

08-1443-CD  
US Bank vs. Michale Ricketts al

MILSTEAD & ASSOCIATES, LLC  
BY: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Attorney for Plaintiff  
File: 55.08916

**U.S. Bank National Association as Trustee  
under Securitization Servicing Agreement  
Dated as of April 1, 2007 Structured Asset  
Securities Corporation Structured Asset  
Securities Corporation Mortgage Pass-  
Through Certificates, Series 2007-EQ1  
4837 Watt Avenue, Suite 100  
No. Highlands, CA 95660,**

**Plaintiff,**

**Vs.**

**Michael Ricketts a/k/a Michael T. Ricketts  
44 Jury Road  
Bigler, PA 16625,**

**and**

**Judy Ricketts  
44 Jury Road  
Bigler, PA 16625,**

**Defendants.**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

No.: 2008-1443-CD

**CIVIL ACTION  
MORTGAGE FORECLOSURE**

**FILED** PD \$95.00 Atty  
M 11:50 AM ICC Atty  
AUG 05 2008 acc shff  
LM

William A. Shaw  
Prothonotary/Clerk of Courts

## **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.**

Lawyers Referral and Information Services  
Clearfield County Bar Association  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, NJ 16830  
800-692-7375  
814-765-2641 ex 5982

\*\*\*\*\*  
**NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT**  
\*\*\*\*\*

- 1. This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.**
- 2. Unless you dispute the validity of this debt, or any portion thereof, within 30 days after receipt of this notice, the debt will be assumed to be valid by our offices.**
- 3. If you notify our offices in writing within 30 days of receipt of this notice that the debt, or any portion thereof, is disputed, our offices will provide you with verification of the debt or copy of the Judgment against you, and a copy of such verification or judgment will be mailed to you by our offices.**

MILSTEAD & ASSOCIATES, LLC  
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**U.S. Bank National Association as Trustee  
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44 Jury Road  
Bigler, PA 16625,**

**Defendants.**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.:**

**CIVIL ACTION  
MORTGAGE FORECLOSURE**

**COMPLAINT IN MORTGAGE FORECLOSURE**

1. Plaintiff, U.S. Bank National Association as Trustee under Securitization Servicing Agreement Dated as of April 1, 2007 Structured Asset Securities Corporation Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-EQ1 (the "Plaintiff"), is a corporation registered to conduct business in the Commonwealth of Pennsylvania and having an office and place of business at 4837 Watt Avenue, Suite 100, No. Highlands, CA 95660.

2. Defendants, Michael Ricketts a/k/a Michael T. Ricketts and Judy Ricketts, (collectively, the “Defendants”), are adult individuals and are the real owners of the premises hereinafter described.

3. Michael Ricketts a/k/a Michael T. Ricketts, Defendant, resides at 44 Jury Road, Bigler, PA 16625. Judy Ricketts, Defendant, resides at 44 Jury Road, Bigler, PA 16625.

4. On September 25, 2006, in consideration of a loan in the principal amount of \$58,000.00, Michael Ricketts a/k/a Michael T. Ricketts, the Defendant, executed and delivered to EquiFirst Corporation a note (the “Note”) with interest thereon at 10.675 percent per annum, payable as to the principal and interest in equal monthly installments of \$538.16 commencing November 1, 2006.

5. To secure the obligations under the Note, the Defendants executed and delivered to Mortgage Electronic Registration Systems, Incorporated as nominee for EquiFirst Corporation a mortgage (the “Mortgage”) dated September 25, 2006, recorded on September 29, 2006 in the Department of Records in and for the County of Clearfield under Mortgage Instrument Number 200616592. Pursuant to Pa.R.C.P. 1019 (g) the mortgage is incorporated herein by reference. Plaintiff is proper party plaintiff by way of an assignment to be recorded.

6. The Mortgage secures the following real property (the “Mortgaged Premises”): 44 Jury Road, Bigler, PA 16625. A legal description of the Mortgaged Premises is attached hereto as Exhibit “A” and made a part hereof.

7. The Defendants are in default of their obligations pursuant to the Note and Mortgage because payments of principal and interest due January 1, 2008, and monthly thereafter are due and have not been paid, whereby the whole balance of principal and all interest due thereon have

become due and payable forthwith together with late charges, escrow deficit (if any) and costs of collection including title search fees and reasonable attorney's fees.

8. The following amounts are due on the Mortgage and Note:

Balance of Principal .....	\$57,589.10
Accrued but Unpaid Interest from 12/1/07 to 8/4/08 @ 10.675% per annum (\$16.84 per diem) .....	\$4,176.32
Accrued Late Charges .....	\$188.37
Corporate Advance .....	\$288.08
Title Search Fees .....	\$350.00
Reasonable Attorney's Fees .....	\$1,250.00
TOTAL as of 08/04/2008 .....	\$63,841.87

Plus, the following amounts accrued after August 4, 2008:

Interest at the Rate of 10.675 per cent per annum (\$16.84 per diem);

Late Charges of \$26.91 per month.

9. Plaintiff has complied fully with Act No. 91 (35 P.S.'1680.401(c) of the 1983 Session of the General Assembly ("Act 91") of the Commonwealth of Pennsylvania, by mailing to the Defendants at 44 Jury Road, Bigler, PA 16625 as well as to address of residences as listed in paragraph 3 of this document on April 14, 2008, the notice pursuant to § 403-C of Act 91, and the applicable time periods therein have expired.

WHEREFORE, Plaintiff demands an in rem judgment against the Defendants for foreclosure and sale of the Mortgaged Premises in the amount due as set forth in paragraph 8, namely, \$63,841.87, plus the following amounts accruing after August 4, 2008, to the date of judgment: (a) interest of \$16.84 per day, (b) late charges of \$26.91 per month, (c) plus interest at

the legal rate allowed on judgments after the date of judgment, (d) additional attorney's fees (if any) hereafter incurred, (e) and costs of suit.

MILSTEAD & ASSOCIATES, LLC



Mary L. Harbert-Bell, Esquire  
Attorney for Plaintiff

**VERIFICATION**

I, Mary L. Harbert-Bell, hereby certify that I am an Attorney for Plaintiff and am authorized to make this verification on Plaintiff's behalf. I verify that the facts and statements set forth in the forgoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. ' 4904, relating to unsworn falsification to authorities.



Name: Mary L. Harbert-Bell, Esquire  
Title: Attorney

First American Title Insurance Company

**EXHIBIT A**

Commitment Number: RS06385 (JT) (P)

**SCHEDULE C**  
**PROPERTY DESCRIPTION**

The land referred to in this Commitment is described as follows:

**ALL THAT** certain piece of land situate in the Township of Bradford, County of Clearfield and State of Pennsylvania bounded and described as follows:

BEGINNING AT a post in a public road; thence along said road South eighty-three (83) degrees East one hundred seven and two-tenths (107 2/10) feet to a post near the bank of Roaring Run; thence by a line parallel, or nearly parallel, along part of its length with the bank of Roaring Run South eight (8) degrees twenty-one (21) minutes West two hundred ten and five-tenths (210 5/10) feet to the post in the lands now or formerly of the Williamsgrove Brick Company; thence along said land now or formerly of the Williamsgrove Brick Company North eighty-three degrees West one hundred seven and two-tenths (107 2/10) feet to a post corner in a road; thence by said road North nine (9) degrees nineteen (19) minutes East one hundred eighteen (118) feet to a post; thence still by the same North seven (7) degrees East ninety-two and five-tenths (92 5/10) feet to a post corner in the public road and the place of beginning.

A TIBIHX3

FILED

AUG 05 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1443-CD

U.S. BANK NATIONAL ASSOCIATION as Trustee

vs SERVICE # 1 OF 2

MICHAEL RICKETTS aka MICHAEL T. RICKETTS and JUDY RICKETTS  
COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 09/04/2008 HEARING: PAGE: 104507

**FILED**

DEFENDANT: MICHAEL RICKETTS aka MICHAEL T. RICKETTS  
ADDRESS: 44 JURY ROAD  
BIGLER, PA 16625

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS \_\_\_\_\_

**SHERIFF'S RETURN**

NOW, 8/13/08 AT 9:55 AM SERVED THE WITHIN  
COMPLAINT IN MORTGAGE FORECLOSURE ON MICHAEL RICKETTS aka MICHAEL T. RICKETTS, DEFENDANT  
BY HANDING TO Judy Ricketts, wife

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

ADDRESS SERVED 44 Jury rd Bigler Pa

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR MICHAEL RICKETTS aka MICHAEL T. RICKETTS

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

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

I MAKE RETURN OF **NOT FOUND** AS TO MICHAEL RICKETTS aka MICHAEL T. RICKETTS

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Reynald S. Hunter

Deputy Signature

S. Hunter

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1443-CD

U.S. BANK NATIONAL ASSOCIATION as Trustee

vs

MICHAEL RICKETTS aka MICHAEL T. RICKETTS and JUDY RICKETTS  
COMPLAINT IN MORTGAGE FORECLOSURE

SERVICE # 2 OF 2

SERVE BY: 09/04/2008 HEARING: PAGE: 104507

DEFENDANT: JUDY RICKETTS  
ADDRESS: 44 JURY ROAD  
BIGLER, PA 16625

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

**FILED**

AUG 13 2008

o/3:3a/c  
William A. Shaw  
Prothonotary/Clerk of Courts

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS

VACANT

OCCUPIED

ATTEMPTS

**SHERIFF'S RETURN**

NOW, 8/13/08 AT 9:55 AM SERVED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON JUDY RICKETTS, DEFENDANT

BY HANDING TO Judy Ricketts, sehf

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

ADDRESS SERVED 44 Jury rd Bigler Pa

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR JUDY RICKETTS

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

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

I MAKE RETURN OF **NOT FOUND** AS TO JUDY RICKETTS

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

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

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy S. Hunter  
Deputy Signature

S. Hunter  
Print Deputy Name

MILSTEAD & ASSOCIATES, LLC  
BY: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
220 Lake Drive East, Suite 301  
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(856) 482-1400

Attorney for Plaintiff  
File No. 55.08916

**U.S. Bank National Association as Trustee  
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Dated as of April 1, 2007 Structured Asset  
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Securities Corporation Mortgage Pass-  
Through Certificates, Series 2007-EQ1,**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

No.: 2008-1443-CD

**Praecipe to Dismiss the Mortgage  
Foreclosure Action without Prejudice**

Plaintiff,

Vs.

**Michael Ricketts a/k/a Michael T. Ricketts,**

and

**Judy Ricketts,**

**Defendants.**

**FILED** 1cc + 1 clt of  
m/12/05 cm  
AUG 18 2008  
to Atty Bell  
*WS*

William A. Shaw  
Prothonotary/Clerk of Courts

**TO THE PROTHONOTARY:**

Kindly dismiss the above captioned Mortgage Foreclosure Complaint without Prejudice.

MILSTEAD & ASSOCIATES, LLC



Mary L. Harbert-Bell, Esquire  
Attorney ID No. 80763

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

*COPY*

**U.S. National Association**

Vs. No. 2008-01443-CD  
**Michael Ricketts**  
**Judy Ricketts**

**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 August 18, 2008, marked:

Dismissed without prejudice

Record costs in the sum of \$95.00 have been paid in full by Mary L. Harbert-Bell Esq.

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



jm

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104507  
NO: 08-1443-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION as Trustee  
VS.  
DEFENDANT: MICHAEL RICKETTS aka MICHAEL T. RICKETTS and JUDY RICKETTS

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	49316	20.00
SHERIFF HAWKINS	MILSTEAD	49316	33.36

S FILED  
019:00 cm  
JAN 06 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

Day of 2008



Chester A. Hawkins  
Sheriff