

08-1604-CD  
Capital One Bank vs Kellar Enterprises

FILED Atty pd.  
m/12/55/21 20.00  
AUG 26 2018  
CC Notice to Def.  
William A. Shaw  
Prothonotary/Clerk of Courts  
Statement to Atty  
JM

Burton Neil & Associates, P.C.  
By: Neil Sarker, Esquire ID. NO. 203465  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120

Attorney for Plaintiff

CAPITAL ONE BANK

Plaintiff : IN THE COURT OF COMMON PLEAS  
v. : CLEARFIELD COUNTY, PENNSYLVANIA  
KELLAR ENTERPRISES INC. : NO. 08-1604-CD  
JOANNE B KELLAR  
Defendant : CIVIL ACTION - LAW

**Praecipe for Entry of Judgment Pursuant to Pa. R.C.P.M.D.J. No 402 D(1) and (2)**

To the Prothonotary:

Pursuant to the attached District Justice Judgment Transcript, enter judgment on behalf of the plaintiff, Capital One Bank, and against the defendants, Kellar Enterprises Inc and Joanne B. Kellar, and assess damages as follows:

Judgment Transcript	\$3,141.82
Interest from August 24, 2007	\$171.98
Less Payments	-\$00
Judgment Amount	<u>\$3,313.80</u>

Burton Neil & Associates, P.C.

By NS  
Neil Sarker, Esquire  
Attorney for the Plaintiff

And now on this 26<sup>th</sup> day of August, 2008, judgment is entered in favor of Capital One Bank and against Kellar Enterprises Inc. and Joanne B Kellar in the total sum of \$3,313.80.

Prothonotary

By William Sharpe

Burton Neil & Associates, P.C. is a debt collector.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-01**

MDJ Name: Hon.

**PATRICK N. FORD**  
Address: **309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA**

Telephone: **(814) 371-5321**      **15801**

**PATRICK N. FORD**  
**309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA 15801**

**NOTICE OF JUDGMENT/TRANSCRIPT**  
**CIVIL CASE 82588**

PLAINTIFF:

**CAPITAL ONE BANK**  
**1060 ANDREW DRIVE APT/STE 170**  
**C/O BURTON NEIL & ASSOC**  
**WEST CHESTER, PA 19380**

NAME and ADDRESS

DEFENDANT:

**KELLAR ENTERPRISES, INC., ET AL.**  
**970 KELLER ROAD**  
**LUTHERSBURG, PA 15848-0051**

NAME and ADDRESS

Docket No.: **CV-0000335-07**  
Date Filed: **6/18/07**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**      (Date of Judgment) **8/24/07**

Judgment was entered for: (Name) **CAPITAL ONE BANK**

Judgment was entered against: (Name) **KELLAR, JOANNE B**  
in the amount of \$ **3,141.82**

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>2,997.62</b>
Judgment Costs	\$ <b>144.20</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>3,141.82</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</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 JUDGEMENT 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.

82707 Date Patrick N. Ford PLTF, Magisterial District Judge

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

10-4-07 Date Patrick N. Ford, Magisterial District Judge

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

SEAL

AOPC 315-06

DATE PRINTED: **8/27/07**      **8:23:00 AM**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-01**

MDJ Name: Hon.

**PATRICK N. FORD**  
Address: **309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA**

Telephone: **(814) 371-5321**

**15801**

**PATRICK N. FORD**  
**309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA 15801**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE** *82588*

PLAINTIFF:

**CAPITAL ONE BANK**  
**1060 ANDREW DRIVE APT/STE 170**  
**C/O BURTON NEIL & ASSOC**  
**WEST CHESTER, PA 19380**

NAME and ADDRESS

DEFENDANT:

**KELLAR ENTERPRISES, INC., ET AL.**  
**970 KELLER ROAD**  
**LUTHERSBURG, PA 15848-0051**

NAME and ADDRESS

Docket No.: **CV-0000335-07**  
Date Filed: **6/18/07**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **8/24/07**

Judgment was entered for: (Name) **CAPITAL ONE BANK**

Judgment was entered against: (Name) **KELLAR ENTERPRISES, INC.**  
in the amount of \$ **3,141.82**

