

08-1946-CD

Capital One vs Alma J. Rowland

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CIVIL ACTION -- (LAW) (EQUITY)

No. 08-1746-CD

Type of Case: Civil

Type of Pleading: Complaint in Civil Action

CAPITAL ONE BANK USA NA  
Plaintiff(s)

Filed on Behalf of: Plaintiff

v.

ALMA J ROWLAND  
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: October 3, 2008

<sup>S</sup>  
**FILED** *Any pd.*  
*718:30824* *95.00.*  
OCT 13 2008  
*(15)* *ICC Atty*  
William A. Shaw  
Prothonotary/Clerk of Courts *ICC 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

Plaintiff(s)

v.

ALMA J ROWLAND

Defendant(s)

CLEARFIELD COUNTY

**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 Avisos 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.

SI USTED NO PUEDE PAGAR POR LOS SERVICIOS DE UN ABOGADO, ES POSIBLE QUE ESTA OFICINA LE PUEDA PROVEER INFORMACION SOBRE AGENCIAS QUE OFREZCAN SERVICIOS LEGALES SIN CARGO O BAJO COSTO A PERSONAS QUE CUALIFICAN.

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

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 4862362531431536.

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.

A handwritten signature in black ink, appearing to read 'Paul J. Klemm', is written over a horizontal line.

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

OCCUPIED

ATTEMPTS

10/22/08 - 2:25 PM - NO ANSWER

10-31-08 N/A 11:10 am

11/5/08 - 12:52 PM - N/A left message

11/16/08 - 10:38 AM - Def  
IN NURSING Home -  
DO NOT KNOW where.

**SHERIFF'S RETURN**

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

SWORN TO BEFORE ME THIS

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

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Newbury  
Deputy Signature

Jerome M. Newbury  
Print Deputy Name

5  
**FILED**  
017:0830  
DEC 05 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

**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-CJ

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 A. Brown*  
Prothonotary/  
Clerk of Courts

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

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425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

ATTORNEY FOR PLAINTIFF

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CAPITAL ONE BANK USA NA,	:	CLEARFIELD COUNTY
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Plaintiff(s)	:	
	:	
v.	:	
	:	
	:	
ALMA J ROWLAND	:	
	:	
Defendant(s)	:	

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Date: September 15, 2008

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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

<sup>S</sup> FILED  
9/3:30 am  
FEB 04 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2009

So Answers,



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

**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

**FILED** *ice & 1 cert*  
*m/12:22 am of disc issued*  
**JAN 19 2010** *to Atty Klemm*  
William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

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.



  
\_\_\_\_\_  
William A. Shaw, Prothonotary