

08-960-CD
Capital One vs Shawn C. Starr

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

CAPITAL ONE BANK (USA), N.A.

(Plaintiff)

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

(Street Address)

Philadelphia, PA 19114

(City, State, ZIP)

CIVIL ACTION

No. 08-960-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

SHAWN C STARR

(Defendant)

802 DOREY ST

(Street Address)

CLEARFIELD, PA 16830-2718

(City, State, ZIP)

Filed on Behalf of:

CAPITAL ONE BANK (USA),

N.A.

(Plaintiff)

David J. Apothaker, Esq.
Apothaker & Associates, P.C.

(Filed by)

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(Address)

215-634-8920

(Phone)

(Signature)

FILED Atty pd. \$95.00
MAY 23 2008 ICC Atty
ICC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

OCT. 31, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Deputy Prothonotary

Our File No.: 158236
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

CAPITAL ONE BANK (USA), N.A.) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
SHAWN C STARR)
802 DOREY ST)
CLEARFIELD, PA 16830-2718)
Defendant.)

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 twenty (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 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.

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentir una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker, Esq.

Attorney I.D.# 38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

CAPITAL ONE BANK (USA), N.A.

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

Plaintiff,

vs.

SHAWN C STARR

802 DOREY ST

CLEARFIELD, PA 16830-2718

Defendant.

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

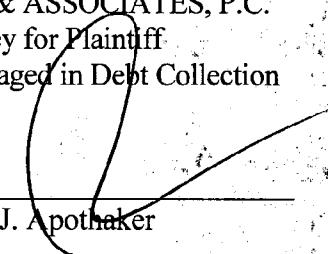
) NO.:

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff is CAPITAL ONE BANK (USA), N.A. c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant(s) is/are SHAWN C STARR, an adult individual residing at 802 DOREY ST CLEARFIELD, PA 16830-2718.
3. At the special instance and request of Defendant, Plaintiff, CAPITAL ONE BANK (USA), N.A., issued to Defendant(s), Account #5291492185400153.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$11,092.69. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".
7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$11,092.69 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: 
David J. Apotheker

Dated: 5/13/2008

Our File No.: 158236

VERIFICATION

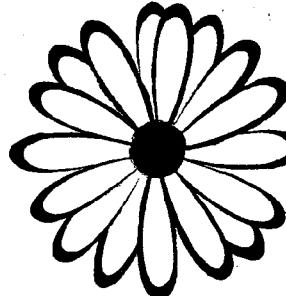
Karly Fabij, hereby states that I am Att for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Karly Fabij

DATE:

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Special savings for Capital One® Cardholders!



Save 15%*

on your next purchase when
you use Promotion Code **CAP66**
(See reverse for details)

Save this code! Offer good all year long!

Remember: Mother's Day is Sunday, May 14th

1-800-flowers.com

Your florist of choice.

Call 1-800-FLOWERS® (1-800-356-9377) or Click www.1800flowers.com today!

Capital One®

Account Summary

Previous Balance	\$8,642.84
Payments, Credits and Adjustments	\$0.00
Transactions	\$35.00
Finance Charges	\$65.56
 New Balance	 \$8,743.40
Minimum Amount Due	\$8,743.40
Payment Due Date	May 25, 2005
 Total Credit Line	 \$8,000
Total Available Credit	\$0.00
Credit Line for Cash	\$4,000
Available Credit for Cash	\$0.00

At your service

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

Send payments to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

Send inquiries to:
Capital One Services
P.O. Box 85015
Richmond, VA 23285-5015

PLATINUM MASTERCARD ACCOUNT

5291-4921-8540-0153

MAR 26 - APR 25, 2005

Page 1 of 1

Payments, Credits and Adjustments

Transactions

1 25 APR PAST DUE FEE

\$35.00

** Important Notice** Effective no later than your June 2005 billing period, you will no longer have the option to be able to avoid a monthly payment by paying more than your minimum payment.

