

08-1400-CD
Citibank vs Carrie S. Cook

FILED Atty pd \$95.00
M 11:27 AM JUL 30 2008
JUL 30 2008
1CC Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.
By: Derek C. Blasker, Esquire ID. NO. 202150
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120
Attorney for Plaintiff

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

: IN THE COURT OF COMMON PLEAS

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

CARRIE S COOK
587 Guy Avenue, Du Bois PA 15801-3919
Defendant

: NO. 08-1400-CD

: 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. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

C-16284

Burton Neil & Associates, P.C.
By: Derek C. Blasker, Esquire ID. NO. 202150
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.

CARRIE S COOK
587 Guy Avenue, Du Bois PA 15801-3919
Defendant

: CIVIL ACTION - LAW

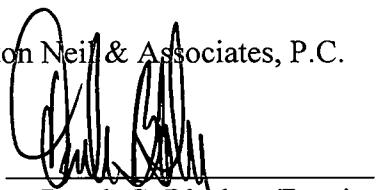
Complaint

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 Carrie S Cook, who resides at 587 Guy Avenue, Du Bois, Clearfield County, Pennsylvania.
3. Plaintiff is a national banking association, engaged in various types of banking business including consumer lending through the issuance of credit cards.
4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number ending in 3912 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 \$1,872.57 which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, plaintiff demands judgment against defendant for the sum of \$1,872.57, and the costs of this action.

Burton Neil & Associates, P.C.

By: 

Derek C. Blasker, Esquire
Attorney for Plaintiff

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

SITE:KC-CL TM:CO-5000 ACID:KCB0201
05/31/08 20:00:30

Account Activity

Payment Due Date: **01/07/2008** Payment must be received by 5:00 PM local time on the payment due date.

Minimum Amount Due:

date paid _____ amount paid _____ check # _____

Detach and follow payment instructions on reverse

Make check payable to: Citi Cards

Total New Balance:
\$1,872.57
Minimum Amount Due:
\$1,872.57
Payment Due Date:
01/07/2008

000000 MC 32 A 0
CARRIE S COOK
587 GUY AVE
DU BOIS PA 15801-3919

Account Number:
042-12345678912

Amount Enclosed:

Payment must be received by 5:00 PM local time on the payment due date.

CITI CARDS
P.O. BOX 182564
COLUMBUS, OH 43218-2564

How to Reach Us						
1-800-866-9900						
Customer Service						
BOX 6500						
SIOUX FALLS, SD						
57117						
Account Number						
3912						
At a Glance						
Previous Balance		Amount Over Credit Line		Past Due		Finance Charges
\$1,748.74		\$372.57		\$360.91		\$45.83
						\$1,872.57
Standard Purchases						
Sale	Post	Description				Amo
12/12		LATE FEE - NOV PAYMENT PAST DUE				39
00000000	66	0000				000000000
00000000	12/12	OVER CREDIT LIMIT FEE				39
00000000	62	0000				000000000
00000000	12/12	PURCHASE*FINANCE CHARGE*PERIODIC RATE				31
00000000	84	0000				000000000
Standard Advances						
Sale	Post	Description				Amo
00000000	12/12	ADVANCE*FINANCE CHARGE*PERIODIC RATE				13
00000000	84	0000				000000000
Account Summary						
Previous Balance		(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(-) New Balance	
Purchases	1,325.79	78.00	0.00	31.86	1,325	
Advances	532.95	0.00	0.00	13.97	546	
Total	1,748.74	78.00	0.00	45.83	1,872	

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.

5174874.

102

Account Number:
[REDACTED] 3912

Amount Enclosed:

Payment must be received by 5:00 PM local time on the payment due date.

Amount Enclosed:

Payment must be received by 5:00 PM local time on the payment due date.

EXHIBIT

4

CARRIE S COOK
3912

How to Reach Us
1-800-866-9900
Customer Service
BOX 6500
SIOUX FALLS, SD 57117
Access your account onlinecititcards.com

Rate Summary Days This Billing Period: 30

	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
<hr/>				
PURCHASES				
Standard Purch	1,231.12	0.08627%(0)	31.490%	31.490%
ADVANCES				
Standard Adv	539.67	0.08627%(0)	31.490%	31.490%

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

C-16284

Carrie S Cook
Account number ending in 3912
1000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1400-CD

CITIBANK (SOUTH DAKOTA) N.A.
vs
CARRIE S. COOK

SERVICE # 1 OF 1

FILED
07/09/2008
AUG 14 2008

COMPLAINT

SERVE BY: 08/29/2008

HEARING:

PAGE: 104477

William A. Shaw
Prothonotary/Clerk of Courts

DEFENDANT: CARRIE S. COOK
ADDRESS: 587 GUY AVENUE
DUBOIS, PA 15801

204 S. Ave. 246-9615
WORKS @ WALMART

ALTERNATE ADDRESS

204 South 3
Ave - Correct Address

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

816108 - Def Does not live @ above address acc to ex-husband
and Does not live @ prior residence 214 S Ave.

SHERIFF'S RETURN

NOW, 8-13-08 AT 10:30 AM SERVED THE WITHIN

COMPLAINT ON CARRIE S. COOK, DEFENDANT

BY HANDING TO CARRIE COOK, Defendant

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

ADDRESS SERVED 204 South Ave Dubois, Pa. 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR CARRIE S. COOK

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO CARRIE S. COOK

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Jerome M. Nester Deputy Signature

Jerome M. Nester

Print Deputy Name

DAY OF 2008

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.

CARRIE S COOK
587 Guy Avenue
Du Bois PA 15801-3919

Defendant(s)

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

CASE NO. 08-1400-CD

TYPE OF PLEADING: Praeceptum

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

NAME, ADDRESS AND TELEPHONE OF:

X Counsel of Record
Individual, if pro se

Derek C. Blasker, 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# 202150

Attorney's Firm ID#

(Signature)

FILED 1cc + 1 Cert of
m 10:05 am disc issued to
SEP 18 2008 Atty Blaske

William A. Shaw

Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.
By: Derek C. Blasker, Esquire ID. NO. 202150
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120
Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.

Plaintiff

v.

CARRIE S COOK

Defendant

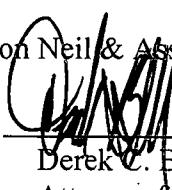
: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
: NO. 08-1400-CD
: CIVIL ACTION - LAW

Praecipe to Discontinue

To the Prothonotary:

Kindly discontinue the above-captioned action without prejudice.

Burton Neil & Associates, P.C.

By: 

Derek C. Blasker, Esquire
Attorney for Plaintiff

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

C-16284

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

©COPY

Citibank (South Dakota), N.A.

Vs. **No. 2008-01400-CD**
Carrie S. Cook

CERTIFICATE OF DISCONTINUATION

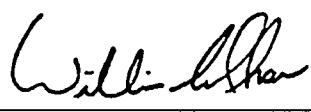
Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on September 18, 2008, marked:

Discontinued without prejudice

Record costs in the sum of \$95.00 have been paid in full by Derek C. Blasker Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 18th day of September A.D. 2008.



William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
(CIVIL DIVISION)

CITIBANK (South Dakota) N.A.

Plaintiff

: No. 08-1400 C.D.

vs.

CARRIE S. COOK,

Defendant

: Type of Pleading: Suggestion of Bankruptcy

: Filed on behalf of: Carrie S. Cook, Defendant

: Counsel of Record for this party:

: HOPKINS HELTZEL LLP

: DAVID J. HOPKINS, ESQUIRE
Attorney at Law
Supreme Court No. 42519

: LEA ANN HELTZEL, ESQUIRE
Attorney at Law
Supreme Court No. 83998

: 100 Meadow Lane, Suite 5
DuBois, Pennsylvania 15801

: (814) 375-0300

FILED

01012008
SEP 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

610

1cc
Atty Hopkins

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
(CIVIL DIVISION)

CITIBANK (South Dakota) N.A. :
Plaintiff : No. 08-1400 C.D.
:
vs. :
:
CARRIE S. COOK, :
Defendant :
:

SUGGESTION OF BANKRUPTCY

TO THE PROTHONOTARY:

Please take note that on the 12th day of September, 2008, Carrie S. Cook, filed a Petition under Chapter 7 of the United States Bankruptcy Code with the United States Bankruptcy Court for the Western District of Pennsylvania filed to Docket No. 08-71024.

Respectfully submitted,

HOPKINS HELTZEL LLP


David J. Hopkins, Esquire
Attorney for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
(CIVIL DIVISION)

CITIBANK (South Dakota) N.A. :
Plaintiff : No. 08-1400 C.D.
vs. :
CARRIE S. COOK, :
Defendant :
.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Suggestion of Bankruptcy, filed on behalf of Defendant, Carrie S. Cook, was served on the 24th day of September, 2008, on all counsel of record by first-class mail, postage prepaid addressed as follows:

Derek C. Blasker, Esquire
Burton Neil & Associates, P.C.
1060 Andrew Drive, Suite 170
West Chester, PA 19380

HOPKINS HELTZEL LLP



David J. Hopkins, Esquire
Attorney for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104477
NO: 08-1400-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.
vs.
DEFENDANT: CARRIE S. COOK

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NEIL	044007	10.00
SHERIFF HAWKINS	NEIL	044007	62.46

5
FILED
02:30pm
DEC 26 2008
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff