

08-1417-CD

Citibank vs Candace A. Eazor

FILED Aug 01 2008  
m 12:42 PM  
\$95.00  
ICC Sheriff

William A. Shaw  
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.  
By: Yale D. Weinstein, Esquire ID. NO. 89678  
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.

CANDACE A EAZOR : NO. 08-1417-CD  
508 North Court, Du Bois PA 15801-3218  
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-16766

Burton Neil & Associates, P.C.  
By: Yale D. Weinstein, Esquire ID. NO. 89678  
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.

CANDACE A EAZOR  
508 North Court, Du Bois PA 15801-3218

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 Candace A Eazor, who resides at 508 North Court, 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(n) AT&T Universal credit card with account number ending in 7327 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 \$6,155.74 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 \$6,155.74, and the costs of this action.

Burton Neil & Associates, P.C.

By: 

Yale D. Weinstein, Esquire  
Attorney for Plaintiff

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

www.univertsalcard.com

Account Member  
CANDACE A EAZOR

Account Number  
5398 5500 1630 7327

How to Reach Us  
1-800-423-4343

Customer Service  
PO Box 44167  
Jacksonville, FL  
32231-4167

Account Activity  
Apr 19-May 20, 2008

Payment Due Date:

06/12/2008

Minimum Amount Due:

\$6,155.74

Total New Balance:

\$6,155.74

Quick Reference

|                       |         |
|-----------------------|---------|
| Total Credit Line     | \$5,880 |
| Available Credit Line | \$0     |
| Cash Advance Limit    | \$1,000 |
| Available Cash Limit  | \$0     |

Important Account Information

Your late fee was based on your account balance as of the payment due date (05/13/08), which was \$5,953.83.

Help is available! Please call the toll-free number shown above to learn about our special payment options. Please give us the opportunity to assist you.

Date paid \_\_\_\_\_ amount paid \_\_\_\_\_ check # \_\_\_\_\_ Detach and follow payment instructions on reverse  
Make check payable to: **AT&T Universal Card**

Total New Balance:

\$6,155.74

Minimum Amount Due:

\$6,155.74

Payment Due Date:

06/12/2008

Account Number:

5398 5500 1630 7327

Amount Enclosed:

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

000000 MC 32 A O  
CANDACE A EAZOR  
508 NORTH COURT  
DU BOIS PA 15801-3218

AT&T UNIVERSAL CARD  
P.O. BOX 182564  
COLUMBUS, OH 43218-2564

C-16746

EXHIBIT

A

How to Reach Us  
1-800-423-4343  
Customer Service  
PO Box 44167  
Jacksonville, FL 32231-4167  
Access your account online: [www.universalcards.com](http://www.universalcards.com)

**Fees**

| Sale     | Post                            | Description | Amount       |
|----------|---------------------------------|-------------|--------------|
| 05/20    | LATE FEE - APR PAYMENT PAST DUE |             | 39.00        |
| 00000000 | 66                              | 0000        | 0            |
|          |                                 |             | 700000000000 |

**Account Summary**

| Previous Balance   | (+) Purchases & Advances | (-) Payments & Credits | (+) FINANCE CHARGE | (=) New Balance |
|--------------------|--------------------------|------------------------|--------------------|-----------------|
| Purchases 5,562.29 | 39.00                    | 458.87                 | 140.16             | 5,282.58        |
| Advances 891.54    | 0.00                     | 41.13                  | 22.75              | 873.16          |
| Total 6,453.83     | 39.00                    | 500.00                 | 162.91             | 6,155.74        |

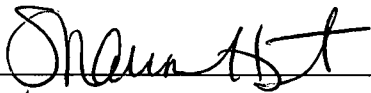
**Rate Summary**

Days This Billing Period: 32

| Balance Subject to Finance Charge | Periodic Rate | Nominal APR | ANNUAL PERCENTAGE RATE |
|-----------------------------------|---------------|-------------|------------------------|
| PURCHASES                         |               |             |                        |
| Standard Purch                    | 4.438.61      | 0.08142%(D) | 29.720%                |
| Purch/Cashadv                     | 940.91        | 0.08142%(D) | 29.720%                |
| ADVANCES                          |               |             |                        |
| Standard Adv                      | 873.06        | 0.08142%(D) | 29.720%                |

### Verification

I, Shauna Houghton 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

**C-16766**  
Candace A Eazor  
Account number ending in 7327  
1000

Between  
Orient Ave.  
& Greenblenn

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1417-CD

CITIBANK (SOUTH DAKOTA) N.A.

SERVICE # 1 OF 1

vs

CANDACE A. EAZOR

COMPLAINT

SERVE BY: 08/31/2008

HEARING:

PAGE: 104496

DEFENDANT: CANDACE A. EAZOR

ADDRESS: 508 NORTH COURT

DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

William A. Shaw  
Prothonotary/Clerk of Courts

ATTEMPTS

**SHERIFF'S RETURN**

NOW, 8-13-08 AT 2:51 AM / (PM) SERVED THE WITHIN

COMPLAINT ON CANDACE A. EAZOR, DEFENDANT

BY HANDING TO CANDACE EAZOR / Defendant

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

ADDRESS SERVED 508 NORTH COURT DUBOIS, PA. 15801

NOW 8-13-08 AM AT 2:51 PM POSTED THE WITHIN

COMPLAINT FOR CANDACE A. EAZOR

AT (ADDRESS)

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

I MAKE RETURN OF NOT FOUND AS TO CANDACE A. EAZOR

REASON UNABLE TO LOCATE

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome Newlin  
Deputy Signature

Jerome Newlin  
Print Deputy Name

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.

CANDACE A EAZOR  
508 North Court  
Du Bois PA 15801-3218

Defendant(s)

CIVIL DIVISION, ARBITRATION  
AND STATUTORY APPEALS ONLY

CASE NO. 08-1417-CD

TYPE OF PLEADING: \_\_\_\_\_

**Praecipe for Default Judgment**

CODE AND CLASSIFICATION:

FILED ON BEHALF OF: Plaintiff  
CITIBANK (SOUTH DAKOTA), N.A.

(Name of Party, indicate plaintiff or defendant)

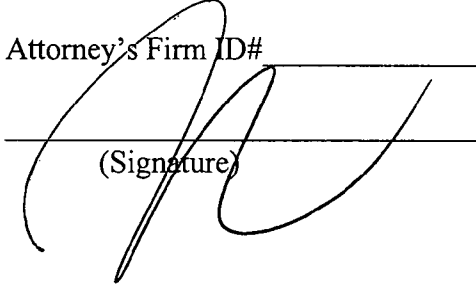
NAME, ADDRESS AND TELEPHONE OF:

  X   Counsel of Record  
       Individual, if pro se

Yale D. Weinstein, 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# 89678

Attorney's Firm ID# \_\_\_\_\_

  
(Signature)

**FILED** *Any pd. 20.00*  
*m/10:45/64*  
NOV 17 2008 *Notice to Def.*  
*Statement to*  
William A. Shaw *Any*  
Prothonotary/Clerk of Courts

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. 08-1417-CD

CANDACE A EAZOR  
508 North Court  
Du Bois PA 15801-3218  
Defendant

: CIVIL ACTION - LAW

**Praeceptum for Default Judgment**

To the Prothonotary:

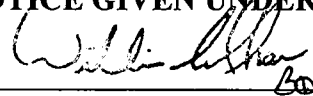
Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:

|            |            |
|------------|------------|
| Principal: | \$6,155.74 |
| TOTAL      | \$6,155.74 |

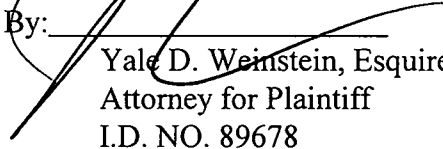
Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

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 PA.R.CIV.P. 236**

  
Pro Prothonotary

Burton Neil & Associates, P.C.

By:   
Yale D. Weinstein, Esquire  
Attorney for Plaintiff  
I.D. NO. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380

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

C-16766

CITIBANK (SOUTH DAKOTA), N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO. 08-1417-CD

CANDACE A EAZOR

Defendant

: CIVIL ACTION - LAW

**Notice of Intention to File Praecipe for Default Judgment**

TO: Candace A Eazor  
508 North Court  
Du Bois PA 15801-3218

**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.

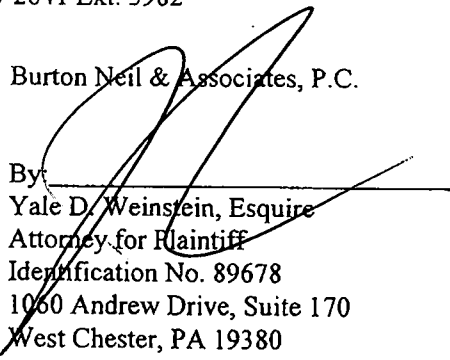
If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

**LAWYER REFERENCE AND  
INFORMATION SERVICE**

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

DATE OF NOTICE: November 3, 2008

Burton Neil & Associates, P.C.

By   
Yale D. Weinstein, Esquire  
Attorney for Plaintiff  
Identification No. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
(610) 696-2120

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

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.

Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

 $\gamma_1$ 

: NO. 08-1417-CD

CANDACE A EAZOR

Defendant

: CIVIL ACTION - LAW

**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 17, 2008.

Prothonotary

By: \_\_\_\_\_

Deputy

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

Yale D. Weinstein, 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.

Copy

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

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

No.: 2008-01417-CD

Real Debt: \$6,155.74

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Candace A. Eazor  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 17, 2008

Expires: November 17, 2013

Certified from the record this 17th 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104496  
NO: 08-1417-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.  
vs.  
DEFENDANT: CANDACE A. EAZOR

SHERIFF RETURN

RETURN COSTS

| Description     | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE       | NEIL    | 044401  | 10.00  |
| SHERIFF HAWKINS | NEIL    | 044401  | 40.23  |

5  
FILED  
019:05:01  
DEC 31 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff