08-1236-CD
US Bank al vs Ronald Fishel etal

FILED
M 11:54 am GK 1cc to Atty
JUL 07 2008 1 compl. to Shff.
William A. Shaw
Prothonotary/Clerk of Courts
Atty Paid 95.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U. S. Bank National Association (Trustee for the Pennsylvania Housing Finance Agency) assignee of Pennsylvania Housing Finance Agency assignee of Jersey Shore Bank

Plaintiff,

vs.

Ronald D. Fishel and
Jacqueline M. Fishel

Defendants.

CIVIL DIVISION

NO. 2008-1236-CD

COMPLAINT IN MORTGAGE FORECLOSURE

Code - MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

November 10, 2008 Document
Reinstated/~~Reissued~~ to Sheriff/Attorney
for service.

Deputy Prothonotary

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

U. S. Bank National Association (Trustee for the Pennsylvania Housing Finance Association assignee of Pennsylvania Housing Finance Agency assignee of Jersey Shore Bank	)	No.
Plaintiff,	)	
vs.	)	
Ronald D. Fishel and Jacqueline M. Fishel	)	
Defendants.	)	

COMPLAINT IN MORTGAGE FORECLOSURE

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 THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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 SHOULD 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 ON AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

(814) 765-2641 - EXT. 20

COMPLAINT IN MORTGAGE FORECLOSURE

AND NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a national association duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 211 N. Front Street, Harrisburg, PA 17101 .

2. The Defendants are individuals with a last known mailing address of 1505 Veterans Street, Beccaria, PA 16616. The property address is **Route 729 Box 101, Beccaria, PA 16616** and is the subject of this action.

3. On the 6th day of July, 2001, in consideration of a loan of Fifty Six Thousand Nine Hundred and 00/100 ($56,900.00) Dollars made by Jersey Shore Bank, a PA corporation, to Defendants, the said Defendants executed and delivered to Jersey Shore Bank, a PA corporation, a "Note" secured by a Mortgage with the Defendants as mortgagors and Jersey Shore Bank, as mortgagee, which mortgage was recorded on the 6th day of July, 2001, in the Office of the Recorder of Deeds of Clearfield County, at Instrument No. 200110360. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

SEE EXHIBIT "A" ATTACHED HERETO.

5. On the 6th day of July , 2001, Jersey Shore Bank, a PA corporation, assigned to the Plaintiff, Pennsylvania Housing Finance Agency, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 6th day of July, 2001, at Instrument No. 200110361 . The said assignment is incorporated herein by reference.

6. On the 19th day of June , 2008, Pennsylvania Housing Finance Agency, assigned to the Plaintiff, U.S. Bank National Association, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 19th day of June, 2008, at Instrument No. 200809628. The said assignment is incorporated herein by reference.

7. Said mortgage provides, inter alia:

> "that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

8. Since February 1, 2008, the mortgage has been in default by reason, inter alia, of the failure of the mortgagors to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

9. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagors has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagors.

10. The amount due on said mortgage is itemized on the attached schedule.

11. Pursuant to Pennsylvania Rule of Civil Procedure 1144, the Plaintiff releases from liability for the debt secured by the mortgage any mortgagor, personal representative, heir or devisee of the mortgagor who is not a real owner of the property as evidenced by the last recorded deed of record at the time of the filing of this Complaint.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Fifty Eight Thousand Six Hundred Forty Two and 14/100 Dollars ($58,642.14) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY Louis P Vitti

Louis P. Vitti, Esquire
Attorney for Plaintiff

FISHEL

SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE

Unpaid Principal Balance	51,235.92
Interest @ 5.6500% from 01/01/08 through 7/31/2008 (Plus $7.9310 per day after 7/31/2008)	1,681.38
Late charges through 7/3/2008 0 months @ 13.16 Accumulated beforehand (Plus $13.16 on the 17th day of each month after 7/3/2008)	0.00
Attorney's fee	2,561.80
Escrow deficit	3,163.04

(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)

BALANCE DUE **58,642.14**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF GULICH, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE WEST SIDE OF A PUBLIC ROAD (STATE ROUTE 729) LEADING FROM JANESVILLE
TO BECCARIA; SAID POST BEING NORTH 86 DEGREES WEST 93 FEET FROM A STONE, THE SOUTHEAST CORNER
OF LAND NOW OR FORMERLY OF J.M. ROBESON; THENCE BY LANDS NOW OR FORMERLY OF THE KITTANING
COAL COMPANY NORTH 86 DEGREES WEST 1021.5 FEET TO A POST ON RIGHT OF WAY LINE OF RAILROAD
BRANCH; THENCE NORTH 2 DEGREES EAST 89.6 FEET TO POST ON BANK OF BIG MUDDY RUN; THENCE SOUTH 86
DEGREES EAST 85.5 FEET TO A POST; THENCE NORTH 37 DEGREES AND 15 MINUTES EAST 29.5 FEET TO POST;
THENCE SOUTH 86 DEGREES EAST 905.6 FEET TO POST ON WEST SIDE OF PUBLIC ROAD (STATE ROUTE 729);
THENCE BY SAME SOUTH 39 DEGREES AND 30 MINUTES EAST 155.3 FEET TO POST AND PLACE OF BEGINNING,
CONTAINING 2 ½ ACRES OF LAND, STRICT MEASURE.
BEING IDENTIFIED IN THE CLEARFIELD COUNTY MAPPING AND ASSESSMENT OFFICE AS MAP NO. 118-K16-6.

EXHIBIT A

VERIFICATION

AND NOW Louis P. Vitti verifies that the statements made in this Complaint are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.

Louis P. Vitti

Louis P. Vitti

Dated: 7/3/08

0

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1236-CD

U.S. BANK NATIONAL ASSOCIATION (Trustee)
vs
RONALD D. FISHEL and JACQUELINE M. FISHEL

SERVICE # 1 OF 2

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 08/06/2008 HEARING: PAGE: 104382

FILED
01:39 PM
JUL 21 2008
William A. Shaw
Prothonotary/Clerk of Courts

DEFENDANT: RONALD D. FISHEL
ADDRESS: 1505 VETERANS ST.
BECCARIA, PA 16616
ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDESS IS: VACANT OCCUPIED

ATTEMPTS _____ _____ _____

_____ _____ _____

SHERIFF'S RETURN

NOW, 7-21-08 AT 11:16 AM / PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON RONALD D. FISHEL, DEFENDANT

BY HANDING TO Ronald D. Fishel / Def.

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

ADDRESS SERVED 1505 Veterans St.
Beccaria, Pa. 16616

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

COMPLAINT IN MORTGAGE FORECLOSURE FOR RONALD D. FISHEL

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO RONALD D. FISHEL

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

_____

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: James E. Davis
Deputy Signature

JAMES E. DAVIS
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1236-CD

U.S. BANK NATIONAL ASSOCIATION (Trustee)
vs
RONALD D. FISHEL and JACQUELINE M. FISHEL

SERVICE # 2 OF 2

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 08/06/2008 HEARING: PAGE: 104382

FILED
JUL 29 2008
William A. Shaw
Prothonotary/Clerk of Courts

DEFENDANT: JACQUELINE M. FISHEL
ADDRESS: 1505 VETERANS ST.
BECCARIA, PA 16616

378 Pine St.
Madera

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDESS IS: VACANT OCCUPIED

ATTEMPTS _____ _____ _____

_____ _____ _____

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON JACQUELINE M. FISHEL, 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 IN MORTGAGE FORECLOSURE FOR JACQUELINE M. FISHEL

AT (ADDRESS) _____

NOW 7-29-08 AT 2:37 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO JACQUELINE M. FISHEL

REASON UNABLE TO LOCATE Moved From Beccaria Pa. Left No Forwarding Address

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

_____

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: James E. Davis
Deputy Signature

JAMES E. DAVIS
Print Deputy Name

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U. S. Bank National Association (Trustee for the Pennsylvania Housing Finance Agency) assignee of Pennsylvania Housing Finance Agency assignee of Jersey Shore Bank

Plaintiff,

vs.

Ronald D. Fishel and
Jacqueline M. Fishel

Defendants.

CIVIL DIVISION

NO. 2008-1236-CD

COMPLAINT IN MORTGAGE FORECLOSURE

Code - MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

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

JUL 07 2008

Attest. William L. Prothonotary/ Clerk of Courts

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

U. S. Bank National Association (Trustee for the Pennsylvania Housing Finance Association assignee of Pennsylvania Housing Finance Agency assignee of Jersey Shore Bank	)	No.
Plaintiff,	)	
vs.	)	
Ronald D. Fishel and Jacqueline M. Fishel	)	
Defendants.	)	

COMPLAINT IN MORTGAGE FORECLOSURE

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 THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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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IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ON AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

(814) 765-2641 - EXT. 20

COMPLAINT IN MORTGAGE FORECLOSURE

AND NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a national association duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 211 N. Front Street, Harrisburg, PA 17101 .

2. The Defendants are individuals with a last known mailing address of 1505 Veterans Street, Beccaria, PA 16616. The property address is **Route 729 Box 101, Beccaria, PA 16616** and is the subject of this action.

3. On the 6th day of July, 2001, in consideration of a loan of Fifty Six Thousand Nine Hundred and 00/100 ($56,900.00) Dollars made by Jersey Shore Bank, a PA corporation, to Defendants, the said Defendants executed and delivered to Jersey Shore Bank, a PA corporation, a "Note" secured by a Mortgage with the Defendants as mortgagors and Jersey Shore Bank, as mortgagee, which mortgage was recorded on the 6th day of July, 2001, in the Office of the Recorder of Deeds of Clearfield County, at Instrument No. 200110360. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

SEE EXHIBIT "A" ATTACHED HERETO.

5. On the 6th day of July , 2001, Jersey Shore Bank, a PA corporation, assigned to the Plaintiff, Pennsylvania Housing Finance Agency, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 6th day of July, 2001, at Instrument No. 200110361 . The said assignment is incorporated herein by reference.

6. On the 19th day of June , 2008, Pennsylvania Housing Finance Agency, assigned to the Plaintiff, U.S. Bank National Association, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 19th day of June, 2008, at Instrument No. 200809628. The said assignment is incorporated herein by reference.

7. Said mortgage provides, inter alia:

> "that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

8. Since February 1, 2008, the mortgage has been in default by reason, inter alia, of the failure of the mortgagors to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

9. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagors has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagors.

10. The amount due on said mortgage is itemized on the attached schedule.

11. Pursuant to Pennsylvania Rule of Civil Procedure 1144, the Plaintiff releases from liability for the debt secured by the mortgage any mortgagor, personal representative, heir or devisee of the mortgagor who is not a real owner of the property as evidenced by the last recorded deed of record at the time of the filing of this Complaint.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Fifty Eight Thousand Six Hundred Forty Two and 14/100 Dollars ($58,642.14) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY Louis P Vitti

Louis P. Vitti, Esquire
Attorney for Plaintiff

FISHEL

SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE

Unpaid Principal Balance	51,235.92
Interest @ 5.6500% from 01/01/08 through 7/31/2008 (Plus $7.9310 per day after 7/31/2008)	1,681.38
Late charges through 7/3/2008 0 months @ 13.16 Accumulated beforehand (Plus $13.16 on the 17th day of each month after 7/3/2008)	0.00
Attorney's fee	2,561.80
Escrow deficit	3,163.04

(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)

BALANCE DUE	**58,642.14**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF GULICH, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE WEST SIDE OF A PUBLIC ROAD (STATE ROUTE 729) LEADING FROM JANESVILLE
TO BECCARIA; SAID POST BEING NORTH 86 DEGREES WEST 93 FEET FROM A STONE, THE SOUTHEAST CORNER
OF LAND NOW OR FORMERLY OF J.M. ROBESON; THENCE BY LANDS NOW OR FORMERLY OF THE KITTANING
COAL COMPANY NORTH 86 DEGREES WEST 1021.5 FEET TO A POST ON RIGHT OF WAY LINE OF RAILROAD
BRANCH; THENCE NORTH 2 DEGREES EAST 89.6 FEET TO POST ON BANK OF BIG MUDDY RUN; THENCE SOUTH 86
DEGREES EAST 85.5 FEET TO A POST; THENCE NORTH 37 DEGREES AND 15 MINUTES EAST 29.5 FEET TO POST;
THENCE SOUTH 86 DEGREES EAST 905.6 FEET TO POST ON WEST SIDE OF PUBLIC ROAD (STATE ROUTE 729);
THENCE BY SAME SOUTH 39 DEGREES AND 30 MINUTES EAST 155.3 FEET TO POST AND PLACE OF BEGINNING,
CONTAINING 2 ½ ACRES OF LAND, STRICT MEASURE.
BEING IDENTIFIED IN THE CLEARFIELD COUNTY MAPPING AND ASSESSMENT OFFICE AS MAP NO. 118-K16-6.

EXHIBIT • A •

VERIFICATION

AND NOW Louis P. Vitti verifies that the statements made in this Complaint are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.

Louis P. Vitti

Louis P. Vitti

Dated: 7/3/08

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK	)	NO. 2008-1236-CD
Plaintiff,	)	
vs.	)	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	)	
Defendants.	)	

ORDER OF COURT

NOW, this ____ day of _____, 2008, upon consideration of the Motion for Court Order to Direct the Clearfield County Sheriff's Office to File Sheriff's Return, it is hereby ORDERED, ADJUDGED and DECREED that the Sheriff of Clearfield County is to file the Sheriff's Return with the Prothonotary's Office within 20 days of this order.

BY THE COURT

_____J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION
(TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY)
ASSIGNEE OF PENNSYLVANIA
HOUSING FINANCE AGENCY
ASSIGNEE OF JERSEY SHORE BANK

Plaintiff,

vs.

RONALD D. FISHEL and
JACQUELINE M. FISHEL,

Defendants.

CIVIL DIVISION

No. 2008-1236-CD

PETITION TO DIRECT SHERIFF RETURN

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
PA I.D. #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED 1cc Atty Vitti
OCT 1 8 2008
William A. Shaw
Prothonotary/Clerk of Courts

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK	)	NO. 2008-1236-CD
Plaintiff,	)	
vs.	)	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	)	
Defendants.	)	

CERTIFICATION OF SERVICE

I, Louis P. Vitti, Esquire, hereby certify that on the 8th day of October, 2008, a true and correct copy of the within Motion to Direct Sheriff's Return was served by Regular U.S. Mail upon:

(List name and address of all counsel of record and unrepresented parties. Specify "Pro Se" for unrepresented parties.)

Sheriff of Clearfield County
PO Box 549
Clearfield, PA 16830-0549
Attn: Civil Process

I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Louis P. Vitti

Louis P. Vitti, Esquire

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK	)	NO. 2008-1236-CD
Plaintiff,	)	
vs.	)	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	)	
Defendants.	)	

NOTICE

TO: Sheriff of Clearfield County
PO Box 549
Clearfield, PA 16830-0549
Attn: Civil Process

TAKE NOTICE that the within Motion to Direct Sheriff Return will be presented before the Motions Judge, Clearfield County Courthouse, Clearfield, Pennsylvania 16830 as unopposed unless a responsive pleading is filed.

LOUIS P. VITTI & ASSOC., P.C.

Louis P. Vitti

Louis P. Vitti, Esquire
Attorney for Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK	)	NO. 2008-1236-CD
Plaintiff,	)	
vs.	)	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	)	
Defendants.	)	

MOTION TO DIRECT SHERIFF'S RETURN

NOW comes the Plaintiff/Petitioner by and through its attorneys Louis P. Vitti & Associates, P.C. and Louis P. Vitti, Esquire, and files the within Motion whereof the following is a statement:

1. Petitioner is the Plaintiff at the above captioned number and term.

2. The Defendants, Ronald D. Fishel and Jacqueline M. Fishel are Defendants at the above caption number and term.

3. The action that is filed is an action in mortgage foreclosure for obtaining possession of property for failure to pay the mortgage.

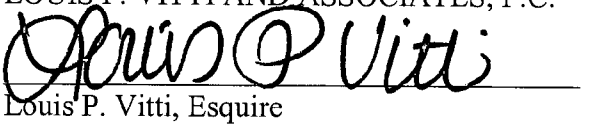
4. Plaintiff/Petitioner's counsel has made contact with the Sheriff's Office of Clearfield County by telephone for status of this case and have received information that Defendant Ronald D. Fishel was served on July 21, 2008 and Defendant Jacqueline M. Fishel was not found.

5. The Sheriff has not made a timely return of service and Plaintiff/Petitioner is unable to proceed further in this action.

WHEREFORE, the Petitioner prays that this Honorable Court enter an order directing the Office of the Sheriff to duly file the required sheriff return of service to allow this case to proceed and protect the security for which the loan was made.

Respectfully submitted,

LOUIS P. VITTI AND ASSOCIATES, P.C.

BY: 

Louis P. Vitti, Esquire
Attorney for Petitioner

VERIFICATION

NOW Louis P. Vitti verifies that the statements made in this Motion are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the Court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.

Louis P. Vitti

Louis P. Vitti

Dated: 10/8/08

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE*		
PENNSYLVANIA HOUSING FINANCE ACENCY) ASSIGNEE*		
OF PENNSYLVANIA HOUSING FINANCE AGENCY	*	
ASSIGNEE OF JERSEY SHORE BANK	*	
Plaintiff	*	
vs.	*	NO. 08-1236-CD
RONALD D. FISHEL and JACQUELINE M. FISHEL,	*	
Defendants	*	

ORDER

NOW, this 13th day of October, 2008, the Court noting that the Sheriff's Return of Service documents were filed with the Prothonotary's Office on July 21, 2008 as to Ronald D. Fishel and on July 29, 2008 as to Jacqueline M. Fishel and the difficulties caused relative no Sheriff's Return having yet been mailed to the Plaintiff, it is the ORDER of this Court that the Sheriff cause a copy of the Returns of Service to be mailed to the Plaintiff within five (5) days of the date of this ORDER.

BY THE COURT,

FREDRIC J. AMMERMAN
President Judge

FILED 2cc Atty Vitti
018:30BOL
OCT 14 2008 1cc Sheriff
(without memo)
William A. Shaw
Prothonotary/Clerk of Courts

FILED

OCT 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10/14/08

_X_ You are responsible for serving all appropriate parties.

_____ The Prothonotary's office has provided service to the following parties:

_____ Plaintiff(s) _____ Plaintiff(s) Attorney _____ Other

_____ Defendant(s) _____ Defendant(s) Attorney

_____ Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104382
NO: 08-1236-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION (Trustee)
vs.
DEFENDANT: RONALD D. FISHEL and JACQUELINE M. FISHEL

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	VITTI	8519	20.00
SHERIFF HAWKINS	VITTI	8519	54.59

FILED
013:40 Lm
OCT 13 2008
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

_____

So Answers,

Chester A. Hawkins
Sheriff

FILED
m 1:15 p.m. GK
OCT 2 4 2008
1cc Atty
William A. Shaw
Prothonotary/Clerk of Courts
GK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK,

Plaintiff,

vs.

RONALD D. FISHEL and JACQUELINE M. FISHEL

Defendants.

CIVIL DIVISION

NO. 2008-1236-CD

MOTION FOR SPECIAL SERVICE

Code - MORTGAGE FORECLOSURE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219
412-281-1725

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK	)	NO. 2008-1236-CD
PLAINTIFF,	)	
VS.	)	
RONALD D. FISHEL and JACQUELINE M. FISHEL	)	
DEFENDANTS.	)	

NOTICE OF PRESENTATION

TO: JACQUELINE M. FISHEL
1505 VETERANS STREET
BECCARIA, PA 16616

Take notice that the within Motion for Special Service pursuant to Rule 430 of the Pennsylvania Rules of Civil Procedure will be presented before the Motions Judge, Clearfield County, Pennsylvania, as unopposed unless a responsive pleading is filed.

LOUIS P. VITTI & ASSOC., P.C.

BY: Louis P. Vitti

Louis P. Vitti, Esquire
Attorney for Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK	)	NO. 2008-1236-CD
PLAINTIFF,	)	
VS.	)	
RONALD D. FISHEL and JACQUELINE M. FISHEL	)	
DEFENDANTS.	)	

MOTION FOR SPECIAL SERVICE PURSUANT TO RULE 430 AND THE PENNSYLVANIA RULES OF CIVIL PROCEDURE 400, ET SEQ.

NOW comes the Plaintiff by and through their attorneys, Louis P. Vitti & Associates, P.C. and Louis P. Vitti, Esquire, and files this motion requesting this Honorable Court permit service pursuant to Pennsylvania Rules of Civil Procedure 400, et seq., and particularly Rule 430 whereof the following is a statement:

1. Plaintiff did file a Complaint at the above-captioned number in mortgage foreclosure.

2. The property address is 1505 Veterans Street, Beccaria, PA 16616, and is the subject of this action.

3. The Sheriff did attempt to make service but has been unable to serve the Defendant, Jacqueline M. Fishel at 1505 Veterans Street, Beccaria, PA 16616 because the Defendant has moved from Beccaria, PA and left no forwarding address. See Exhibit "A".

4. The Postmaster of Beccaria, PA 16616 stated Defendant has moved and left no forwarding address. See Exhibit "B".

5.An investigation report completed shows the most recent address is PO Box 141 RD1, Beccaria, PA 16616 and unable to confirm address at 1505 Veterans Street, Beccaria, PA 16616. See Exhibit "C".

6. Efforts to effectuate service by the Sheriff have met without success and service has been frustrated requiring presentation of this Motion.

WHEREFORE, Plaintiff prays this Honorable Court enter an Order permitting service by ordinary mail to Defendant'(s) last known mailing address and also by posting the property by the Sheriff.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY: Louis P Vitti

Louis P. Vitti, Esquire
Attorney for Plaintiff
PA ID 01072
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1236-CD

U.S. BANK NATIONAL ASSOCIATION (Trustee)
vs
RONALD D. FISHEL and JACQUELINE M. FISHEL

SERVICE # 2 OF 2

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 08/06/2008 HEARING: PAGE: 104382

DEFENDANT: JACQUELINE M. FISHEL
ADDRESS: 1505 VETERANS ST.
BECCARIA, PA 16616

378 Pine St.
Madera

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDESS IS: VACANT OCCUPIED

ATTEMPTS _____ _____ _____

_____ _____ _____

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON JACQUELINE M. FISHEL, 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 IN MORTGAGE FORECLOSURE FOR JACQUELINE M. FISHEL

AT (ADDRESS) _____

NOW 7-29-08 AT 2:37 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO JACQUELINE M. FISHEL

REASON UNABLE TO LOCATE Moved From Beccaria PA. Left No Forwarding Address

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

_____

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: James E. Davis
Deputy Signature

JAMES E. DAVIS
Print Deputy Name

Exhibit "A"

LOUIS P. VITTI & ASSOCIATES, P.C.
916 Fifth Avenue
Pittsburgh, PA 15219
PHONE: (412) 281-1725 / FAX: (412) 281-3810

DATE: September 15, 2008

POSTMASTER OF BECCARIA PA
BECCARIA PA 16616

Request for Change of Address or Boxholder Information Needed for Service of Legal Process

Please furnish the new address or the name and street address (if a boxholder) for the following:

Name: JACQUELINE M FISHEL
Address: 1505 VETERNS STREET, BECCARIA PA 16616

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. **The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.**

1. Capacity of requester (e.g., process server, attorney, party representing himself): **Attorney**

2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting *pro se* - except a corporation acting *pro se* must cite statute): **N/A**

3. The names of all known parties to the litigation: **US BANK NATIONAL ASSOCIATION ET AL**

4. The court in which the case has been or will be heard: **CCP CLEARFIELD County, Pa**

5. The docket or other identifying number if one has been issued: **2008-1236-CD**

6. The capacity in which this individual is to be served (e.g. defendant or witness): **Defendant**

WARNING

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO $10,000 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.

Louis P. Vitti, Esquire
916 Fifth Avenue
Pittsburgh, PA 15219

FOR POST OFFICE USE ONLY

NEW ADDRESS or BOXHOLDER'S NAME AND STREET ADDRESS

Name: _____

Address: _____

City, State, ZIP: _____

POSTMARK

BECCARIA, PA SEP 18 2008 USPO

☐ **No change of address order on file** ☐ **Not known at address given**

☒ **Moved, left no forwarding address** ☐ **No such address**

☐ **Good as addressed – still receives mail at this address**

Exhibit "B"

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PHFA) ET AL	)	
	)	NO 2008-1236-CD
PLAINTIFF	)	
VS	)	
	)	
RONALD D. FISHEL	)	
JACQUELINE M FISHEL	)	
	)	
DEFENDANTS	)	

INVESTIGATION AFFIDAVIT PURSUANT TO PA.R.C.P. NO. 430

Four Star Investigation sets forth the following:

1. Affiant and/or its agents have conducted an investigation to determine the whereabouts of the Defendant(s), JACQUELINE M FISHEL, by making inquiries of or examining the following:

a. Local telephone directory assistance has the following information:

PHONE NON-PUBLISHED FOR JACQUELINE FISHEL ON VETERANS ST. BECCARIA, PA 16616

b. Local voter registration office shows the property address is:

NOT AVAILABLE

c. Department of Transportation - shows that the last known address for the Defendant(s) is/are:

NO RECORD

d. Other (please explain):

SOC. SEC. CHECK SHOWS JACQUELINE M. FISHEL (AKA: JACQUELINE M. LIDGETT) - MOST RECENT ADDRESS: PO BOX 141 RD 1, BECCARIA, PA 16616 - 2 YRS OLD -

Exhibit "C"

NO NEIGH. TO CONFIRM PRESENCE ON VETERANS STREET, BELLARIA, PA 16616

2. Notwithstanding the investigation as set forth in this Affidavit, Affiant and/or its agents have not been able to locate the whereabouts of said Defendant(s) as shown above and by the attached exhibits.

