

08-1138-CD
Midland Funding vs Jamie M. Sebring

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

MIDLAND FUNDING LLC

(Plaintiff)

c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
 (Street Address)
Philadelphia, PA 19114
 (City, State, ZIP)

CIVIL ACTIONNo. 2008-1138-CDType of Case: CIVILType of Pleading: PLEADING

VS.

Filed on Behalf of:

JAMIE M SEBRING

(Defendant)

15352 BENNETTS VALLEY HWY
 (Street Address)
PENFIELD, PA 15849-2940
 (City, State, ZIP)

MIDLAND FUNDING**LLC**

(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
 in 11:36a.m. 6/23/08
 JUN 23 2008
 William A. Shaw
 Prothonotary/Clerk of Courts

Atty PAID 95.00
 1cc Atty
 1 Comp. TO
 SHERIFF

Our File No.: 164951
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

MIDLAND FUNDING LLC) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
JAMIE M SEBRING)
15352 BENNETTS VALLEY HWY)
PENFIELD, PA 15849-2940)
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 paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia 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 tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted compla 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 TELEFONO A LA OFICINA CUYA DIRECCION 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

MIDLAND FUNDING LLC
c/o Apotheker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

Plaintiff,

JAMIE M SEBRING
15352 BENNETTS VALLEY HWY
PENFIELD, PA 15849-2940
Defendant.

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff is MIDLAND FUNDING LLC c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant(s) is/are JAMIE M SEBRING, an adult individual residing at 15352 BENNETTS VALLEY HWY PENFIELD, PA 15849-2940.
3. Plaintiff, MIDLAND FUNDING LLC, is the Assignee and Successor in Interest of Account #71281000109959; and said account was issued to Defendant(s) by BENEFICIAL, the Original creditor.
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 \$9,253.20. 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 \$9,253.20 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: 6/12/2008

Our File No.: 164951

VERIFICATION

David J. Apothaker, Esq. hereby states that I am counsel 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.

David J. Apothaker
Attorney for Plaintiff

DATE: 6/12/2008

MIDLAND FUNDING LLC
c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

JAMIE M SEBRING
15352 BENNETTS VALLEY HWY
PENFIELD, PA 15849-2940

STATEMENT OF ACCOUNT

Debtor's Name: JAMIE M SEBRING

Account Number: 71281000109959

Original Creditor: BENEFICIAL

Balance Due: \$9,253.20

Our File No.: 164951

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1138-CD

MIDLAND FUNDING LLC
vs
JAMIE M. SEBRING

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 07/23/2008

HEARING:

PAGE: 104317

DEFENDANT: JAMIE M. SEBRING
ADDRESS: 15352 BENNETTS VALLEY HWY.
PENFIELD, PA 15849

Cell Phone # 724-525-5341

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS 6-30-08 - 9:47AM
N/H Left Notice

FILED (60)

JUL 02 2008

013:30 AM

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, This 2nd DAY OF JULY 2008 AT 10:02 AM / PM SERVED THE WITHIN

COMPLAINT ON JAMIE M. SEBRING, DEFENDANT

BY HANDING TO Betty Heffner 1 Girlfriend

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

ADDRESS SERVED 15352 Bennetts Valley Hwy Penfield Pa.

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR JAMIE M. SEBRING

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO JAMIE M. SEBRING

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Nervino
Deputy Signature

Jerome M. Nervino
Print Deputy Name

0

11

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104317
NO: 08-1138-CD
SERVICES 1
COMPLAINT

PLAINTIFF: MIDLAND FUNDING LLC
vs.
DEFENDANT: JAMIE M. SEBRING

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	93914	10.00
SHERIFF HAWKINS	APOTHAKER	93914	52.88

4
FILED
012:5751
OCT 06 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.: 164951
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

MIDLAND FUNDING LLC
Plaintiff,
vs.
JAMIE M SEBRING
Defendant.

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY
)
)
)) NO.: 2008-1138-CD
))
)) Civil Action
))

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, MIDLAND FUNDING LLC, and against Defendant, JAMIE M SEBRING, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on July 02, 2008 by the CLEARFIELD Sheriff's Department. Copies of the proofs of service are attached hereto as Exhibit "A".

I certify, a copy of the Notice of Intention To Take Default was mailed on November 10, 2008, and also attached hereto.

S FILED pd \$20.00 Atty
m/10/15pm ICC& notice to
FEB 20 2009 deft
WILLIAM A. SHAW (W) ICC& statement +
Prothonotary/Clerk of Courts to Atty.

Assess damages in the amount of:

(a) Balance: \$9,253.20

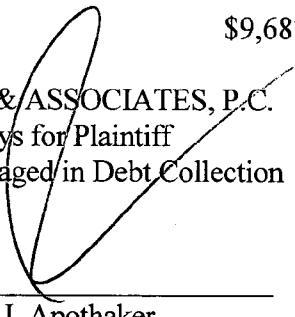
(b) Interest from June 12, 2008 \$276.42

(c) Costs \$157.88

TOTAL \$9,687.50

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

By:



David J. Apothaker

Dated: 2/10/2009

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

TO: JAMIE M SEBRING
15352 BENNETTS VALLEY HWY
PENFIELD, PA 15849-2940

MIDLAND FUNDING LLC) COURT OF COMMON PLEAS OF
vs. Plaintiff,) CLEARFIELD COUNTY
JAMIE M SEBRING)
Defendant.) NO.: 2008-1138-CD
) Civil Action

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 FINDIN

 JUDGMENT ON WRIT OF REV

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:
ATTORNEY David J. Apotheker, Esq. at this telephone number: 215-634-8920

William H. Johnson
Prothonotary 2-20-2009

Our File No.: 164951
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

MIDLAND FUNDING LLC) COURT OF COMMON PLEAS OF
vs. Plaintiff,) CLEARFIELD COUNTY
vs.)
JAMIE M SEBRING)) NO.: 2008-1138-CD
vs.)) Civil Action
Defendant.))
_____))

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 15352 BENNETTS VALLEY HWY PENFIELD, PA 15849-2940.

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.

Department of Defense Manpower Data Center

FEB-10-2009 10:37:59



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
SEBRING	JAMIE M		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

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

MIDLAND FUNDING LLC

vs.

JAMIE M SEBRING

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO. 2008-1138-CD
)

To: JAMIE M SEBRING
15352 BENNETTS VALLEY HWY
PENFIELD, PA 15849-2940

NOTICE, RULE 237.5

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

Date of Notice: November 10, 2008

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

/s/ David J. Apothaker
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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1138-CD

MIDLAND FUNDING LLC

VS

JAMIE M. SEBRING

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 07/23/2008

HEARING:

PAGE: 104317

COPIED

DEFENDANT: JAMIE M. SEBRING
ADDRESS: 15352 BENNETTS VALLEY HWY.
PENFIELD, PA 15849

Cell Phone # 724-525-5341

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 6-30-08 - 9:47am _____
W/H Left Notice _____

SHERIFF'S RETURN

NOW, This 2nd DAY OF JULY 2008 AT 10:02 AM / PM SERVED THE WITHIN
COMPLAINT ON JAMIE M. SEBRING, DEFENDANT

BY HANDING TO Betty Heffner 1 Girlfriend

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

ADDRESS SERVED 15352 Bennetts Valley Hwy Penfield Pa.

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR JAMIE M. SEBRING

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO JAMIE M. SEBRING

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Nerkine
Deputy Signature

Jerome M. Nerkine
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Midland Funding LLC
Plaintiff(s)

No.: 2008-01138-CD

Real Debt: \$9687.50

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Jamie M. Sebring
Defendant(s)

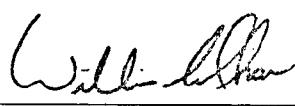
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 20, 2009

Expires: February 20, 2014

Certified from the record this 20th day of February, 2009.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

Our File No.: 164951
PRAECLPICE FOR WRIT OF EXECUTION – (MONEY JUDGMENTS)
P.R.C.P. 3101 to 3149

MIDLAND FUNDING LLC

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

vs.

JAMIE M SEBRING

NO.: 2008-1138-CD

**PRAEICE FOR WRIT OF EXECUTION
(MONEY JUDGMENT)**

FILED *Att'y pd.*
JAN 22 2013 20.00

William A. Shaw *dCCQ*
Prothonotary/Clerk of Courts
Leverts to
Sheriff

To the Director of the Prothonotary: ISSUE WRIT OF EXECUTION IN THE ABOVE MATTER.

- (1) Directed to the Sheriff of Clearfield County, PA;
- (2) against JAMIE M SEBRING, Defendant(s)
- (3) and against FIRST COMMONWEALTH BANK 14303 CLEARFIELD SHAWVILLE HWY CLEARFIELD, PA 16830, Garnishee(s)
- (4) and index this writ
 - (a) against and
 - (b) against Defendant(s) and

as a lis pendens against the real property of the defendant/s in the name of the Garnishee/s as follows: (Specifically described property)

Check Block/s as needed:

- Real Estate
- Personal Property

David J. Apotheker, Esq.
Attorney for Plaintiff(s)

Amount Due	\$9687.50
Interest from February 20, 2009	\$2240.60
Minus Payments made	\$0.00
Total	\$11928.10
	Plus costs
	135.00
	Prothonotary costs

Under paragraph (1) when the writ is directed to the sheriff of another county as authorized by Rule 3103(b), the county should be indicated.

Under Rule 3103 (c) a writ issued on a transferred judgment may be directed only to the sheriff of the county in which issued.

Paragraph (3) above should be completed only if a named garnishee is to be included in the writ issued.

Paragraph (3) above should be completed only if a named garnishee is to be included in the writ. Paragraph (4) (a) should be completed only if indexing of the execution in the county of issuance, is desired as authorized by Rule 3104(a). When the writ issues to another county indexing is required as of course in that county by the Office of Prothonotary. See Rule 3104(b).

Particularly. See Rule 3104(c).
Paragraph (4) (b) should be completed only if real property in the name of a garnishee is attached and indexing as a lis pendens is desired. see Rule 3104(c).

Our File No.: 164951

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
WRIT OF EXECUTION (MONEY JUDGMENTS)
RULES P.R.C.P. 3252

MIDLAND FUNDING LLC

NO.: 2008-1138-CD

Plaintiff

vs.

WRIT OF EXECUTION
(Money Judgment)

JAMIE M SEBRING

Defendant(s)

TO THE SHERIFF OF CLEARFIELD COUNTY, PA.

To satisfy the judgment, interest and costs against: JAMIE M SEBRING, defendant(s):

(1) You are directed to attach the property of the defendant(s) not levied upon in the possession of

FIRST COMMONWEALTH BANK 14303 CLEARFIELD SHAWVILLE HWY CLEARFIELD, PA 16830 as
Garnishee(s)

And to notify the Garnishee(s) that

(a) an attachment has been issued:

(b) Except as provided in paragraph (c), the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(c) The attachment shall not include any funds in an account of the defendant with a bank or other financial institution

(i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000 of each account of the defendant with a bank or other (i) financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

(ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000

at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

(iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

Amount Due	\$9687.50
Interest from February 20, 2009	\$2240.60
Minus Payments made	\$0.00
Costs to be added	\$220.00
Total	\$12148.10

135.00 Prothonotary costs

Dated: 1/22/13

Prothonotary of Clearfield County

BY: _____

NO. 2008-1138-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING LLC

VS.

JAMIE M SEBRING

WRIT OF EXECUTION
(Money Judgments)

Claim	\$9687.50
Interest From February 20, 2009	\$2240.60
Minus payments made	\$0.00
Costs	
Dept. of Court Records	\$20.00
Sheriff Fee	\$200.00

Apothaker & Associates, P.C.
David J. Apothaker, Esquire
520 Fellowship Road C306
PO Box 5496
Mount Laurel, NJ 08054
(800) 672-0215
ID # 38423

Our File No.: 164951

PLAINTIFF MIDLAND FUNDING LLC VS. DEFENDANT JAMIE M SEBRING NO. 2008-1138-CD
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

[] (I) set aside in kind (specify property to be set aside in kind):

[] (II) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300 statutory exemption: [] in cash; [] in kind

(specify property): _____

(b) Social Security benefits on deposit in the amount of: \$ _____

(c) other (specify amount and basis of exemption): _____

I request a prompt court hearing to determine the exemption.

Notice of the hearing should be given to me at (Name, Address & Telephone Number)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: _____

Defendant: _____

Phone #: _____

Address: _____

City, Zip: _____

THIS CLAIM TO BE FILED WITH: Office of the Sheriff of Clearfield County

1 North Second Street

Clearfield, PA 16830

Note: Under paragraphs (1) and (2) of the writ, a description of specific property to be levied upon or attached may be set forth in the writ or included in a separate direction to the sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a).

(b) Each court shall by local rule designate the officer, organization or person to be named in the notice.

