

08-1020-CD
Capital One vs Timothy Shuey al

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

CAPITAL ONE BANK

Plaintiff

No. 08-1020-CJ

vs.

COMPLAINT IN CIVIL ACTION

TIMOTHY N SHUEY individually and
D/B/A WATER PRO

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#06398015

FILED Atty pd. \$95.00
M 110:57 AM
JUN 04 2008 2 cc Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No.

TIMOTHY N SHUEY individually and
D/B/A WATER PRO

Defendant

COMPLAINT IN CIVIL ACTION 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

CLEARFIELD COUNTY

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
(814) 765-2641, ext. 50-51

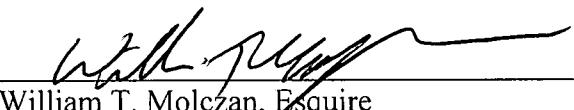
COMPLAINT

1. Plaintiff is a corporation with offices at 15000 CAPITAL ONE DRIVE RICHMOND, VA 23238.
2. Defendant, TIMOTHY N SHUEY , is an adult individual engaged in business as WATER PRO with a last known address of 3215 SIX MILE RD PHILIPSBURG,PA 16866.
3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number XXXXXXXXXXXXXX8348 .
4. Defendant made use of said credit card and has a current balance due and owing to Plaintiff, as of April 15, 2008, in the amount of \$3,147.84. A true and correct copy of Plaintiff's Statement of Account is attached hereto, marked as Exhibit "1" and made a part hereof.
5. Defendant is in default of the terms of the cardholder Agreement having not made monthly payments to Plaintiff thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the Cardholder Agreement between the parties provides the Plaintiff is entitled to the addition of finance charges at the rate of 25.90% per annum on the unpaid balance.
7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the principal balance, finance charges or any part thereof to Plaintiff.

WHEREFORE, Plaintiff prays for judgment in its favor and against Defendant, TIMOTHY N SHUEY individually and D/B/A WATER PRO , in the amount of \$3,147.84 with continuing interest thereon at the rate of 25.90% per annum from April 15, 2008 plus costs.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE USED FOR THAT PURPOSE.

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



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#:06398015

VERIFICATION

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

vs

SHUEY, TIMOTHY N

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

TRACY TAYLOR
HENRY COUNTY, GEORGIA
NOTARY PUBLIC
EXPIRED 12/31/2010
#4115072184968348

4115072184968348

A049

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1020-CD

CAPITAL ONE BANK

vs

TIMOTHY N. SHUEY individually and d/b/a WATER PRO
COMPLAINT

SERVICE # 1 OF 2

SERVE BY: 07/04/2008

HEARING:

PAGE: 104246

DEFENDANT: TIMOTHY N. SHUEY Ind.
ADDRESS: 3215 SIX MILE RD
PHILIPSBURG, PA 16866

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

FILED

JUN 11 2008

0/3:36 AM
William A. Shaw

Prothonotary/Clerk of Courts

60

SHERIFF'S RETURN

NOW, 6/11/08 AT 944 AM / PM SERVED THE WITHIN

COMPLAINT ON TIMOTHY N. SHUEY Ind., DEFENDANT

BY HANDING TO Tim Shuey, self

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

ADDRESS SERVED 3215 Six Mile rd Philipsburg Pa

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR TIMOTHY N. SHUEY Ind.

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO TIMOTHY N. SHUEY Ind.

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Deputy S. Hunter
Deputy Signature

S. Hunter

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1020-CD

CAPITAL ONE BANK

vs

TIMOTHY N. SHUEY individually and d/b/a WATER PRO
COMPLAINT

SERVICE # 2 OF 2

SERVE BY: 07/04/2008

HEARING:

PAGE: 104246

DEFENDANT: TIMOTHY N. SHUEY d/b/a WATER PRO

ADDRESS: 3215 SIX MILE RD
PHILIPSBURG, PA 16866

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

FILED

JUN 11 2008

01 3:36 PM

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, 6/11/08 AT 943 AM / PM SERVED THE WITHIN

COMPLAINT ON TIMOTHY N. SHUEY d/b/a WATER PRO, DEFENDANT

BY HANDING TO Tim Shuey, self

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

ADDRESS SERVED 3215 Six Mile rd Philipsburg PA

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR TIMOTHY N. SHUEY d/b/a WATER PRO

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO TIMOTHY N. SHUEY d/b/a WATER PRO

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy S. Hunter
Deputy Signature

S. Hunter

Print Deputy Name

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

CAPITAL ONE BANK

Plaintiff No. 2008-1020-CD

vs. PRAECIPE TO SETTLE, DISCONTINUE
& END WITH PREJUDICE

TIMOTHY N SHUEY individually and
D/B/A WATER PRO

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
Pa. I.D. No. 47437
Weltman, Weinberg & Reis, Co, LLC
1400 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#06398015

FILED NOCC
M 11 7 2008 Cert. of Disc.
AUG 01 2008 to Atty
William A. Shaw
Prothonotary/Clerk of Courts
(G)

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 2008-1020-CD

TIMOTHY N SHUEY individually and
D/B/A WATER PRO

Defendant

PRAECIPE TO SETTLE DISCONTINUE AND END WITH PREJUDICE

TO THE PROTHONOTARY OF COUNTY:

**Please kindly Settle Discontinue and End the above captioned matter with Prejudice upon the records of
the Court and mark the cost paid.**

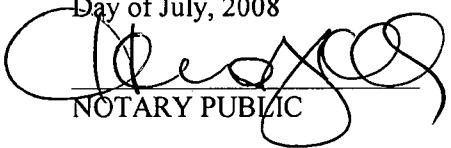
WELTMAN, WEINBERG & REIS CO., L.P.A.

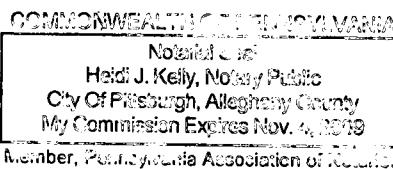
By: W.M. B.
William T. Molczan, Esquire
Pa. I.D. No. 47437
Weltman, Weinberg & Reis, Co, LLC
1400 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#06398015

Sworn to and subscribed

Before me the 25

Day of July, 2008


NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Capital One Bank (USA), NA

Vs.

No. 2008-01020-CD

**Timothy N. Shuey, individually
and d/b/a Water Pro**

CERTIFICATE OF DISCONTINUATION

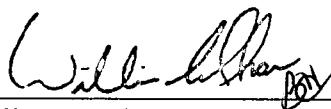
Commonwealth of PA
County of Clearfield

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 August 1, 2008, marked:

Settled, Discontinued, and Ended with Prejudice

Record costs in the sum of \$95.00 have been paid in full by William T. Molczan, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 1st day of August A.D. 2008.



William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104246
NO: 08-1020-CD
SERVICES 2
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK

VS.

DEFENDANT: TIMOTHY N. SHUEY individually and d/b/a WATER PRO

SHERIFF RETURN

RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE | WELTMAN | 8676797 | 20.00 |
| SHERIFF HAWKINS | WELTMAN | 8676797 | 40.16 |

FILED
03/03/08
SEP 29 2008
W.A. Shaw
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff