

08-1430-CD  
LVNV Funding vs J. Darmiento

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS  
Plaintiff

VS

JOHN J DARMIENTO  
Defendant(s)

No. 08-1430-CD  
CIVIL ACTION - LAW

PRAECIPE FOR JUDGMENT

Please enter Judgment in favor of Plaintiff and against Defendant(s), JOHN J DARMIENTO, for want of pursuant to the District Justice Transcript.

( X ) Amount due \$3,771.66  
TOTAL \$3,771.66, plus interest and costs

( X ) I certify that the foregoing assessment of damages is for specified amounts alleged to be due in the complaint and is calculable as a sum certain from the complaint.

( X ) Pursuant to Pa.R.C.P. 237 (Notice of Praecipe for final judgment or decree), I certify that a copy of this praecipe has been mailed to each other party who has appeared in the action or to his/her Attorney of Record.

( ) Pursuant to Pa.R.C.P. 237.1, I certify that written notice of the intention to file this praecipe was mailed or delivered to the party against whom judgment is to be entered and to his/her Attorney of Record, if any, after the default occurred and at least ten days prior to the date of the filing of this praecipe and a copy of the notice is attached.

Date: 7/30/08

Philip C. Warholick  
Amy F. Doyle #87062 / Philip C. Warholick #86341 /  
David R. Galloway #87326 / Sarah E. Ehasz #86469 /  
Robert N. Polas, Jr. #201259  
Mann Bracken LLC  
The Successor by Merger to Wolpoff & Abramson, L.L.P.  
and Eskanos & Adler, P.C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff

NOW, August 4, 2008, JUDGMENT IS ENTERED AS ABOVE.

William A. Shaw  
Prothonotary/Clerk, Civil Division

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

**FILED** Any pd.  
m/11:13 8/4/08 \$20.00  
AUG 04 2008  
William A. Shaw  
Prothonotary/Clerk of Courts  
1000 Statement  
to Amy

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-02**  
MDJ Name: Hon. **RICHARD A. IRELAND**  
Address: **650 LEONARD ST**  
**STE 113**  
**CLEARFIELD, PA**  
Telephone: **(814) 765-5335** **16830**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF: **LVNV FUNDING, LLC**  
**4660 TRINDLE RD**  
**3RD FLOOR**  
**CAMP HILL, PA 17011**  
VS.

DEFENDANT: **DARMIENTO, JOHN J.**  
**509 RIVERVIEW DR**  
**CURWENSVILLE, PA 16833**

**RICHARD A. IRELAND**  
**650 LEONARD ST**  
**STE 113**  
**CLEARFIELD, PA 16830**

Docket No.: **CV-0000178-08**  
Date Filed: **4/29/08**



**THIS IS TO NOTIFY YOU THAT:**

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **6/02/08**

☒ Judgment was entered for: (Name) **LVNV FUNDING, LLC,**

☒ Judgment was entered against: (Name) **DARMIENTO, JOHN J.**  
in the amount of \$ **3,771.66**

☐ Defendants are jointly and severally liable.

☐ Damages will be assessed on Date & Time \_\_\_\_\_

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

☐ Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>3,678.16</b>
Judgment Costs	\$ <b>93.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ 3,771.66</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b>	<b>\$ _____</b>

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

**JUN 03 2008** Date *Richard Ireland*, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

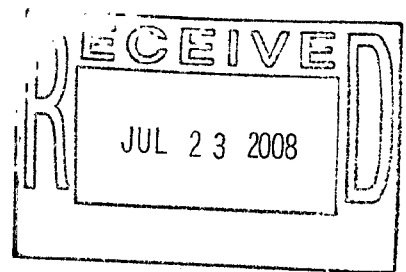
*7-21-08* Date *Richard Ireland*, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-07

**DATE PRINTED: 6/03/08 11:36:00 AM**



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS  
Plaintiff

No.

VS

CIVIL ACTION - LAW

JOHN J DARMIENTO  
Defendant(s)

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :  
:  
COUNTY OF CLEARFIELD :

The undersigned counsel, being duly sworn according to law, depose and say that I am the Attorney for the Plaintiff in the above-captioned matter, and that to the best of my knowledge, information and belief Defendant, John J Darmiento, above-named, is over 21 years of age; is last known to reside at 509 Riverview Dr Curwensville, County of Clearfield, Pennsylvania; is not in the military service of the United States or its Allies, or otherwise within the provisions of the Servicemembers Civil Relief Act and its Amendments.

Date:

7/30/08

Philip C Warholick  
Amy F. Doyle #87062 / Philip C. Warholick #86341 /  
David R. Galloway #87326 / Sarah E. Ehasz #86469 /  
Robert N. Polas, Jr. #201259

Mann Bracken LLC

The Successor by Merger to Wolpoff & Abramson, L.L.P.  
and Eskanos & Adler, P.C.

