

08-1828-CD
Capital One vs Brandi Rowles

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CIVIL ACTION -- (LAW) (EQUITY)

No. 2008-1828-CD

Type of Case: Civil

Type of Pleading: Complaint in Civil Action

CAPITAL ONE BANK (USA), N.A.

Plaintiff(s)

Filed on Behalf of: Plaintiff

v.

BRANDI ROWLES

Defendant(s)

Counsel of Record for this Party:

Paul J. Klemm, Esquire
Nudelman, Nudelman, & Ziering, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
973-618-0000 tel
973-618-0647 fax
Attorney ID # 92125

Dated: September 20, 2008

June 7, 2010 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Carl
Deputy Prothonotary

May 6, 2011 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Willie Shaw
Deputy Prothonotary

FILED
M 1:51 P.M. GK
SEP 26 2008

1CC ATTLY
1COMPL. SHFF

William A. Shaw
Prothonotary/Clerk of Courts ATTLY PAID 95/00

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID # 92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.

CLEARFIELD COUNTY

Plaintiff(s)

v.

BRANDI ROWLES

Defendant(s)

COMPLAINT IN CIVIL ACTION

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.

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

AVISO

Le han demandado a usted en la carta. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Se aviso que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A. : CLEARFIELD COUNTY

Plaintiff(s) :

v. :

BRANDI ROWLES :

Defendant(s) :

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, CAPITAL ONE BANK (USA), N.A., by and through its attorney, Paul J. Klemm and the law offices of Nudelman, Nudelman & Ziering, P.C., and files the following **Complaint in Civil Action** and in support thereof aver as follows:

1. Plaintiff, CAPITAL ONE BANK (USA), N.A., is a corporation licensed to do business in the State of Pennsylvania.
2. Defendant, BRANDI ROWLES, is an individual and citizen of the Commonwealth of Pennsylvania, who is believed to currently reside at , 1158 SYCAMORE LN, CLEARFIELD PA 16830-7156.
3. At the special insistence and request of the Defendant, Defendant was issued a credit card by CAPITAL ONE BANK (USA), N.A., account number 5178052653958856.

4. The Defendant is responsible for an unpaid balance in the amount of \$3,070.11 and interest in the amount of \$2,288.00.

5. Plaintiff has made demand to Defendant for \$5,358.11, but Defendant has willfully failed and/or refused to reimburse Plaintiff for the aforesaid sum due.

Wherefore, Plaintiff demands Judgment in its favor and against the Defendant in the amount of \$5,358.11, plus attorney fees of \$675.42 and interest from the date of breach, with continuing interest thereon at the legal rate from the date of Judgment plus anticipated court costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

VERIFICATION

The undersigned, Paul J. Klemm, Esquire, hereby states that he is the attorney for Plaintiff in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. Counsel has signed this verification at the request of Plaintiff as a matter of time and convenience. Plaintiff has represented to counsel that there is a debt due and owing from Defendant to Plaintiff in the amount as set forth within the foregoing pleading. Plaintiff has provided counsel with all relevant information in order to allow counsel to sign this verification. Plaintiff agrees to provide a verification signed by Plaintiff upon request by Defendant. The undersigned understands that the statements herein are made subject to the penalties of 19 Pa.C.S.A Section 4904 relating to unsworn falsification to authorities.

Date: September 3, 2008



Paul J. Klemm, Esquire
Nudelman, Nudelman & Ziering, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1828-CD

CAPITAL ONE BANK (USA) N.A.

vs

BRANDI ROWLES

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 10/26/2008

HEARING:

PAGE: 104706

S FILED

03:31 PM
NOV 04 2008

DEFENDANT: BRANDI ROWLES
ADDRESS: 1158 SYCAMORE LN
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS Exp/RED

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON BRANDI ROWLES, DEFENDANT

BY HANDING TO _____ / _____

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

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR BRANDI ROWLES

AT (ADDRESS) _____

NOW This 4th day Nov 2008 AT 3:17 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO BRANDI ROWLES.

REASON UNABLE TO LOCATE TIME Exp/RED.

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: George T. DeBelen Deputy Signature

George T. DeBelen Print Deputy Name

SWORN TO BEFORE ME THIS

DAY OF 2008

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID # 92125

SEP 26 2008

Attest.

William Schaefer
Prothonotary/
Clerk of Courts

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.

CLEARFIELD COUNTY

Plaintiff(s)

v.

BRANDI ROWLES

2008-1828-CD

Defendant(s)

COMPLAINT IN CIVIL ACTION

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.

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

AVISO

Le han demandado a usted en la carta. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Se aviso que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A., : CLEARFIELD COUNTY

Plaintiff(s) :

v. :

BRANDI ROWLES :

Defendant(s) :

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, CAPITAL ONE BANK (USA), N.A., by and through its attorney, Paul J. Klemm and the law offices of Nudelman, Nudelman & Ziering, P.C., and files the following **Complaint in Civil Action** and in support thereof aver as follows:

1. Plaintiff, CAPITAL ONE BANK (USA), N.A., is a corporation licensed to do business in the State of Pennsylvania.
2. Defendant, BRANDI ROWLES, is an individual and citizen of the Commonwealth of Pennsylvania, who is believed to currently reside at, 1158 SYCAMORE LN, CLEARFIELD PA 16830-7156.
3. At the special insistence and request of the Defendant, Defendant was issued a credit card by CAPITAL ONE BANK (USA), N.A., account number 5178052653958856.

4. The Defendant is responsible for an unpaid balance in the amount of \$3,070.11 and interest in the amount of \$2,288.00.

5. Plaintiff has made demand to Defendant for \$5,358.11, but Defendant has willfully failed and/or refused to reimburse Plaintiff for the aforesaid sum due.

Wherefore, Plaintiff demands Judgment in its favor and against the Defendant in the amount of \$5,358.11, plus attorney fees of \$675.42 and interest from the date of breach, with continuing interest thereon at the legal rate from the date of Judgment plus anticipated court costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

VERIFICATION

The undersigned, Paul J. Klemm, Esquire, hereby states that he is the attorney for Plaintiff in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. Counsel has signed this verification at the request of Plaintiff as a matter of time and convenience. Plaintiff has represented to counsel that there is a debt due and owing from Defendant to Plaintiff in the amount as set forth within the foregoing pleading. Plaintiff has provided counsel with all relevant information in order to allow counsel to sign this verification. Plaintiff agrees to provide a verification signed by Plaintiff upon request by Defendant. The undersigned understands that the statements herein are made subject to the penalties of 19 Pa.C.S.A Section 4904 relating to unsworn falsification to authorities.



Date: September 3, 2008

Paul J. Klemm, Esquire
Nudelman, Nudelman & Ziering, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104706
NO: 08-1828-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.A.
vs.
DEFENDANT: BRANDI ROWLES

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NUDELMAN	027848	10.00
SHERIFF HAWKINS	NUDELMAN	027848	9.00

FILED

013,30am
JAN 15 2009

>

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

FILED

PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125

JUN 07 2010

M 13-2010

William A. Shaw
Prothonotary/Clerk of Courts

Court w/ REINSTATE

Complaint

to Attorney

ATTORNEY FOR PLAINTIFF

SHTFZ

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff(s)	:	
v.	:	
BRANDI ROWLES	:	
Defendant(s)	:	NO. 2008-01828-CD

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the Complaint to be served upon the Defendant, BRANDI ROWLES, ,
201 W Pine St Apt 1, CLEARFIELD PA 16830 relative to the above-captioned matter.

Date: May 26, 2010

NUDELMAN, NUDELMAN & ZIERING, P.C.



Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

NN25350

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID # 92125

SEP 20 2008

Attest,

William L. Lohr
Prothonotary/
Clerk of Courts

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.

CLEARFIELD COUNTY

Plaintiff(s)

v.

BRANDI ROWLES

Defendant(s)

2008-1828-C.D

COMPLAINT IN CIVIL ACTION

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.

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

AVISO

Le han demandado a usted en la carta. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Se avisa que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

JUNE 7, 2016 Document
Reinstated/Reissued to Sheriff/Attorney
for service.
WL
Deputy Prothonotary

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A., : CLEARFIELD COUNTY

Plaintiff(s) :

v.

