

08-2162-CD
LVNV Funding vs Charlotte Seybold

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

CLEARFIELD
JUDICIAL DISTRICT

46TH

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2008-2162-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT	MAG. DIST. NO. OR NAME OF D.J.			
LYNN Funding LLC		46-303		
ADDRESS OF APPELLANT	CITY STATE ZIP CODE			
15 South Main Street Greenville, SC 29601		29601		
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)		
10/31/08	LYNN Funding LLC	Charlotte A. Saybold		
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT			
CV 20	CV-213-08			
LT 20	<i>M. H. W. D. W. L.</i>			

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

[Signature of Prothonotary or Deputy]

If appellant was Plaintiff (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

S FILED

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon _____

Name of appellee(s)

, appellee(s), to file a complaint in this appeal

ATTY

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

[Signature of appellant or his attorney or agent]

RULE: To _____, appellee(s)

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OR NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: _____, 20 _____

[Signature of Prothonotary or Deputy]

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____ on _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 20_____. Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 20_____.

Signature of official

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

CLEARFIELD
JUDICIAL DISTRICT

46TH

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2008-2162-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT	MAG. DIST. NO. OR NAME OF D.J.		
LYNN Funding LLC 46-303			
ADDRESS OF APPELLANT	CITY	STATE	ZIP CODE
15 South Main Street Greenville, SC 21100			
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)	
10/13/08	LYNN Funding LLC	(Marlotta & Saybold)	
CLAIM NO.	VS.		
CV 20	CV-213-08		
LT 20	M. Hubbard		

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon _____, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To _____, appellee(s)

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OR NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: _____, 20 _____. _____

Signature of Prothonotary or Deputy

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, 20_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 20_____. *Signature of affiant*

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 20_____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

MDJ Name: Hon.

MICHAEL A. RUDELLA
Address: **131 ROLLING STONE ROAD**
PO BOX 210
KYLERTOWN, PA
Telephone: **(814) 345-6789** **16847-0444**

C/O EDWIN A ABRAHAMSEN & ASSOC. P.C.
1729 PITTSSTON AVE APT/STE 520
SCRANTON, PA 18505

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

LVNV FUNDING LLC
1729 PITTSSTON AVE APT/STE 520
SCRANTON, PA 18505

NAME and ADDRESS

DEFENDANT:

SEYBOLD, CHARLOTTE A
145 SYCAMORE DR
KARTHAUS, PA 16845

NAME and ADDRESS

Docket No.: **CV-0000213-08**
Date Filed: **8/11/08**



THIS IS TO NOTIFY YOU THAT:

FOR DEFENDANT

Judgment: _____ (Date of Judgment) **10/31/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) SEYBOLD, CHARLOTTE A	Amount of Judgment \$.00
<input checked="" type="checkbox"/> Judgment was entered against: (Name) C/O EDWIN A ABRAHAMSEN & ASSOC in the amount of \$.00	Judgment Costs \$.00
<input type="checkbox"/> Defendants are jointly and severally liable.	Interest on Judgment \$.00
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Attorney Fees \$.00
<input type="checkbox"/> This case dismissed without prejudice.	Total \$.00
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Post Judgment Credits \$ _____
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	Post Judgment Costs \$ _____
Certified Judgment Total \$ _____	

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 JUDGMENT 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.

10-31-08 Date

M. A. Rudella

, Magisterial District Judge

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

Date _____, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: 10/31/08 10:13:00 AM

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING LLC
15 South Main Street
Greenville, SC 29601

: CIVIL ACTION

Plaintiff :

vs.

Charlotte A Seybold
149 SYCAMORE DR
KARTHAUS PA 16845

Defendant :

: NO: 2008-2162-CV

S FILED (6)

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11/3/58/c

William A. Shaw
Prothonotary/Clerk of Courts
1 case to ~~11/3/58/c~~
~~11/3/58/c~~
~~11/3/58/c~~

NOTICE TO DEFEND

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 to Defend are served, by entering a written appearance personally or by an 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.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ON AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT REDUCED FEE OR NO FEE.

MIDPENN LEGAL SERVICES
211 1/2 E LOCUST STREET
CLEARFIELD, PA 16830
814-765-9646

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING LLC :
15 South Main Street : CIVIL ACTION
Greenville, SC 29601 :

Plaintiff :
:
vs. :

Charlotte A Seybold : NO:
149 SYCAMORE DR :
KARTHAUS PA 16845 :

Defendant :
:
:
:
:

COMPLAINT

Plaintiff, LVNV FUNDING LLC , by and through its attorneys, Edwin A. Abrahamsen & Associates, P.C., complains of the Defendant as follows:

1. Plaintiff, LVNV FUNDING LLC , (hereinafter "Plaintiff") is a Delaware corporation with a principal place of business located at 15 South Main Street Greenville, SC 29601.
2. The Defendant Charlotte A Seybold (hereinafter "Defendant") is an adult individual residing at 149 SYCAMORE DR _ KARTHAUS PA 16845.
3. At all relevant times herein, Plaintiff was engaged in the business of extending credit to potential clients.
4. Defendant applied for and received a credit card issued by Plaintiff with the account number 5049948039684552.

5. Use of the LVNV FUNDING credit card was subject to the terms and conditions of the Cardmember Agreement (hereinafter "Agreement"), a copy of which was sent along to the Defendant with the credit card. A copy of this document has been requested from LVNV FUNDING LLC, and will be provided upon receipt.