You were assessed a past due fee of \$35.00 on 04/25/2005 because your minimum payment was not received by the due date of 04/25/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

69240S

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$8,610.03	.02438%	8.90%	\$65.07
CASH	\$64.48	.02438%	8.90%	\$.49

ANNUAL PERCENTAGE RATE applied this period

8.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

Capital One®

0000000 0 5291492185400153 25 8743400469008743408

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

Street	Apt #	
City	State	ZIP
Home Phone	Alternate Phone	
Email Address		

New Balance \$8,743.40
Minimum Amount Due \$8,743.40
Payment Due Date May 25, 2005
Total enclosed \$
Account Number: 5291-4921-8540-0153

069240

#9011622761786556# MAIL ID NUMBER
SHAWN C STARR
PO BOX 88
MINERAL SPRINGS PA 16855-0088

Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

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

FILED

MAY 23 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-960-CD

CAPITAL ONE BANK (USA) N.A.
vs
SHAWN C. STARR

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/02/2008 HEARING: PAGE: 104207

HEARING:

PAGE: 104207

DEFENDANT: SHAWN C. STARR
ADDRESS: 802 DOREY ST.
CLEARFIELD, PA 16830

FILED
0 2:37 P.M. 6/6
JUN 06 2008 NO CC
William A. Shaw
Prothonotary/Clerk of Courts

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON SHAWN C. STARR, DEFENDANT

BY HANDING TO _____ / _____

ADDRESS SERVED

NOW **AT** **AM / PM** **POSTED** **THE** **WITHIN**

COMPLAINT FOR SHAWN C. STARR

AT (ADDRESS)

NOW 6/6/08 AT 9:00 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO SHAWN C. STARR

REASON UNABLE TO LOCATE No attempts (expired)

SWORN TO BEFORE ME THIS

So Answers: CHESTER A. HAWKINS, SHERIFF

BY

owers: CHESTER A. HAWKINS, SHERIFF
Deputy S. Hunter
Deputy Signature
S. Hunter
Print Deputy Name

**SHERIFF'S OFFICE
CLEARFIELD COUNTY
CASE # 104207**

DEAR SHAWN C. STARR

Would you please contact the Sheriff's Office EXTENSION **1360** concerning legal papers we have for you

When you call, please give your name and the case # noted above (**104207**) and someone in the Office will be able to help you.

Thank you for your consideration in this matter.

SHERIFF CHESTER A. HAWKINS

OFFICE HOURS: 8:30 A.M. to 4:00 P.M.
PHONE (814) 765-2641

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

CAPITAL ONE BANK (USA), N.A.

(Plaintiff)

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

(Street Address)

Philadelphia, PA 19114

(City, State, ZIP)

CIVIL ACTIONNo. 08-960-CDType of Case: CIVILType of Pleading: PLEADING

VS.

SHAWN C STARR

(Defendant)

802 DOREY ST

(Street Address)

CLEARFIELD, PA 16830-2718

(City, State, ZIP)

Filed on Behalf of:

CAPITAL ONE BANK (USA),N.A.

(Plaintiff)

David J. Apothaker, Esq.
Apothaker & Associates, P.C.

(Filed by)

2417 Welsh Road, Suite 21 #520Philadelphia, PA 19114

(Address)

215 634-8920

(Phone)

(Signature)

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

MAY 23 2008

Attest.

William J. Apothaker
Prothonotary/
Clerk of Courts

Our File No.: 158236
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

CAPITAL ONE BANK (USA), N.A.
c/o Apotheker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

Plaintiff,
vs.

SHAWN C STARR
802 DOREY ST
CLEARFIELD, PA 16830-2718
Defendant.

) COURT OF COMMON PLEAS
)) CLEARFIELD COUNTY
))
)) NO.:

1

3

3

18

10

1

111

NOTICE

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YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR
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GET LEGAL HELP.

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

AVISO

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CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker, Esq.

Attorney I.D.# 38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

CAPITAL ONE BANK (USA), N.A.
c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

Plaintiff,

vs.

SHAWN C STARR
802 DOREY ST
CLEARFIELD, PA 16830-2718
Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
)
NO.:

CIVIL ACTION COMPLAINT
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5. This account is in default and Defendant(s) has an unpaid balance of \$11,092.69. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".

6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".

7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$11,092.69 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: _____
David J. Apothaker

Dated: 5/13/2008

Our File No.: 158236

VERIFICATION

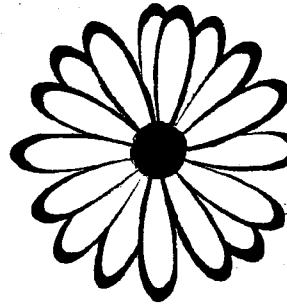
Kathy Falej, hereby states that I am Agent for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Kathy Falej

DATE:

Show Mom your love!

Special savings for Capital One® Cardholders!



Save 15%*

on your next purchase when
you use Promotion Code **CAP66**
(See reverse for details)

Save this code! Offer good all year long!

Remember: Mother's Day is Sunday, May 14th

1-800-flowers.com

Your florist of choice.

Capital One®

Account Summary

Previous Balance	\$8,642.84
Payments, Credits and Adjustments	\$0.00
Transactions	\$35.00
Finance Charges	\$65.56
 New Balance	 \$8,743.40
Minimum Amount Due	\$8,743.40
Payment Due Date	May 25, 2005
 Total Credit Line	 \$8,000
Total Available Credit	\$0.00
Credit Line for Cash	\$4,000
Available Credit for Cash	* \$0.00

PLATINUM MASTERCARD ACCOUNT

5291-4921-8540-0153

MAR 26 - APR 25, 2005

Page 1 of 1

Payments, Credits and Adjustments

Transactions

1	25 APR	PAST DUE FEE	\$35.00
---	--------	--------------	---------

** Important Notice** Effective no later than your June 2005 billing period, you will no longer have the option to be able to avoid a monthly payment by paying more than your minimum payment.

You were assessed a past due fee of \$35.00 on 04/25/2005 because your minimum payment was not received by the due date of 04/25/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

At your service

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

Send payments to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

Send inquiries to:
Capital One Services
P.O. Box 85015
Richmond, VA 23285-5015

69240S

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$8,610.03	.02438%	8.90%	\$65.07
CASH	\$64.48	.02438%	8.90%	\$4.49

ANNUAL PERCENTAGE RATE applied this period

8.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

Capital One®

0000000 0 5291492185400153 25 8743400469008743408

New Balance	\$8,743.40
Minimum Amount Due	\$8,743.40
Payment Due Date	May 25, 2005
Total enclosed	\$
Account Number:	5291-4921-8540-0153

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

Street	Apt. #	
City	State	ZIP
Home Phone	Alternate Phone	@
Email Address		



069240

#9011622761786556# MAIL ID NUMBER
SHAWN C STARR
PO BOX 88
MINERAL SPRINGS PA 16855-0088



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

Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104207
NO: 08-960-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.A.

VS.

DEFENDANT: SHAWN C. STARR

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	90329	10.00
SHERIFF HAWKINS	APOTHAKER	90329	9.00

FILED

03:15 pm
SEP 22 2008

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

Our File No.: 158236
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

FILED

OCT 31 2008

12:30 PM

William A. Shaw
Prothonotary/Clerk of Courts

cc/c

ISSUED REINSTATE
COMPLAINT
TO ATT

CAPITAL ONE BANK (USA), N.A.) COURT OF COMMON PLEAS
Plaintiff,) CLEARFIELD COUNTY
vs.)
)
)
)
)
)
)
SHAWN C STARR) NO.: 08-960-CD
Defendant.)
)
)

PRAECIPE TO
REINSTATE COMPLAINT - CIVIL ACTION

TO THE PROTHONOTARY:

Kindly reinstate the Complaint in the above captioned Civil Action for an additional thirty (30) days.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY:

David J. Apothaker, Esquire

Dated: 10/15/2008

William A. Shaw
Prothonotary/Clerk of Courts

OCT 31 2009

FILED

13 Guelich Ave

Ap 1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-960-CD

CAPITAL ONE BANK (USA), N.A.

vs

SHAWN C. STARR

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 11/30/2008

HEARING:

PAGE: 104885

5
FILED
O 8:30 a.m. GK
DEC 16 2008

William A. Shaw
Prothonotary/Clerk of Courts

DEFENDANT: SHAWN C. STARR
ADDRESS: 802 DOREY ST.
CLEARFIELD, PA 16830-2718

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS Doesn't live at Above Address

SHERIFF'S RETURN

NOW, This 26 day Nov 2008 AT 10:00 AM SERVED THE WITHIN

COMPLAINT ON SHAWN C. STARR, DEFENDANT

BY HANDING TO Shawn C. Starr , Def.

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

ADDRESS SERVED 13 Guelich Ave Ap 1 CLFD

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR SHAWN C. STARR

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO SHAWN C. STARR

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: George F. Dehaven

Deputy Signature

George F. Dehaven

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104885
NO. 08-960-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA), N.A.

vs.

DEFENDANT: SHAWN C. STARR

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	111100	10.00
SHERIFF HAWKINS	APOTHAKER	111100	11.00

S
FILED
0/9:00AM
FEB 13 2008

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

Our File No.: 158236
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215

Attorney for Plaintiff

CAPITAL ONE BANK (USA), N.A.) COURT OF COMMON PLEAS OF
Plaintiff,) CLEARFIELD COUNTY
vs.)
) NO.: 08-960-CD
SHAWN C STARR)
Defendant.) Civil Action
)

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter judgment against Defendant, SHAWN C STARR, in the default of an Answer, in the amount of \$11,698.93 computed as follows:

Amount claimed in complaint:	\$11,092.69
Amount Paid:	-\$(0.00)
Interest from May 13, 2008 to 04/01/09 at the legal interest rate of 6.000 per annum	\$464.24
Costs	\$142.00
Attorney fees	<u>\$0.00</u>
TOTAL	
	\$11,698.93

I hereby certify that the appropriate Notices of Default, as attached have been mailed in accordance with Pa.R.Civ.P. 237.1 on the dates indicated on the Notices.

I certify Defendant, SHAWN C STARR, last know address is 802 DOREY ST CLEARFIELD, PA 16830-

2718.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By:

David J. Apothaker

Dated: 4/1/2009

FILED Atty pd.
m/23/09 20.00
APR 08 2009 ICC Notice
to Def.
William A. Shaw
Prothonotary/Clerk of Courts
1CC Atty
60

Our File No.: 158236
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

CAPITAL ONE BANK (USA), N.A.)	COURT OF COMMON PLEAS OF
)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
SHAWN C STARR)	NO.: 08-960-CD
Defendant.)	Civil Action
)	

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 802 DOREY ST CLEARFIELD, PA 16830-2718.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

David J. Apothaker
Attorney for Plaintiff

The above signed understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
STARR	SHAWN 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: OZQYAANXLF

**OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

CAPITAL ONE BANK (USA), N.A.

) COURT OF COMMON PLEAS

vs.

) CLEARFIELD COUNTY

SHAWN C STARR

) NO. 08-960-CD

)

To: SHAWN C STARR
802 DOREY ST
CLEARFIELD, PA 16830-2718

NOTICE, RULE 237.5

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

Date of Notice: February 27, 2009

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 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 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
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641

151

DAVID J. APOTHAKER, ESQUIRE
APOTHAKER & ASSOCIATES, PC
A Law Firm Engaged in Debt Collection
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff
Attorney ID #38423

13 Guelich Ave

Appt 1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-960-CD

CAPITAL ONE BANK (USA), N.A.
vs.
SHAWN C. STARR

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 11/30/2008 HEARING: PAGE: 104885

DEFENDANT: SHAWN C. STARR
ADDRESS: 802 DOREY ST.
CLEARFIELD, PA 16830-2718

COPY

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

Doesn't live at above address

SHERIFF'S RETURN

NOW, This 26 day Nov 2008 AT 10:00 AM SERVED THE WITHIN

COMPLAINT ON SHAWN C. STARR, DEFENDANT

BY HANDING TO Shawn C. Starr , Def.

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

ADDRESS SERVED 13 Guelich Ave Apt 1 CLFD

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR SHAWN C. STARR

AT (ADDRESS) _____

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

I MAKE RETURN OF NOT FOUND AS TO SHAWN C. STARR

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF November 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: George F. Dehaven

Deputy Signature

George F. Dehaven
Print Deputy Name

FILED

APR 08 2009

**William A. Shaw
Prothonotary/Clerk of Courts**

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS

TO: SHAWN C STARR
802 DOREY ST
CLEARFIELD, PA 16830-2718

CAPITAL ONE BANK (USA), N.A.) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY
 Plaintiff,)
 vs.)
) NO.: 08-960-CD
 SHAWN C STARR)
) Civil Action
 Defendant.)

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

XX JUDGMENT BY DEFAULT

 JUDGMENT IN REPLEVIN

 JUDGMENT BY CONFESSION

 JUDGMENT FOR POSSESSION

 JUDGMENT ON AWARD OF ARBITRATORS

 JUDGMENT ON VERDICT

 JUDGMENT ON COURT FINDINGS

 JUDGMENT ON WRIT OF REVIVAL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apotheker, Esq. at this telephone number: 215-634-8920