



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

CAPITAL ONE BANK (USA), N.A.  
(Plaintiff)  
c/o Apothaker & Associates, P.C.  
2417 Welsh Road, Suite 21 #520  
(Street Address)  
Philadelphia, PA 19114  
(City, State, ZIP)

CIVIL ACTION

No. 2008-1266-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.


Filed on Behalf of:

BRENT D AMON  
(Defendant)  
405 E MARKET ST APT 3  
(Street Address)  
CLEARFIELD, PA 16830-2469  
(City, State, ZIP)

CAPITAL ONE BANK (USA),  
N.A.  
(Plaintiff)

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

(Signature)

**FILED** *ATTY PAID \$5.00*  
*M 11:08am GK 1 CC A-ty*  
**JUL 11 2008** *1 Comp. Siff.*  
  
William A. Shaw  
Prothonotary/Clerk of Courts

Our File No.: 151098  
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

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	)	CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520	)	
Philadelphia, PA 19114	)	NO.:
Plaintiff,	)	
vs.	)	
	)	
BRENT D AMON	)	
405 E MARKET ST APT 3	)	
CLEARFIELD, PA 16830-2469	)	
Defendant.	)	
	)	

#### NOTICE

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

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

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

APOTHAKE & 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

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	)	CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520	)	
Philadelphia, PA 19114	)	NO.:
Plaintiff,	)	
vs.	)	
	)	
BRENT D AMON	)	
405 E MARKET ST APT 3	)	
CLEARFIELD, PA 16830-2469	)	
Defendant.	)	
	)	

CIVIL ACTION COMPLAINT  
FIRST COUNT

1. Plaintiff is CAPITAL ONE BANK (USA), N.A. c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant(s) is/are BRENT D AMON, an adult individual residing at 405 E MARKET ST APT 3 CLEARFIELD, PA 16830-2469.
3. At the special instance and request of Defendant, Plaintiff, CAPITAL ONE BANK (USA), N.A., issued to Defendant(s), Account #5178052303741587.
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 \$1,233.42. 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 \$1,233.42 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

BY: \_\_\_\_\_  
David J. Apothaker

Dated: 7/1/2008

Our File No.: 151C93

VERIFICATION

Kesley Kelly, hereby states that I am Ag. 1 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.

Kesley Kelly

DATE:



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-  Pop-Up Blocker™
-  Spam Controls
-  Smart Dialer
-  Phisher Security
-  Internet Call Waiting

**UNLIMITED INTERNET ACCESS**

JUN 23 - JUL 22, 2005  
Page 1 of 1

### Account Summary

Previous Balance	\$662.46
Payments, Credits and Adjustments	\$0.00
Transactions	\$29.00
Finance Charges	\$14.25

New Balance	\$705.71
Minimum Amount Due	\$705.71
Payment Due Date	August 22, 2005

Total Credit Line	\$300
Total Available Credit	\$0
Credit Line for Cash	\$300
Available Credit for Cash	\$0

## At your service

To call Customer Relations or to report a lost or stolen card:  
**1-800-903-3637**

For free online account service and special customer offers, log on to:  
[www.capitalone.com](http://www.capitalone.com)

Send payments to:  
Attn: Remittance Processing  
Capital One Bank  
P.O. Box 60024  
City Indst CA 91716-0024

Send inquiries to:  
Capital One  
P.O. Box 30285  
SLC, UT 84130-0285

### Payments, Credits and Adjustments

## Transactions

1	22 JUL	PAST DUE FEE	\$29.00
---	--------	--------------	---------

You were assessed a past due fee of \$29.00 on 07/22/2005 because your minimum payment was not received by the due date of 07/22/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

### Finance Charges

Please see reverse side for important information.

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$669.32	.07096%	25.90%	\$14.25
CASH	\$0.00	.07096%	25.90%	\$0.00

ANNUAL PERCENTAGE RATE applied this period

25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

**Capital One**

0000000 0 5178052303741587 22 0705710186950705716

New Balance	\$705.71
Minimum Amount Due	\$705.71
Payment Due Date	August 22, 2005

Total enclosed \$   
Account Number: 5178-0523-0374-1587

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

Street	Apt. #
City	State ZIP
Home Phone	Alternate Phone
Email Address	

Capital One Bank  
P.O. Box 60024  
City Indust CA 91716-0024

028064

#9020476860132496# MAIL ID NUMBER  
BRENT D AMON  
PO BOX 262  
BYERS CO 80103-0262

Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

**FILED**

JUL 11 2003

William A. Shaw  
Prothonotary/Clerk of Court.

**FILE**

JUL 11 2003

William A. Shaw  
Prothonotary/Clerk of Court.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1266-CD

CAPITAL ONE BANK (USA) N.A.

VS

BRENT D. AMON

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 08/10/2008

HEARING:

PAGE: 104403

FILED

DEFENDANT:

BRENT D. AMON

ADDRESS:

405 E. MARKET ST. APT #3

CLEARFIELD, PA 16830

ALTERNATE ADDRESS

AUG 18 2008

01 8:40 PM

William A. Shaw

Prothonotary/Clerk of Courts

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

*attempted to check with other tenants*  
VACANT *no answer* OCCUPIED

ATTEMPTS

*7/18/08 LP*

*7/31/08 says Washburn on mailbox*

**SHERIFF'S RETURN**

NOW, \_\_\_\_\_ AT \_\_\_\_\_ AM / PM **SERVED** THE WITHIN

COMPLAINT ON BRENT D. AMON, 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 BRENT D. AMON

AT (ADDRESS) \_\_\_\_\_

NOW 8/18/08 AT 815 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO BRENT D. AMON

REASON UNABLE TO LOCATE expired

SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

*[Signature]*  
Deputy Signature

*S. Hunter*  
Print Deputy Name

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CAPITAL ONE BANK (USA), N.A.  
(Plaintiff)  
c/o Apothaker & Associates, P.C.  
2417 Welsh Road, Suite 21 #520  
(Street Address)  
Philadelphia, PA 19114  
(City, State, ZIP)

CIVIL ACTION

No. 2008-1266-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

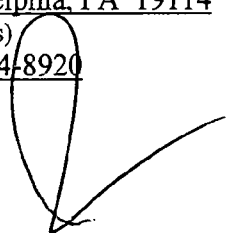
Filed on Behalf of:

BRENT D AMON  
(Defendant)  
405 E MARKET ST APT 3  
(Street Address)  
CLEARFIELD, PA 16830-2469  
(City, State, ZIP)

CAPITAL ONE BANK (USA),  
N.A.  
(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)

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

  
\_\_\_\_\_  
(Signature)

JUL 11 2008

Attest.

  
Prothonotary/  
Clerk of Courts

Our File No.: 151098  
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

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	)	CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520	)	
Philadelphia, PA 19114	)	NO.:
Plaintiff,	)	
vs.	)	
	)	
BRENT D AMON	)	
405 E MARKET ST APT 3	)	
CLEARFIELD, PA 16830-2469	)	
Defendant.	)	
	)	

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

4 APOTHAKE & 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

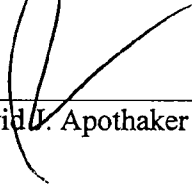
CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	)	CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520	)	
Philadelphia, PA 19114	)	NO.:
Plaintiff,	)	
vs.	)	
	)	
BRENT D AMON	)	
405 E MARKET ST APT 3	)	
CLEARFIELD, PA 16830-2469	)	
Defendant.	)	
	)	

CIVIL ACTION COMPLAINT  
FIRST COUNT

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4 . . WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$1,233.42 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

BY:   
David J. Apothaker

Dated: 7/1/2008

Our File No.: 151098

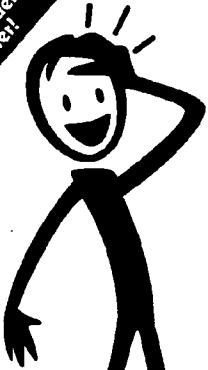
VERIFICATION

Kearly P. Kelly, hereby states that I am Ag. 1 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.

Kearly P. Kelly

DATE:

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Capital One  
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- 📧 Spam Controls
- 🔍 Smart Dialer
- 🔒 Phisher Security
- 📞 Internet Call Waiting

UNLIMITED INTERNET ACCESS

**Capital One**

PLATINUM MASTERCARD ACCOUNT  
5178-0523-0374-1587

JUN 23 - JUL 22, 2005  
Page 1 of 1

**Account Summary**

Previous Balance	\$662.46
Payments, Credits and Adjustments	\$ .00
Transactions	\$29.00
Finance Charges	\$14.25
<b>New Balance</b>	<b>\$705.71</b>
Minimum Amount Due	\$705.71
Payment Due Date	August 22, 2005
<b>Total Credit Line</b>	<b>\$300</b>
<b>Total Available Credit</b>	<b>\$ .00</b>
<b>Credit Line for Cash</b>	<b>\$300</b>
<b>Available Credit for Cash</b>	<b>\$ .00</b>

**At your service**

To call Customer Relations or to report a lost or stolen card:  
**1-800-903-3637**

For free online account service and special customer offers, log on to:  
[www.capitalone.com](http://www.capitalone.com)

Send payments to:  
Attn: Remittance Processing  
Capital One Bank  
P.O. Box 60024  
City Indust CA 91716-0024

Send inquiries to:  
Capital One  
P.O. Box 30285  
SLC, UT 84130-0285

**Payments, Credits and Adjustments**

**Transactions**

1	22 JUL	PAST DUE FEE	\$29.00
---	--------	--------------	---------

You were assessed a past due fee of \$29.00 on 07/22/2005 because your minimum payment was not received by the due date of 07/22/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

**Finance Charges**

*Please see reverse side for important information*

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$669.32	.07096%	25.90%	\$14.25
CASH	\$ .00	.07096%	25.90%	\$ .00

ANNUAL PERCENTAGE RATE applied this period 25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

**Capital One**

00000000 0 5178052303741587 22 0705710186950705716

New Balance \$705.71  
Minimum Amount Due \$705.71  
Payment Due Date August 22, 2005

Total enclosed \$

Account Number: 5178-0523-0374-1587

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

Street Apt. #  
City State ZIP  
Home Phone Alternate Phone  
Email Address @

Capital One Bank  
P.O. Box 60024  
City Indust CA 91716-0024

028064

#9020476860132496# MAIL ID NUMBER  
BRENT D AMON  
PO BOX 262  
BYERS CO 80103-0262

*Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104403  
NO: 08-1266-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.A.  
vs.  
DEFENDANT: BRENT D. AMON

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	96744	10.00
SHERIFF HAWKINS	APOTHAKE	96744	16.00

*S*  
**FILED**  
*0/2:30cm*  
**DEC 26 2008**  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2008

So Answers,

*Chester A. Hawkins*

Chester A. Hawkins  
Sheriff



Our File No.: 151098  
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

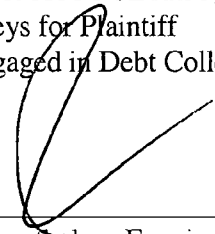
CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,	)	
vs.	)	
	)	
BRENT D AMON	)	NO. 2008-1266-CD
	)	
	)	
Defendant.	)	
	)	

**PRAECIPE TO DISMISS WITHOUT PREJUDICE**

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: 2/23/2010

FILED NO  
MAR 04 2010  
William A. Shaw  
Prothonotary/Clerk of Courts  
S (610)

**FILED**  
**MAR 04 2010**  
William A. Shaw  
Prothonotary/Clerk of Courts