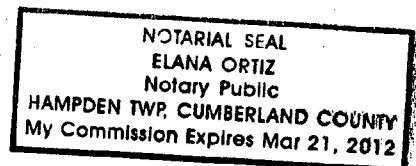
4660 Trindle Road, Suite 300, Camp Hill, PA 17011

Telephone: (717) 303-6700

Counsel for Plaintiff

SWORN and SUBSCRIBED to before me this 30<sup>th</sup> day of July, 2008.

Elana Ortiz  
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS  
Plaintiff

No.

VS

CIVIL ACTION - LAW

JOHN J DARMIENTO  
Defendant(s)

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD :

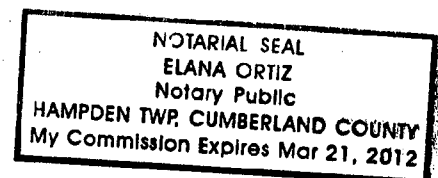
The undersigned counsel, being duly sworn according to law, depose and say that I am the Attorney for the Plaintiff in the above-captioned matter, and that to the best of my knowledge, information and belief Defendant, John J Darmiento, above-named, is over 21 years of age; is last known to reside at 509 Riverview Dr Curwensville, County of Clearfield, Pennsylvania; is not in the military service of the United States or its Allies, or otherwise within the provisions of the Servicemembers Civil Relief Act and its Amendments.

Date: 7/30/08

Philip C Warholik  
Amy F. Doyle #87062 / Philip C. Warholik #86341 /  
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Mann Bracken LLC  
The Successor by Merger to Wolpoff & Abramson, L.L.P.  
and Eskanos & Adler, P.C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff

SWORN and SUBSCRIBED to before me this 30th day of July, 2008.

Elana Ortiz  
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS  
Plaintiff

No.

VS

CIVIL ACTION - LAW

JOHN J DARMIENTO  
Defendant(s)

CERTIFICATE OF RESIDENCE  
PA. R.C.P. 236

I hereby certify that the precise address of Plaintiff is:


Lvnv Funding, Llc  
15 South Main Street  
Greenville SC 29601

and certify that the last known address of the within Defendant(s) is:

John J Darmiento  
509 Riverview Dr  
Curwensville PA 16833

Date:

7/30/08

  
\_\_\_\_\_  
Amy F. Doyle #87062 / Philip C. Warholick #86341 /  
David R. Galloway #87326 / Sarah E. Ehasz #86469 /  
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4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS  
Plaintiff

No.

VS

CIVIL ACTION - LAW

JOHN J DARMIENTO  
Defendant(s)

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: JOHN J DARMIENTO  
509 RIVERVIEW DR  
  
CURWENSVILLE, PA 16833

You are hereby notified that the following ORDER, DECREE or JUDGMENT has been entered against you on  
August 4, 2008 in accordance with the provisions of Pa. R.C.P. 236.

- |   |                                     |  |
|---|-------------------------------------|--|
| <input type="checkbox"/> Decree Nisi in Equity  | <input type="checkbox"/> Confession | <input type="checkbox"/> Verdict           |
| <input type="checkbox"/> Final Decree in Equity | <input type="checkbox"/> Default    | <input type="checkbox"/> Non-suit          |
| <input type="checkbox"/> Judgment of            | <input type="checkbox"/> Non-pros   | <input type="checkbox"/> Arbitration Award |
- (X) Judgment is in the amount of \$3,771.66, plus costs.  
(X) District Justice transcript of judgment in civil action in the amount of \$3,205.64, attorney's fees in the amount of \$0.00, interest in the amount of \$472.52, plus costs.  
( ) If not satisfied within sixty (60) days, your motor vehicle operator's license will be suspended by the Pennsylvania Department of Transportation.

By:

William L. Lohan  
Prothonotary

If you have any questions regarding this Notice, please contact the filing party.

Date:

7/30/08

Philip C. Warholick  
Amy F. Doyle #87062 / Philip C. Warholick #86341 /  
David R. Galloway #87326 / Sarah E. Ehasz #86469 /  
Robert N. Polas, Jr. #201259  
Mann Bracken LLC  
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and Eskanos & Adler, P.C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff



COPY

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

LVNV Funding, LLC  
Sherman Acquisition  
Sears  
Plaintiff(s)

Vs.

John J. Darmiento  
Defendant(s)

No.: 2008-01430-CD

Real Debt: \$3,771.66

Atty's Comm: \$

Costs: \$

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: August 4, 2008

Expires: August 4, 2013

Certified from the record this 4th day of August, 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