924

RYAN M HORCHEN

Account Number: 03 62241 33515 1

Page 1 of 1

Minimum Payment Due Date

12/24/07

Your Account Summary

Billing Cycle Closing Date **11/26/07**
Amount Over Credit Limit \$1,434.97
Amount Past Due \$312.00
Minimum Payment Due \$411.65

Previous Balance \$2,330.32
Payments & Credits \$0.00
Purchases & Debits \$0.00
Other Charges \$25.00
Total **FINANCE CHARGES** \$49.65
Total Account Balance \$2,404.97

*C-13666***Your Credit Summary**

Total Credit Limit \$970.00
Total Credit Available \$0.00

Activity	Sale Date	Post Date	Description	Amount
	11/22/07	11/22/07	LATE PAYMENT FEE	25.00

YOUR ACCOUNT IS SERIOUSLY PAST DUE. AMOUNT PAST DUE IS SHOWN ABOVE. ARRANGEMENTS FOR FUTURE PAYMENTS SHOULD BE MADE IMMEDIATELY.

Rates	*Rate Varies	Balance	Average Daily Balance	Corresponding ANNUAL PERCENTAGE RATE	Periodic Rate D=Day M=Month	Periodic FINANCE CHARGE
SEARS						
REGULAR		\$2,404.97	\$2,358.15	24.00%	.0658%(D)	\$49.65
Days in Billing Period: 32		Effective ANNUAL PERCENTAGE RATE: 24.00%			Minimum FINANCE CHARGE: \$0.00	

Sears Card®

Account Number: 03 62241 33515 1

Total Account Balance	Minimum Payment Due Date	Minimum Payment Due	Amount Enclosed
\$2,404.97	12/24/07	\$411.65	\$

0001891 EX 17 A

07330 1 TRS005 FWG 001 7 N



RYAN M HORCHEN
429 1ST ST
DU BOIS PA 15801-3011



Make check payable to
SEARS CREDIT CARDS
PO BOX 183081
COLUMBUS, OH 43218-3081

Please make address changes on reverse side.

200 50499411071170455 0240497 0041165 00000000 1711

EXHIBIT*A*

Verification

I, Tiena Reynolds am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff CITIBANK (SOUTH DAKOTA), N.A. retained to perform services on its behalf. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc. (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.


Signature

Ryan M Horchen
1710362241335151

FILED

MAY 21 2008

William A. Shaw
Prothonotary/Clerk of Courts

Tiera Reynolds

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-946-CD

CITIBANK (SOUTH DAKOTA) N.A.

vs

RYAN M. HORCHEN

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/20/2008

HEARING:

PAGE: 104195

DEFENDANT: RYAN M. HORCHEN

ADDRESS: 429 1ST ST.

DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

05-28-08 w/H

05-30-08 w/H

FILED

09:30 am

JUN 03 2008

William A. Shaw

Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, THIS 2ND DAY OF June 2008 AT 1:55 AM / PM SERVED THE WITHIN

COMPLAINT ON RYAN M. HORCHEN, DEFENDANT

BY HANDING TO Ryan M. Horchen / DEFENDANT

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

ADDRESS SERVED 1201 South Brady Street, Dubois PA, 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR RYAN M. HORCHEN

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO RYAN M. HORCHEN

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Mark A. Corbett
Deputy Signature

mark A. Corbett
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104195
NO: 08-946-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.
vs.
DEFENDANT: RYAN M. HORCHEN

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NEIL	041177	10.00
SHERIFF HAWKINS	NEIL	041177	37.19

FILED

0/3.15 cm
SEP 22 2008

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

FILED *File*

OCT 16 2008

m 11:10/
William A. Shaw
Prothonotary/Clerk of Courts

NOTICE TO
DEPT.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CITIBANK (SOUTH DAKOTA), N.A.
701 East 60th Street N
Sioux Falls, SD 57117

Plaintiff(s)

v.

RYAN M HORCHEN
429 1st Street
Du Bois PA 15801-3011

Defendant(s)

CIVIL DIVISION, ARBITRATION
AND STATUTORY APPEALS ONLY

CASE NO. 08-946-CD

TYPE OF PLEADING: _____

Praecept for Default Judgment

CODE AND CLASSIFICATION:

FILED ON BEHALF OF: Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.

(Name of Party, indicate plaintiff or defendant)

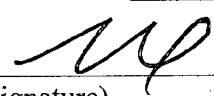
NAME, ADDRESS AND TELEPHONE OF:

 X Counsel of Record
 Individual, if pro se

Neil Sarker, Esquire
Burton Neil & Associates, P.C.
1060 Andrew Drive, Suite 170
West Chester, PA 19380
Telephone: 610-696-2120
email: litigation@burt-law.com

Attorney's State ID# 203465

Attorney's Firm ID# _____



(Signature)

CITIBANK (SOUTH DAKOTA), N.A.
701 East 60th Street N, Sioux Falls, SD 57117
Plaintiff

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 08-946-CD

RYAN M HORCHEN
429 1st Street
Du Bois PA 15801-3011
Defendant

: CIVIL ACTION - LAW

Praeipice for Default Judgment

To the Prothonotary:


Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:

Principal:	\$2,404.97
TOTAL	\$2,404.97

Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment debtor and creditor.
2. The annexed notice of intention to file this praecipe was mailed to all parties against whom judgment is to be entered and to their record attorneys, if any, after the default occurred, and at least ten days prior to the date of the filing of this praecipe.
3. Pursuant to Section 201(b)(1)(A) of the Servicemembers Civil Relief Act of 2003 (SCRA), the defendant is not in the military service of the United States based on information received from the defendant and/or the Department of Defense website.

**JUDGMENT BY DEFAULT ENTERED
AND DAMAGES ASSESSED AS ABOVE.
NOTICE GIVEN UNDER PA.R.CIV.P. 236**



Pro Prothonotary

Burton Neil & Associates, P.C.

By: 

Neil Sarker, Esquire
Attorney for Plaintiff
I.D. NO. 203465
1060 Andrew Drive, Suite 170
West Chester, PA 19380

The law firm of Burton Neil & Associates is a debt collector.

C-13666

CITIBANK (SOUTH DAKOTA), N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 08-946-CD

RYAN M HORCHEN

Defendant

: CIVIL ACTION - LAW

Notice of Intention to File Praecipe for Default Judgment

TO: Ryan M Horchen
429 1st Street
Du Bois PA 15801-3011

IMPORTANT NOTICE

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 (10) 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 notice to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help. 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.

**LAWYER REFERENCE AND
INFORMATION SERVICE**

David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

DATE OF NOTICE: September 29, 2008

Burton Neil & Associates, P.C.

By: 

Neil Sarker, Esquire

Attorney for Plaintiff

Identification No. 203465

1060 Andrew Drive, Suite 170

West Chester, PA 19380

(610) 696-2120

In making this communication, we advise our office is a
debt collector.

Burton Neil & Associates, P.C.
By: Neil Sarker, Esquire ID. NO. 203465
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.
Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 08-946-CD

RYAN M HORCHEN

Defendant

: CIVIL ACTION - LAW

Rule of Civil Procedure NO. 236 (Revised)

Notice is given that a JUDGMENT in the above captioned matter has been entered
against you on Oct. 16, 2008.

Prothonotary

By: 

~~Deputy~~

If you have any questions concerning the above, please contact:

Neil Sarker, Esquire
Attorney for Party Filing
1060 Andrew Drive, Suite 170
West Chester, PA 19380
Phone: 610-696-2120

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