

08-1074-CD
Capital One vs Gary D. Cathcart

FILED

JUN 11 2008

ml 2:40pm

William A. Shaw
Prothonotary/Clerk of Courts

1 CENT TO SHEL

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

CAPITAL ONE BANK (USA), NA

Plaintiff

No: 2008-1074-CD

vs.

COMPLAINT IN CIVIL ACTION

GARY D CATHCART

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
06523898 C N Pit IAS

Dec. 18, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

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

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No

GARY D CATHCART

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:

GARY D CATHCART
429 KNARR ST
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number XXXXXXXXXXXXXXXXXX3036 .

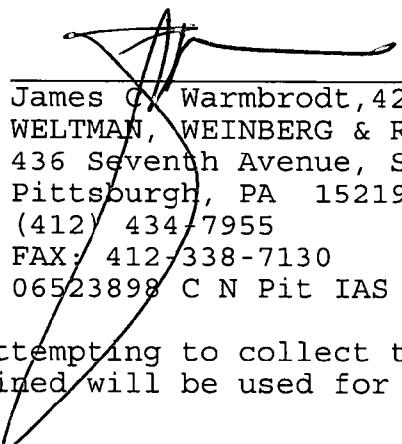
4. Defendant made use of said credit card and has a current balance due of \$1466.98 , as of April 25, 2008 .

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 25, 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 , GARY D CATHCART , INDIVIDUALLY , in the amount of \$1466.98 with continuing interest thereon at the rate of 29.200% per annum from April 25, 2008 plus costs.


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(412) 434-7955
FAX: 412/338-7130
06523898 C N Pit IAS

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.

CapitalOne

PLATINUM MASTERCARD ACCOUNT
5178-0521-2706-3036

FEB 08 - MAR 07, 2006
Page 1 of 1

Account Summary	
Previous Balance	\$985.67
Payments, Credits and Adjustments	\$4.00
Transactions	\$29.00
Finance Charges	\$20.48
New Balance	\$985.15
Minimum Amount Due	\$235.15
Payment Due Date	April 07, 2006
Total Credit Line	\$750
Total Available Credit	\$400
Credit Line for Cash	\$750
Available Credit for Cash	\$400

At your service

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

1-800-903-3637

For free online account service and special customer offers, log on to:
www.capitalone.com

Send inquiries to:

Auto. Remittance Processing
Capital One Bank
P.O. Box 790316
St. Louis, MO 63179-0316
SLC, UT 84130-0385

Important Account Information

Please review the enclosed privacy information and retain it with your account records. Also visit www.capitalone.com/creditcards and click on the Visit the Guide to Benefits link to learn about your latest Visa or MasterCard® account benefits. The descriptions in this online guide replace any information you received in the past. For a printed copy of the Guide to Benefits, call the Customer Relations number on the back of your card.

3508M

Finance Charges		Please see reverse side for important information			
Balance rate applied to		Balance rate	Periodic	Corresponding	EXCHANGE
PURCHASES	\$0.00	0.0773%P	28.24%	28.24%	\$20.48
CASH	\$0.00	0.0773%P	28.24%	28.24%	\$0.00

ANNUAL PERCENTAGE RATE applied this period

28.24%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne

0000000 0 5178052127063036 07 0985150022000235156

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

New Balance	\$985.15
Minimum Amount Due	\$235.15
Payment Due Date	April 07, 2006
Total enclosed	\$ <input type="text"/>
Account Number:	5178-0521-2706-3036

Street	Appt. #
City	State
Home Phone	Alternate Phone
Email Address	

#9006704756353480# MAIL ID NUMBER

Capital One Bank
P.O. Box 790316
St. Louis, MO 63179-0316

003508

GARY D CATHCART
2 ARMINA ST
DU BOIS PA 15801-1438

EXHIBIT

VERIFICATION

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

VS

CATHCART, GARY D

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

5178052127063036

A049

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1074-CD

CAPITAL ONE BANK (USA) NA
vs
GARY D. CATHCART

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 07/11/2008 HEARING: PAGE: 104269

FILED

09:25 am 6L
JUN 19 2008

William A. Shaw
Prothonotary/Clerk of Courts

(6)

DEFENDANT: GARY D. CATHCART
ADDRESS: 429 KNARR ST.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 6-17-08 - 11:12 PM _____

Does not Live
at above Address **SHERIFF'S RETURN**
Different Renters

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON GARY D. CATHCART, 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 GARY D. CATHCART

AT (ADDRESS) _____

NOW This 19th DAY of JUNE 2008 AT 9:24 AM PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO GARY D. CATHCART

REASON UNABLE TO LOCATE Does NOT live at above address

SWORN TO BEFORE ME THIS

DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Neveling
Deputy Signature

Jerome M. Neveling
Print Deputy Name

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

JUN 11 2008

Attest:

Willie A. Schaeffer
Prothonotary/
Clerk of Courts

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

CAPITAL ONE BANK (USA), NA

Plaintiff

No: 2008-1074-C

vs.

COMPLAINT IN CIVIL ACTION

GARY D CATHCART

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
06523898 C N Pit IAS

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

CAPITAL ONE BANK (USA), NA

Plaintiff
vs. Civil Action No
GARY D CATHCART
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.

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COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext 1300-1301

COMPLAINT

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429 KNARR ST
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number XXXXXXXXXXXXXXX3036 .

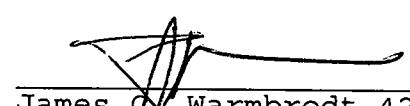
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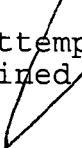
6. Plaintiff is entitled to the addition of interest at the rate of 29.200% per annum on the unpaid balance from April 25, 2008 . A copy of Plaintiff's STATEMENT is attached hereto, marked as Exhibit "1" and made a part hereof.

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 , GARY D CATHCART , INDIVIDUALLY , in the amount of \$1466.98 with continuing interest thereon at the rate of 29.200% per annum from April 25, 2008 plus costs.


James C. Warmbrodt, 42524
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436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
06523898 C N Pit IAS

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.



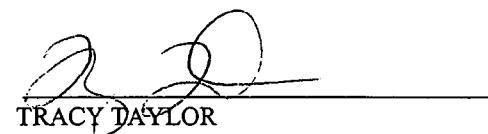
VERIFICATION

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

vs

CATHCART, GARY D

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

5178052127063036

A049

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

APYONNE MARSON
NOTARY PUBLIC
MCALB COUNTY, GEORGIA
NOTARIAL FEE: \$15.00
APR 10, 2014

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104269
NO: 08-1074-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) NA
vs.
DEFENDANT: GARY D. CATHCART

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	3418545	10.00
SHERIFF HAWKINS	WELTMAN	3418545	33.19

FILED
03:03:01
SEP 29 2008
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1074-CD

CAPITAL ONE BANK (USA), NA
vs
GARY D. CATHCART

SERVICE # 1 OF 1

PRAEICE & COMPLAINT

SERVE BY: 01/17/2009 HEARING: PAGE: 105073

603-3295

DEFENDANT: GARY D. CATHCART
ADDRESS: 503 WOOD STREET
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 12-29-08 11:55 AM 01-02-09 call 01-05-09 1-02-09 - N/M
4/1

S FILED

01/30/2009
JAN 05 2009

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, 1-5-09 AT 12:20 AM/PM SERVED THE WITHIN

PRAEICE & COMPLAINT ON GARY D. CATHCART, DEFENDANT

BY HANDING TO GARY CATHCART Defendant

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

ADDRESS SERVED Hepburn Rd & STATE ROUTE 219 South "Abway" Dubois, Pa.
15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

PRAEICE & COMPLAINT FOR GARY D. CATHCART

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO GARY D. CATHCART

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Nevin
Deputy Signature

Jerome M. Nevin
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105073
NO: 08-1074-CD
SERVICES 1
PRAECIPE & COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA), NA
vs.
DEFENDANT: GARY D. CATHCART

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8798592	10.00
SHERIFF HAWKINS	WELTMAN	8798592	72.12

S FILED
013:06 AM
JUN - 2 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2009



Chester A. Hawkins
Sheriff

FILED

DEC 18 2008

11:35 AM

William A. Shaw
Prothonotary/Clerk of Courts

Sent to Sheriff

w/ REINSTATEMENT COMPUTER

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

CAPITAL ONE BANK (USA), NA

Plaintiff No. 2008-1074-CD

vs. PRAECIPE TO REINSTATE COMPLAINT

GARY D CATHCART

Defendants FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan
PA I.D. #47437
WELTMAN, WEINBERG & REIS, CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#06523898

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

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No. 2008-1074-CD

GARY D CATHCART

Defendants

PRAECIPE TO REINSTATE COMPLAINT

Kindly reinstate the Complaint in the above captioned matter.

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

By: W.T. Molczan

William T. Molczan

PA I.D. #47437

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR #06523898

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

DEC 18 2008

Attest:

William L. H.
Prothonotary/
Clerk of Courts

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

CAPITAL ONE BANK (USA), NA

Plaintiff

No: 2008-1074-C0

vs.

COMPLAINT IN CIVIL ACTION

GARY D CATHCART

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
06523898 C N Pit IAS

Dec. 18, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Prothonotary

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

CAPITAL ONE BANK (USA) , NA

Plaintiff

vs.

Civil Action No

GARY D CATHCART

Defendant

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COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
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WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
06523898 C N Pit IAS

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.

VERIFICATION

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

VS

CATHCART, GARY D

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TRACY TAYLOR



Notary Public

5178052127063036

A049

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

APYONNE MARSON
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
APYONNE MARSON, NOTARY PUBLIC

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

CAPITAL ONE BANK (USA) ,NA

Plaintiff No. 2008-1074-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

GARY D CATHCART

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#6523898
Judgment Amount \$ 1835.19

S FILED Atty pd. 20.00
M 10/18/2008
AUG 17 2008
CC Notice
William A. Shaw
Prothonotary/Clerk of Courts to def.

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

CAPITAL ONE BANK (USA) ,NA

Plaintiff

vs.

Civil Action No. 2008-1074-CD

GARY D CATHCART

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, GARY D CATHCART above named, in the default of an Answer, in the amount of \$1835.19 computed as follows:

Amount claimed in Complaint	\$1466.98
Interest from APRIL 25, 2008 TO AUGUST 3, 2009 at the legal interest rate of 29.200% per annum	\$368.21
TOTAL	\$1835.19

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#6523898

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 1400 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
And that the last known address of the Defendant is: 503 WOOD ST, DU BOIS, PA 15801

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

COPY

CAPITAL ONE BANK (USA) ,NA

Plaintiff

vs.

Civil Action No. 2008-1074-CD

GARY D CATHCART

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 8/17/09

Assumpsit Judgment in the amount
of \$1835.19 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: William Weltman

PROTHONOTARY (OR DEPUTY)

GARY D CATHCART
503 WOOD ST
DU BOIS, PA 15801

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 1400 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
1-888-434-0085

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

CAPITAL ONE BANK (USA) ,NA

Case no: 2008-1074-CD

Plaintiff
vs.

NON-MILITARY AFFIDAVIT

GARY D CATHCART

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, GARY D CATHCART is not in the military service.

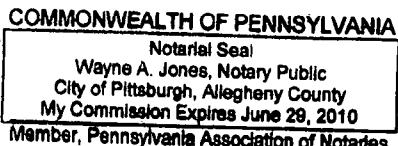
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, GARY D CATHCART is not in the military service.

Further Affiant sayeth naught.

Willie T. My
AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 11th day
Of August, 2009.

Wayne A. Jones
NOTARY PUBLIC



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

CAPITAL ONE BANK (USA), NA

Plaintiff

Case No. 2008-1074-CD

VS.

