

08-1946-CD
Capital One vs Alma J. Rowland

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

CIVIL ACTION -- (LAW) (EQUITY)

No. 08-1446-C

Type of Case: Civil

Type of Pleading: Complaint in Civil Action

CAPITAL ONE BANK USA NA
Plaintiff(s)

Filed on Behalf of: Plaintiff

v.

Counsel of Record for this Party:

ALMA J ROWLAND
Defendant(s)

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: October 3, 2008

S
FILED Atty pd.
10/8/2008 95.00
OCT 13 2008
WCC Atty
William A. Shaw
Prothonotary/Clerk of Courts
WCC Sheriff

**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 NA	:	CLEARFIELD COUNTY
	:	
Plaintiff(s)	:	
v.	:	
ALMA J ROWLAND	:	
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, 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

AVISO

USTED HA SIDO DEMANDADO/A EN CORTE
Si usted desea defenderse de las demandas que se presentan más adelante en las siguientes páginas, debe tomar acción dentro de los próximos veinte (20) días después de la notificación de esta Demanda y Aviso radicando personalmente o por medio de un abogado una comparecencia escrita y radicando en la Corte por escrito sus defensas de, y objeciones a, las demandas presentadas aquí en contra suya. Se le advierte de que si usted falla de tomar acción como se describe anteriormente, el caso puede proceder sin usted y un fallo por cualquier suma de dinero reclamada en la demanda o cualquier otra reclamación o remedio solicitado por el demandante puede ser dictado en contra suya por la Corte sin más aviso adicional. Usted puede perder dinero o propiedad u otros derechos importantes para usted.

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, LLAME O VAYA A LA SIGUIENTE OFICINA ESTA OFICINA PUEDE PROVEERLE INFORMACION A CERCA DE COMO CONSEGUIR UN ABOGADO.

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

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ID #92125**

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK USA NA, : CLEARFIELD COUNTY

Plaintiff(s) :

v.

ALMA J ROWLAND :

Defendant(s) :

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, CAPITAL ONE BANK USA NA, 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 NA, is a corporation licensed to do business in the State of Pennsylvania.
2. Defendant, ALMA J ROWLAND, is an individual and citizen of the Commonwealth of Pennsylvania, who is believed to currently reside at , 1180 JUNIATA STRT EXT, DUBOIS PA 15801.
3. At the special insistence and request of the Defendant, Defendant was issued a credit card by CAPITAL ONE BANK USA NA, account number 4862362581431536.

4. The Defendant is responsible for an unpaid balance in the amount of \$3,864.38 and interest in the amount of \$803.47.

5. Plaintiff has made demand to Defendant for \$4,667.85, 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 \$4,667.85, plus attorney fees of \$850.16 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 15, 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: 08-1946-CD

CAPITAL ONE BANK USA, NA
VS
ALMA J. ROWLAND

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 11/12/2008 HEARING: PAGE: 104777

DEFENDANT: ALMA J. ROWLAND
ADDRESS: 1180 JUNIATA STREET EXT.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

ATTEMPTS 10/22/08 - 2:25pm - NO Answer

11/5/08 - 12:52pm - w/H left Message

SHERIFF'S RETURN

OCCUPIED

10-31-08 11/4 11:10 am

11/6/08 - 10:38 4pm - Def

IN Nursing home -
DO NOT KNOW where.

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON ALMA J. ROWLAND, 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 ALMA J. ROWLAND

AT (ADDRESS) _____

NOW 12-5-08 AT 8:10 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO ALMA J. ROWLAND

REASON UNABLE TO LOCATE Defendant in Nursing home Unaware of Location

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Neely
Deputy Signature

Jerome M. Neely
Print Deputy Name

SWORN TO BEFORE ME THIS

DAY OF 2008

**SHERIFF'S OFFICE
CLEARFIELD COUNTY
CASE # 104777**

DEAR ALMA J. ROWLAND

Would you please contact the Sheriff's Office EXTENSION **1360** concerning legal papers we have for you
When you call, please give your name and the case # noted above (**104777**) and someone in the Office will
be able to help you.

Thank you for your consideration in this matter.

SHERIFF CHESTER A. HAWKINS

**OFFICE HOURS: 8:30 A.M. to 4:00 P.M.
PHONE (814) 765-2641**

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 NA

CLEARFIELD COUNTY

Plaintiff(s)

v.

ALMA J ROWLAND

Defendant(s)

08-1946-C
I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

COMPLAINT IN CIVIL ACTION

OCT 13 2008

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

AVISO

Attest.

William J. Blawie
Prothonotary/
Clerk of Courts

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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 NA, : CLEARFIELD COUNTY

Plaintiff(s) :

v. :

ALMA J ROWLAND :

Defendant(s) :

COMPLAINT IN CIVIL ACTION

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Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



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

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Date: September 15, 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 # 104777
NO: 08-1946-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK USA, NA
vs.
DEFENDANT: ALMA J. ROWLAND

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NUDELMAN	028796	10.00
SHERIFF HAWKINS	NUDELMAN	028796	90.00

S
FILED
03.30 cm
FEB 04 2009

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2009



Chester A. Hawkins
Sheriff

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 NA : CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
v. :
ALMA J ROWLAND : NO. 2008-01946

FILED *ICC & 1 cert*

m/12/2010 of disc issued
JAN 19 2010 *to AHA*

William A. Shaw
Prothonotary/Clerk of Courts
Klemm

ORDER TO DISCONTINUE AND END

TO THE PROTHONOTARY:

Kindly mark the above-captioned matter as discontinued and ended upon payment of your costs only.

Date: January 13, 2010

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



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

PKN07110

RECEIVED
CLERK OF COURT, STATE OF PENNSYLVANIA
1000 MARKET STREET, PHILADELPHIA, PA 19106
JAN 19 2010

RECEIVED
CLERK OF COURT, STATE OF PENNSYLVANIA
1000 MARKET STREET, PHILADELPHIA, PA 19106

FILED

JAN 19 2010

William A. Shaw
Prothonotary/Clerk of Courts

Case No. (106)

107-201

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

cc: JL

Capital One Bank USA NA

Vs.
Alma J. Rowland

No. 2008-01946-CD

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 January 19, 2010, marked:

Discontinued and ended

Record costs in the sum of \$95.00 have been paid in full by Paul J. Klemm Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 19th day of January A.D. 2010.

Will. A. Shaw

Lm

William A. Shaw, Prothonotary