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  
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*82707* Date *Patrick N. Ford-PNF*, Magisterial District Judge

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

*10-4-07* Date *Patrick N. Ford*, Magisterial District Judge

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

SEAL

AOPC 315-06

DATE PRINTED: **8/27/07** **8:23:00 AM**

## COMMONWEALTH OF PENNSYLVANIA

COUNTY OF: Clearfield

## CIVIL COMPLAINT

Mag. Dist. No.:	46-3-01
DJ Name: Hon.	
Patrick N. Ford	
Address: 309 Maple Avenue, PO 452	
Dubois, PA 15801	
Telephone: 814/371-5321	

PLAINTIFF: NAME and ADDRESS  
 CAPITAL ONE BANK  
 c/o Burton Neil & Associates, P.C.  
 1060 Andrew Drive, Ste. 170  
 West Chester, PA 19380

VS.

DEFENDANT: NAME and ADDRESS  
 KELLAR ENTERPRISES INC and JOANNE B KELLAR  
 970 Keller Road  
 Luthersburg PA 15848-0051

Docket No.: CN-335-07  
 Date Filed: 6-18-07



FILING COSTS	AMOUNT	DATE PAID
POSTAGE	\$ 101.50	6/18/07
SERVING COSTS	\$ _____	/ /
CONSTABLE ED.	\$ _____	/ /
TOTAL	\$ _____	/ /

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$2,997.62 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Count I v. Kellar Enterprises Inc.-For past due credit card account balance.

Count II v. Joanne Kellar-For obligations of Kellar Enterprises Inc. pursuant to the signed personal guarantee.

\$2,997.62	Principal
\$0.00	Interest
\$0.00	Credit
\$2,997.62	Balance

I, Neil Sarker, Esquire, Attorney for Plaintiff, verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C. S. § 4904) related to unsworn falsification to authorities.

Pursuant to Pa.R.C.P.M.D.J. Rule 207.1 (A) signature of counsel below acknowledges that he represents plaintiff in this proceeding.

Signature of Plaintiff or Authorized Agent

Plaintiff's Attorney: Neil Sarker Attorney ID. NO. 203465  
 Telephone: 610-696-2120

Address: 1060 Andrew Drive, Suite 170  
 West Chester, PA 19380

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within magisterial district judge jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

AOPC 308A-05

Burton Neil & Associates, P.C.  
By: Neil Sarker, Esquire ID. NO. 203465  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120

Attorney for Plaintiff

CAPITAL ONE BANK

Plaintiff

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

v.

: NO.

KELLAR ENTERPRISES INC.  
JOANNE B KELLAR  
970 Keller Road, PO Box 51  
Luthersburg PA 15848-0051

Defendant

:CIVIL ACTION - LAW

**Certification of Address and**  
**Affidavit of Non-Military**

Understanding that false statements herein are subject to penalty under 18 Pa. C.S.

Section 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment creditor and debtor.

2. 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.

Burton Neil & Associates, P.C.

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

  
Neil Sarker, Esquire  
Attorney for Plaintiff

Burton Neil & Associates, P.C. is a debt collector.

COPY

Burton Neil & Associates, P.C.  
By: Neil Sarker, Esquire ID. NO. 203465  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120

Attorney for Plaintiff

CAPITAL ONE BANK

Plaintiff

: IN THE COURT OF COMMON PLEAS

v.

: CLEARFIELD COUNTY, PENNSYLVANIA

KELLAR ENTERPRISES INC.  
JOANNE B KELLAR

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 August 26, 2008.

Prothonotary

By:

  
Deputy

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

Neil Sarker, Esquire  
Attorney for Party Filing  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
Phone: 610-696-2120

Burton Neil & Associates, P.C. is a debt collector.

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

*COPY*

Capital One Bank  
Plaintiff(s)

No.: 2008-01604-CD

Real Debt: \$3,313.80

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Kellar Enterprises, Inc.  
Joanne B. Kellar  
Defendant(s)

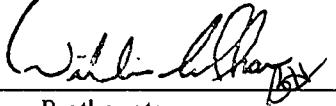
Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: August 26, 2008

Expires: August 26, 2013

Certified from the record this 26th 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