GARY D CATHCART

Defendant

IMPORTANT NOTICE

TO:
GARY D CATHCART
503 WOOD ST
DU BOIS, PA 15801

Date of Notice: 7/14/09

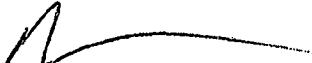
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT 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, EXT 50-51

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

By: 

Matthew Urban
P.A.I.D.# 90963
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, 1400 Koppers Building
Pittsburgh, PA 15219
Phone: (412) 434-7955
6523898 N PIT KM3

Department of Defense Manpower Data Center

AUG-06-2009 10:04:48



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
CATHCART	GARY		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, 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

Record & Return to
Colonial Title, LLC

409 Broad Street, Suite 115
Sewickley, PA 15143

RELEASE OF JUDGMENT

2008-1074-CD

Whereas, Capital One Bank (USA), N.A. has obtained a judgment filed in the Clearfield County Prothonotary's Office against Gary D. Cathcart in the amount of \$1,835.19 and filed on August 17, 2009 at Case No. 2008-01074-CD which judgment by law binds all the Real Estate then of the said Gary D. Cathcart situate in the said Clearfield County, Pennsylvania for the payment thereof:

FILED (2)

JUL 31 2013
S M 11:00
William A. Shaw
Secretary/Clerk of Courts

COPY TO
COLONIAL
TITLE

And Whereas, the said Capital One Bank (USA), N.A. at the time of the obtaining of the said Judgment is seized and possessed of inter alia,

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE FIFTH WARD OF THE CITY OF DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS TO WIT:

BEGINNING at a point on Wood Street, City, Ward, County and State aforesaid at land now or formerly of Haffner or G. Edward Haupt; thence in a Southerly direction along Wood Street, 60 feet to a point of land of property now or formerly of Ball; thence in a Westerly direction to a point at land of Haupt vacant lots, 100 feet; thence in a Northerly direction 60 feet to a point at land now or formerly of Haffner-Haupt; thence in an Easterly direction to a point 100 feet at Wood Street, the place of beginning.

AND BEING MORE CORRECTLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING at a point on the Easterly line of Wood Street; thence in an Easterly direction along the South line of land now or formerly of Edward C. Heffner, a distance of 100 feet to a point on the West line of land now or formerly of Eugene Delp; thence in a Southerly direction along the West line of Eugene Delp land, 60 feet to a point on the North line of land now or formerly of Thomas Ball; thence in a Westerly direction along North line of said Ball land, 100 feet to a point at Wood Street; thence along the Easterly line of Wood Street, 60 feet to a point and the place of beginning.

Tax ID: 7.5-009-000-02602

Now Know all Men by these Presents, that the said Capital One Bank (USA), N.A. at the request of the said Gary D. Cathcart and for and in consideration of the sum of \$952.37 in hand well and truly paid by the said Gary D. Cathcart is hereby acknowledged, both for itself and its successors, covenant, promise and agree to and with the said Gary D. Cathcart,

heirs and assigns, by these presents, that it will not at any time or times hereafter sell or dispose of, attach or levy upon or claim or demand the aforesaid premises, with the appurtenances, or any part thereof, in or by virtue of the aforesaid Judgment, or claim any estate therein: SO THAT the said Gary D. Cathcart, heirs and assigns, shall and may hold the same, free and clear of and from the Judgment aforesaid:

Provided, however, that nothing herein contained shall invalidate the lien or security of the said Judgment upon the other estate of the said **Gary D. Cathcart**.

In witness whereof, the said **Capital One Bank (USA), N.A.** hath hereunto caused to be affixed its common or corporate seal, duly attested, this 25th day of July, 2013.

Signed, Sealed and Delivered
In the Presence of:

Deidre K. Blosl

CAPITAL ONE BANK (USA), N.A.

By J.C. Warmbordt
James C. Warmbordt, Attorney of
Record for Capital One Bank (USA),
N.A.

Commonwealth of **Pennsylvania** :
: ss.
County of **Allegheny** :

On this the 25 day of July, 2013, before me, a notary public, the undersigned officer, personally appeared **James C. Warmbordt, Attorney of Record for Capital One Bank (USA), N.A.**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

Notary Public
My Commission Expires: 7/15/14

Prepared by and Return to:
Colonial Title, LLC
409 Broad Street
Suite 115
Sewickley, PA 15143
6874-13TS

