

08-1281-CD

Citibank vs Mark A. McKeown

Burton Neil & Associates, P.C.
By: Edward J. O'Brien, Esquire ID. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

Attorney for Plaintiff

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

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

MARK A MCKEOWN

: NO. 2008-1281-CD

753 Brink Road, Irvona PA 16656-9307

Defendant : CIVIL ACTION - LAW

Complaint - Notice

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

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

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

LAWYER REFERENCE AND INFORMATION SERVICE

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

C-14259

FILED Pd \$95.00
9/12/00 cm
JUL 14 2008 ICC Shff

William A. Shaw
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.
By: Edward J. O'Brien, Esquire ID. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

Attorney for Plaintiff

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

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO.

MARK A MCKEOWN
753 Brink Road, Irvona PA 16656-9307

Defendant : CIVIL ACTION - LAW

Complaint

1. Plaintiff is CITIBANK (SOUTH DAKOTA), N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.

2. Defendant is Mark A McKeown, who resides at 753 Brink Road, Irvona, Clearfield County, Pennsylvania.

3. Plaintiff is a national banking association, engaged in various types of banking business including consumer lending through the issuance of credit cards.

Count I

4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number ending in 1976 hereinafter referred to as the credit card account.

5. Plaintiff kept accurate running records of all debits and credits to the account.

6. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.

7. Before plaintiff mailed Exhibit A, defendant had for many months made payments on account of the billing statement or retained the statement without payment.

8. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$3,301.92 which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, plaintiff demands judgment against defendant on Count I for the sum of \$3,301.92, and the costs of this action.

Count II

9. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number ending in 8358 hereinafter referred to as the credit card account.

10. Plaintiff kept accurate running records of all debits and credits to the account.

11. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit B. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.

12. Before plaintiff mailed Exhibit B, defendant had for many months made payments on account of the billing statement or retained the statement without payment.

13. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$3,496.93 which sum reflects the Exhibit B statement balance less credits, if any, which were applied subsequent to the date of Exhibit B.

Wherefore, plaintiff demands judgment against defendant on Count II for the sum of \$3,496.93, and the costs of this action.

Wherefore, plaintiff demands judgment against defendant on Counts I and II for the total sum of \$6,798.85, and the costs of this action.

Burton Neil & Associates, P.C.

By: 

Edward J. O'Brien, Esquire
Attorney for Plaintiff

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

09/27/07

\$3301.92

\$3301.92

SITE:KC-CL

TM:CO-5000

ACID:KCB3104

02/06/08

23:33:56:

PMT DUE DATE

NEW BALANCE

MIN AMT DUE

MARK A MCKEOWN
753 BRINK RD
IRVONA
16656-9307000

PA

CITI CARDS
PO BOX 183055
COLUMBUS, OH
43218-3055

C-14259

Citi® Dividend Platinum Select® Card



Account Number

1976

Customer Service:

1-800-925-8871

BOX 6500

SIOUX FALLS, SD

57117

Total Credit Line

\$5700

Available Credit Line

\$0

Cash Advance Limit

\$2500

Available Cash Limit

\$0

New Balance

\$3301.92

Statement/
Closing Date

09/07/2007

Amount Over
Credit Line

\$0.00

Past Due

\$982.79

Purch/Adv
Minimum Due

\$119.31

Minimum
Amount Due

\$3301.92

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
9/07			Standard Purch PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000	7.99 0000000000
9/07			Standard Adv ADVANCES*FINANCE CHARGE*PERIODIC RATE 84 0000	78.32 0000000000

Help is available! Please call the toll-free number shown above to learn about our special payment options. Call Monday - Friday, 7 am to 9 pm, or Saturday, 8 am to 5 pm, Central Time. Please give us the opportunity to assist you.

EXHIBIT

A

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$297.78	\$0.00	\$0.00	\$7.99	\$305.77
ADVANCES	\$2,917.83	\$0.00	\$0.00	\$78.32	\$2,996.15
TOTAL	\$3,215.61	\$0.00	\$0.00	\$86.31	\$3,301.92

Days This Billing Period: 30

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$301.63	0.08833%(D)	32.240%	32.240%
ADVANCES				
Standard Adv	\$2,955.51	0.08833%(D)	32.240%	32.240%

09/18/07

\$3496.93

\$3496.93

SITE:KC-CL

TM:CO-5000

ACID:KCB3104

02/06/08

23:33:56:

PMT DUE DATE

NEW BALANCE

MIN AMT DUE

MARK A MCKEOWN
753 BRINK RD
IRVONA
16656-9307000

PA

CITI CARDS
PO BOX 183066
COLUMBUS, OH
43218-3066

C-14261

Citi® Driver's Edge® Platinum Select® Card-Options Rbts

Account Number

8358

Customer Service:

1-800-925-8871

BOX 6500

SIOUX FALLS, SD

57117

Total Credit Line

\$3400

Available Credit Line

\$0

Cash Advance Limit

\$2500

Available Cash Limit

\$0

New Balance

\$3496.93

Statement/
Closing Date

08/24/2007

Amount Over
Credit Line

\$96.93

Past Due

\$1007.59

Purch/Adv
Minimum Due

\$124.39

Minimum
Amount Due

\$3496.93

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	8/24		Standard Purch	
			OVER CREDIT LIMIT FEE	39.00
	8/24		62 0000	0000000000
			PURCHASES*FINANCE CHARGE*PERIODIC RATE	11.80
			84 0000	0000000000
	8/24		Standard Adv	
			ADVANCES*FINANCE CHARGE*PERIODIC RATE	78.59
			84 0000	0000000000

Help is available! Please call the toll-free number shown above to learn about our special payment options. Call Monday - Friday, 7 am to 9 pm, or Saturday, 8 am to 5 pm, Central Time. Please give us the opportunity to assist you.

EXHIBIT

B

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$439.69	\$39.00	\$0.00	\$11.80	\$490.49
ADVANCES	\$2,927.85	\$0.00	\$0.00	\$78.59	\$3,006.44
TOTAL	\$3,367.54	\$39.00	\$0.00	\$90.39	\$3,496.93

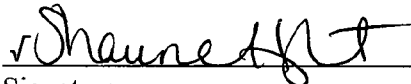
Days This Billing Period: 30

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$445.37	0.08833%(D)	32.240%	32.240%
ADVANCES				
Standard Adv	\$2,965.66	0.08833%(D)	32.240%	32.240%

Verification

Shauna Houghton

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


Signature Shauna Houghton

Mark A McKeown
[REDACTED] 1976

FILED

JUL 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1281-CD

CITIBANK (SOUTH DAKOTA) N.A.

vs

MARK A. MCKEOWN

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 08/13/2008

HEARING:

PAGE: 104412

DEFENDANT: MARK A. MCKEOWN

ADDRESS: 753 BRINK ROAD

IRVONA, PA 16656

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

7-21-08-10:37 AM TALKED TO MR. BRINK DOESN'T KNOW DEF.

FILED

07/31/08
JUL 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW,

7-24-08

AT

10:50

AM

PM

SERVED THE WITHIN

COMPLAINT ON MARK A. MCKEOWN, DEFENDANT

BY HANDING TO

DONNA MCKEOWN

Wife

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

ADDRESS SERVED

753 Brink Road
IRVONA, PA. 16656

NOW

AT

AM / PM

POSTED

THE WITHIN

COMPLAINT FOR MARK A. MCKEOWN

AT (ADDRESS)

NOW

AT

AM / PM

AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO MARK A. MCKEOWN

REASON UNABLE TO LOCATE

SWORN TO BEFORE ME THIS

DAY OF

2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James C. Davis

Deputy Signature

JAMES F. DAVIS

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104412
NO: 08-1281-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.
vs.
DEFENDANT: MARK A. MCKEOWN

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NEIL	043331	10.00
SHERIFF HAWKINS	NEIL	043331	49.59

4
FILED
013:16311
OCT 15 2008
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

FILED

OCT 15 2008

**William A. Shaw
Prothonotary/Clerk of Courts**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

Plaintiff(s)

v.

MARK A MCKEOWN
753 Brink Road
Irvona PA 16656-9307

Defendant(s)

CIVIL DIVISION, ARBITRATION
AND STATUTORY APPEALS ONLY

CASE NO. 2008-1281-CD

TYPE OF PLEADING: _____

Praeipce for Default Judgment

CODE AND CLASSIFICATION:

FILED ON BEHALF OF: Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.

(Name of Party, indicate plaintiff or defendant)

NAME, ADDRESS AND TELEPHONE OF:

 X Counsel of Record
_____ Individual, if pro se

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

Attorney's State ID# 32985

Attorney's Firm ID# _____

(Signature)

FILED *Atty. pd.*
m/2:26:30 *20.00*
NOV 07 2008 *Notice to*

S William A. Shaw
Prothonotary/Clerk of Courts

Def.
Statement
to Atty

(611)

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

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

v.

: NO. 2008-1281-CD

MARK A MCKEOWN
753 Brink Road
Irvona PA 16656-9307
Defendant

: CIVIL ACTION - LAW

Praeipice for Default Judgment

To the Prothonotary:

Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:

Count I:	\$3,301.92
Count II:	\$3,496.93
TOTAL	\$6,798.85

Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment debtor and creditor.
2. The annexed notice of intention to file this praecipe was mailed to all parties against whom judgment is to be entered and to their record attorneys, if any, after the default occurred, and at least ten days prior to the date of the filing of this praecipe.
3. Pursuant to Section 201(b)(1)(A) of the Servicemembers Civil Relief Act of 2003 (SCRA), the defendant is not in the military service of the United States based on information received from the defendant and/or the Department of Defense website.

**JUDGMENT BY DEFAULT ENTERED
AND DAMAGES ASSESSED AS ABOVE.
NOTICE GIVEN UNDER P.A.R.CIV.P. 236**


Prothonotary 11/7/08

Burton Neil & Associates, P.C.

By: 

Edward J. O'Brien, Esquire
Attorney for Plaintiff
I.D. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380

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

C-14259

CITIBANK (SOUTH DAKOTA), N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 2008-1281-CD

MARK A MCKEOWN

Defendant

: CIVIL ACTION - LAW

Notice of Intention to File Praecept for Default Judgment

TO: Mark A McKeown
753 Brink Road
Irvington PA 16656-9307

IMPORTANT NOTICE

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (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 to find out where you can get legal help. This office can provide you with information about hiring a lawyer.

If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

**LAWYER REFERENCE AND
INFORMATION SERVICE**

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

DATE OF NOTICE: October 22, 2008

Burton Neil & Associates, P.C.

By: 

Edward J. O'Brien, Esquire

Attorney for Plaintiff

Identification No. 32985

1060 Andrew Drive, Suite 170

West Chester, PA 19380

(610) 696-2120

In making this communication, we advise our office is a
debt collector.

cc: Consumer Protection Law Center
PO Box 891
Syosset, NY 11791

Burton Neil & Associates, P.C.
By: Edward J. O'Brien, Esquire ID. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120
Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.
Plaintiff

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
: NO. 2008-1281-CD
: CIVIL ACTION - LAW

v.

MARK A MCKEOWN
Defendant

Rule of Civil Procedure NO. 236 (Revised)

Notice is given that a JUDGMENT in the above captioned matter has been entered
against you on November 7, 2008.

Prothonotary

By: [Signature]

Deputy

If you have any questions concerning the above, please contact:

Edward J. O'Brien, Esquire
Attorney for Party Filing
1060 Andrew Drive, Suite 170
West Chester, PA 19380
Phone: 610-696-2120

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

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

Citibank (South Dakota) N.A.
Plaintiff(s)

No.: 2008-01281-CD

Real Debt: \$6,798.85

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Mark A. McKeown
Defendant(s)

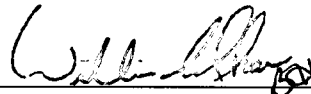
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 7, 2008

Expires: November 7, 2013

Certified from the record this 7th day of November, 2008.



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