

08-2224-CD
NCO Portfolio vs! Kathleen Mills

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of

CLEARFIELD

46th

NOTICE OF APPEAL

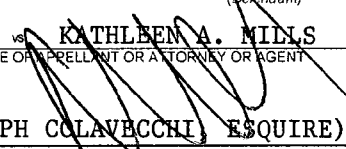
FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 08-2224-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 Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT KATHLEEN A. MILLS		MAG. DIST. NO. 46-3-04	NAME OF MDJ James L. Hawkins	
ADDRESS OF APPELLANT 1373 Fernwood Road		CITY Houtzdale	STATE PA	ZIP CODE 16651
DATE OF JUDGMENT 11/3/08	IN THE CASE OF (Plaintiff) NCO PORTFOLIO MANAGEMENT vs. (Defendant) KATHLEEN A. MILLS			
DOCKET No.	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT  (JOSEPH COLAVECCHI, ESQUIRE)			
This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. No. 1008B. This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.		If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.		
_____ Signature of Prothonotary or Deputy				

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.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon NCO PORTFOLIO MANAGEMENT appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. 08-2224-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or attorney or agent
(JOSEPH COLAVECCHI, ESQUIRE)

RULE: To NCO PORTFOLIO MANAGEMENT, 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 OF NON PROS MAY BE ENTERED AGAINST YOU.

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

Date: 11/18/2008

Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

AOPC 312-05

FILED
5 03:00 PM
NOV 18 2008
Any pd: \$5.00
cc to: Piff
MDS Hawkins
William A. Shaw
Prothonotary/Clerk of Courts

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 of the notice of appeal. Check applicable boxes.)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

; ss

AFFIDAVIT: I hereby (swear) (affirm) that I served

☐

a copy of the Notice of Appeal, Common Pleas No. _____, upon the Magisterial District Judge 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.

(SWORN) (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 20_____

Signature of official before whom affidavit was made

Signature of affiant

Title of official

My commission expires on _____, 20_____

COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-04

MDJ Name: Hon.

JAMES L. HAWKINS

Address: **251 SPRING ST**

PO BOX 362

HOUTZDALE, PA

Telephone: **(814) 378-7160**

16651-0362

KATHLEEN A. MILLS
1373 FERNWOOD RD.
HOUTZDALE, PA 16651-9567

CIVIL CASE

PLAINTIFF:

NAME and ADDRESS

NCO PORTFOLIO MANAGEMENT
1729 PITTSBURGH AVE.
SCRANTON, PA 18505

VS.

DEFENDANT:

NAME and ADDRESS

MILLS, KATHLEEN A.
1373 FERNWOOD RD.
HOUTZDALE, PA 16651-9567

Docket No.: **CV-0000122-08**

Date Filed: **10/01/08**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF** (Date of Judgment) **11/03/08**

☒ Judgment was entered for: (Name) **NCO PORTFOLIO MANAGEMENT**

☒ Judgment was entered against: (Name) **MILLS, KATHLEEN A.**
in the amount of \$ **7,391.58**

☐ 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	\$ 7,261.58
Judgment Costs	\$ 130.00
Interest on Judgment	\$.00
Attorney Fees	\$.00

Total \$ **7,391.58**

Post Judgment Credits \$ _____

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.

11-3-08 Date

James L. Hawkins, 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: 11/03/08 10:24:00 AM

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: 46-3-04
MDJ Name: Hon. JAMES L. HAWKINS
Address: 251 SPRING ST PO BOX 362 HOUTZDALE, PA
Telephone: (814) 378-7160 16651-0362

JAMES L. HAWKINS
251 SPRING ST
PO BOX 362
HOUTZDALE, PA 16651-0362

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: NAME and ADDRESS
NCO PORTFOLIO MANAGEMENT
1729 PITTSTON AVE.
SCRANTON, PA 18505

VS.
DEFENDANT: NAME and ADDRESS
MILLS, KATHLEEN A.
1373 FERNWOOD RD.
HOUTZDALE, PA 16651-9567

Docket No.: **CV-0000122-08**
Date Filed: **10/01/08**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF** (Date of Judgment) **11/03/08**

☒ Judgment was entered for: (Name) **NCO PORTFOLIO MANAGEMENT**

☒ Judgment was entered against: (Name) **MILLS, KATHLEEN A.**
in the amount of \$ **7,391.58**

☐ 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	\$ 7,261.58
Judgment Costs	\$ 130.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 7,391.58
Post Judgment Credits	\$ _____
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.