BRANDI ROWLES :

Defendant(s) :

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, CAPITAL ONE BANK (USA), N.A., by and through its attorney, Paul J. Klemm and the law offices of Nudelman, Nudelman & Ziering, P.C., and files the following **Complaint in Civil Action** and in support thereof aver as follows:

1. Plaintiff, CAPITAL ONE BANK (USA), N.A., is a corporation licensed to do business in the State of Pennsylvania.
2. Defendant, BRANDI ROWLES, is an individual and citizen of the Commonwealth of Pennsylvania, who is believed to currently reside at , 1158 SYCAMORE LN, CLEARFIELD PA 16830-7156.
3. At the special insistence and request of the Defendant, Defendant was issued a credit card by CAPITAL ONE BANK (USA), N.A., account number 5178052653958856.

4. The Defendant is responsible for an unpaid balance in the amount of \$3,070.11 and interest in the amount of \$2,288.00.

5. Plaintiff has made demand to Defendant for \$5,358.11, but Defendant has willfully failed and/or refused to reimburse Plaintiff for the aforesaid sum due.

Wherefore, Plaintiff demands Judgment in its favor and against the Defendant in the amount of \$5,358.11, plus attorney fees of \$675.42 and interest from the date of breach, with continuing interest thereon at the legal rate from the date of Judgment plus anticipated court costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

VERIFICATION

The undersigned, Paul J. Klemm, Esquire, hereby states that he is the attorney for Plaintiff in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. Counsel has signed this verification at the request of Plaintiff as a matter of time and convenience. Plaintiff has represented to counsel that there is a debt due and owing from Defendant to Plaintiff in the amount as set forth within the foregoing pleading. Plaintiff has provided counsel with all relevant information in order to allow counsel to sign this verification. Plaintiff agrees to provide a verification signed by Plaintiff upon request by Defendant. The undersigned understands that the statements herein are made subject to the penalties of 19 Pa.C.S.A Section 4904 relating to unsworn falsification to authorities.



Date: September 3, 2008

Paul J. Klemm, Esquire
Nudelman, Nudelman & Ziering, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

To Deputy 6/9/2010

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1828-CD

CAPITAL ONE BANK (USA) N.A.

vs

BRANDI ROWLES

SERVICE # 1 OF 1

PRAECIPE & COMPLAINT

SERVE BY: 07/07/2010

HEARING:

PAGE: 107188

FILED

07/08/2010

William A. Shaw
Prothonotary/Clerk of Courts

DEFENDANT: BRANDI ROWLES
ADDRESS: 201 W PINE ST. APT 31
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

6-14-2010 6-17-10-11:15 AM 6-23-10-11:15 AM ^{A&A}
6-15-10-11:07 AM 6-21-10-10:44 AM 7-1-10-10:45 AM ^{N/H}
SHERIFF'S RETURN No Contact ^{with Det} N/H

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

PRAECIPE & COMPLAINT ON BRANDI ROWLES, DEFENDANT

BY HANDING TO _____ / _____

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

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM POSTED THE WITHIN

PRAECIPE & COMPLAINT FOR BRANDI ROWLES

AT (ADDRESS) _____

NOW 7-8-2010 AT 3:05 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO BRANDI ROWLES

REASON UNABLE TO LOCATE Had no contact w/ the Def.

SWORN TO BEFORE ME THIS

____ DAY OF July 2010

So Answers. CHESTER A. HAWKINS, SHERIFF

BY: James E. Davis

Deputy Signature

James E. Davis

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 107188
NO: 08-1828-CD
SERVICES 1
PRAEICE & COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.A.
vs.
DEFENDANT: BRANDI ROWLES

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NUDELMAN	015992	10.00
SHERIFF HAWKINS	NUDELMAN	015992	17.00

5
FILED
01930cm
MAR 16 2011

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2010



Chester A. Hawkins
Sheriff

PAUL J. KLEMM, ESQUIRE
NUDELMAN, KLEMM & GOLUB, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff(s)	:	
v.	:	
BRANDI ROWLES	:	
Defendant(s)	:	NO. 2008-01828-CD

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the Complaint to be served upon the Defendant, BRANDI ROWLES,
100 4TH AVE APT 505, Curwensville PA 16833-1076 relative to the above-captioned matter.

Date: April 29, 2011

NUDELMAN, KLEMM & GOLUB, P.C.



Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

NN25350

FILED *4/1/2011* Atty PD. \$7.00
MAY 06 2011 (M) ICC & 1 Reinstated
William A. Shan
Prothonotary/Clerk of Courts to Atty
ICC & 1 Reinstated to Sheriff

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID # 92125

SEP 20 2008

Attest.

William E. Chan
Prothonotary/
Clerk of Courts

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.

CLEARFIELD COUNTY

Plaintiff(s)

v.

BRANDI ROWLES

2008-1828-C.D

Defendant(s)

COMPLAINT IN CIVIL ACTION

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.

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

AVISO

Le han demandado a usted en la carta. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Se aviso que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A., : CLEARFIELD COUNTY

Plaintiff(s) :

v.

BRANDI ROWLES :

Defendant(s) :

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, CAPITAL ONE BANK (USA), N.A., by and through its attorney, Paul J. Klemm and the law offices of Nudelman, Nudelman & Ziering, P.C., and files the following **Complaint in Civil Action** and in support thereof aver as follows:

1. Plaintiff, CAPITAL ONE BANK (USA), N.A., is a corporation licensed to do business in the State of Pennsylvania.
2. Defendant, BRANDI ROWLES, is an individual and citizen of the Commonwealth of Pennsylvania, who is believed to currently reside at , 1158 SYCAMORE LN, CLEARFIELD PA 16830-7156.
3. At the special insistence and request of the Defendant, Defendant was issued a credit card by CAPITAL ONE BANK (USA), N.A., account number 5178052653958856.

4. The Defendant is responsible for an unpaid balance in the amount of \$3,070.11 and interest in the amount of \$2,288.00.

5. Plaintiff has made demand to Defendant for \$5,358.11, but Defendant has willfully failed and/or refused to reimburse Plaintiff for the aforesaid sum due.

Wherefore, Plaintiff demands Judgment in its favor and against the Defendant in the amount of \$5,358.11, plus attorney fees of \$675.42 and interest from the date of breach, with continuing interest thereon at the legal rate from the date of Judgment plus anticipated court costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

VERIFICATION

The undersigned, Paul J. Klemm, Esquire, hereby states that he is the attorney for Plaintiff in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. Counsel has signed this verification at the request of Plaintiff as a matter of time and convenience. Plaintiff has represented to counsel that there is a debt due and owing from Defendant to Plaintiff in the amount as set forth within the foregoing pleading. Plaintiff has provided counsel with all relevant information in order to allow counsel to sign this verification. Plaintiff agrees to provide a verification signed by Plaintiff upon request by Defendant. The undersigned understands that the statements herein are made subject to the penalties of 19 Pa.C.S.A Section 4904 relating to unsworn falsification to authorities.



Date: September 3, 2008

Paul J. Klemm, Esquire
Nudelman, Nudelman & Ziering, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

To Deputy 5/9/11

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1828-CD

CAPITAL ONE BANK (USA), N.A.
vs
BRANDI ROWLES

SERVICE # 1 OF 1

PRAECEIPE & COMPLAINT

SERVE BY: 06/05/2011 HEARING: PAGE: 108465

DEFENDANT: BRANDI ROWLES
ADDRESS: 100 4TH AVE., APT 505
CURWENSVILLE, PA 16833

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

ATTEMPTS 5/1/11, 10⁴⁰⁰ AM/H 05-15-11 N/H 661-8911
05-27-11 05-25-11 N/H

5
FILED
03:45pm
MAY 26 2011
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, May 25th 2011 AT 10 30 AM / PM SERVED THE WITHIN

PRAECEIPE & COMPLAINT ON BRANDI ROWLES, DEFENDANT

BY HANDING TO Brandon Shaffer Friend/Resident

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

ADDRESS SERVED 100 4th Ave. Apt 505, Curwenville Pa 16833

NOW _____ AT _____ AM / PM POSTED THE WITHIN

PRAECEIPE & COMPLAINT FOR BRANDI ROWLES

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO BRANDI ROWLES

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF _____ 2011

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jeffrey L. Rhone
Deputy Signature
Jeffrey L. Rhone
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 108465
NO: 08-1828-CD
SERVICES 1
PRAECIPE & COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA), N.A.
VS.
DEFENDANT: BRANDI ROWLES

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NUDELMAN	030367	10.00
SHERIFF HAWKINS	NUDELMAN	030367	40.10

FILED
0/244cm
JUN 17 2011
S
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2011



Chester A. Hawkins
Sheriff

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, KLEMM & GOLUB, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A. : CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
v.
BRANDI ROWLES : NO. 2008-01828-CD

PRAECLPTE TO ENTER JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment in favor of Plaintiff(s), CAPITAL ONE BANK (USA), N.A. and against Defendant(s), BRANDI ROWLES, in the above- captioned matter, in the amount of \$5,563.21, for failure to answer the Complaint in twenty (20) days as required by Pennsylvania Rules of Civil Procedure.

PAUL J. KLEMM, ESQUIRE
Attorney for Plaintiff

NN25350

5 **FILED** Atty. Ad.,
M 10:30 AM (00.00)
SEP 26 2011
William A. Shaw
Prothonotary/Clerk of Courts
Notice to Def.

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, KLEMM & GOLUB, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A. : CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: :
v. : :
: :
BRANDI ROWLES : NO. 2008-01828-CD

ASSESSMENT OF DAMAGES

TO THE CLERK:

Please assess damages against Defendant(s) as follows:

Real Debt	\$3,070.11
Interest	\$2,288.00
Costs	\$205.10
TOTAL	\$5,563.21

Damages are assessed as above in the sum of \$5,563.21.

PRO CLERK

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, KLEMM & GOLUB, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
		COURT OF COMMON PLEAS
⋮	⋮	⋮
⋮	⋮	⋮
BRANDI ROWLES	:	NO. 2008-01828-CD

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

The undersigned, being duly sworn according to law, deposes and says that the Defendant is not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940 as amended;

That Defendant, BRANDI ROWLES, is over eighteen (18) years of age and resides at 100 4TH AVE APT 505, Curwensville PA 16833-1076.



**PAUL J. KLEMM, ESQUIRE
Attorney for Plaintiff**

SWORN TO AND SUBSCRIBED.

BEFORE ME THIS DAY
OF 2011.

NOTARY

NN25350

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, KLEMM & GOLUB, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
	:	
v.	:	
	:	
BRANDI ROWLES	:	NO. 2008-01828-CD

CERTIFICATION

I, Paul J. Klemm, Esquire, Attorney for Plaintiff, being duly sworn according to law, deposes and says that he deposited in the United States mail a letter notifying the Defendant(s) that Judgment would be entered against them after ten (10) days from the date of said letter in accordance with Rule 237.1 of Pennsylvania Rules of Civil Procedure. A copy of said letter is attached hereto and marked Exhibit "A".



**PAUL J. KLEMM, ESQUIRE
Attorney for Plaintiff**

SWORN TO AND SUBSCRIBED

BEFORE ME THIS DAY
OF 2011.

NOTARY

EXHIBIT "A"

PAUL J. KLEMM, ESQUIRE
NUDELMAN, KLEMM & GOLUB, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A. : CLEARFIELD COUNTY
COURT OF COMMON PLEAS

Plaintiff(s) :

v.

BRANDI ROWLES

Defendant(s) :

NO. 2008-01828-CD

To:

BRANDI ROWLES
100 4TH AVE APT 505
Curwensville PA 16833-1076

Date of Notice : JUL 26 2011

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 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 A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 ext. 5982

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 ext. 5982

Paul J. Klemm, Esq.
NUDELMAN, KLEMM & GOLUB, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
(973)618-0000

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS
CLEARFIELD COUNTY

PROTHONOTARY

TO: BRANDI ROWLES
100 4TH AVE APT 505
Curwensville PA 16833-1076

CAPITAL ONE BANK (USA), N.A. : CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: :
v. : :
: :
BRANDI ROWLES : NO. 2008-01828-CD

NOTICE

Pursuant to Pa.R.C.P. 236, you are hereby notified that a JUDGMENT has been entered
in the above proceeding as indicated below.



PROTHONOTARY

JUDGMENT BY DEFAULT
 MONEY JUDGMENT
 JUDGMENT IN REPLEVIN
 JUDGMENT FOR POSSESSION

If you have any questions concerning this Judgment, please call Paul J. Klemm,
Esquire at 973-618-0000.