

08-1173-CD
Citibank vs Barbara Belinda

FILED
M 2:12 P.M. GK
JUN 26 2008
COURT TO SHERIFF

William A. Shaw
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.
By: Brit J. Suttell, Esquire ID. NO. 204140
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

Attorney for Plaintiff

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

: IN THE COURT OF COMMON PLEAS

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

BARBARA A BELINDA
3351 Hickory Road, Penfield PA 15849-3523

: NO. 2008-1173-CD

Defendant : CIVIL ACTION - LAW

Complaint - Notice

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claim set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE AND INFORMATION SERVICE

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

C-13450

Burton Neil & Associates, P.C.
By: Brit J. Suttell, Esquire ID. NO. 204140
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West Chester, PA 19380
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Attorney for Plaintiff

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

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 2008-1173-CD

BARBARA A BELINDA
3351 Hickory Road, Penfield PA 15849-3523

Defendant : CIVIL ACTION - LAW

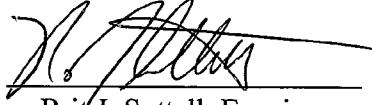
Complaint

1. Plaintiff is CITIBANK (SOUTH DAKOTA), N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.
2. Defendant is Barbara A Belinda, who resides at 3351 Hickory Road, Penfield, Clearfield County, Pennsylvania.
3. Plaintiff is a national banking association, engaged in various types of banking business including consumer lending through the issuance of credit cards.
4. Plaintiff furnished consumer credit to the defendant by means of a(n) Sears credit card with account number ending in 1998 hereinafter referred to as the credit card account.
5. Plaintiff kept accurate running records of all debits and credits to the account.
6. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.
7. Before plaintiff mailed Exhibit A, defendant had for many months made payments on account of the billing statement or retained the statement without payment.

8. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$898.78 which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, plaintiff demands judgment against defendant for the sum of \$898.78, and the costs of this action.

Burton Neil & Associates, P.C.

By: 

Brian J. Suttell, Esquire
Attorney for Plaintiff

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

Sears Premier Card®

Call us at 1-800-917-7700

Go to www.searscard.com

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

BARBARA A BELINDAAccount Number: **[REDACTED] 1998**

Page 1 of 1

Payment Due Date**11/20/07***C, 15450***Your Account Summary**

Billing Cycle Closing Date	10/23/07
Amount Over Credit Line	\$158.78
Amount Past Due	\$275.51
Total Minimum Due	\$334.67
Previous Balance	\$908.62
Payments & Credits	\$60.00
Purchases & Debits	\$0.00
Other Charges	\$29.00
Total FINANCE CHARGES	\$21.16
Account Balance	\$898.78

Your Credit Summary

Total Credit Line	\$740.00
Total Credit Available	\$0.00

Activity	Sale Date	Post Date	Description	Amount
10/09/07	10/09/07		PAYMENT - THANK YOU	-60.00
10/22/07	10/22/07		LATE PAYMENT FEE	29.00

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

Rates	*Rate Varies	Balance	Average Daily Balance	Corresponding ANNUAL PERCENTAGE RATE	Periodic Rate D=Day M=Month	Periodic FINANCE CHARGE
SEARS						
REGULAR		\$898.78	\$889.90	29.90%*	.0820%(D)*	\$21.16
EXTERNAL						
REGULAR		\$0.00	\$0.00	29.90%*	.0820%(D)*	\$0.00
CASH ACCESS						
REGULAR		\$0.00	\$0.00	29.90%*	.0820%(D)*	\$0.00
Days in Billing Period: 29 Effective ANNUAL PERCENTAGE RATE: 29.90% Minimum FINANCE CHARGE: \$0.00						

Sears Premier Card®Account Number: **[REDACTED] 1998**

Account Balance	Payment Due Date	Total Minimum Due	Amount Enclosed
\$898.78	11/20/07	\$334.67	\$

0050802 EX 15 A 07296 1 TRS006 FXG 001 7 N

BARBARA A BELINDA
3351 HICKORY RD
PENFIELD PA 15849-3523

Make check payable to
SEARS CREDIT CARDS

PO BOX 183081
COLUMBUS, OH 43218-3081

Please make address changes on reverse side.

200 5049948055571998 0089878 0033467 0006000 1513

Verification

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

Tiena Reynolds
Signature

Barbara A Belinda
5049948055571998

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1173-CD

CITIBANK (SOUTH DAKOTA) N.A.

VS

BARBARA A. BELINDA

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 07/26/2008

HEARING:

PAGE: 104342

DEFENDANT: BARBARA A. BELINDA
ADDRESS: 3351 HICKORY ROAD
PENFIELD, PA 15849

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

7-9-08 - 1:45pm - w/H
last Notice

WCI 7-11-08

FILED
JUL 10 2008
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, THURSDAY 07-10-2008 AT 2:25 AM PM SERVED THE WITHIN

COMPLAINT ON BARBARA A. BELINDA, DEFENDANT

BY HANDING TO BARBARA BELINDA DEFENDANT

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

ADDRESS SERVED CLEARFIELD COUNTY Sheriff

1 NORTH Second STREET, CLEARFIELD

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR BARBARA A. BELINDA

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO BARBARA A. BELINDA

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF July 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: C. A. Hawkins Deputy Signature

C. A. Hawkins
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

Plaintiff(s)
v.

BARBARA A BELINDA
3351 Hickory Road
Penfield PA 15849-3523
Defendant(s)

Defendant(s)

**CIVIL DIVISION, ARBITRATION
AND STATUTORY APPEALS ONLY**

CASE NO. 2008-1173-CD

TYPE OF PLEADING: Praeceptum

FILED ON BEHALF OF: Plaintiff
CITIBANK (SOUTH DAKOTA), N.A.
(Name of Party, indicate plaintiff or defendant)

NAME, ADDRESS AND TELEPHONE OF:

X Counsel of Record
Individual, if pro se

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

Attorney's State ID# 204140

Attorney's Firm ID# 1111111111

FILED No CC, 1ceA
3/11:00pm of disc
JUL 21 2008 issued to
William A. Shaw Atty Suttell
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

Plaintiff(s)

v.

BARBARA A BELINDA
3351 Hickory Road
Penfield PA 15849-3523

Defendant(s)

CIVIL DIVISION, ARBITRATION
AND STATUTORY APPEALS ONLY

CASE NO. 2008-1173-CD

TYPE OF PLEADING: Praeclipe

CODE AND CLASSIFICATION:

FILED ON BEHALF OF: Plaintiff
CITIBANK (SOUTH DAKOTA), N.A.
(Name of Party, indicate plaintiff or defendant)

NAME, ADDRESS AND TELEPHONE OF:

Counsel of Record
 Individual, if pro se

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

Attorney's State ID# 204140

Attorney's Firm ID#



(Signature)

FILED No CC, 1ceA
7/11/00 am of disc
JUL 21 2008 issued to
Britt Suttell
William A. Shaw
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.
By: Brit J. Suttell, Esquire ID. NO. 204140
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West Chester, PA 19380
610-696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.
Plaintiff

v.

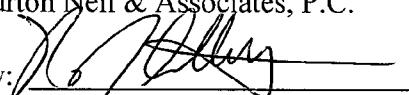
BARBARA A BELINDA
Defendant

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
: NO. 2008-1173-CD
: CIVIL ACTION - LAW

Praecipe to Settle, End, & Discontinue

To the Prothonotary:

Mark the above matter Settled, Ended and Discontinued.

Burton Neil & Associates, P.C.
By: 
Brit J. Suttell, Esquire
Attorney for Plaintiff

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

C-13450

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Citibank (South Dakota) N.A.

Vs.
Barbara A. Belinda

No. 2008-01173-CD

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 July 21, 2008, marked:

Settled, ended and discontinued

Record costs in the sum of \$95.00 have been paid in full by Brit J. Suttell Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 21st day of July A.D. 2008.



William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104342
NO: 08-1173-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.

vs.

DEFENDANT: BARBARA A. BELINDA

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NEIL	042738	10.00
SHERIFF HAWKINS	NEIL	042738	37.72

S
FILED
03:30PM
OCT 10 2008

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff