

08-1239-CD
LVNV Funding vs Lenetta Muirhead

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

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

CIVIL ACTION

No. 2008-1239-CDType of Case: CIVILType of Pleading: PLEADING

VS.

Filed on Behalf of:

LENETTA MUIRHEAD
(Defendant)
183 OLD TURNPIKE RD
(Street Address)
MUNSON, PA 16860
(City, State, ZIP)

LVNV FUNDING,
LLC
(Plaintiff)

FILED
in 1:45pm 6K
JUL 07 2008
1CC Atty
1 Comp. Shff.
William A. Shaw
Prothonotary/Clerk of Courts Atty Paid 95.00

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

Attest:

William A. Shaw
Prothonotary/
Clerk of Courts

David J. Apothaker, Esq.
Apothaker & Associates, P.C.
(Filed by)
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(Address)
215 634-8920
(Phone)

(Signature)

Our File No.: 162666
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

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

Plaintiff,

vs.

LENETTA MUIRHEAD
183 OLD TURNPIKE RD
MUNSON, PA 16860

Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.:
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NOTICE

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

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

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

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641

APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.# 38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

LVNV FUNDING, LLC) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
LENETTA MUIRHEAD)
183 OLD TURNPIKE RD)
MUNSON, PA 16860)
Defendant.)

)

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff is LVNV FUNDING, LLC c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant(s) is/are LENETTA MUIRHEAD, an adult individual residing at 183 OLD TURNPIKE RD MUNSON, PA 16860.
3. Plaintiff, LVNV FUNDING, LLC, is the Assignee and Successor in Interest of Account #5121071816363539; and said account was issued to Defendant(s) by SEARS, the Original creditor.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$21,007.74. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".
7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$21,007.74 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

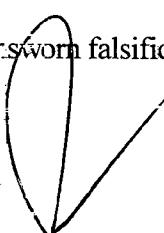
BY: _____
David J. Apotheker

Dated: 6/26/2008

Our File No.: 162666

VERIFICATION

David J. Apothaker, Esq. hereby states that I am counsel for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to ~~unsworn~~ falsification to authorities.



David J. Apothaker
Attorney for Plaintiff

DATE: 6/26/2008

LVNV FUNDING, LLC

LENETTA MUIRHEAD
183 OLD TURNPIKE RD
MUNSON, PA 16860

STATEMENT OF ACCOUNT

Debtor's Name: LENETTA MUIRHEAD

Account Number: 5121071816363539

Original Creditor: SEARS

Balance Due: \$21,007.74

Our File No.: 162666

EXHIBIT "A"

**SHERIFF'S OFFICE
CLEARFIELD COUNTY
CASE # 104384**

DEAR LENETTA MUIRHEAD

Would you please contact the Sheriff's Office EXTENSION **1360** concerning legal papers we have for you

When you call, please give your name and the case # noted above (**104384**) and someone in the Office will be able to help you.

Thank you for your consideration in this matter.

SHERIFF CHESTER A. HAWKINS

OFFICE HOURS: 8:30 A.M. to 4:00 P.M.
PHONE (814) 765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1239-CD

LVNV FUNDING LLC

vs

LENETTA MUIRHEAD

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 08/06/2008

HEARING:

PAGE: 104384

DEFENDANT: LENETTA MUIRHEAD
ADDRESS: 183 OLD TURNPIKE RD
MUNSON, PA 16860

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

FILED

JUL 15 2008

07/15/08
William A. Shaw
Prothonotary/Clerk of Courts

ATTEMPTS

Nursing Home

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON LENETTA MUIRHEAD, DEFENDANT

BY HANDING TO _____ / _____

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

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR LENETTA MUIRHEAD

AT (ADDRESS) _____

NOW 15th day of July 2008 AT 3:35 AM PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO LENETTA MUIRHEAD

REASON UNABLE TO LOCATE IN A NURSING home Unknown

SWORN TO BEFORE ME THIS

15th DAY OF July 2008

Wm. A. Shaw cm

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Dep. George T. Detter
Deputy Signature

Dep. George T. Detter
Print Deputy Name

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan, 2010
Clearfield Co., Clearfield, PA

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

LVNV FUNDING, LLC
(Plaintiff)
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2417 Welsh Road, Suite 21 #520
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CIVIL ACTION

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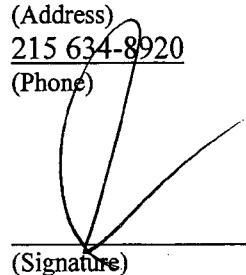
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Filed on Behalf of:

LENETTA MUIRHEAD
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(Street Address)
MUNSON, PA 16860
(City, State, ZIP)

LVNV FUNDING,
LLC
(Plaintiff)

David J. Apothaker, Esq.
Apothaker & Associates, P.C.
(Filed by)
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(Address)
215 634-8920
(Phone)


(Signature)

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

- JUL 07 2008

Attest.


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Prothonotary/
Clerk of Courts

Our File No.: 162666
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(215) 634-8920
Attorneys for Plaintiff

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CLEARFIELD COUNTY COURTHOUSE
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Attorney I.D.# 38423
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Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

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Philadelphia, PA 19114

Plaintiff,

vs.

LENETTA MUIRHEAD
183 OLD TURNPIKE RD
MUNSON, PA 16860

Defendant.

) COURT OF COMMON PLEAS
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APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

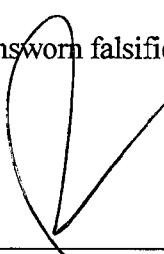
BY: _____
David J. Apothaker

Dated: 6/26/2008

Our File No.: 162666

VERIFICATION

David J. Apotheker, Esq. hereby states that I am counsel for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.



David J. Apotheker
Attorney for Plaintiff

DATE: 6/26/2008

LVNV FUNDING, LLC

LENETTA MUIRHEAD
183 OLD TURNPIKE RD
MUNSON, PA 16860

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Account Number: 5121071816363539

Original Creditor: SEARS

Balance Due: \$21,007.74

Our File No.: 162666

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104384
NO: 08-1239-CD
SERVICES 1
COMPLAINT

PLAINTIFF: LVNV FUNDING LLC
vs.
DEFENDANT: LENETTA MUIRHEAD

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	96138	10.00
SHERIFF HAWKINS	APOTHAKER	96138	33.89

S
FILED
0/3/40 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

Our File No.: 162666
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

LVNV FUNDING, LLC) COURT OF COMMON PLEAS
Plaintiff,) CLEARFIELD COUNTY
vs.)
LENETTA MUIRHEAD) NO. 2008-1239-CD
Defendant.)

)

PRAECIPE TO DISMISS WITHOUT PREJUDICE

S FILED ICC ATTY
m/150pm Apothaker
JAN 12 2009
W.A. Shaw
Prothonotary/Clerk of Courts

TO THE PROTHONOTARY:

Kindly dismiss this action without prejudice.

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

By: _____
David J. Apothaker, Esquire

Dated: 12/30/2008