We verify that the statements made in this Affidavit are true and correct to the best of our knowledge, information and belief. We understand that false statements are made subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

FOUR STAR INVESTIGATION

BY: _____
Investigator

Commonwealth of Pennsylvania :
: SS.
County of Allegheny :

On this the 8th day of October, 2008, before me the undersigned officer, personally appeared the Affiant, 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.

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Helen Boyce, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires May 4, 2010
Member, Pennsylvania Association of Notaries

_____
NOTARY PUBLIC

VERIFICATION

NOW Louis P. Vitti verifies that the statements made in this Motion are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the Court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.

BY: Louis P. Vitti

Louis P. Vitti

Dated: 10/22/08

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK	)	NO. 2008-1236-CD
PLAINTIFF,	)	
VS.	)	
RONALD D. FISHEL and JACQUELINE M. FISHEL	)	
DEFENDANTS.	)	

CERTIFICATE OF SERVICE

I, Louis P. Vitti, hereby certify that on the 22 day of October, 2008, a true and correct copy of the within Motion for Special Service was served upon the following by Regular U.S. Mail:

JACQUELINE M. FISHEL
1505 VETERANS STREET
BECCARIA, PA 16616

I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

BY: Louis P. Vitti
Louis P. Vitti, Esquire

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOURINS FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK, Plaintiff	*	
vs.	*	NO. 08-1236-CD
RONALD D. FISHEL and JAQUELINE M. FISHEL, Defendants	*	

ORDER

NOW, this 27th day of October, 2008, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **JACQUELINE M. FISHEL** by:

1. Publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal;
2. By first class mail to 1505 Veterans Street, Beccaria, PA 16616 and PO Box 141, RD 1, Beccaria, PA 16616;
3. By certified mail, return receipt requested, to 1505 Veterans Street, Beccaria, PA 16616 and PO Box 141, RD 1, Beccaria, PA 16616; and
4. By posting the mortgaged premises known in this herein action as 1505 Veterans Street, Beccaria, PA 16616.

Service of the aforementioned publication and mailings is effective upon the date of publication and mailing and is to be done by Plaintiff's attorney, who will file Affidavits of Service with the Prothonotary of Clearfield County.

BY THE COURT,

FREDRIC J. AMMERMAN
President Judge

FILED 4cc Atty Vitti
01:07 PM
OCT 28 2008
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U. S. Bank National Association (Trustee for the Pennsylvania Housing Finance Agency) assignee of Pennsylvania Housing Finance Agency assignee of Jersey Shore Bank

Plaintiff,

vs.

Ronald D. Fishel and
Jacqueline M. Fishel

Defendants.

CIVIL DIVISION

NO. 08-1236-CD

PRAECIPE TO REINSTATE COMPLAINT

Code -MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

5 pd $7.00 Atty
FILED 1cc & reinstated
m/ 12:19 pm complaint to
NOV 10 2008 Atty & Shff
William A. Shaw
Prothonotary/Clerk of Courts

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

U. S. Bank National Association (Trustee for the Pennsylvania Housing Finance Association assignee of Pennsylvania Housing Finance Agency assignee of Jersey Shore Bank	)	No. 08-1236-CD
Plaintiff,	)	
vs.	)	
Ronald D. Fishel and Jacqueline M. Fishel	)	
Defendants.	)	

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY OFCLEARFIELD COUNTY:

Please reinstate the complaint in the above-captioned case.

Respectfully submitted,

LOUIS P. VITTI & ASSOCIATES, P.C.

BY: Louis P. Vitti
Louis P. Vitti, Esquire

DATE: 11-7-08

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1236-CD

U.S. BANK NATIONAL ASSOCIATION (Trustee)
vs
RONALD D. FISHEL and JACQUELINE M. FISHEL

SERVICE # 1 OF 1

COMPLAINT IN MORTGAGE FORECLOSURE & ORDER

SERVE BY: 12/09/2008 HEARING: PAGE: 104925

FILED
013:33 BH
DEC 04 2008
William A. Shaw
Prothonotary/Clerk of Courts

DEFENDANT: JACQUELINE M. FISHEL
ADDRESS: 1505 VETERANS STREET
BECCARIA, PA 16616
ALTERNATE ADDRESS

SERVE AND LEAVE WITH: POST ON PROPERTY

CIRCLE IF THIS HIGHLIGHTED ADDESS IS: VACANT OCCUPIED

ATTEMPTS _____ _____ _____

_____ _____ _____

SHERIFF'S RETURN

NOW, ~~12-4-08~~ AT ~~10:41 AM/PM~~ **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE & ORDER ON JACQUELINE M. FISHEL, 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 12-4-08 AT 10:41 AM / PM **POSTED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE & ORDER FOR JACQUELINE M. FISHEL

AT (ADDRESS) 1505 VETERANS STREET
BECCARIA, PA. 16616

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

I MAKE RETURN OF **NOT FOUND** AS TO JACQUELINE M. FISHEL

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

_____

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: _____
Deputy Signature

JAMES E. DAVIS
Print Deputy Name

THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION, (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK

Plaintiff,

vs.

RONALD D. FISHEL AND JACQUELINE M. FISHEL

Defendants.

CIVIL DIVISION

NO. 08-1236-CD

PROOF OF PUBLICATION IN THE PROGRESS AND IN THE CLEARFIELD COUNTY LEGAL JOURNAL

Code 140-MORTGAGE FORECLOSURE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
PA I.D. #01072
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

FILED 1cc Atty Vitti
m/12:30pm
JAN 26 2009
William A. Shaw
Prothonotary/Clerk of Courts

In The Court
of Common Pleas
of Clearfield County,
Pennsylvania
In Re: U.S. Bank
National Association et al
Plaintiff
vs.
Ronald D. Fishel and
Jacqueline M. Fishel
Defendants
Attorney for Plaintiff:
Louis P. Vitti, Esquire,
Louis P. Vitti & Associates, P.C.
916 Fifth Ave., Pgh., PA 15219.
(412) 281-1725.

COMPLAINT IN
MORTGAGE FORECLOSURE
NO. 08-1236-CD

You have been named as Defendants in a civil action instituted by U.S. National Association against you in this Court. This action has been instituted to foreclose on a Mortgage dated July 6, 2001, and recorded in the Recorder's Office of Clearfield County at Instrument No. 200110360 on July 6th, 2001.

You are hereby notified to plead at the above-referenced Complaint within twenty (20) days from the date of publication of this Notice or a judgment will be entered against you.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do the case may proceed without you and judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you. You should take this notice 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.

LAWYER REFERRAL SERVICE:
PROTHONOTARY
CLEARFIELD COUNTY
COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641, EXT. 20

11:18-1d-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 25th day of November, A.D. 20 08, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of November 18, 2008.
And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Cheryl J. Robison
Notary Public Clearfield, Pa.

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Cheryl J. Robison, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Oct. 31, 2011
Member, Pennsylvania Association of Notaries

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

On this 21st day of November AD 2008, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of November 21, 2008, Vol. 20, No. 47. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.
e the day and year aforesaid.

Sharon J Pusey
Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Houtzdale, Clearfield County, PA
My Commission Expires, April 7, 2011

Louis P. Vitti, Esquire,
916 Fifth Ave.
Pittsburgh PA 15219

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA.

In Re: U.S. Bank National Association et al, Plaintiff, vs. Ronald D. Fishel and Jacqueline M. Fishel, Defendants.

Attorney for Plaintiff: Louis P. Vitti, Esquire, Louis P. Vitti & Associates, P.C. 916 Fifth Ave., Pgh., PA 15219. (412) 281-1725.

COMPLAINT IN
MORTGAGE FORECLOSURE
NO. 08-1236-CD

You have been named as Defendants in a civil action instituted by U.S. National Association against you in this Court. This action has been instituted to foreclose on a Mortgage dated July 6, 2001, and recorded in the Recorder's Office of Clearfield County at Instrument No. 200110360 on July 6th, 2001.

You are hereby notified to plead to the above-referenced Complaint within twenty (20) days from the date of publication of this Notice or a judgment will be entered against you.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with, the Court. You are warned that if you fail to do so the case may proceed, without you and judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you. You should take this notice 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.

LAWYER REFERRAL SERVICE: PROTHONOTARY, CLEARFIELD COUNTY COURTHOUSE, CLEARFIELD, PA 16830, (814) 765-2641 - EXT. 20.

FILED

JAN 26 2009

William A. Shaw
Prothonotary/Clerk of Courts

THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION,
(TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY)
ASSIGNEE OF PENNSYLVANIA
HOUSING FINANCE AGENCY
ASSIGNEE OF JERSEY SHORE BANK

Plaintiff,

vs.

RONALD D. FISHEL AND
JACQUELINE M. FISHEL

Defendants.

CIVIL DIVISION

NO. 08-1236-CD

CERTIFICATION OF MAILING

Code 140-MORTGAGE
FORECLOSURE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
PA I.D. #01072
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

FILED 1cc Atty Vitti
m/12:30pm
JAN 26 2009
(LM)

William A. Shaw
Prothonotary/Clerk of Courts

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

JAN 26 2009

Attest.

Prothonotary/
Clerk of Courts

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK	)	NO. 08-1236-CD
PLAINTIFF	)	
VS.	)	
RONALD D. FISHEL AND JACQUELINE M. FISHEL	)	
DEFENDANT	)	

CERTIFICATION OF MAILING

I, Louis P. Vitti, hereby certify that on the 17th day of November, 2008, a true and correct copy of the within Reinstate Complaint was mailed by certified and ordinary mail to the Defendant Jacqueline M. Fishel at PO Box 141 RD 1, Beccaria, PA 16616 and 1505 Vererans Street, Beccaria, PA 16616 as per the Order of Court dated October 27, 2008. See Exhibit "A" and "A-1".

BY: Louis P. Vitti
Louis P. Vitti, Esquire

Sworn to and subscribed before
Me this 22nd day of January, 2009

Ann M Gonzales
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Ann M. Gonzales, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Mar. 29, 2010
Member, Pennsylvania Association of Notaries

7160 3901 9848 1457 8464

US Postal Service
Certified Mail Receipt
Domestic Mail Only
No Insurance
Coverage Provided

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Postmark Here

Sent To:
Jaqueline M. Fishel
1505 Veterans St.
Beccaria PA 16616

PS Form 3800, January 2005 US Postal Service **Certified Mail Receipt**
2

7160 3901 9848 1457 8457

US Postal Service
Certified Mail Receipt
Domestic Mail Only
No Insurance
Coverage Provided

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Postmark Here

Sent To:
Jaqueline M. Fishel
PO Box 141 RD1
Beccaria PA 16616

PS Form 3800, January 2005 US Postal Service **Certified Mail Receipt**
2

Exhibit "A"

U.S. POSTAL SERVICE **CERTIFICATE OF MAILNG**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

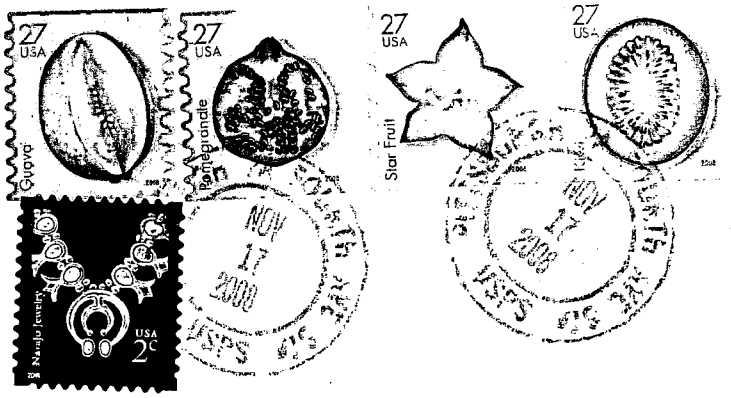
One piece of ordinary mail addressed to:

Jacqueline M. Fishel
PO Box 141 RD 1
Beccaria, PA 16616

lg

PS Form 3817, January 2001

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee



U.S. POSTAL SERVICE **CERTIFICATE OF MAILNG**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Jacqueline M. Fishel
1505 Veterans Street
Beccaria, PA 16616

lg

PS Form 3817, January 2001

Affix fee here in stamps or meter postage and post mark. Inquire of Pos.master for current fee.

Exhibit "A-1"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,

Plaintiff,

vs.

RONALD D. FISHEL and JACQUELINE M. FISHEL,

Defendants.

CIVIL DIVISION

NO. 2008-1236-CD

PRAECIPE FOR WRIT OF EXECUTION AND AFFIDAVIT OF LAST KNOWN ADDRESS

Code MORTGAGE FORECLOSURE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED 1CC
m/11:30 AM
FEB 06 2009
William A. Shaw
Prothonotary/Clerk of Courts

Lewrits w/ prop-desc. to Sheriff

Atty pd. 20.00

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	NO: 2008-1236-CD
Plaintiff,	:	
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
Defendants.	:	

PRAECIPE FOR WRIT OF
EXECUTION IN MORTGAGE FORECLOSURE

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Issue a Writ of Execution in favor of the Plaintiff and against the Defendant(s) in the above-captioned matter as follows:

Amount Due	Prothonotary costs	**$60,125.23** 142.00
Interest **02/04/09-Sale Date**		_____ .
Total		**$** _____ .

The real estate, which is the subject matter of the Praecipe for Writ of Execution is situate in:

Twp of Gulich, Clearfield Cty, Cmwlth of PA. HET a dwg k/a Route 729, Box 101, Beccaria, PA 16616 (now known as 1505 Veterans St., Beccaria, PA 16616). Parcel No. 118-K-16-6.

Louis P. Vitti

Louis P. Vitti, Esquire
Attorney for Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	NO: 2008-1236-CD
Plaintiff,	:	
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
Defendants.	:	

AFFIDAVIT

I, Louis P. Vitti, do hereby swear that, to the best of my knowledge, information and belief, the Defendant(s), is/are the owners of the real property on which the Plaintiff seeks to execute . That the Defendants' last known address is 1505 Veterans Street, Beccaria, PA 16616 and/or for Jacqueline M. Fishel is P. O. Box 141, RD 1, Beccaria, PA 16616.

Louis P. Vitti

Louis P. Vitti, Esquire

SWORN TO and subscribed

before me this 3rd day of

February, 2009.

Sherry L House

Notary Public

NOTARIAL SEAL
SHERRY L HOUSE
Notary Public
CITY OF PITTSBURGH, ALLEGHENY COUNTY
My Commission Expires May 15, 2011

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK, Plaintiff,	:	NO: 2008-1236-CD
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL, Defendants.	:	

AFFIDAVIT PURSUANT TO RULE 3129.1

U.S. Bank, et al, Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at Route 729, Box 101, Beccaria, PA 16616.

1. Name and address of Owner(s) or Reputed Owner(s):

Name:	Address (Please indicate if this cannot be reasonably ascertained)
Ronald D. Fishel Jacqueline M. Fishel	1505 Veterans Street Beccaria, PA 16616
Jacqueline M. Fishel	P.O. Box 141, RD 1 Beccaria, PA 16616

2. Name and address of Defendant(s) in the judgment:

Name:	Address (Please indicate if this cannot be reasonably ascertained)
Same as No. 1 above.	

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name:	Address (Please indicate if this cannot be reasonably ascertained)
Jean Skonier	2047 Tyrone Pike P.O. Box 78 Beccaria, PA 16616

Jeam Skonier c/o Dusan Bratick, Esquire	101 South US Route 15 Dillsburg, PA 17019

4. Name and address of the last recorded holder of every mortgage of record:

Name	Address (Please indicate if this cannot be reasonably ascertained)
NONE	

5. Name and address of every other person who has any record lien on the property:

Name	Address (Please indicate if this cannot be reasonably ascertained)
None	

6. Name and address of every other person who has any record interest in or record lien on the property and whose interest may be affected by the sale:

Name	Address (Please indicate if this cannot be reasonably ascertained)
None	

7. Name and address of every other person of whom the Plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name	Address (Please indicate if this cannot be reasonably ascertained)
Tax Collector of Gulich Township c/o John Matia	P.O. Box 277 Smithmill, PA 16680
Muddy Run Regional Authority	P.O. Box 474 Madera, PA 16661
Houtzdale Municipal Authority	P.O. Box 97 Houtzdale, PA 16651
Commonwealth of PA -DPW	P.O. Box 8016 Harrisburg, PA 17105
Clerk of Courts Criminal/Civil Division	P.O. Box 549 Clearfield, PA 16830
Tax Claim Bureau of Clearfield County	230 East Market Street Clearfield, PA 16830

Court of Common Pleas of Clearfield County Domestic Relations Division	P.O. Box 549 Clearfield, PA 16830
PA Dept. of Sheriff Sales Bureau of Compliance	Dept. #281230 Harrisburg, PA 17128-1230
Tenant/Occupant	Route 729, Box 101 beccaria, PA 16616

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. 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.

February 3, 2009
Date

Louis P. Vitti, Esquire
Attorney for Plaintiff

SWORN TO and subscribed

before me this 3rd day

of February, 2009.

Notary Public

NOTARIAL SEAL
SHERRY L HOUSE
Notary Public
CITY OF PITTSBURGH, ALLEGHENY COUNTY
My Commission Expires May 15, 2011

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW

Copy

U.S. Bank National Association (Trustee for the Pennsylvania Housing Finance Agency), assignee of Pennsylvania Housing Finance Agency, assignee of Jersey Shore Bank

Vs. NO.: 2008-01236-CD

Ronald D. Fishel and Jacqueline M. Fishel

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property:

(1) See Attached Descriptions

AMOUNT DUE/PRINCIPAL: $60,125.23
INTEREST FROM 02/04/09-Sale Date:
ATTY'S COMM: $
DATE: 2/6/2009

PROTH. COSTS PAID: $142.00
SHERIFF: $
OTHER COSTS: $

William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
At _____A.M./P.M.

_____
Sheriff

Requesting Party: Louis P. Vitti, Esq.
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK, Plaintiff,	:	NO: 2008-1236-CD
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL, Defendants.	:	

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Gulich, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the West side of a public road (State Route 729) leading from Janesville to Beccaria; said post being North 86 degrees West 93 feet from a stone, the Southeast corner of land now or formerly of J.M. Robeson; thence by lands now or formerly of the Kittaning Coal Company, North 86 degrees West 1021.5 feet to a post on right of way line of railroad branch; thence North 2 degrees East 89.6 feet to post on bank of Big Muddy Run; thence South 86 degrees East 85.5 feet to a post; thence North 37 degrees and 15 minutes East 29.5 feet to post; thence South 86 degrees East 905.6 feet to post on West side of public road (State Route 729); thence by same South 39 degrees and 30 minutes East 155.3 feet to post and place of beginning.

CONTAINING 2 1/2 acres of land, strict measure.

HAVING erected thereon a dwelling known as Route 729, Box 101, Beccaria, PA 16616

PARCEL NO. 118-K16-6.

BEING the same premises which Ralph Gardner, Jr., widower, by Deed dated 07/06/2001 and recorded 07/06/2001 in the Recorder's Office of Clearfield County, Pennsylvania, Instrument No. 200110359, granted and conveyed unto Ronald D. Fishel and Jacqueline M. Fishel, husband and wife, as Tenants by the Entireties.

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	NO: 2008-1236-CD
Plaintiff,	:	
vs	:	
	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
	:	
Defendants.	:	

SHORT DESCRIPTION

Twp of Gulich, Clearfield Cty, Cmwlth of PA. HET a dwg k/a Route 729, Box 101, Beccaria, PA 16616 (now known as 1505 Veterans St., Beccaria, PA 16616). Parcel No. 118-K-16-6.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,

Plaintiff,

vs.

RONALD D. FISHEL and JACQUELINE M. FISHEL,

Defendants.

CIVIL DIVISION

NO. 2008-1236-CD

PRAECIPE FOR DEFAULT JUDGMENT, CERTIFICATION OF MAILING AND AFFIDAVIT OF NON-MILITARY SERVICE

Code MORTGAGE FORECLOSURE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

610 Atty pd. 20.00
m/1:30/611
Notice to Defs.
Statement to Atty

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	NO: 2008-1236-CD
Plaintiff,	:	
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
Defendants.	:	

PRAECIPE FOR DEFAULT JUDGMENT
AND ASSESSMENT OF DAMAGES

TO: PROTHONOTARY OF CLEARFIELD

Enter judgment in Default of an Answer in the amount of **$60,125.23**, in favor of the U.S. Bank, et al, Plaintiff in the above-captioned action, against the Defendants, **Ronald D. Fishel and Jacqueline M. Fishel** and assess Plaintiff's damages as follows and/or as calculated in the Complaint:

Unpaid Principal Balance	**$51,235.92**
Interest from **01/01/08-02/03/09** (Plus **6.00%** per day after **02/03/09**)	**3,164.47**
Late charges (Plus **$13.16** per month from **02/04/09-Sale Date**)	**0.00**
Attorney's fee	**2,561.80**
Escrow Deficit (Plus any additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	**3,163.04**
Total Amount Due	**$60,125.23**

The real estate, which is the subject matter of the Complaint, is situate in Twp of Gulich, Clearfield Cty, Cmwlth of PA. HET a dwg k/a Route 729, Box 101, Beccaria, PA 16616 (now known as 1505 Veterans St., Beccaria, PA 16616). Parcel No. 118-K-16-6.

Louis P. Vitti

Louis P. Vitti, Esquire
Attorney for the Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	NO: 2008-1236-CD
Plaintiff,	:	
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
Defendants.	:	

CERTIFICATION OF MAILING

I, Louis P. Vitti, do hereby certify that a Notice of Intention to Take Judgment was mailed to the Defendant(s), in the above-captioned case on January 22, 2009, giving ten (10) day notice that judgment would be entered should no action be taken.

LOUIS P. VITTI & ASSOCIATES, P.C.

BY: Louis P. Vitti
Louis P. Vitti, Esquire
Attorney for Plaintiff

SWORN to and subscribed

before me this 3rd day

of February, 2009.

Sherry L. House
Notary Public

NOTARIAL SEAL
SHERRY L HOUSE
Notary Public
CITY OF PITTSBURGH, ALLEGHENY COUNTY
My Commission Expires May 15, 2011

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	
	:	NO. 2008-1236-CD
Plaintiff,	:	
vs.	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
Defendants.	:	

IMPORTANT NOTICE

TO: Ronald D. Fishel
Jacqueline M. Fishel
1505 Veterans Street
Beccaria, PA 16616

Jacqueline M. Fishel
P.O. Box 141, RD 1
Beccaria, PA 16616

Date of Notice: **January 22, 2009**

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 (10) 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 NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING 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 ON AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641, EXT. 20

LOUIS P. VITTI & ASSOCIATES, P.C.

BY: _____
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219

**** THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.****

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

COMMONWEALTH OF PENNSYLVANIA, SS:

COUNTY OF ALLEGHENY

BEFORE me, the undersigned authority, personally appeared Louis P. Vitti, Esquire, who, being duly sworn according to law, deposes and says that he is advised and believes that DEFENDANT(S) is/are not presently in the active military service of the United States of America and not members of the Army of the United States, United States Navy, the Marine Corps, or the Coast Guard, and not officers of the Public Health Service detailed by proper authority for duty with the Army or Navy; nor engaged in any active military service or duty with any military or naval units covered by the Soldiers and Sailors Civil Relief Act of 1940 and designated therein as military service, and to the best of this affiant's knowledge is/are not enlisted in military service covered by said act, and that the averments herein set forth, insofar as they are within his knowledge, are correct, and true; and insofar as they are based on information received from others, are true and correct as he verily believes.

This Affidavit is made under the provisions of the Soldiers and Sailors Civil Relief Act of 1940.

Louis P. Vitti

Louis P. Vitti, Esquire

SWORN to and subscribed

before me this 3rd day

of February, 2009.

Sherry L. House

Notary Public

NOTARIAL SEAL
SHERRY L HOUSE
Notary Public
CITY OF PITTSBURGH, ALLEGHENY COUNTY
My Commission Expires May 15, 2011

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	NO: 2008-1236-CD
Plaintiff,	:	
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
Defendants.	:	

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: DEFENDANT(S)

You are hereby notified that a judgment was entered in the above-captioned proceeding on the 6th day of February 2009.

Judgment is as follows: **$60,125.23.**

Deputy

**** THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.****

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

U.S. Bank National Association
Pennsylvania Housing Finance Agency
Jersey Shore Bank
Plaintiff(s)

No.: 2008-01236-CD

Real Debt: $60,125.23

Atty's Comm: $

Vs.

Costs: $

Int. From: $

Ronald D. Fishel
Jacqueline M. Fishel
Defendant(s)

Entry: $20.00

Instrument: Default Judgment

Date of Entry: February 6, 2009

Expires: February 6, 2014

Certified from the record this 6th 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,

Plaintiff,

vs.

RONALD D. FISHEL and JACQUELINE M. FISHEL,

Defendants.

CIVIL DIVISION

NO. 2008-1236-CD

AMENDED AFFIDAVIT PURSUANT TO RULE 3129.1

Code MORTGAGE FORECLOSURE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

Jean Skonier c/o Dusan Bratick, Esquire	101 South US Route 15 Dillsburg, PA 17019

4. Name and address of the last recorded holder of every mortgage of record:

Name	Address (Please indicate if this cannot be reasonably ascertained)
Pennsylvania Housing Finance Agency	211 North Front Street Harrisburg, PA 17105
Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company	3006 Pleasant Valley Blvd Altoona, PA 16602

5. Name and address of every other person who has any record lien on the property:

Name	Address (Please indicate if this cannot be reasonably ascertained)
None	

6. Name and address of every other person who has any record interest in or record lien on the property and whose interest may be affected by the sale:

Name	Address (Please indicate if this cannot be reasonably ascertained)
None	

7. Name and address of every other person of whom the Plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name	Address (Please indicate if this cannot be reasonably ascertained)
Tax Collector of Gulich Township c/o John Matia	P.O. Box 277 Smithmill, PA 16680
Muddy Run Regional Authority	P.O. Box 474 Madera, PA 16661
Houtzdale Municipal Authority	P.O. Box 97 Houtzdale, PA 16651
Commonwealth of PA -DPW	P.O. Box 8016 Harrisburg, PA 17105
Clerk of Courts Criminal/Civil Division	P.O. Box 549 Clearfield, PA 16830

Tax Claim Bureau of Clearfield County	230 East Market Street Clearfield, PA 16830
Court of Common Pleas of Clearfield County Domestic Relations Division	P.O. Box 549 Clearfield, PA 16830
PA Dept. of Sheriff Sales Bureau of Compliance	Dept. #281230 Harrisburg, PA 17128-1230
Tenant/Occupant	Route 729, Box 101 beccaria, PA 16616

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. 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.

March 11, 2009
Date

Louis P. Vitti, Esquire
Attorney for Plaintiff

SWORN TO and subscribed

before me this 11th day

of March, 2009.

Sherry L. House
Notary Public

NOTARIAL SEAL
SHERRY L HOUSE
Notary Public
CITY OF PITTSBURGH, ALLEGHENY COUNTY
My Commission Expires May 15, 2011

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104925
NO: 08-1236-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION (Trustee)
vs.
DEFENDANT: RONALD D. FISHEL and JACQUELINE M. FISHEL

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	VITTI	10210	10.00
SHERIFF HAWKINS	VITTI	10210	40.59

S[illegible]
[illegible]
0/3.00LM
MAR 23 2009

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2009

_____

So Answers,

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE BANK,

Plaintiff,

vs.

RONALD D. FISHEL and JACQUELINE M. FISHEL,

Defendants.

CIVIL DIVISION

NO. 08-1236-CD

AFFIDAVIT OF SERVICE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
PA I.D. #3810
Supreme Court #01072

Vitti and Vitti and Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	NO: 2008-1236-CD
Plaintiff,	:	
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
Defendants.	:	

AFFIDAVIT OF SERVICE

I, Sherry L. House, do hereby certify that a Notice of Sale was mailed and served upon the defendants by certified mail and all lien holders by Certificate of Mailing for service in the above-captioned case on February 27, 2009 & March 21, 2009, advising them of the Sheriff's sale of the property at Route 729, 101, Beccaria, PA 16616, ***on May 1, 2009 (continued to July 10, 2009)***.

VITTI AND VITTI AND ASSOCIATES, P.C.

BY Sherry L. House
Sherry L. House

SWORN to and subscribed

before me this 30th day

of June, 2009.

Y Boyce
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Helen Boyce, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires May 4, 2010
Member, Pennsylvania Association of Notaries

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Court of Common Pleas of Clearfield County
Domestic Relations Division
P.O. Box 549
Clearfield, PA 16830

PS Form **3817**, January 2001

$1.10 0
US POSTAGE
FIRST-CLASS
062S0007061721
15219

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

PA Dept. of Sheriff Sales
Bureau of Compliance
Dept. #281230
Harrisburg, PA 17128-1230

PS Form **3817**, January 2001

$1.10 0
US POSTAGE
FIRST-CLASS
062S0007061721
15219

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Tenant/Occupant
Route 729, Box 101
Beccaria, PA 16616

PS Form **3817**, January 2001

$1.10 0
US POSTAGE
FIRST-CLASS
062S0007061721
15219

FEB 27 2009

slh.fishel.5.1.09

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Houtzdale Municipal Authority
P.O. Box 97
Houtzdale, PA 16651

PS Form **3817**, January 2001

$1.100
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

7995

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Commonwealth of PA -DPW
P.O. Box 8016
Harrisburg, PA 17105

PS Form **3817**, January 2001

$1.100
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

7994

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Clerk of Courts
Criminal/Civil Division
P.O. Box 549
Clearfield, PA 16830

PS Form **3817**, January 2001

$1.100
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

7993

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Tax Claim Bureau of Clearfield County
230 East Market Street
Clearfield, PA 16830

PS Form **3817**, January 2001

$1.100
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

7992

FEB 27 2009

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Jean Skonier
2047 Tyrone Pike
P.O. Box 78
Beccaria, PA 16616

PS Form **3817**, January 2001

$1.100
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Jean Skonier
c/o Dusan Bratick, Esquire
101 South US Route 15
Dillsburg, PA 17019

PS Form **3817**, January 2001

$1.100
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Tax Collector of Gulich Township
c/o John Matia
P.O. Box 277
Smithmill, PA 16680

PS Form **3817**, January 2001

$1.100
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Muddy Run Regional Authority
P.O. Box 474
Madera, PA 16661

PS Form **3817**, January 2001

$1.100
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

FEB 27 2009 USPS

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Pennsylvania Housing Finance Agency
211 North Front Street
Harrisburg, PA 17105

PS Form **3817**, January 2001

stamps.com S50373 $1.100 US POSTAGE FIRST-CLASS 062S0007061721 15219 MAR 12

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

Louis P. Vitti & Associates, P.C.
916 Fifth Avenue, Pittsburgh, PA 15219

One piece of ordinary mail addressed to:

Beneficial Consumer Discount Company
d/b/a Beneficial Mortgage Company
3006 Pleasant Valley Blvd
Altoona, PA 16602

PS Form **3817**, January 2001

stamps.com S50373 $1.100 US POSTAGE FIRST-CLASS 062S0007061721 15219 MAR 12

slh.fishel.5.1.09

LOUIS P. VITTI AND ASSOCIATES, P. C.
COUNSELLORS AT LAW
916 FIFTH AVENUE
PITTSBURGH, PENNSYLVANIA 15219

CERTIFIED MAIL

7160 3901 9846 1457 0078

RETURN RECEIPT REQUESTED

$1.32 0
US POSTAGE
FIRST-CLASS
062S0007061721
15219

S33542

unknown

Jacqueline M. Fishel
P.O. Box 141, RD #1
Baccaria, PA 16616

NIXIE 165 SE 1 72 02/28/0
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 15219475699 *0596-05090-20-2:

15219@4758

LOUIS P. VITTI AND ASSOCIATES, P. C.
COUNSELLORS AT LAW
916 FIFTH AVENUE
PITTSBURGH, PENNSYLVANIA 15219

CERTIFIED MAIL

$1.32
US POSTAGE
FIRST-CLASS
052S0007064721
15219

633542

7160 3901 9846 1457 1501

RETURN RECEIPT REQUESTED

$2 USA

$2 USA

Unknown

Jacqueline M. Fishel
1505 Veterans Street
Beccaria, PA 16616

NIXIE 155 DE 1 00 02/28/09
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 15219475999 *1243-05505-25-37

1661643720 15219@4759

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20921
NO: 08-1236-CD

PLAINTIFF: U. S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE BANK
vs.
DEFENDANT: RONALD D. FISHEL AND JACQUELINE M. FISHEL

Execution REAL ESTATE

SHERIFF RETURN

FILED
JUL 29 2009
William A. Shaw
Prothonotary/Clerk of Courts

DATE RECEIVED WRIT: 2/6/2009

LEVY TAKEN 2/19/2009 @ 9:50 AM

POSTED 2/19/2009 @ 9:50 AM

SALE HELD 7/10/2009

SOLD TO U. S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE BANK

SOLD FOR AMOUNT $1.00 PLUS COSTS

WRIT RETURNED 7/29/2009

DATE DEED FILED 7/29/2009

SERVICES

2/19/2009 @ 9:50 AM SERVED RONALD D. FISHEL

SERVED RONALD D. FISHEL, DEFENDANT, AT HIS RESIDENCE 1505 VETERANS STREET, BECCARIA, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ZANE FISHEL/SON OF DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

2/26/2009 @ SERVED JACQUELINE M. FISHEL

SERVED JACQUELINE M. FISHEL, DEFENDANT, AT 1505 VETERANS STREET, BECCARIA, PENNSYLVANIA BY REG & CERT PER COURT ORDER. REG MAIL RETURNED UNCLAIMED 3/4/00, CERT MAIL RETURNED 3/5/09.

2/26/2009 @ SERVED JACQUELINE M. FISHEL

SERVED JACQUELINE M. FISHEL, DEFENDANT, BY REG & CET MAIL PER COURT ORDER TO P. O. BOX 141, RD 1, BECCARIA, PENNSYLVANIA, CERT #70060810000145078473 9. 3/2/09 CERT RETURNED UNCLAIMED 2/28/09, REG MAIL RETURNED UNCLAIMED 3/4/09.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY.

@ SERVED JACQUELINE M. FISHEL

@ SERVED

NOW, APRIL 16, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR MAY 1, 2009 TO JULY 10, 2009.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20921
NO: 08-1236-CD

PLAINTIFF: U. S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE BANK
vs.
DEFENDANT: RONALD D. FISHEL AND JACQUELINE M. FISHEL

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS $352.84

SURCHARGE $40.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2008

_____

So Answers,

Chester A. Hawkins
by Cynthia Butler-Aumbaugh

Chester A. Hawkins
Sheriff

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW

U.S. Bank National Association (Trustee for the Pennsylvania Housing Finance Agency), assignee of Pennsylvania Housing Finance Agency, assignee of Jersey Shore Bank

Vs. NO.: 2008-01236-CD

Ronald D. Fishel and Jacqueline M. Fishel

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property:

(1) See Attached Descriptions

AMOUNT DUE/PRINCIPAL: $60,125.23
INTEREST FROM 02/04/09-Sale Date:
ATTY'S COMM: $
DATE: 2/6/2009

PROTH. COSTS PAID: $142.00
SHERIFF: $
OTHER COSTS: $

William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 6th day
of February A.D. 2009
At 3:00 A.M./P.M.

Chester A. Hawkins
Sheriff by Cynthia Butler-Aughbaugh

Requesting Party: Louis P. Vitti, Esq.
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK, Plaintiff,	:	NO: 2008-1236-CD
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL, Defendants.	:	

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Gulich, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the West side of a public road (State Route 729) leading from Janesville to Beccaria; said post being North 86 degrees West 93 feet from a stone, the Southeast corner of land now or formerly of J.M. Robeson; thence by lands now or formerly of the Kittaning Coal Company, North 86 degrees West 1021.5 feet to a post on right of way line of railroad branch; thence North 2 degrees East 89.6 feet to post on bank of Big Muddy Run; thence South 86 degrees East 85.5 feet to a post; thence North 37 degrees and 15 minutes East 29.5 feet to post; thence South 86 degrees East 905.6 feet to post on West side of public road (State Route 729); thence by same South 39 degrees and 30 minutes East 155.3 feet to post and place of beginning.

CONTAINING 2 1/2 acres of land, strict measure.

HAVING erected thereon a dwelling known as Route 729, Box 101, Beccaria, PA 16616

PARCEL NO. 118-K16-6.

BEING the same premises which Ralph Gardner, Jr., widower, by Deed dated 07/06/2001 and recorded 07/06/2001 in the Recorder's Office of Clearfield County, Pennsylvania, Instrument No. 200110359, granted and conveyed unto Ronald D. Fishel and Jacqueline M. Fishel, husband and wife, as Tenants by the Entireties.

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of JERSEY SHORE BANK,	:	NO: 2008-1236-CD
Plaintiff,	:	
vs	:	
RONALD D. FISHEL and JACQUELINE M. FISHEL,	:	
Defendants.	:	

SHORT DESCRIPTION

Twp of Gulich, Clearfield Cty, Cmwlth of PA. HET a dwg k/a Route 729, Box 101, Beccaria, PA 16616 (now known as 1505 Veterans St., Beccaria, PA 16616). Parcel No. 118-K-16-6.

REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION

NAME RONALD D. FISHEL NO. 08-1236-CD

NOW, July 29, 2009, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on July 10, 2009, I exposed the within described real estate of Ronald D. Fishel And Jacqueline M. Fishel to public venue or outcry at which time and place I sold the same to U. S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY), ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE BANK he/she being the highest bidder, for the sum of $1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	29.70
LEVY	15.00
MILEAGE	29.70
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	18.04
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	59.40
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	**$352.84**

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	**$29.50**

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	60,125.23
INTEREST @ %	0.00
FROM TO 07/10/2009	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	**$60,165.23**

COSTS:

ADVERTISING	256.75
TAXES - COLLECTOR	95.94
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.50
SHERIFF COSTS	352.84
LEGAL JOURNAL COSTS	270.00
PROTHONOTARY	142.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	189.31
TOTAL COSTS	**$1,481.34**

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) ASSIGNEE OF PENNSYLVANIA HOURINS FINANCE AGENCY ASSIGNEE OF JERSEY SHORE BANK, Plaintiff	*	
vs.	*	NO. 08-1236-CD
RONALD D. FISHEL and JAQUELINE M. FISHEL, Defendants	*	

ORDER

NOW, this 27th day of October, 2008, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **JACQUELINE M. FISHEL** by:

1. Publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal;
2. By first class mail to 1505 Veterans Street, Beccaria, PA 16616 and PO Box 141, RD 1, Beccaria, PA 16616;
3. By certified mail, return receipt requested, to 1505 Veterans Street, Beccaria, PA 16616 and PO Box 141, RD 1, Beccaria, PA 16616; and
4. By posting the mortgaged premises known in this herein action as 1505 Veterans Street, Beccaria, PA 16616.

Service of the aforementioned publication and mailings is effective upon the date of publication and mailing and is to be done by Plaintiff's attorney, who will file Affidavits of Service with the Prothonotary of Clearfield County.

BY THE COURT,

FILED 4cc Atty Vitti
01:07 PM
OCT 28 2008
William A. Shaw
Prothonotary/Clerk of Courts

FREDRIC J. AMMERMAN
President Judge

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

NOV 24 2008

Attest: Prothonotary/ Clerk of Courts

CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

unknown

JACQUELINE M. FISHEL
P. O. BOX 141, RD 1
BECCARIA, PA 15616

NIXIE 155 DE 1 00 03/02/09
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 15930247201 *2832-06217-27-43

CERTIFIED MAIL™

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JACQUELINE M. FISHEL
1505 VETERANS STREET
BECCARIA, PA 16616

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 7006 0810 0001 4507 4722

PS Form 3811, July 1999 Domestic Return Receipt 102595-02-M-1540

CHESTER A. HAWKINS
SHERIFF

COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

7006 0810 0001 4507 4722

016H1650540?
Hasler
$05.49
02/26/2009
Mailed From 16830
US POSTAGE

RETURN TO SENDER
ATTEMPTED UNKNOWN

unknown

3-5-09

JACQUELINE M. FISHEL
1505 VETERANS STREET
BECCARIA, PA 16616

16616 39720 H001

7006 0810 0001 4507 4722

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.49

CLEARFIELD PA 16830
Postmark Here
FEB 26 2009
USPS

Sent To
Street, Apt. No.; or PO Box No.
City, State, ZIP+4

JACQUELINE M. FISHEL
1505 VETERANS STREET
BECCARIA, PA 16616

PS Form 3800, June 2002 See Reverse for Instructions

CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

Unknown

Rec. 5/4/09

JACQUELINE M. FISHEL
1505 VETERANS STREET
BECCARIA, PA 16616

NIXIE 165 DE 1 00 03/02/09
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 15830247201 *2832-05051-27-43

CERTIFIED MAIL

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JACQUELINE M. FISHEL
P. O. BOX 141, RD 1
BECCARIA, PA 16616

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 7006 0810 0001 4507 4739

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

CERTIFIED MAIL

CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

7006 0810 0001 4507 4739

Hasler

unknown

JACQUELINE M. FISHEL
P. O. BOX 141, RD 1
BECCARIA, PA 16616

NIXIE 165 4E 1 72 02/28/09
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
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Louis P. Vitti and Associates, P.C.

COUNSELLORS AT LAW
916 FIFTH AVENUE
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PHONE: (412) 281-1725 FAX: (412) 281-3810

LOUIS P. VITTI
RODNEY PERMIGIANI
LOIS M. VITTI **

** Licensed in NY, NJ & PA

Today is Thursday
April 16, 2009

DAVID P. ALPERN - Of Counsel
Phone: (412) 471-1960 & 1963 Fax: (412) 232-3666
E-Mail: AlpernDP@aol.com

Sheriff of Clearfield County
Clearfield County Courthouse
(814) 765-5915
Att: REAL ESTATE DEPT.

RE: Fishel, Ronald, et al
08-1236-CD

To whom it may concern:

Kindly continue the above captioned Sheriff's sale which was scheduled for

May 1, 2009 to July 10, 2009.

Thank you for your cooperation with this matter.

Very Truly Yours,

Louis P. Vitti

Louis P. Vitti

LPV/maq/mz