FILED

m/19:36/37
NOV 24 2008

5
WAS
William A. Shaw
Prothonotary/Clerk of Courts
_____, Magisterial District Judge

11-3-08 Date *James L. Hawkins*

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

11-20-08 Date *James P. L. K.*, Magisterial District Judge

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

SEAL

CIVIL COMPLAINT

COUNTY OF: CLEARFIELD

NAME and ADDRESS

PLAINTIFF:

Magisterial District Number: District Court 46-3-04

MDJ Name: Hon. James L. Hawkins

Address: 430 Spring St. Suite 3 POB 362

Houtzdale, PA 16651

Telephone: 814/378-7160

NCO Portfolio Management

ASSIGNEE OF CITIBANK CC

c/o Edwin A. Abrahamsen & Associates, P.C.

1729 Pittston Avenue

Scranton, PA 18505

VS.

DEFENDANT:

NAME and ADDRESS

KATHLEEN A MILLS

1373 FERNWOOD RD

HOUTZDALE PA 16651-9567

Docket No

CV-122-08

Date Filed:

10-1-08



	AMOUNT	DATE PAID
FILING COSTS	\$ 130.00	10/1/08
POSTAGE	\$	/ /
SERVICE 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 \$7,261.58 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

The amount of \$7,261.58 (Account # 4128003241982241) is due and owed for credit granted by ASSIGNEE OF CITIBANK NCO where the balance is in default since May 31, 2006. This account has been assigned for collection by NCO Portfolio Management ASSIGNEE OF CITIBANK CC and NCO Portfolio Management ASSIGNEE OF CITIBANK CC is entitled to all rights, assignments and judgments. The Plaintiff respectfully requests that this court grant judgment in favor of plaintiff and against defendant in the amount of \$7,261.58 plus court costs and reasonable attorneys fees.

I, Michael F. Ratchford Esquire 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.

(Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: Michael F. Ratchford, Attorney ID#:86285Address: 1729 Pittston Ave.Telephone: 570- 558-5510Scranton, PA 18505

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD SO 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 (5) days before the date set for the hearing.

If you are disabled and require a 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.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NCO PORTFOLIO MANAGEMENT,
Plaintiff

Vs.

KATHLEEN A. MILLS,
Defendant

CIVIL DIVISION

No. 08 - 2224 - CD

PETITION REQUESTING JUDGMENT
FOR FAILURE OF PLAINTIFF TO
FILE A COMPLAINT

Filed on Behalf of:

Defendant, KATHLEEN A. MILLS

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED 3cc AM
J. Colavecchi
0/10'10am
FEB 26 2009 610

William A. Shaw
Prothonotary/Clerk of Courts

LAW OFFICES OF
COLAVECCHI
& COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

NCO PORTFOLIO MANAGEMENT :
Plaintiff :
:
vs. : No. 08 - 2224 - CD
:
KATHLEEN A. MILLS, :
Defendant :

PETITION REQUESTING JUDGMENT FOR
FAILURE OF PLAINTIFF TO FILE A COMPLAINT

Kathleen A. Mills, Defendant, through her Attorney, Joseph Colavecchi, Esquire, files this Petition requesting that judgment be entered in favor of her and against NCO Portfolio Management and avers as follows:

1. Judgment was entered in the Court of Common Pleas of Clearfield County, Pennsylvania in favor of NCO Portfolio Management against Kimberly A. Mills on November 3, 2008, a copy of which is attached hereto marked Exhibit "A".


2. Defendant filed an Appeal to the judgment on November 18, 2008. A copy of the Appeal as served on Plaintiff is attached hereto marked Exhibit "B".

3. As of today, June 24, 2009, no Complaint has been filed by the Plaintiff as required by Pennsylvania Rules of Civil Procedure when an Appeal has been filed to a judgment.

