

08-2290-CD
US Bank NA vs Jonathan Fogelman al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION
(TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY)

Plaintiff,

vs.

JONATHON C. FOGLEMAN and
MELISSA A. FOGLEMAN

Defendants.

CIVIL DIVISION

NO. 08-2290-CD

**COMPLAINT IN MORTGAGE
FORECLOSURE**

Code - MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

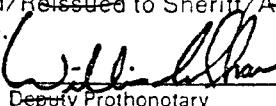
Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

March 9, 2009 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

 GK
Deputy Prothonotary

S
FILED Atty pd. \$5.00
M 10/13/2009
DEC 01 2009 2CC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
PENNSYLVANIA HOUSING FINANCE AGENCY))
Plaintiff,) NO:
vs.)
JONATHON C. FOGLEMAN and)
MELISSA A. FOGLEMAN)
Defendant(s).)

COMPLAINT IN MORTGAGE FORECLOSURE

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 THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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 SHOULD 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 A REDUCED FEE OR NO FEE.

PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

(814) 765-2641 - EXT. 20

COMPLAINT IN MORTGAGE FORECLOSURE

AND NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a national association duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 211 N. Front Street, Harrisburg, PA 17101.

2. The Defendant(s) is/are individuals with a last known mailing address of 229 Old Turnpike Road, Munson, PA 16860. The property address is **229 Old Turnpike Road, Munson, PA 16860** and is the subject of this action.

3. On the 4th day of April, 2003, in consideration of a loan of Fifty Thousand and 00/100 (\$50,000.00) Dollars made by Jersey Shore State Bank, to Defendant(s), the said Defendant(s) executed and delivered to Jersey Shore State Bank, a "Note" secured by a Mortgage with the Defendant(s) as mortgagor(s) and Jersey Shore State Bank, as mortgagee, which mortgage was recorded on the 7th day of April, 2003, in the Office of the Recorder of Deeds of Clearfield County, at Instrument No. 200305524. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

SEE EXHIBIT "A" ATTACHED HERETO.

5. On the 7th day of April, 2003, Jersey Shore State Bank, assigned to the Plaintiff,

Pennsylvania Housing Finance Agency, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 7th day of April, 2003, at Instrument No. 200305525. The said assignment is incorporated herein by reference.

6. Subsequently, Pennsylvania Housing Finance Agency, assigned to the Plaintiff, U.S. Bank National Association (Trustee for the Pennsylvania Housing Finance Agency), the said mortgage, that assignment to be recorded in the Office of the Recorder of Deeds of Clearfield County. The said assignment is incorporated herein by reference.

7. Said mortgage provides, inter alia:

"that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

8. Since May 1, 2008, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

9. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagor(s) has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagor(s).

10. The amount due on said mortgage is itemized on the attached schedule.

11. Pursuant to Pennsylvania Rule of Civil Procedure 1144, the Plaintiff releases

from liability for the debt secured by the mortgage any mortgagor, personal representative, heir or devisee of the mortgagor who is not a real owner of the property as evidenced by the last recorded deed of record at the time of the filing of this Complaint.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Fifty Two Thousand Seven Hundred Fifty Six and 58/100 Dollars (\$52,756.58) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY 
Louis P. Vitti, Esquire
Attorney for Plaintiff

FOGLEMAN

SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE

Unpaid Principal Balance	45,828.32
Interest @ 4.7500% from 04/01/08 through 11/30/2008 (Plus \$5.9640 per day after 11/30/2008)	1,449.24
Late charges through 11/24/2008 0 months @ 10.43 Accumulated beforehand (Plus \$10.43 on the 17th day of each month after 11/24/2008)	62.58
Attorney's fee	2,291.42
Escrow deficit	<u>3,125.02</u>

(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)

BALANCE DUE **52,756.58**

Exhibit "A"

ALL that certain piece of land lying and situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post on West side of Public Road (now known as Old Turnpike Road) running from Munson to Allport; thence along said road South thirty seven degrees (37) forty five (45) minutes East three hundred fifty three (353) feet to a post; thence by said road and lands of now or formerly Wilbur F. Douglass and wife, South forty six and one-fourth (46 1/4) degrees East three hundred sixty-five (365) feet to a post on line of lands formerly of O. L. Schoonover Estate; thence by said lands North eighty four and three fourths (84 3/4) degrees West four hundred eighteen (418) feet to post; thence by lands now or formerly of Mrs. Chilton North thirty six (36) degrees West four hundred fifty four (454) feet to post corner lot of now or formerly John Trump; thence by said lot North fifty seven and one fourth (57 1/4) degrees East two hundred thirty two (232) feet to place of beginning. **CONTAINING** three (3) acres and seventy five (75) perches.

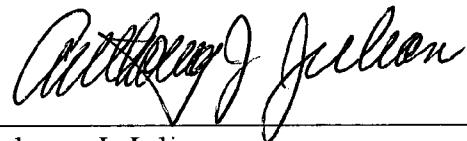
BEING further identified as Clearfield County Tax Map No. 124-R9-33 as shown on the assessment map in the Records of Clearfield County, PA.

BEING the same premises as vested unto the Borrowers herein by deed recorded to Instrument No. 200305523.

Exhibit "A"

VERIFICATION

Anthony J. Julian hereby states that he is the Director of Accounting and Loan Servicing of the Pennsylvania Housing Finance Agency, mortgage servicing agent for Plaintiff in this matter, that he is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Anthony J. Julian
Director of Accounting and Loan
Servicing

Date: 11/24/08

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2290-CD

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE)

SERVICE # 2 OF 2

JONATHON C. FOGLEMAN and MELISSA A. FOGLEMAN
COMPLAINT IN MORTGAGE

SERVE BY: 12/30/2008 HEARING: PAGE: 104984

DEFENDANT: MELISSA A. FOGLEMAN
ADDRESS: 229 OLD TURNPIKE ROAD
MUNSON, PA 16860

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

~~unk if occupied~~ ~~Address~~ ~~Phone~~
~~appt to neighbors~~ ~~Address of Addressee is vacant~~
SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM **SERVED THE** WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON MELISSA A. FOGLEMAN, DEFENDANT

BY HANDING TO _____ /

ADDRESS SERVED

NOW AT AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR MELISSA A. FOGLEMAN

AT (ADDRESS)

NOW 12/23/08 AT 3³⁰ AM PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO MELISSA A. FOGLEMAN

REASON UNABLE TO LOCATE NOT FOUND

SWORN TO BEFORE ME THIS

So Answers, CHESTER A. HAWKINS, SHERIFF

BY:

wers. CHESTER A. HAWKINS, SHERIFF

Deputy Chester
Deputy Signature

Print Deputy Name

COPY

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CIVIL DIVISION

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**COMPLAINT IN MORTGAGE
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Code - MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

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

DEC 01 2008

Attest.

William L. Lauer
Prothonotary
Clerk of Court

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
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BY 

Louis P. Vitti, Esquire
Attorney for Plaintiff

FOGLEMAN

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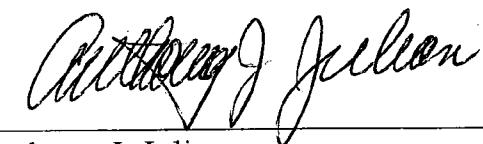
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Anthony J. Julian
Director of Accounting and Loan
Servicing

Date: 11/24/08

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION
(TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY)

CIVIL DIVISION

No. 08-2290-CD

Plaintiff,

**MOTION TO DIRECT SHERIFF
RETURN**

vs.

Filed on behalf of
Plaintiff

JONATHON C. FOGLEMAN AND
MELISSA A. FOGLEMAN,

Counsel of record for this
party:

Louis P. Vitti, Esquire
PA I.D. #01072

Defendants.