MAJOR EXEMPTION UNDER PENNSYLVANIA AND FEDERAL LAW

- (1) \$300.00 statutory exemption
- (2) Bibles, school books, sewing machines, uniforms and equipment
- (3) Most wages and unemployment compensation
- (4) Social Security benefits
- (5) Certain retirement funds and accounts
- (6) Certain veteran and armed forces benefits
- (7) Certain insurance proceeds

MIDLAND FUNDING LLC)
Plaintiff)
vs.)
JAMIE M SEBRING) NO.: 2008-1138-CD
182 CIRCLE RD # 30)
DU BOIS, PA 15801)
XXX-XX-5308)
Defendant)
FIRST COMMONWEALTH BANK)
Garnishee)

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

Civil Action

FILED
MTO/OL/60
S JAN 22 2010

William A. Shaw
Prothonotary/Clerk of Courts
612

INTERROGATORIES TO GARNISHEE

TO: FIRST COMMONWEALTH BANK, Garnishee:

You are required to file answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to defendant(s) on any negotiable or other written instrument, or did defendant(s) claim that you owed defendant(s) any money or were liable to defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody, control or in the joint possession, custody or control of yourself and one or more persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owed solely or in part by the defendant(s) or in which the defendant held or claimed any interest?
4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant(s) had any interest?
5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?
6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant(s) have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or Federal law? If so, identify each account and state the reason for the exemption and the entity electronically depositing those funds on a recurring basis.

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant(s) have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general exemption under 42P.A.C.S.§8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?
10. In the space below, the plaintiff may set forth additional appropriate interrogatories.

Dated: 1/2/13



David J. Apotheker, Esquire
APOTHAKER & ASSOCIATES, P.C.
520 Fellowship Road C306
PO Box 5496
Mount Laurel, New Jersey 08054
(856) 780-1000
Attorneys for Plaintiff

To Deputy 2/26/13

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1138-CD

MIDLAND FUNDING LLC

vs

JAMIE M. SEBRING

TO: FIRST COMMONWEALTH BANK, Garnishee
WRIT OF EXECUTION, INTERROGATORIES

SERVE BY: 04/22/2013 **RUSH** HEARING: PAGE: 110356

DEFENDANT: FIRST COMMONWEALTH BANK, Garnishee
ADDRESS: 14303 CLEARFIELD SHAWVILLE HWY.
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

5 **FILED**
0/3/14 AM
FEB 28 2013
William A. Shaw
OCCUPANT/Deputy/Clerk of Courts

SHERIFF'S RETURN

NOW, 2/27/13 AT 130 AM / PM SERVED THE WITHIN
WRIT OF EXECUTION, INTERROGATORIES ON FIRST COMMONWEALTH BANK, Garnishee, DEFENDANT
BY HANDING TO Christina Taylor, manager.

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

ADDRESS SERVED
() Residence () Employment () Sheriff's Office () Other

NOW _____ AT _____ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES FOR FIRST COMMONWEALTH BANK, Garnishee

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO FIRST COMMONWEALTH BANK, Garnishee

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2013

So Answers: **CHESTER A. HAWKINS, SHERIFF**

BY:

Chester A. Knepp
Deputy Signature

S. Knepp
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 110356

2 OF 2

MIDLAND FUNDING LLC

NO. 08-1138-CD

-vs-

JAMIE M. SEBRING

WRIT OF EXECUTION/
INTERROGATORIES TO
GARNISHEE

TO: FIRST COMMONWEALTH BANK, Garnishee

SHERIFF'S RETURN

NOW FEBRUARY 28, 2013 MAILED THE WITHIN:
PRAECIPE, WRIT, CLAIM FOR EXEMPTION & INTERROGATORIES
TO: JAMIE M. SEBRING, DEFENDANT
AT: 182 CIRCLE RD. #30, DUBOIS, PA. 15801
IN THE S.A.S.E.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 110356
NO: 08-1138-CD
SERVICES 2
WRIT OF EXECUTION, INTERROGATORIES

PLAINTIFF: MIDLAND FUNDING LLC

vs.

DEFENDANT: JAMIE M. SEBRING

TO: FIRST COMMONWEALTH BANK, Garnishee

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	70964	20.00
SHERIFF HAWKINS	APOTHAKER	70964	28.50

Sworn to Before Me This

So Answers,

____ Day of _____ 2013



Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
WRIT OF EXECUTION (MONEY JUDGMENTS)
RULES P.R.C.P. 3252

MIDLAND FUNDING LLC

NO.: 2008-1138-CD

Plaintiff

vs.

WRIT OF EXECUTION
(Money Judgment)

JAMIE M SEBRING

Defendant(s)

TO THE SHERIFF OF CLEARFIELD COUNTY, PA.