4. Defendant is requesting that the judgment in the above-captioned case be dismissed and judgment be entered in favor of Kimberly A. Mills and against NCO Portfolio Management.

WHEREFORE, Defendant requests that a Rule be issued and directed to Plaintiff to show cause why judgment should not be entered in favor of Kimberly A. Mills and against NCO Portfolio Management.

Respectfully submitted:


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Kimberly A. Mills
221 East Market Street
Clearfield, PA 16830

FILED

FEB 26 2009

William A. Shaw
Prothonotary/Clerk of Courts

LA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NCO PORTFOLIO MANAGEMENT,
Plaintiff

Vs.

KATHLEEN A. MILLS,
Defendant

CIVIL DIVISION

No. 08 - 2224 - CD

AMENDED PETITION REQUESTING
JUDGMENT FOR FAILURE OF
PLAINTIFF TO FILE A COMPLAINT

Filed on Behalf of:

Defendant, KATHLEEN A. MILLS

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED 3CC AM
0/2:20pm J. Colavecchi.
MAR 2 2009

William A. Shaw
Prothonotary/Clerk of Courts

LAW OFFICES OF
COLAVECCHI
& COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

NCO PORTFOLIO MANAGEMENT :
Plaintiff :
vs. : No. 08 - 2224 - CD
KATHLEEN A. MILLS, :
Defendant :

A M E N D E D

PETITION REQUESTING JUDGMENT FOR
FAILURE OF PLAINTIFF TO FILE A COMPLAINT

Kathleen A. Mills, Defendant, through her Attorney, Joseph Colavecchi, Esquire, files this Petition requesting that judgment be entered in favor of her and against NCO Portfolio Management and avers as follows:

1. Judgment was entered in the Court of Common Pleas of Clearfield County, Pennsylvania in favor of NCO Portfolio Management against Kathleen A. Mills on November 3, 2008, a copy of which is attached hereto marked Exhibit "A".

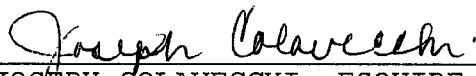
2. Defendant filed an Appeal to the judgment on November 18, 2008. A copy of the Appeal as served on Plaintiff is attached hereto marked Exhibit "B".

3. As of today, February 26, 2009, no Complaint has been filed by the Plaintiff as required by Pennsylvania Rules of Civil Procedure when an Appeal has been filed to a judgment.

4. Defendant is requesting that the judgment in the above-captioned case be dismissed and judgment be entered in favor of Kathleen A. Mills and against NCO Portfolio Management.

WHEREFORE, Defendant requests that a Rule be issued and directed to Plaintiff to show cause why judgment should not be entered in favor of Kathleen A. Mills and against NCO Portfolio Management.

Respectfully submitted:


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Kathleen A. Mills
221 East Market Street
Clearfield, PA 16830

Mag. Dist. No.: **46-3-04**

MDJ Name: Hon. **JAMES L. HAWKINS**

Address: **251 SPRING ST
PO BOX 362
HOUTZDALE, PA**

Telephone: **(814) 378-7160** **16651-0362**

PLAINTIFF: **NCO PORTFOLIO MANAGEMENT**
1729 PITTSBURGH AVE.
SCRANTON, PA 18505

VS.

DEFENDANT: **MILLS, KATHLEEN A.**
1373 FERNWOOD RD.
HOUTZDALE, PA 16651-9567

KATHLEEN A. MILLS
1373 FERNWOOD RD.
HOUTZDALE, PA 16651-9567

Docket No.: **CV-0000122-08**
Date Filed: **10/01/08**



THIS IS TO NOTIFY YOU THAT:

Judgment: **FOR PLAINTIFF** (Date of Judgment) **11/03/08**

☒ Judgment was entered for: (Name) **NCO PORTFOLIO MANAGEMENT**

☒ Judgment was entered against: (Name) **MILLS, KATHLEEN A.**
in the amount of \$ **7,391.58**

☐ 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	\$ 7,261.58
Judgment Costs	\$ 130.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 7,391.58
Post Judgment Credits	\$ _____
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.

11-3-08 Date *James L. Hawkins*, 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**

AOPC 315-07

DATE PRINTED: 11/03/08 10:24:00 AM

SEAL

EXHIBIT "A"

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of

CLEARFIELD

46th

NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

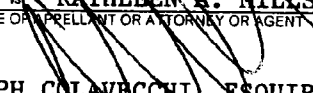
COMMON PLEAS No.

08-2224-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 Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT KATHLEEN A. MILLS		MAG. DIST. NO. 46-3-04	NAME OF MDJ James L. Hawkins	
ADDRESS OF APPELLANT 1373 Fernwood Road		CITY Houtzdale	STATE PA	ZIP CODE 16651
DATE OF JUDGMENT 11/3/08	IN THE CASE OF (Plaintiff) NCO PORTFOLIO MANAGEMENT			
DOCKET No.		vs. KATHLEEN A. MILLS (Defendant)		

SIGNATURE OF APPELLANT OR A ATTORNEY OR AGENT

(JOSEPH COLAVECCHI, ESQUIRE)

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

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

If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action

before a Magisterial District Judge, A COMPLAINT MUST BE FILED within

(20) days after filing the NOTICE OF APPEAL and attention must be given to the statement filed in this case.

Signature of Prothonotary or Deputy

NOV 18 2008

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.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Prothonotary/
Clerk of Courts

Enter rule upon **NCO PORTFOLIO MANAGEMENT**

Name of appellee(s)

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

(Common Pleas No. **08-2224-CD**) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or attorney or agent
(JOSEPH COLAVECCHI, ESQUIRE)

RULE: To **NCO PORTFOLIO MANAGEMENT**, 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 OF NON PROS MAY BE ENTERED AGAINST YOU.

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

Date: **11/18/2008**

Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

NCO PORTFOLIO MANAGEMENT, :
ASSIGNEE OF CITIBANK CC :
Plaintiff :
vs. : No. 08-2224-CD
KATHLEEN A. MILLS :
Defendant :

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 28, 2009,
a Petition Requesting Judgment for Failure of Plaintiff to file a
Complaint in the above matter was served on the following by
depositing said copy in the United States Mail, first class,
postage prepaid and addressed as follows:

NCO Portfolio Management
c/o Edwin A. Abrahamsen & Associates, P.C.
1629 Pittston Avenue
Scranton, PA 18505

DATE: February 27, 2009

Joseph Colavecchi
JOSEPH COLAVECCHI, ESQUIRE
221 East Market Street
P.O. Box 131
Clearfield, PA 16830
814/765-1566

LAW OFFICES OF
COLAVECCHI
& COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED NOCL.
02:20 PM
MAR -2 2009
UN

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

NCO PORTFOLIO MANAGEMENT, :
ASSIGNEE OF CITIBANK CC :
Plaintiff :
vs. : No. 08-2224-CD
KATHLEEN A. MILLS :
Defendant :

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 2, 2009, an Amended Petition Requesting Judgment for Failure of Plaintiff to file a Complaint in the above matter was served on the following by depositing said copy in the United States Mail, first class, postage prepaid and addressed as follows:

NCC Portfolio Management
c/o Edwin A. Abrahamsen & Associates, P.C.
1629 Pittston Avenue
Scranton, PA 18505

DATE: March 2, 2009

Joseph Colavecchi
JOSEPH COLAVECCHI, ESQUIRE
221 East Market Street
P.O. Box 131
Clearfield, PA 16830
814/765-1566

LAW OFFICES OF
COLAVECCHI
& COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED No CC.
0/2:202m
MAR -2 2009

William A. Shaw
Prothonotary/Clerk of Courts

FILED

MAR -2 2009

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NCO PORTFOLIO MANAGEMENT,
Plaintiff

Vs.