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED
FEB 09 2009
S

William A. Shaw
Prothonotary/Clerk of Courts

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
PENNSYLVANIA FINANCE AGENCY)
)
) NO. 08-2290-CD
PLAINTIFF)
)
)
VS.)
)
)
JONATHON C. FOGLEMAN AND)
MELISSA A. FOGLEMAN)
)
)
DEFENDANTS)

NOTICE

TO: Sheriff of Clearfield County
PO Box 549
Clearfield, PA 16830-0549
Attn: Civil Process

TAKE NOTICE that the within Motion to Direct Sheriff Return will be presented before
the Motions Judge, Clearfield County Courthouse, Clearfield, Pennsylvania 16830 as unopposed
unless a responsive pleading is filed.

LOUIS P. VITTI & ASSOC., P.C.



Louis P. Vitti, Esquire
Attorney for Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
PENNSYLVANIA FINANCE AGENCY)
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 MELISSA A. FOGLEMAN)
)
 DEFENDANTS)

MOTION TO DIRECT SHERIFF'S RETURN

NOW comes the Plaintiff/Petitioner by and through its attorneys Louis P. Vitti & Associates, P.C. and Louis P. Vitti, Esquire, and files the within Motion whereof the following is a statement:

1. Petitioner is the Plaintiff at the above captioned number and term.
2. The Defendants, Jonathon C. Fogleman and Melissa A. Fogleman are Defendants at the above caption number and term.
3. The action that is filed is an action in mortgage foreclosure for obtaining possession of property for failure to pay the mortgage.
4. Plaintiff/Petitioner's counsel has made contact with the Sheriff's Office of Clearfield County by telephone for status of this case and have received information that Defendant(s) was/were served on December 15, 2008.

5. The Sheriff has not made a timely return of service and Plaintiff/Petitioner is unable to proceed further in this action.

WHEREFORE, the Petitioner prays that this Honorable Court enter an order directing the Office of the Sheriff to duly file the required sheriff return of service to allow this case to proceed and protect the security for which the loan was made.

Respectfully submitted,

LOUIS P. VITTI AND ASSOCIATES, P.C.

BY: 

Louis P. Vitti, Esquire
Attorney for Petitioner

VERIFICATION

NOW Louis P. Vitti verifies that the statements made in this Motion are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the Court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.



A handwritten signature in black ink, appearing to read "Louis P. Vitti", is written over a horizontal line. Below the signature, the name "Louis P. Vitti" is printed in a smaller, standard font.

Dated: February 5, 2009

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
PENNSYLVANIA FINANCE AGENCY))
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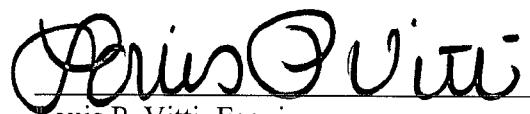
CERTIFICATION OF SERVICE

I, Louis P. Vitti, Esquire, hereby certify that on the 5th day of February, 2009, a true and correct copy of the within Motion to Direct Sheriff's Return was served by Regular U.S. Mail upon:

(List name and address of all counsel of record and unrepresented parties. Specify "Pro Se" for unrepresented parties.)

Sheriff of Clearfield County
PO Box 549
Clearfield, PA 16830-0549
Attn: Civil Process

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Louis P. Vitti, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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(TRUSTEE FOR THE PENNSYLVANIA
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No. 08-2290-CD

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vs.

Filed on behalf of
Plaintiff

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PA I.D. #01072

Defendants.

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916 Fifth Avenue
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(412) 281-1725

FILED
MAG 9 2009 NO
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S 60

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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Attorney for Plaintiff

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VERIFICATION

NOW Louis P. Vitti verifies that the statements made in this Motion are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the Court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.



Louis P. Vitti

Dated: February 5, 2009

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
PENNSYLVANIA FINANCE AGENCY))
PLAINTIFF) NO. 08-2290-CD
VS.)
JONATHON C. FOGLEMAN AND)
MELISSA A. FOGLEMAN)
DEFENDANTS)

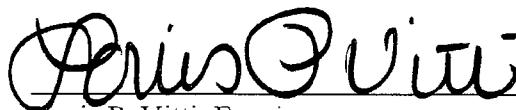
CERTIFICATION OF SERVICE

I, Louis P. Vitti, Esquire, hereby certify that on the 5th day of February, 2009, a true and correct copy of the within Motion to Direct Sheriff's Return was served by Regular U.S. Mail upon:

(List name and address of all counsel of record and unrepresented parties. Specify "Pro Se" for unrepresented parties.)

Sheriff of Clearfield County
PO Box 549
Clearfield, PA 16830-0549
Attn: Civil Process

I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.



Louis P. Vitti, Esquire

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

U.S. BANK NATIONAL ASSOCIATION *
(TRUSTEE FOR THE PENNSYLVANIA FINANCE AGENCY *
Plaintiff *
vs. * NO. 08-2290-CD
JONATHON C. FOGLEMAN and MELISSA A. FOGLEMAN, *
Defendants *

ORDER

NOW, this 13th day of February, 2009, upon consideration of the Motion to Direct Sheriff Return and an examination of the record, the Court notes and ORDERS as follows:

1. The Sheriff's Return of Service document relative **Melissa A. Fogleman** was filed with the Prothonotary's Office on December 23, 2008, and the difficulties caused relative no Sheriff's Return having yet been mailed to the Plaintiff, it is the ORDER of this Court that the Sheriff cause a copy of the Return of Service to be mailed to the Plaintiff within five (5) days of the date of this Order; and
2. The Sheriff's Return of Service document relative **Jonathon C. Fogleman** was served on Mr. Fogleman on December 15, 2008, however, the Sheriff's Return has not yet been filed with the Prothonotary's Office, it is the ORDER of this Court that the Sheriff cause a copy of the Return of Service to be filed and mailed to the Plaintiff within seven (7) days of the date of this Order.

FILED 01/09/2014 3cc Atty Vitti

5 William A. Shaw
Prothonotary/Clerk of Courts

ICC Sheriff (6/16)
JMS

BY THE COURT

FREDRIC J. AMMERMAN
President Judge

FILED

FEB 17 2009

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 2/17/09

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

DOCKET # 104984
NO. 08-2290-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION (TRUSTEE)
VS.
DEFENDANT: JONATHON C. FOGLEMAN and MELISSA A. FOGLEMAN

SHERIFF RETURN

NOW, December 09, 2008, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JONATHON C. FOGLEMAN.

NOW, December 15, 2008 AT 10:44 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JONATHON C. FOGLEMAN, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

S
FILED
01/01/09 LM
FEB 19 2009

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104984
NO: 08-2290-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION (TRUSTEE)
vs.
DEFENDANT: JONATHON C. FOGLEMAN and MELISSA A. FOGLEMAN

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SHERIFF HAWKINS	VITTI	10406	20.00
SHERIFF HAWKINS	VITTI	10406	45.89
CENTRE CO.	VITTI	10526	49.60

Sworn to Before Me This

So Answers,

____ Day of _____ 2009


Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE

CENTRE COUNTY

LOUIS P. VITTI & ASSOC

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) U S Bank National Association	2. Case Number 08-2290-CD
3. Defendant(s) Jonathon C Fogleman	4. Type of Writ or Complaint: Complaint 502977

SERVE → 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold.
AT { Jonathon C Fogleman

6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)
415 Pine Glenn Road, Moshannon, PA 16859

7. Indicate unusual service: Reg Mail Certified Mail Deputize Post Other

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator LOUIS P. VITTI & ASSOC 916 FIFTH AVE.	10. Telephone Number 412-281-1725	11. Date
12. Signature		
PITTSBURGH, PA. 15219		