To satisfy the judgment, interest and costs against: JAMIE M SEBRING, defendant(s):

(1) You are directed to attach the property of the defendant(s) not levied upon in the possession of

FIRST COMMONWEALTH BANK 14303 CLEARFIELD SHAWVILLE HWY CLEARFIELD, PA 16830 as Garnishee(s)

And to notify the Garnishee(s) that

(a) an attachment has been issued:
(b) Except as provided in paragraph (c), the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
(c) The attachment shall not include any funds in an account of the defendant with a bank or other financial institution

(i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000 of each account of the defendant with a bank or other (i) financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

(ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000

at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

(iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

Amount Due	\$9687.50
Interest from February 20, 2009	\$2240.60
Minus Payments made	\$0.00
Costs to be added	\$220.00
Total	\$12148.10

135.00 Prothonotary costs

Dated: 1/22/13

Received in the office of the Prothonotary of Clearfield County
on the 22nd day of January, 2013
At 3:00 P.M.

Prothonotary of Clearfield County
BY: Willie L. Hause

Chester A. Hawkes
Sheriff By Marilyn Hause

RECEIVED

Our File No.: 164951

FEB 27 2013

MIDLAND FUNDING LLC

Plaintiff

vs.

JAMIE M SEBRING
182 CIRCLE RD # 30
DU BOIS, PA 15801
XXX-XX-5308

Defendant

FIRST COMMONWEALTH BANK

Garnishee

)
COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

) NO.: 2008-1138-CD

Civil Action

5 MAR 11 2013
M 12-36
William A. Shaw
Prothonotary/Clerk of Courts
nec

For all answers to this and the
foregoing Interrogatories, see
Exhibit "A" attached hereto and
made part of hereof.

INTERROGATORIES TO GARNISHEE

TO: FIRST COMMONWEALTH BANK, Garnishee:

You are required to file answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to defendant(s) on any negotiable or other written instrument, or did defendant(s) claim that you owed defendant(s) any money or were liable to defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody, control or in the joint possession, custody or control of yourself and one or more persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owed solely or in part by the defendant(s) or in which the defendant held or claimed any interest?
4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant(s) had any interest?
5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?
6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution; at the time you were served or any subsequent time did the defendant(s) have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or Federal law? If so, identify each account and state the reason for the exemption and the entity electronically depositing those funds on a recurring basis.

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant(s) have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general exemption under 42P.A.C.S. §8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?
10. In the space below, the plaintiff may set forth additional appropriate interrogatories.

Dated: 1/2/13



David J. Apothaker, Esquire
APOTHAKER & ASSOCIATES, P.C.
520 Fellowship Road C306
PO Box 5496
Mount Laurel, New Jersey 08054
(856) 780-1000
Attorneys for Plaintiff

EXHIBIT "A"
ANSWERS TO INTERROGATORIES

1. No
2. No
3. No
4. No
5. No
6. No
7. N/A
8. N/A
9. N/A
10. N/A

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF INDIANA)

On this 7th day of March 2013 before me, the undersigned officer, a Notary Public in and for said Commonwealth and County, personally appeared LEDA E MCCRACKEN, who being duly sworn according to law, acknowledged that she is Assistant Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of her knowledge and belief.

Leda E. McCracken
Leda E. McCracken, Asst. Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 7th day of March 2013

Karen K. Lamble
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
KAREN K. GAMBLE, NOTARY PUBLIC
INDIANA BOROUGH, INDIANA COUNTY
MY COMMISSION EXPIRES AUG. 13, 2015

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2013 I have this day caused to be served a true and correct copy of this ANSWERS TO INTERROGATORIES upon the following parties:

VIA REGULAR U.S. MAIL

*David J. Apothaker, Esquire
Apothaker & Associates, P.C.
520 Fellowship Road C306
PO Box 5496
Mount Laurel, NJ 08054*

As Plaintiff

Leda E. McCracken

Leda E. McCracken
Assistant Vice President
First Commonwealth Bank

FILED
MAR 11 2013
William A. Shaw
Prothonotary/Clerk of Courts

Our File No.: 164951
APOTHAKER & ASSOCIATES, P.C.
By: David J. Apothaker, Esquire
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

FILED
m 10:55 a.m. GK
17 MAR 27 2013
William A. Shaw
Prothonotary/Clerk of Courts
1cc Atty
GK

MIDLAND FUNDING LLC)	COURT OF COMMON PLEAS OF
)	CLEARFIELD COUNTY
Plaintiff)	
vs.)	
JAMIE M SEBRING)	NO.: 2008-1138-CD
)	
Defendant)	Civil Action
FIRST COMMONWEALTH BANK)	
)	
Garnishee)	
)	

PRAECIPE TO DISSOLVE ATTACHMENT EXECUTION

TO THE PROTHONOTARY:

Kindly mark the attachment against the Garnishee, FIRST COMMONWEALTH BANK, dissolved.

David J. Apothaker, Esquire
Attorney for Plaintiff