KATHLEEN A. MILLS,
Defendant

CIVIL DIVISION

No. 08 - 2224 - CD

RULE

Filed on Behalf of:

Defendant, KATHLEEN A. MILLS

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
& COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED 300
0110:3420
MAR 03 2009

William A. Shaw
Prothonotary/Clerk of Courts

Atty Colavecchi
(64)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

NCO PORTFOLIO MANAGEMENT :
Plaintiff :

vs. : No. 08 - 2224 - CD

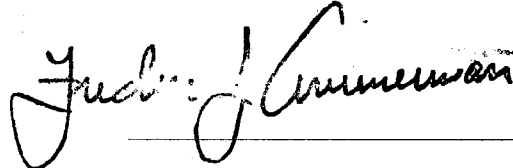
KATHLEEN A. MILLS, :
Defendant :

R U L E

AND NOW, this 2nd day of ~~February~~ ^{March}, 2009, a Petition having been filed on behalf of Kathleen A. Mills requesting that the judgment entered in favor of NCO Portfolio Management be dismissed for failure to file a Complaint, no Complaint having been filed and it having been more than thirty days since filing said Appeal, a Rule is hereby issued and directed to NCO Portfolio Management to show cause why judgment should not be dismissed against Kathleen A. Miles and judgment entered against NCO Portfolio Management.

Rule Returnable before this court on the 3rd day of March, 2009, at 10:00 o'clock A.M.,
Courtroom Number 1.

BY THE COURT:



JUDGE

FILED

MAR 03 2009

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 3/3/09

X You are responsible for serving all appropriate parties.

___ The Prothonotary's office has provided service to the following parties:

___ Plaintiff(s) ___ Plaintiff(s) Attorney ___ Other

___ Defendant(s) ___ Defendant(s) Attorney

___ Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

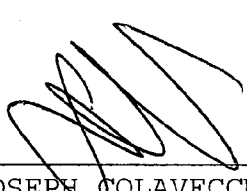
NCO PORTFOLIO MANAGEMENT, :
ASSIGNEE OF CITIBANK CC :
Plaintiff :
vs. : No. 08-2224-CD
KATHLEEN A. MILLS :
Defendant :

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 6, 2009, a
Petition Requesting Judgment for Failure of Plaintiff to file a
Complaint and Rule in the above matter was served on the following
by depositing said copy in the United States Mail, first class,
postage prepaid and addressed as follows:

NCO Portfolio Management
c/o Edwin A. Abrahamsen & Associates, P.C.
1629 Pittston Avenue
Scranton, PA 18505

DATE: March 6, 2009


JOSEPH COLAVECCHI, ESQUIRE
221 East Market Street
P.O. Box 131
Clearfield, PA 16830
814/765-1566

LAW OFFICES OF
COLAVECCHI
& COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PA

FILED NO CC
0135601
MAR 09 2009
William A. Shaw
Prothonotary/Clerk of Courts

FILED

APR 01 2009

0/9:00/c

William A. Shaw

Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

3 CENT TO ATT

NCO PORTFOLIO MANAGEMENT,
Plaintiff

CIVIL DIVISION

No. 08 - 2224 - CD

vs.

KATHLEEN A. MILLS,
Defendant

ORDER

Filed on Behalf of:

Defendant, KATHLEEN A. MILLS

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

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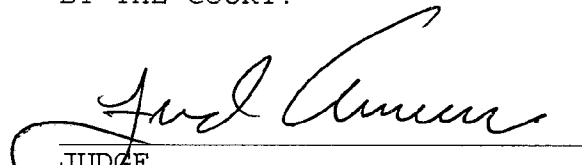
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

NCO PORTFOLIO MANAGEMENT, :
Plaintiff : No. 08 - 2224 - CD
:
vs. :
:
KATHLEEN A. MILLS, :
Defendant :

ORDER

AND NOW, this 31st day of March 2009, the date set for hearing on Defendant's Petition Requesting Judgment for Failure of Plaintiff to file a Complaint, it is hereby Ordered and Decreed that said Petition be and is hereby granted and Plaintiff's Appeal is hereby dismissed, with prejudice.

BY THE COURT:


JUDGE

DATE: 4-1-09
X You are responsible for serving all appropriate parties.
The Prothonotary's office has provided service to the following parties:
____ Plaintiff(s) ____ Plaintiff(s) Attorney ____ Other
____ Defendant(s) ____ Defendant(s) Attorney
____ Special Instructions:

William A. Shaw
Prothonotary/Clerk of Courts

APR 01 2009

FILED