6. Defendant used the LVNV FUNDING LLC credit card with account number, 5049948039684552, for purchases, cash advances and/or balance transfers. Use of the card in this manner constituted acceptance of the terms and conditions and subjects the Defendant to the terms and conditions contained therein.

7. The Defendant was mailed monthly account statements relative to the Defendant's use of the subject credit card.

8. The Defendant defaulted under the terms of the Agreement by failing and refusing to make monthly payments on the account as they became due.

9. The account became delinquent on June 22, 2006.

10. The principal amount was \$\$4,566.01 at the time of charge-off.

11. Pursuant to the account agreement, any unpaid balance accrues interest at the contract rate of 6%.

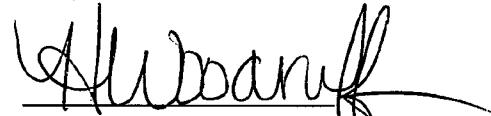
12. The principal amount was \$4,566.01 at the time it was received by Plaintiff.

13. The total amount due and owing the Plaintiff including interest, is \$5,265.40.

14. Pursuant to the terms of the Agreement, Defendant is liable for Plaintiff's court costs and reasonable attorney's fees.

WHEREFORE, Plaintiff requests judgment in its favor and against Defendant in the amount of \$5,265.40 plus costs of suit, reasonable attorneys' fees and any other relief as the Court deems just and appropriate.

Respectfully submitted,



Edwin A. Abrahamsen & Assoc.
Michael F. Ratchford, Esquire
Heather K. Woodruff, Esquire
Attorney I.D. Nos.: 86285/207805
1729 Pittston Avenue
Scranton, PA 18505
mratchford@eaa-law.com
hwoodruff@eaa-law.com

VERIFICATION

I, Heather K. Woodruff, attorney for Plaintiff, LVNV FUNDING LLC , am fully familiar with the facts set forth in the within Complaint and am authorized to make this Verification on behalf of Plaintiff. I Verify that the facts set forth in the within allegations are true and correct to the best of my knowledge, knowing that any false statements are punishable by law pursuant to 18 C.S.A. 4904.



Heather K. Woodruff, Esquire

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

MDJ Name: Hon.

MICHAEL A. RUDELLA

Address: **131 ROLLING STONE ROAD
PO BOX 210
KYLERTOWN, PA**

Telephone: **(814) 345-6789** **16847-0444**

**LVNV FUNDING LLC
1729 PITTSTON AVE APT/STE 520
SCRANTON, PA 18505**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS

LVNV FUNDING LLC

**1729 PITTSTON AVE APT/STE 520
SCRANTON, PA 18505**

VS.

DEFENDANT:

NAME and ADDRESS

SEYBOLD, CHARLOTTE A

**145 Sycamore DR
KARTHAUS, PA 16845**

L Common Pleas #2008-2102-C

Docket No.: **CV-0000213-08**

Date Filed: **8/11/08**



THIS IS TO NOTIFY YOU THAT:

FOR DEFENDANT

Judgment: _____ (Date of Judgment) **10/31/08**

Judgment was entered for: (Name) **SEYBOLD, CHARLOTTE A**

Judgment was entered against: (Name) **LVNV FUNDING LLC**
in the amount of \$ **.00**

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	\$.00
Judgment Costs	\$.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$.00
Post Judgment Credits	\$ 0
Post Judgment Costs	\$ 0
Certified Judgment Total \$ 0	

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FILED

11/13/08
NOV 19 2008

S William A. Shaw

Prothonotary/Clerk of Courts

, Magisterial District Judge

10-31-08 Date

M. RudeLLA

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

11/13/08 Date

M. RudeLLA

, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **11/13/08 10:37:00 AM**

LVNV FUNDING LLC

Plaintiff : In the Court of Common Pleas of
CLEARFIELD County, Pennsylvania
Civil Division

vs.

2008-
NO: 208-2162-CD

Charlotte A Seybold
149 SYCAMORE DR
KARTHAUS PA 16845

Defendant

Praecipe to Withdraw Civil Complaint

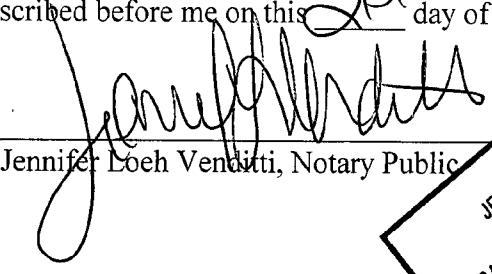
To the Prothonotary of CLEARFIELD County Pennsylvania:

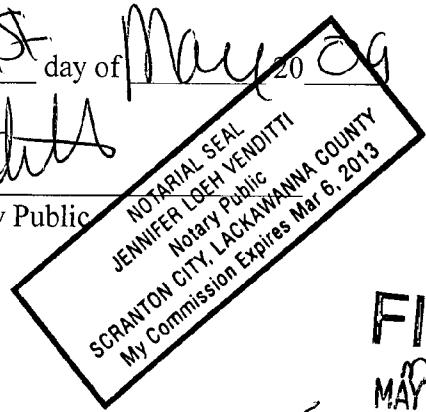
Please enter the above Praecipe to Withdraw the Civil Complaint and Appeal.

Thank you,


Michael F. Ratchford, Esquire
Edwin A. Abrahamsen & Associates, P.C.
Lawyer ID # 86285

Sworn and subscribed before me on this 28 day of May 2009


Jennifer Loeh Venditti, Notary Public



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William A. Shaw
Prothonotary/Clerk of Courts

FILED

MAY 26 2009

William A. Shaw
Prothonotary/Clerk of Courts