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSO Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
------------------------------------------------------------------------	--------------------------------------------------------	----------------	-----------------------------

TO BE COMPLETED BY SHERIFF

16. Served and made known to Jonathan Fogleman, on the 15 day of December 2008, at 10:44 AM o'clock, m., at 415 Pine Glenn Road, Moshannon, PA 16859, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) resides(s). Relationship is defendant
 Adult in charge of Defendant's residence.
 Manager/Clerk of place of lodging in which Defendant(s) resides(s).
 Agent or person in charge of Defendant's office or usual place of business.
 and officer of said Defendant company.
 Other _____

On the _____ day of _____, 20 _____, at _____ o'clock, M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks: Picked up papers at 213 E High St. Bellefonte PA

Advance Costs 75.00	Docket 9.00	Service 9.00	Sur Charge 0.00	Affidavit 2.50	Mileage 29.10	Postage	Misc.	Total Costs 49.60	Costs Due or Refund (25.40)
------------------------	----------------	-----------------	--------------------	-------------------	------------------	---------	-------	----------------------	--------------------------------

17. AFFIRMED and subscribed to before me this 17
 20. day of Dec. 20 08
 23. *Corinne H. Peters*
 COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Corinne H. Peters, Notary Public
My Commission Expires Sept. 3, 2008

24. LACK OF PAYMENT BY DEFENDANT
OMITTED OR UNLAWFUL NOTARIES

So Answer.
18. Signature of Dep. Sheriff
Julie Shabot
19. Date 12-16-08
21. Signature of Sheriff
22. Date

SHERIFF OF CENTRE COUNTY
Amount Pd. Page
25. Date Received



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641
FAX (814) 765-5915
ROBERT SNYDER
CHIEF DEPUTY
MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER
KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 104984

TERM & NO. 08-2290-CD

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE)

COMPLAINT IN MORTGAGE FORECLOSURE

vs.

JONATHON C. FOGLEMAN and MELISSA A. FOGLEMAN

SERVE BY: 12/30/08
COURT DATE:

MAKE REFUND PAYABLE TO LOUIS P. VITTI & ASSOC.

SERVE: JONATHON C. FOGLEMAN

ADDRESS: 415 PINE GLEN ROAD, MOSHANNON, PA 16859

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENRE COUNTY, Pennsylvania to execute this writ. This Depetation being made at the request and risk of the Plaintiff this day, December 09, 2008.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

FILED

FEB 19 2009

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION
(TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY)

CIVIL DIVISION

NO. 08-2290-CD

Plaintiff,

vs.

JONATHON C. FOGLEMAN AND
MELISSA A. FOGLEMAN

Defendant.

**PRAECIPE TO REINSTATE
COMPLAINT**

MORTGAGE FORECLOSURE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
PA I.D. #01072
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

FILED Atty Ad.
MT 2:45 PM 7.00
MAR 09 2009
S William A. Shaw
Prothonotary/Clerk of Courts
ICCO / Compl. *Reinstated*
to Sheriff
(610)

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR)
THE PENNSYLVANIA HOUSING FINANCE AGENCY)
Plaintiff) NO. 08-2290-CD
VS.)
JONATHON C. FOGLEMAN AND MELISSA A. FOGLEMAN)
Defendant(s))

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please reinstate the complaint in the above-captioned case

Respectfully submitted,

Vitti & Vitti & Associates P.C.

BY: 
Louis P. Vitti, Esquire

DATE: March 4, 2009

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION
(TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY)

CIVIL DIVISION

No. 08-2290-CD

Plaintiff,

**MOTION TO DIRECT SHERIFF
RETURN**

vs.

Filed on behalf of
Plaintiff

JONATHON C. FOGLEMAN AND
MELISSA A. FOGLEMAN,

Counsel of record for this
party:

Louis P. Vitti, Esquire
PA I.D. #01072

Defendants.

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED
m10:32pm
JUN 17 2009
NO CC
64

5
William A. Shaw
Prothonotary/Clerk of Courts

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
PENNSYLVANIA FINANCE AGENCY)
) NO. 08-2290-CD
 PLAINTIFF)
)
 VS.)
)
 JONATHON C. FOGLEMAN AND)
 MELISSA A. FOGLEMAN)
)
 DEFENDANTS)

NOTICE

TO: Sheriff of Clearfield County
PO Box 549
Clearfield, PA 16830-0549
Attn: Civil Process

TAKE NOTICE that the within Motion to Direct Sheriff Return will be presented before
the Motions Judge, Clearfield County Courthouse, Clearfield, Pennsylvania 16830 as unopposed
unless a responsive pleading is filed.

VITTI AND VITTLAND ASSOC., P.C.



Louis P. Vitti, Esquire
Attorney for Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
PENNSYLVANIA FINANCE AGENCY)
) NO. 08-2290-CD
 PLAINTIFF)
)
 VS.)
)
 JONATHON C. FOGLEMAN AND)
 MELISSA A. FOGLEMAN)
)
 DEFENDANTS)

MOTION TO DIRECT SHERIFF'S RETURN

NOW comes the Plaintiff/Petitioner by and through its attorneys Vitti and Vitti and
Associates, P.C. and Louis P. Vitti, Esquire, and files the within Motion whereof the following is
a statement:

1. Petitioner is the Plaintiff at the above captioned number and term.
2. The Defendants, Jonathon C. Fogleman and Melissa A. Fogleman are Defendants at the
above caption number and term.
3. The action that is filed is an action in mortgage foreclosure for obtaining possession of
property for failure to pay the mortgage.
4. Plaintiff/Petitioner's counsel has made contact with the Sheriff's Office of Clearfield
County by telephone for status of this case and have received information that Defendant,
Melissa A. Fogleman was served by serving Kiel Heckman, her husband, on March 17, 2009, by
the Sheriff of Centre County.

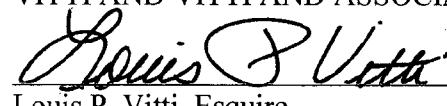
5. The Sheriff has not made a timely return of service and Plaintiff/Petitioner is unable to proceed further in this action.

WHEREFORE, the Petitioner prays that this Honorable Court enter an order directing the Office of the Sheriff to duly file the required sheriff return of service to allow this case to proceed and protect the security for which the loan was made.

Respectfully submitted,

VITTI AND VITTI AND ASSOCIATES, P.C.

BY:



Louis P. Vitti, Esquire
Attorney for Petitioner

VERIFICATION

NOW Louis P. Vitti verifies that the statements made in this Motion are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the Court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.



Louis P. Vitti

Dated: June 1, 2009

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY,

: NO: 08-2290-CD

Plaintiff,

vs

JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN,

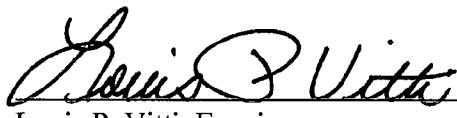
Defendants.

CERTIFICATE OF SERVICE

I, Louis P. Vitti, hereby certify that on the 15th day of June, 2009, a true and correct copy of the within Motion to Direct Sheriff's Return was served upon the following by Regular U.S. Mail:

*Sheriff of Clearfield County
P.O. Box 549
Clearfield, PA 16830-0543
Att: Civil Process*

I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.



Louis P. Vitti
Louis P. Vitti, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105394
NO: 08-2290-CD
SERVICE # 1 OF 1
PRAECIPE & COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION (Trustee for the Pennsylvania Housing Finance Agency)
VS.
DEFENDANT: JONATHON C. FOGLEMAN and MELISSA A. FOGLEMAN

SHERIFF RETURN

NOW, March 11, 2009, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN PRAECIPE & COMPLAINT IN MORTGAGE FORECLOSURE ON MELISSA A. FOGLEMAN.

NOW, March 17, 2009 AT 1:55 PM SERVED THE WITHIN PRAECIPE & COMPLAINT IN MORTGAGE FORECLOSURE ON MELISSA A. FOGLEMAN, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

5
FILED
01230Ln
JUN 17 2009
cm

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105394
NO. 08-2290-CD
SERVICES 1
PRAECIPE & COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION (Trustee for the Pennsylvania Housing Finance Agency)
vs.

DEFENDANT: JONATHON C. FOGLEMAN and MELISSA A. FOGLEMAN

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	VITTI	11611	10.00
SHERIFF HAWKINS	VITTI	11611	12.00
CENTRE CO.	VITTI	11612	48.50

Sworn to Before Me This

So Answers,

____ Day of _____ 2009


Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE

CENTRE COUNTY

LOUIS P. VITTI & ASSOC

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

HS

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) U S Bank National Association	2. Case Number 08-2290-CD
3. Defendant(s) Jonathon C and Melissa A Fogleman	4. Type of Writ or Complaint: Complaint 503652

SERVE → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. Melissa A Fogleman
	6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 110 N 4th Street, Snow Shoe, PA 16874

7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other

Now, 20 _____ I, SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of _____ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. _____ Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN -- Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator LOUIS P. VITTI & ASSOC 916 FIFTH AVE.	10. Telephone Number 412-281-1725	11. Date
	12. Signature	

PITTSBURGH, PA. 15219

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE			
13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date

TO BE COMPLETED BY SHERIFF

16. Served and made known to Kiel Heckman, on the 17 day of March 20 2009, at 1:55 PM o'clock, m., at 110 N 4th Street, Snow Shoe, PA 16874, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) resides(s). Relationship is husband
 Adult in charge of Defendant's residence.
 Manager/Clerk of place of lodging in which Defendant(s) resides(s).
 Agent or person in charge of Defendant's office or usual place of business.
 _____ and officer of said Defendant company.
 Other _____

On the _____ day of _____, 20 _____, at _____ o'clock, _____ M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks:

Advance Costs 75.00	Docket 9.00	Service 9.00	Sur Charge 0.00	Affidavit 2.50	Mileage 28.00	Postage	Misc.	Total Costs 48.50	Costs Due or Refund (26.50)
------------------------	----------------	-----------------	--------------------	-------------------	------------------	---------	-------	----------------------	--------------------------------

17. AFFIRMED and subscribed to before me this 29 So Answer.

20. day of April 20 09 21. Notary Public _____	18. Signature of Dep. Sheriff Kiel Heckman 21. Signature of Sheriff
---------------------------------------------------	---------------------------------------------------------------------------

19. Date 4-29-09
22. Date

23. COMMONWEALTH OF PENNSYLVANIA Notarial Seal My Commission Expires, Notary Public CARINE E. PETERS, Notary Public 24. I ACKNOWLEDGE THAT I AM A CENTRE COUNTY SHERIFF'S RETURN SIGNATURE OF AUTHORIZED EXPRESSENGERS, 2008		20. Amount Pd. _____ 21. Page _____
		25. Date Received

Member, Pennsylvania Association of Notaries

COPY

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

U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE)
PENNSYLVANIA FINANCE AGENCY))
PLAINTIFF) NO. 08-2290-CD
VS.)
JONATHON C. FOGLEMAN AND)
MELISSA A. FOGLEMAN)
DEFENDANTS)

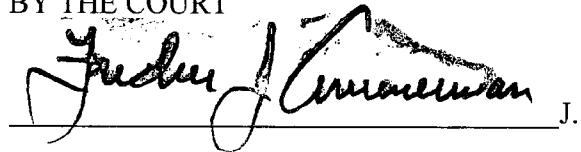
ORDER OF COURT

NOW, this 17th day of June, 2009, upon consideration of the

Motion for Court Order to Direct the Clearfield County Sheriff's Office to File Sheriff's Return, it
is hereby ORDERED, ADJUDGED and DECREED that the Sheriff of Clearfield County is to
file the Sheriff's Return with the Prothonotary's Office within 10 days of the date of this order.

In addition, the Sheriff's Department shall cause copies of the Return of Service
to be mailed to the Plaintiff within 10 days of the date of this ORDER.

BY THE COURT



J. Curran

FILED
03:40 AM
JUN 17 2009
1CC Sheriff

5 William A. Shaw
Prothonotary/Clerk of Courts

66

ORIGINAL

DATE: 6/17/09

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:

Prothonotary/Clerk of Courts
William A. Shaw

JUN 17 2009

FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION
(TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY),

Plaintiff,

vs.

JONATHAN C. FOGLEMAN and
MELISSA A. FOGLEMAN,

Defendants.

CIVIL DIVISION

NO. 08-2290-CD

**PRAECIPE FOR DEFAULT
JUDGMENT, CERTIFICATION OF
MAILING AND AFFIDAVIT OF NON-
MILITARY SERVICE**

Code MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED Atty pd.
M 13/25/09 20.00
JUL 06 2009
Notice to Def.
William A. Shaw
Prothonotary/Clerk of Courts
(8u)

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY, :
Plaintiff, : NO: 08-2290-CD
vs :
JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN, :
Defendants. :
:

PRAECLPPE FOR DEFAULT JUDGMENT AND ASSESSMENT OF DAMAGES

TO: PROTHONOTARY OF CLEARFIELD

Enter judgment in Default of an Answer in the amount of **\$54,026.91**, in favor of the U.S. Bank, et al, Plaintiff in the above-captioned action, against the Defendants, **Jonathan C. Fogleman and Melissa A. Fogleman** and assess Plaintiff's damages as follows and/or as calculated in the Complaint:

Unpaid Principal Balance	\$45,828.32
Interest from 04/01/08-07/01/09 (Plus 6.00% per day after 07/01/09)	2,719.57
Late charges (Plus \$10.43 per month from 11/24/08-Sale Date)	62.58
Attorney's fee	2,291.42
Escrow Deficit (Plus any additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	<u>3,125.02</u>
Total Amount Due	\$54,026.91

The real estate, which is the subject matter of the Complaint, is situate in Morris Twp, Cty of Clearfield & Cmwlt of PA. HET a dwg k/a 229 Old Turnpike Road, Munson, PA 16860. Parcel No. 124-R9-33. 

Louis P. Vitti
Louis P. Vitti, Esquire
Attorney for the Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY, :
Plaintiff, : NO: 08-2290-CD
vs :
JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN, :
Defendants. :
:

CERTIFICATION OF MAILING

I, Louis P. Vitti, do hereby certify that a Notice of Intention to Take Judgment was mailed to the Defendant(s), in the above-captioned case on April 7, 2009, giving ten (10) day notice that judgment would be entered should no action be taken.

LOUIS P. VITTI & ASSOCIATES, P.C.

BY:

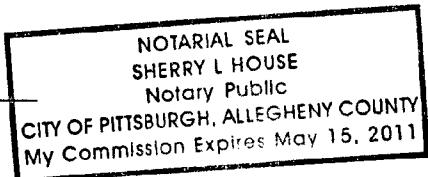

Louis P. Vitti, Esquire
Attorney for Plaintiff

SWORN to and subscribed

before me this 1st day

of July, 2009.


Sherry L. House
Notary Public



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

US BANK NATIONAL ASSOCIATION (trustee for) NO. 08-2290-CD
THE PENNSYLVANIA HOUSING FINANCE AGENCY)
Plaintiff,)
vs.)
JONATHON C. FOGLEMAN and MELISSA A FOGLEMAN,)
Defendants.)

IMPORTANT NOTICE

TO: Jonathan C. Fogelman
415 Pin Glenn Road
Moshannon, PA 16859

Melissa A. Fogelman
110 North 4th Street
Snow Shoe, PA 16874

Date of Notice: April 7, 2009

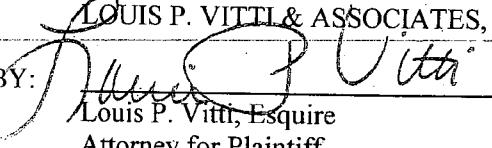
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING 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 A REDUCED FEE OR NO FEE.

PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

814-765-2641 EXT 20

LOUIS P. VITTI & ASSOCIATES, P.C.
BY: 
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219

** THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.**

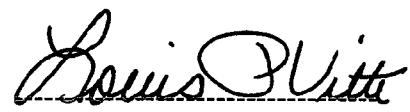
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA, SS:

COUNTY OF ALLEGHENY

BEFORE me, the undersigned authority, personally appeared Louis P. Vitti, Esquire, who, being duly sworn according to law, deposes and says that he is advised and believes that DEFENDANT(S) is/are not presently in the active military service of the United States of America and not members of the Army of the United States, United States Navy, the Marine Corps, or the Coast Guard, and not officers of the Public Health Service detailed by proper authority for duty with the Army or Navy; nor engaged in any active military service or duty with any military or naval units covered by the Soldiers and Sailors Civil Relief Act of 1940 and designated therein as military service, and to the best of this affiant's knowledge is/are not enlisted in military service covered by said act, and that the averments herein set forth, insofar as they are within his knowledge, are correct, and true; and insofar as they are based on information received from others, are true and correct as he verily believes.

This Affidavit is made under the provisions of the Soldiers and Sailors Civil Relief Act of 1940.

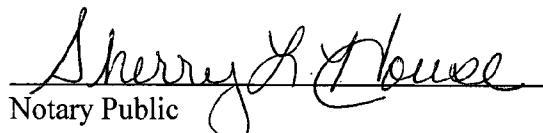


Louis P. Vitti
Louis P. Vitti, Esquire

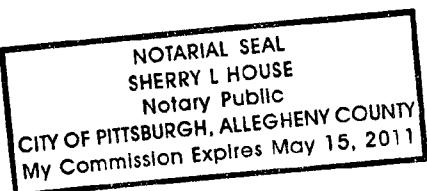
SWORN to and subscribed

before me this 1st day

of July, 2009.



Sherry L. House
Notary Public



COPY

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY,

NO: 08-2290-CD

Plaintiff,

vs

JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN,

Defendants.

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: DEFENDANT(S)

You are hereby notified that a judgment was entered in the above-captioned proceeding

on the 6th day of July, 2009.

Judgment is as follows: \$54,026.91.



Deputy

** THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION
(TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY),

Plaintiff,

vs.

JONATHAN C. FOGLEMAN and
MELISSA A. FOGLEMAN,

Defendants.

CIVIL DIVISION

NO. 08-2290-CD

**PRAECIPE FOR WRIT OF
EXECUTION AND AFFIDAVIT OF
LAST KNOWN ADDRESS**

Code MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED *Atty pd. 20.00*
10/13/36 ADL
10/16/2009 *cc: Calowants*
William A. Shaw
Prothonotary/Clerk of Courts
w/ prop. dese.
to Sheriff
(6w)

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE :
PENNSYLVANIA HOUSING FINANCE AGENCY, :
Plaintiff, : NO: 08-2290-CD
vs :
JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN, :
Defendants. :
:

**PRAECIPE FOR WRIT OF
EXECUTION IN MORTGAGE FORECLOSURE**

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Issue a Writ of Execution in favor of the Plaintiff and against the Defendant(s) in the
above-captioned matter as follows:

Amount Due	\$54,026.91
	140.00 Prothonotary costs
Interest 07/02/09-Sale Date	_____
Total	\$ _____

The real estate, which is the subject matter of the Praecipe for Writ of Execution is situate
in:

Morris Twp, Cty of Clearfield & Cmwlth of PA. HET a dwg k/a 229 Old Turnpike Road, Munson, PA
16860. Parcel No. 124-R9-33.


Louis P. Vitti, Esquire
Attorney for Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY,

: NO: 08-2290-CD

Plaintiff,

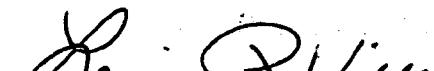
vs

JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN,

Defendants.

AFFIDAVIT

I, Louis P. Vitti, do hereby swear that, to the best of my knowledge, information and belief, the Defendant(s), is/are the owners of the real property on which the Plaintiff seeks to execute . That the Defendant's Jonathan C. Fogelman last known address is 415 Pine Glenn Road, Moshannon, PA 16859. Defendant's Melissa A. Fogelman last known address is 110 North 4th Street, Snow Shoe, PA 16874.



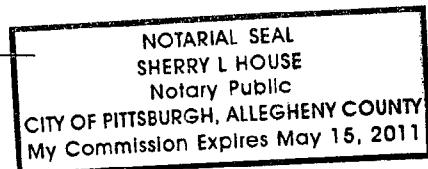
Louis P. Vitti, Esquire

SWORN TO and subscribed

before me this 1st day of

July, 2009.



Notary Public

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY,

: NO: 08-2290-CD

Plaintiff,

vs

JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN,

Defendants.

AFFIDAVIT PURSUANT TO RULE 3129.1

U.S. Bank, et al, Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 229 Old Turnpike Road, Munson, PA 16860.

1. Name and address of Owner(s) or Reputed Owner(s):

Name:	Address (Please indicate if this cannot be reasonably ascertained)
Johnathan C. Fogleman	415 Pine Glenn Road Moshannon, PA 16859
Melissa A. Fogleman	110 North 4th Street Snow Shoe, PA 16874

2. Name and address of Defendant(s) in the judgment:

Name:	Address (Please indicate if this cannot be reasonably ascertained)
Same as No. 1 above.	

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name:	Address (Please indicate if this cannot be reasonably ascertained)
NONE	

4. Name and address of the last recorded holder of every mortgage of record:

Name	Address (Please indicate if this cannot be reasonably ascertained)
Omega Bank c/o Omega Financial Corporation	P.O. Box 298 State College, PA 16804
Jersey Shore State Bank	300 Market Street Williamsport, PA 17701
Pennsylvania Housing Finance Agency	211 North Front Street Harrisburgh, PA 17101

5. Name and address of every other person who has any record lien on the property:

Name	Address (Please indicate if this cannot be reasonably ascertained)
None	

6. Name and address of every other person who has any record interest in or record lien on the property and whose interest may be affected by the sale:

Name	Address (Please indicate if this cannot be reasonably ascertained)
None	

7. Name and address of every other person of whom the Plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name	Address (Please indicate if this cannot be reasonably ascertained)
Tax Collector of Morris Township c/o Cinda L. Hubler	600 Old Turnpike Road Allport, PA 16821-9703
City Government Offices	1189 Oak Grove Road Morrisdale, PA 16858-8208
Morris Township Municipal Authority	5719 Morridsale Allport Highway Allport, PA 16821

Commonwealth of PA -DPW

P.O. Box 8016
Harrisburg, PA 17105

Clerk of Courts
Criminal/Civil Division

P.O. Box 549
Clearfield, PA 16830

Tax Claim Bureau of Clearfield County

230 East Market Street
Clearfield, PA 16830

Court of Common Pleas of
Clearfield County
Domestic Relations Division

P.O. Box 549
Clearfield, PA 16830

PA Dept. of Sheriff Sales
Bureau of Compliance

Dept. #281230
Harrisburg, PA 17128-1230

Tenant/Occupant

229 Old Turnpike Road
Munson, PA 16860

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

July 1, 2009

Date

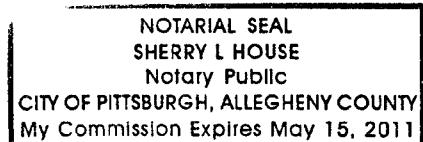

Louis P. Vitti, Esquire
Attorney for Plaintiff

SWORN TO and subscribed

before me this 1st day

of July, 2009.


Sherry L. House
Notary Public



WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW

U.S. Bank National Association,
(Trustee for the Pennsylvania Housing Finance Agency)

COPY

Vs.

NO.: 2008-02290-CD

Jonathon C. Fogleman and
Melissa A. Fogleman

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property:

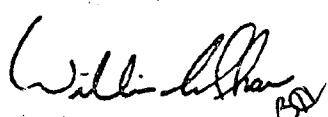
(1) See Attached Description

AMOUNT DUE/PRINCIPAL: \$54,026.91
INTEREST FROM 07/02/09-Sale Date:
ATTY'S COMM: \$
DATE: 7/6/2009

PROTH. COSTS PAID: \$142.00
SHERIFF: \$
OTHER COSTS: \$

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Sheriff



William A. Shaw
Prothonotary/Clerk Civil Division

Requesting Party: Louis P. Vitti, Esq.
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY, :
Plaintiff, : NO: 08-2290-CD
vs :
JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN, :
Defendants. :
:

LEGAL DESCRIPTION

ALL that certain piece of land lying and situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post on West side of Public Road (now known as Old Turnpike Road) running from Munson to Allport; thence along said road South thirty seven degrees (37) forty five (45) minutes East three hundred fifty three (353) feet to a post; thence by said road and lands of now or formerly Wilbur F. Douglass and wife, South forty six and one-fourth (46 1/4) degrees East three hundred sixty-five (365) feet to a post on line of lands formerly of O. L. Schoonover Estate; thence by said lands North eighty four and three fourths (84 3/4) degrees West four hundred eighteen (418) feet to post; thence by lands now or formerly of Mrs. Chilton, North thirty six (36) degrees West four hundred fifty four (454) feet to post corner lot of now or formerly John Trump; thence by said lot North fifty seven and one fourth (57 1/4) degrees East two hundred thirty two (232) feet to place of beginning. CONTAINING three (3) acres and seventy five (75) perches.

BEING further identified as Clearfield County Tax Map No. 124-R9-33 as shown on the assessment map in the Records of Clearfield County, PA.

HAVING erected thereon a dwelling known as 229 Old Turnpike Road, Munson, PA 16860.

BEING the same premises which Scott M. Waple, a single individual, by Deed dated 04/04/2003 and recorded 04/07/2003 in the Recorder's office of Clearfield County, Pennsylvania, Instrument No. 200305523, granted and conveyed unto Jonathan C. Fogleman and Melissa A. Fogleman, his wife, as tenants by the entireties.

SEIZED, taken in execution to be sold as the property of Jonathan C. Fogleman and Melissa A. Fogleman, at the suit of U.S. Bank, et al, Plaintiff. Judgment No. 08-2290-CD.

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY, :
: NO: 08-2290-CD
Plaintiff, :
vs :
: JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN, :
: Defendants. :
:

SHORT DESCRIPTION

Morris Twp, Cty of Clearfield & Cmwlth of PA. HET a dwg k/a 229 Old Turnpike Road, Munson, PA 16860. Parcel No. 124-R9-33.

FILED

SEP 08 2009
3/8/09
S William A. Shaw
Prothonotary/Clerk of Courts
No. C/C

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION
(trustee for THE PENNSYLVANIA
HOUSING FINANCE AGENCY),

CIVIL DIVISION

NO. 08-2290 CD

AFFIDAVIT OF SERVICE

Plaintiff,

Filed on behalf of
Plaintiff

vs.

Counsel of record for this
party:

JONATHAN C. FOGLEMAND and
MELISSA A. FOGLEMAN,

Louis P. Vitti, Esquire
PA I.D. #3810
Supreme Court #01072

Defendant.

Vitti and Vitti and Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY,

: NO: 08-2290-CD

Plaintiff,

vs

JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN,

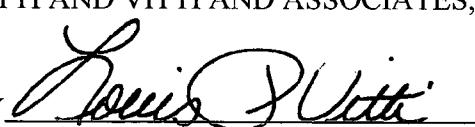
Defendants.

AFFIDAVIT OF SERVICE

I, Louis P. Vitti, do hereby certify that a Notice of Sale was mailed and served upon the defendants by certified mail on August 1, 2009 and August 6, 2009 and all lien holders by Certificate of Mailing for service in the above-captioned case on July 29, 2009, advising them of the Sheriff's sale of the property at 229 Old Turnpike Road, Munson, PA 16860, *on October 2, 2009.*

VITTI AND VITTI AND ASSOCIATES, P.C.

BY

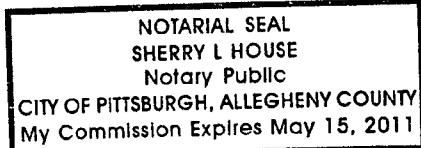

Louis P. Vitti

SWORN to and subscribed

before me this 4th day

of September, 2009.


Notary Public



2. Article Number



7160 3901 9846 3282 2722

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY	
A. Received by (Please Print Clearly) <i>John F. Goleman</i>	B. Date of Delivery <i>8-6-09</i>
C. Signature <i>X John F. Goleman</i>	
D. Is delivery address different from item 1? If YES, enter delivery address below:	
<input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No	

John F. Goleman
415 East Main Street
Lebanon, PA 16059

PS Form 3811, January 2005
slh.fogleman.10.2.09

Domestic Return Receipt

2. Article Number



7160 3901 9846 3282 2739

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Melissa Heckman 8-1-9

B. Date of Delivery

C. Signature

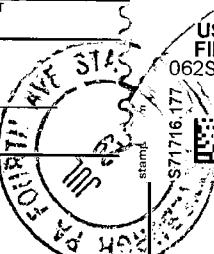
X Melissa Heckman Agent
 Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

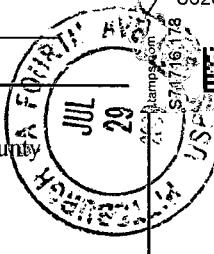
Yes
 No

PS Form 3811, January 2005
s1h.heckman.10.2.09

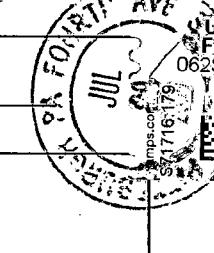
Domestic Return Receipt

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Tax Claim Bureau of Clearfield County 230 East Market Street Clearfield, PA 16830	
 \$1.150 US POSTAGE FIRST-CLASS 062S0007061721 15219			

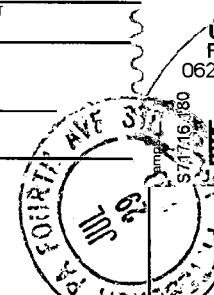
PS Form 3817, January 2001

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Court of Common Pleas of Clearfield County Domestic Relations Division P.O. Box 549 Clearfield, PA 16830	
 \$1.150 US POSTAGE FIRST-CLASS 062S0007061721 15219			

PS Form 3817, January 2001

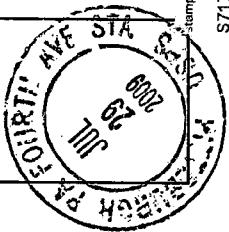
U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 PA Dept. of Sheriff Sales Bureau of Compliance Dept. #281230 Harrisburg, PA 17128-1230	
 \$1.150 US POSTAGE FIRST-CLASS 062S0007061721 15219			

PS Form 3817, January 2001

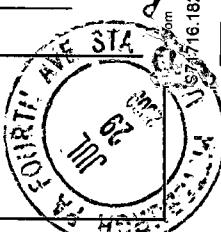
U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Tenant/Occupant 229 Old Turnpike Road Munson, PA 16860	
 \$1.150 US POSTAGE FIRST-CLASS 062S0007061721 15219			

PS Form 3817, January 2001

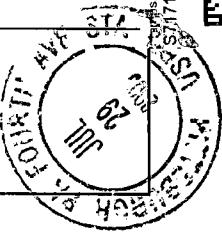
slh.fogleman.10.02.09

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 City Government Offices 1189 Oak Grove Road Morrisdale, PA 16858-8208	

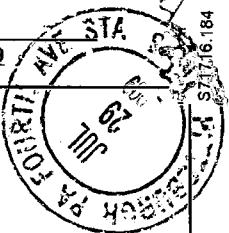
PS Form 3817, January 2001

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Morris Township Municipal Authority 5719 Morridsale Allport Highway Allport, PA 16821	

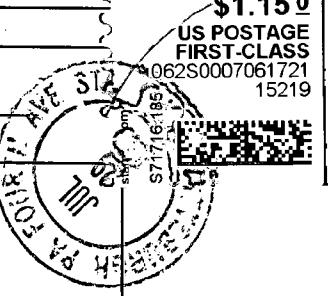
PS Form 3817, January 2001

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Commonwealth of PA -DPW P.O. Box 8016 Harrisburg, PA 17105	

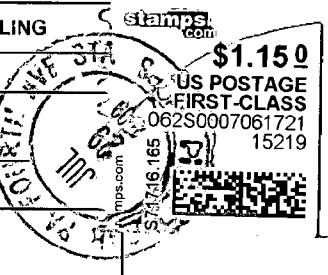
PS Form 3817, January 2001

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Clerk of Courts Criminal/Civil Division P.O. Box 549 Clearfield, PA 16830	

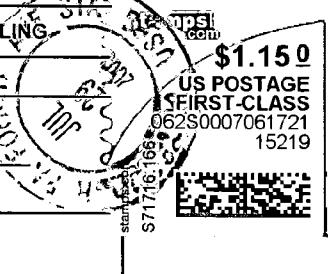
PS Form 3817, January 2001

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Omega Bank c/o Omega Financial Corporation P.O. Box 298 State College, PA 16804	

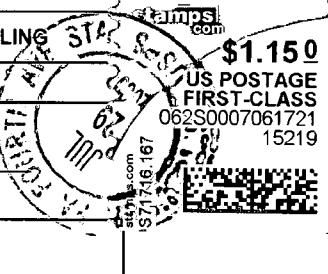
PS Form 3817, January 2001

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Jersey Shore State Bank 300 Market Street Williamsport, PA 17701	

PS Form 3817, January 2001

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Pennsylvania Housing Finance Agency 211 North Front Street Harrisburg, PA 17101	

PS Form 3817, January 2001

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		 Louis P. Vitti & Associates, P.C. <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:		 Tax Collector of Morris Township c/o Cinda L. Hubler 600 Old Turnpike Road Allport, PA 16821-9703	

PS Form 3817, January 2001

FILED
SEP 1 1969
Prothonotary, Common Pleas Courts
William H. Williams, Clerk

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20999
NO: 08-2290-CD

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION, (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY)

vs.

DEFENDANT: JONATHON C. FOGLEMAN AND MELISSA A. FOGLEMAN

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 7/7/2009

LEVY TAKEN 7/22/2009 @ 9:59 AM

POSTED 7/22/2009 @ 9:59 AM

SALE HELD 10/2/2009

SOLD TO U.S. BANK NATIONAL ASSOCIATION, (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY)

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 10/14/2009

DATE DEED FILED 10/14/2009

PROPERTY ADDRESS 229 OLD TURNPIKE ROAD MUNSON , PA 16860

SERVICES

@ SERVED JONATHON C. FOGLEMAN

DEPUTIZED CENTRE COUNTY JULY 23, 2009 FOR SERVICE ON JONATHON C. FOGLEMAN, DEFENDANT.

KA
FILED *RCM*
OCT 14 2009 *PP*
William A. Shaw *5.05*
Prothonotary/Clerk of Courts

7/28/2009 @ 2:13 PM SERVED MELISSA A. FOGLEMAN

CENTRE COUNTY SERVED MELISSA A. FOGLEMAN, DEFENDANT, AT 110 NORTH 4TH STREET, SNOW SHOE, CENTRE COUNTY, PENNSYLVANIA BY HANDING TO KYLE HECKMAN, HUSBAND OF THE DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

7/28/2009 @ 3:02 PM SERVED JONATHON C. FOGLEMAN

CENTRE COUNTY SERVED JONATHON C. FOGLEMAN, DEFENDANT AT 110 NORTH 4TH STREET, SNOW SHOE, CENTRE COUNTY, PENNSYLVANIA BY HANDING TO JONATHON C. FOGLEMAN

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20999

NO: 08-2290-CD

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION, (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY)

VS.

DEFENDANT: JONATHON C. FOGLEMAN AND MELISSA A. FOGLEMAN

Execution REAL ESTATE

SHERIFF RETURN

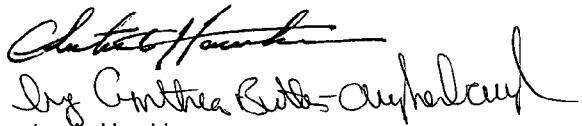
SHERIFF HAWKINS \$213.98

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

____ Day of _____ 2008

So Answers,


In: *Cynthia Butler-Angelcay*
Chester A. Hawkins
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

U.S. Bank National Association,
(Trustee for the Pennsylvania Housing Finance Agency)

Vs.

NO.: 2008-02290-CD

Jonathon C. Fogleman and
Melissa A. Fogleman

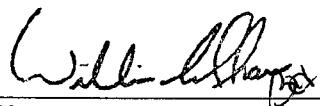
TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property:

(1) See Attached Description

AMOUNT DUE/PRINCIPAL: \$54,026.91
INTEREST FROM 07/02/09-Sale Date:
ATTY'S COMM: \$
DATE: 7/6/2009

PROTH. COSTS PAID: \$142.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Requesting Party: Louis P. Vitti, Esq.
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Sheriff

Received this writ this 7th day
of JULY A.D. 2009
At 3:00 A.M./P.M.

Chesler A. Hawkins

Sheriff by Cynthia Bitter-Clyphalcut

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY,

: NO: 08-2290-CD

Plaintiff,

vs

JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN,

Defendants.

LEGAL DESCRIPTION

ALL that certain piece of land lying and situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post on West side of Public Road (now known as Old Turnpike Road) running from Munson to Allport; thence along said road South thirty seven degrees (37) forty five (45) minutes East three hundred fifty three (353) feet to a post; thence by said road and lands of now or formerly Wilbur F. Douglass and wife, South forty six and one-fourth (46 1/4) degrees East three hundred sixty-five (365) feet to a post on line of lands formerly of O. L. Schoonover Estate; thence by said lands North eighty four and three fourths (84 3/4) degrees West four hundred eighteen (418) feet to post; thence by lands now or formerly of Mrs. Chilton, North thirty six (36) degrees West four hundred fifty four (454) feet to post corner lot of now or formerly John Trump; thence by said lot North fifty seven and one fourth (57 1/4) degrees East two hundred thirty two (232) feet to place of beginning. CONTAINING three (3) acres and seventy five (75) perches.

BEING further identified as Clearfield County Tax Map No. 124-R9-33 as shown on the assessment map in the Records of Clearfield County, PA.

HAVING erected thereon a dwelling known as 229 Old Turnpike Road, Munson, PA 16860.

BEING the same premises which Scott M. Waple, a single individual, by Deed dated 04/04/2003 and recorded 04/07/2003 in the Recorder's office of Clearfield County, Pennsylvania, Instrument No. 200305523, granted and conveyed unto Jonathan C. Fogleman and Melissa A. Fogleman, his wife, as tenants by the entireties.

SEIZED, taken in execution to be sold as the property of Jonathan C. Fogleman and Melissa A. Fogleman, at the suit of U.S. Bank, et al, Plaintiff. Judgment No. 08-2290-CD.

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

U.S. BANK NATIONAL ASSOCIATION (trustee for THE
PENNSYLVANIA HOUSING FINANCE AGENCY,

Plaintiff,

vs

JONATHAN C. FOGLEMAN and MELISSA A. FOGLEMAN,
Defendants.

: NO: 08-2290-CD

SHORT DESCRIPTION

Morris Twp, Cty of Clearfield & Cmwlth of PA. HET a dwg k/a 229 Old Turnpike Road, Munson, PA
16860. Parcel No. 124-R9-33.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME JONATHON C. FOGLEMAN

NO. 08-2290-CD

NOW, October 13, 2009, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on October 02, 2009, I exposed the within described real estate of Jonathon C. Fogleman And Melissa A. Fogleman to public venue or outcry at which time and place I sold the same to U.S. BANK NATIONAL ASSOCIATION, (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR SERVICE	15.00
MILEAGE	
LEVY	15.00
MILEAGE	18.70
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.28
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	10.00
TOTAL SHERIFF COSTS	\$223.98

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.00
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$29.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	54,026.91
INTEREST @ %	0.00
FROM 07/02/2009 TO 10/02/2009	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$54,066.91

COSTS:

ADVERTISING	262.75
TAXES - COLLECTOR	400.30
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
SHERIFF COSTS	223.98
LEGAL JOURNAL COSTS	216.00
PROTHONOTARY	142.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,419.03

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20999

TERM & NO. 08-2290-CD

U.S. BANK NATIONAL ASSOCIATION, (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY)

vs.
JONATHON C. FOGLEMAN AND MELISSA A. FOGLEMAN

DOCUMENTS TO BE SERVED:
NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

SERVE BY: SEPT. 1, 2009

**MAKE REFUND PAYABLE TO VITTI & VITTI & ASSOCIATES
RETURN TO BE SENT TO THIS OFFICE**

SERVE: MELISSA A. FOGLEMAN

ADDRESS: 110 NORTH 4TH STREET
SNOW SHOE, PA 16874

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Thursday, July 23, 2009.

RESPECTFULLY,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20999

TERM & NO. 08-2290-CD

U.S. BANK NATIONAL ASSOCIATION, (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY)

vs.

JONATHON C. FOGLEMAN AND MELISSA A. FOGLEMAN

DOCUMENTS TO BE SERVED:
NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

SERVE BY: SEPT. 1, 2009

**MAKE REFUND PAYABLE TO VITTI & VITTI & ASSOCIATES
RETURN TO BE SENT TO THIS OFFICE**

SERVE: JONATHON C. FOGLEMAN

ADDRESS: 415 PINE GLENN ROAD
MOSHANNON, PA 16859

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Thursday, July 23, 2009.

RESPECTFULLY,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

SHERIFF'S OFFICE

CENTRE COUNTY

VITTI AND VITTI AND ASSOCI

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) US BANK NATIONAL ASSOCIATION	2. Case Number 08-2290-CD
3. Defendant(s) JONATHON C AND MELISSA A FOGLEMAN	4. Type of Writ or Complaint: COURT EXECUTI 201265

SERVE → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. JONATHON C FOGLEMAN
	6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 110 NORTH 4TH STREET, SNOW SHOE, PA 16874

7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other

Now, 20 I, SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whom ever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator	10. Telephone Number	11. Date
	12. Signature	

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed
------------------------------------------------------------------------	--------------------------------------------------------	----------------

TO BE COMPLETED BY SHERIFF

16. Served and made known to JONATHON C FOGLEMAN	, on the 28 day of July
20 2009, at 3:02 PM o'clock, m. at 110 NORTH 4TH STREET, SNOW SHOE, PA 16874	, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) resides(s). Relationship is _____
 Adult in charge of Defendant's residence.
 Manager/Clerk of place of lodging in which Defendant(s) resides(s).
 Agent or person in charge of Defendant's office or usual place of business.
 and officer of said Defendant company.

Other _____

On the _____ day of _____, 20____, at _____ o'clock, _____ M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks:

Advance Costs 150.00	Docket 9.00	Service 18.00	Sur Charge	Affidavit 3.50	Mileage 35.00	Postage	Misc. 5.00	Total Costs 70.50	Costs Due or Refund (79.50)
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17. AFFIRMED and subscribed to before me this 30

20 day of Sept 2009
COMMONWEALTH OF PENNSYLVANIA
 Notary Public
 Corinne Peters, Notary Public
 Bellefonte Boro, Centre County
 My Commission Expires Sept. 5, 2013
 MPA Notary Public Association of Notaries

So Answer.

18. Signature of Dep. Sheriff <i>Hal Shuler</i>	19. Date 9-29-09
21. Signature of Sheriff	22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd. _____ Page _____

24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE OF AUTHORIZED AUTHORITY AND TITLE.	25. Date Received
---------------------------------------------------------------------------------------------------	-------------------

SHERIFF'S OFFICE

CENTRE COUNTY

VITTI AND VITTI AND ASSOCI

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) US BANK NATIONAL ASSOCIATION	2. Case Number 08-2290-CD
3. Defendant(s) JONATHON C AND MELISSA A FOGLEMAN	4. Type of Writ or Complaint: COURT EXECUTI 201265

SERVE → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. MELISSA A FOGLEMAN
	6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 110 NORTH 4TH STREET, SNOW SHOE, PA 16874

7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputy <input type="checkbox"/> Post <input type="checkbox"/> Other

Now, 20 I, SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator	10. Telephone Number	11. Date
	12. Signature	

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
------------------------------------------------------------------------	--------------------------------------------------------	----------------	-----------------------------

TO BE COMPLETED BY SHERIFF

16. Served and made known to KYLE HECKMAN, on the 28 day of July
20 2009, at 2:13 PM o'clock, m., at 110 NORTH 4TH STREET, SNOW SHOE, PA 16874, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

- Defendant(s) personally served.
- Adult family member with whom said Defendant(s) resides(s). Relationship is HUSBAND
- Adult in charge of Defendant's residence.
- Manager/Clerk of place of lodging in which Defendant(s) resides(s).
- Agent or person in charge of Defendant's office or usual place of business.
and officer of said Defendant company.

Other _____

On the _____ day of _____, 20____, at _____ o'clock, _____ M.

Defendant not found because:

- Moved Unknown No Answer Vacant Other _____

Remarks:

Advance Costs 150.00	Docket 9.00	Service 18.00	Sur Charge	Affidavit 3.50	Mileage 35.00	Postage	Misc. 5.00	Total Costs 70.50	Costs Due or Refund (79.50)
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17. AFFIRMED and subscribed to before me this 30

20. day of Sept 20 09

2. COMMONWEALTH OF PENNSYLVANIA

Notary Public

Corinne Peters, Notary Public

Bellefonte Boro, Centre County

My Commission Expires Sept. 5, 2013

24. Member of the Commonwealth of Pennsylvania Sheriff's Return Signature
of Authorized Authority and Title.

So Answer.

18. Signature of Dep. Sheriff

Hal Shultz

19. Date

9-29-09

21. Signature of Sheriff

SHERIFF OF CENTRE COUNTY

Amount Pd.

Page

22. Date

25. Date Received

FILED
OCT 14 2009
William A Shaw
Prothonotary/Clerk of Courts